



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

Reference	PA/18/01676
Site	Regents Wharf, Wharf Place, London
Ward	St Peters
Proposal	The removal of the existing roof structure and construction of a mansard style roof extension to provide 4x 1b2p flats, 1x 2b3p flat and 1x 2b4p flat with associated cycle parking and refuse storage facilities.
Recommendation	Grant planning permission with conditions
Applicant	Albany Homes
Architect	Square Feet Architects
Case Officer	John Miller
Key dates	<ul style="list-style-type: none">- Application registered as valid on 12/06/2018- Public consultation finished on 07/08/2018- Planning committee (1) on 24/01/2019- Planning committee (2) on 13/06/2019

EXECUTIVE SUMMARY

The report considers an application for a roof extension to an existing development to provide six additional flats. Officers have considered the particular circumstances of this application against the provisions of the Local Plan and other material considerations as set out in this report, and recommend approval of planning permission.

The report sets out that the scheme would provide additional residential accommodation within a well considered design that is consistent with the architectural ambition and high design standards achieved within the locality.

Height, massing and design has been proposed to minimise the impact on the surrounding streetscene and would still appropriately respond to local context, safeguarding the character and appearance of nearby heritage assets.

The proposed residential dwellings would be acceptable in terms of standard of accommodation and would have an acceptable amenity impact to neighbouring residential and commercial properties.

The impacts on the amenity of neighbouring occupiers would be minimal and would be acceptable for an urban location.

Transport matters, including parking, access and servicing are acceptable and it is not considered that there would be any significant detrimental impact upon the surrounding highways network as a result of this development.

The scheme would be liable to both the Mayor of London's and the Borough's community infrastructure levy.

The application was first considered by the Development Committee on 24th January 2019 and then again on June 13th 2019. In the first instance the application was recommended for approval, however, members resolved to defer the application for a daylight/sunlight analysis. In the second instance given the changes to the membership of the Development Committee that considered the application in January, the Committee deferred again due to the need to fully consider afresh all aspects of the application scheme and not restrict itself to the reasons why the previous Committee deferred the application.



Figure 1: Site boundary (red) including consultation (pink)

1. SITE AND SURROUNDINGS

- 1.1 The application site is approximately 0.12ha and is bound by The Regents Canal to the north, Wharf Place to the south-east and Pritchard's Road to the west.
- 1.2 The application site comprises of 28 flats and associated cycle parking, waste storage, 20 car parking spaces and communal area fronting the canal totalling 420sqm. The site is known as Regents Wharf on Wharf Place.
- 1.3 The site is bound by Regents Canal to the north, London Wharf to the east, a four storey residential development, Ada House to the south, a five storey residential development, and Debdale House to the west, a six storey residential development.
- 1.4 The buildings that immediately surround the site are primarily residential in nature. London Wharf, Ada House and Debdale House range between four and six storeys in height.
- 1.5 In terms of policy designations, part of the application site is located within the Regents Canal Conservation Area (the part of the site fronting the canal). There are no listed buildings in the immediate vicinity.
- 1.6 The site is located in close proximity to the Hoxton overground station, in addition to local bus routes. It has a Public Transport Accessibility of 4.
- 1.7 The site does not fall with any site allocations as outlined in the Local Plan but is located to the north of the 'Marian Place Gas Works and The Oval' site allocation as per the Managing Development Document (2013).
- 1.8 Relevant photographs of the application site and neighbouring development are included below and in Appendix 2.



Figure 1: Birds eye view of the site and surrounds (highlighted in red)

2. PROPOSAL

- 2.1 The proposed development and the evolution of the design are described in detail within the applicant's Design and Access Statement. In brief, the application is for:
- The removal of the existing roof structure and construction of a mansard style roof extension to provide 4x 1b2p flats, 1x 2b3p flat and 1x 2b4p flat with associated cycle parking and refuse storage facilities.
- 2.2 The scheme would be 'car free' for incoming residents with existing residents still benefiting from the private underground car parking area. All spaces would be retained. A total of 36 cycle parking spaces would be provided to serve all the units (existing and proposed).
- 2.3 The architecture of the scheme would be contemporary in character, with rich detailing and a material palette centred on the use of robust materials such as zinc cladding and glazing.. Further selected plans and images of the proposed development are set out in Appendix 2.
- 2.4 Amended plans have been received over the course of the application and these largely relate to:
- Revised cycle arrangement
 - Daylight/sunlight analysis

3. RELEVANT PLANNING HISTORY

Application Site

- 3.1 PA/01/01427: Partial demolition of existing two storey residential unit, down to courtyard level, and construction of a three storey building on NE corner of courtyard, incorporating existing basement residential floorspace and creating one maisonette and two flats. (Revised scheme of reduced scale and amended design to replace proposal advertised in December 2001) *Withdrawn*
- 3.2 PA/04/00160: Partial demolition of existing two-storey residential unit, down to courtyard level, and construction of a three-storey building on NE corner of courtyard. Proposal incorporates existing basement space into a replacement maisonette and adds three new flats. *Refused. Appealed – Dismissed*
- 3.3 PA/05/02129: Construction of new 3 storey building to form 3 flats over existing entrance and bin store. *Refused. Appealed - Dismissed*
- 3.4 PA/06/01087: Construction of new 3 storey building to form 3 flats over existing entrance and bin store (revised scheme). *Refused. Appealed – Allowed*
- 3.5 PA/07/00411: Construction of 3 storey building to provide 3 x 1-bed flats, provision of bin store enclosure and upgrading of entrance (addition to side). *Permitted 18/06/2007*
- 3.6 PA/09/02273: Erection of two new dwellings in disused car-park area. *Refused Appealed Dismissed*
- 3.7 PA/11/00834: Erection of a new dwelling within part of the basement parking area. *Permitted 07/02/2012*
- 3.8 PA/12/00514: Erection of one 1 bed dwelling within the area of the lower car park level. *Refused 14/08/2012*

- 3.9 PA/13/01945: Erection of one 1 bed dwelling within the area of the lower car park level. *Refused 17/10/2013*
- 3.10 PA/15/02977: Erection of one new residential flat within rear car parking space. [AMENDED PROPOSAL] *Permitted 26/01/2016*
- 3.11 PA/16/02761: Erection of no 1 porters lodge in a dis-used space. *Refused 29/11/2016*
- 3.12 PA/17/00632: Erection of no 1 porters lodge in a dis-used space. *Withdrawn*
- 3.13 PA/17/01725: The change of use of the existing vacant space at lower ground floor into a one bedroom residential unit and planted courtyard. *Permitted 16/11/2017*
- 3.14 PA/17/02982: Single Storey mansard style roof extension to Regents Wharf to provide 5no. new residential (C3) units. *Withdrawn*
- 3.15 PA/18/00776: Non-Material amendment to planning permission PA/17/01725 and dated 16/11/2017 to carry out alterations to the internal layout of the consented one bedroom residential unit at lower ground floor to accommodate existing electrical cupboard. *Permitted 25/04/2018*

Pre-application

- 3.16 Officers engaged with the applicant at pre-application stage under pre-application reference PF/17/00115. The proposal under consideration was largely similar to the proposal as per pre-application stage. Pre-application discussions identified several key issues to be addressed. These included:
- Detailed design
 - Biodiversity

4. PUBLICITY AND ENGAGEMENT

- 4.1 Following the receipt of the application, the Council notified nearby owners/occupiers by post and by site notices. A press advert was also published in a local newspaper.
- 4.2 A total of 27 letters of objection were received from local residents. From the initial application (prior to the first committee meeting) 26 letters of objection were received. Following the publication of the June 13th committee report an additional representation was received.
- 4.3 The issues raised in the objection letters are as follows:

Design

- The development does not respect the local context and street pattern
- The scale and proportions of the buildings does not sit well in the surrounding area
- Overdevelopment and overcrowding

Amenity

- Construction would harm amenity of residents
- Additional storey would block of light to surrounding residents and canal

- No provided amenity space
- Unacceptable overlooking into adjacent properties

Highways & Waste

- Proposed cycle storage is already in site from a previous application
- Cycle and waste storage is already at capacity

Other

- Application documents fail to fully identify site history
- Misleading information contained within documents
- The site has been used as an ongoing construction site and is a nuisance to residents
- Devalue properties
- Structural problems/issues

4.4 The issues raised in the follow up letter are as follows:

Building management plan

- Regents Wharf remains a building site with construction works on a previously approved application (PA/17/01725) still on-going with the result the site is in a hazardous state and left without communal amenity space.
- Failed to complete construction in a timely manner.
- No evidence that an enforceable management plan is envisaged and considering that it is unlawful to impose such a condition planning consent should be withheld.

Daylight/sunlight

- Appears BVP's assessment was carried out without a site visit or primary research and relies on some estimations and assumptions.
- Do not agree that the transgressions are minor in terms of the failure to adhere to the winter sunlight guidelines.
- Confidence in the independent review is undermined by a failure to pick up two further transgressions in BVP's data: existence of a fourth winter sunlight transgression to W8 on the second floor which is reduced to 0.61 of its former value a transgression of the BRE guideline on the ratio of proposed to existing annual sunlight. With window W11 on the ground floor, shown at 0.77 in the data

table and should be flagged "no" not meeting BRE guidance but is erroneously flagged as "yes".

- Surprised at the timings of a site visit from the independent consultant given it was undertaken before the updated daylight report was issued.

5. CONSULTEES

LBTH Refuse

- 5.1 Initial comments were that the applicant is required to provide further information on the volume of waste by litres, size and type of containers to be used. The information provided of existing 5 x 770 litre wheelie bins does not address the breakdown of waste streams and the proposed units.
- 5.2 All bins must meet the British Standard EN 840 Bin Store. The applicant is required to show details of the bin store.
- 5.3 Officers note the objections with regards to the waste storage however following the above the applicant submitted revised documents detailing the breakdown of waste arrangements in line with the council's requirements. Waste officer comments were then updated stating that the proposed capacity breakdown was acceptable and that the bin store/ waste arrangements would be acceptable subject to a condition.
- Conditions
- 5.4 Planning conditions requiring a waste management plan are proposed.

LBTH Highways

- 5.5 Transport and Highways will require a S106 (or similar mechanism as agreed by the case officer) 'car and permit' free agreement to be secured for this development as it is located in a good PTAL area (PTAL 4).
- 5.6 Based on the London Plan, the applicant is required to provide at least eight cycle spaces for this development. The proposed cycle spaces do not comply with the cycle parking standard outlined within appendix 2 of the MDD.
- 5.7 Highways require that a condition is attached to any permission that no development should start until Highways has approved in writing the scheme of highway improvements necessary to serve this development. The applicant is required to consult Wajid Majid to discuss the highway's improvement work required for this development and agree a S278 agreement.
- 5.8 Due to the location of the proposed development, Transport and Highways require the applicant to submit a Construction Management Plan (CMP) to the local planning authority and receive written approval for the CMP prior to commencement. This must be secure through a planning condition.
- 5.9 *Officer comment: further discussion regarding the cycle parking is discussed in the main body of the report. Officers consider there to be sufficient space within the area proposed to accommodate the level of cycle parking and this can be controlled by condition. conditions are also recommended in relation to the construction management plan, car free development and s278.*

5.10 **LBTH Biodiversity**

- 5.11 Comments identified that the existing building has Moderate potential for bat roosts, but emergence and re-entry surveys show that there are currently no bats roosting at the site. Current best practice guidelines state that the results of such surveys are valid for one year. Hence, if work has not commenced by June 2019, a precautionary bat survey should be undertaken before work commences. This should be secured through a condition.

External responses

London Borough of Hackney

- 5.12 No Objections

Canal and River Trust

- 5.13 The Trust has reviewed the application and has no comments to make. Informatives are recommended in relation to Canal and River Trust Code of Practice for works and consent for works encroaching on to the towpath.

6. RELEVANT PLANNING POLICIES AND DOCUMENTS

- 6.1 Legislation requires that decisions on planning applications must be taken in accordance with the Development Plan unless there are material considerations that indicate otherwise. Further guidance is provided within Agenda item 5.

- 6.2 In this case the Development Plan comprises:

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

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

Land Use - LP3.3, LP3.4, LP3.5, LP3.8, SP02, SP03;
(residential)

Housing LP3.3 -3.13, SP02, DM3, DM4
(unit mix, housing quality)

Design - LP7.1-7.8, SP09, SP10, SP12, DM23, DM24, DM27
(layout, massing, materials, public realm, heritage)

Amenity - LP7.6, LP7.15, SP03, SP10, DM25
(privacy, outlook, daylight and sunlight, construction impacts)

Transport - LP6.1, LP6.3, LP6.9, LP6.10, LP6.13, SP05, SP09, DM14,
DM20, DM21, DM22
(sustainable transport, highway safety, car and cycle parking, waste, servicing)

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

- National Planning Policy Framework (2019)
- National Planning Practice Guidance (updated 2019)

- LP Draft New London Plan (2019)
- LBTH Draft Local Plan (2019)
- Housing Supplementary Planning Guidance (March 2016)

7. PLANNING ASSESSMENT

7.1 The key issues raised by the proposed development are:

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

Principle of Development/Land Use

- 7.2 The proposal seeks the construction of 4 x 1b2p flats, 1x 2b3p flat and 1x 2b4p flat atop the existing residential block. As the existing use on site is residential the proposed flats raise no objections in terms of land use.
- 7.3 The proposed residential use is supported by officers as a contribution to the borough's housing targets which responds to an identified need.
- 7.4 This is considered in more detail in the housing section of this report.
- 7.5 With regards to emerging policy S.H1, the proposal is for the delivery of 6 private residential dwellings. Policy states that affordable housing should be provided on a sliding scale (2-9 units) and if not offered a financial contribution would be sought. However, whilst no affordable housing is provided within the scheme, on balance the development presents uplift in quality housing which meets an identified need. Considering the policy is in draft form and carries limited weight it would not be reasonable to refuse the application on these grounds, nor would it be reasonable to seek a contribution until the policy is fully adopted.

Design & Heritage

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

Scale, height, mass

- 7.7 The proposed development marks a slight increase (0.6m) in building scale when compared to the existing structure; however it is noted the surrounding and adjacent developments are of a similar scale. Officers have given careful consideration to the acceptability of this in the context of the character and appearance of the surrounding area and the conservation area setting. Consideration has also been given to the amenity impacts of this which are discussed later in the report.
- 7.8 Objections have been received in relation to the scale of the proposed extension, which consider that the proposed height is not in keeping with the existing and adjacent plots, and

would lead to overcrowding in an already dense urban environment. These concerns have been considered below.

- 7.9 The prevailing height in the surrounding area is mid-rise. For example, the neighbouring buildings adjacent to the application site range between 3 and 6 storeys in height.
- 7.10 The proposed building would be increased to 4 storeys in response to the variations in surrounding height. The extension would mark an increase in approximately 0.6m from the existing building and would be slightly taller than the adjacent building to the east. When measured from the Wharf Place elevation (south west), the building would increase from a maximum of 13.4m to a maximum of 14m.
- 7.11 An objection has been received on this increase in scale however given the surrounding developments varying height, and the overall minor increase in height, officers are satisfied that the proposed height range marks an appropriate response to the surrounding building heights.
- 7.12 The applicant has provided CGIs from the canal side that provides an insight into the impact of the proposed building from direct and longer views. Whilst the footprint is largely similar the drawings and documents demonstrate the high design quality of the scheme and this is considered to offset any potential harm resulting from its visibility.
- 7.13 The overall slight increase in height and change in massing is not considered to adversely impact upon the setting of the conservation area with buildings in the vicinity being of a similar scale. Furthermore the adjacent building at the London Wharf (which fully falls within the conservation area) has a traditional mansard roof and it is considered that the proposed development would be in keeping with the neighbouring development.
- 7.14 For the reasons outlined above, the proposed development is considered to be acceptable with regards to height, scale and massing and appropriate within the context of the conservation area.

Appearance & Materials

- 7.15 Officers consider that the existing building reflects the past character of the area and in recognition of the surrounding context the applicant has adopted a contemporary architectural style for the roof extension which raises no objections.
- 7.16 Officers have given regard to the detailed design of the proposed extension and consider it to be well-proportioned with appropriate massing. It is simple in its design, appearing as a single uniform extension largely constructed in zinc cladding. The extension is arranged in a mansard style development sitting atop the floors below. The proportions together with the proposed fenestration pattern results in a strong sense of horizontal and vertical articulation which largely follows the rhythm below whilst also giving a clear distinction between old and new.
- 7.17 The proposed detailing is considered to successfully break down the scale and massing of the proposed extension resulting in a contemporary approach to a roof extension. The proposed materials are also considered to result in a high quality aesthetic. It is proposed that further details of the external materials are secured by way of condition.

Design Conclusions

- 7.18 In conclusion, layout, building height, scale and bulk and detailed design of the development is considered acceptable and in accordance with local and regional policies.

Neighbour Amenity

- 7.19 Development Plan policies seek to protect neighbour amenity safeguarding privacy, not creating allowing unacceptable levels of noise and ensuring acceptable daylight and sunlight conditions

Privacy, Outlook, Overlooking

- 7.20 As previously set out, the proposed building sits in proximity to similar scale neighbouring buildings but has the advantage of the canal providing a buffer to buildings to the north. As the application site comprises a three storey residential block, the slight increase in scale as a result of the roof extension would not adversely affect the outlook of neighbouring properties.
- 7.21 An objection has been received regarding direct overlooking to the existing flats and the proposed flats. The closest physical relationship would exist between the existing building and Ada house to the south and the adjacent block to the west (in the London borough of Hackney).
- 7.22 Whilst distances involved are below the 18m guideline as outlined in the Local plan, officers note that the existing building is residential in nature and given the very minor increase in scale and that the windows have been designed to follow the fenestration pattern of the floors below the development would not introduce overlooking beyond that which currently exists. Officers therefore consider the scheme acceptable in this regard.

Daylight & Sunlight

- 7.23 Following the committee meeting on 24th January 2019 the applicant submitted a daylight/sunlight report taking the surrounding developments into account. A number of residential properties surround the site which can be impacted by the development; these have been tested as part of the application. The Council also had the report independently reviewed (by Anstey Horne) following the submission. In summary with regards to daylight/sunlight the impacts are on balance acceptable.
- 7.24 The following properties have been tested for Daylight and Sunlight based on land use and proximity to the site.
- Existing Regents Wharf flats
 - London Wharf
 - 110-112 Pritchard Road
 - 129 Pritchard's Road and Debdale House

- 7.25 The Council's independent review confirmed that the methodology used was in line with best practice and that all the relevant properties and windows had been taken into consideration. The windows at 129 Pritchard's Road and Debdale House did not require further testing as the angle of obstruction was less than 25 degrees.

Daylight

- 7.26 For calculating daylight to neighbouring properties affected by the proposed development, the primary assessment is the vertical sky component (VSC) method of assessment. This test measures whether buildings maintain most of the daylight they currently receive.
- 7.27 In summary, the BRE report states that: *"If any part of a new building or extension, measured in a vertical section perpendicular to a main window wall of an existing building from the centre*

of the lowest window, subtends an angle of more than 25° to the horizontal, then the diffuse daylighting of the existing building may be adversely affected. This will be the case if either:

- the VSC [vertical sky component] measured at the centre of an existing main window is less than 27%, and less than 0.8 times its former value; [or]*
- the area of the working plane in a room which can receive direct skylight is reduced to less than 0.8 times its former value.”*

Existing Regents Wharf flats

- 7.28 Of the 30 windows studied which are located at the ground, first and second floors at the junction of the L-shape of the building (see appendix 1 & 2), all would meet the BRE guidelines and will not face a reduction in VSC of more than 20% beyond their existing values. While it is noted that existing values across the ground and first floors are less than the recommended 27% guideline (see figure 1), the reduction to the values of these windows are unlikely to be perceptible by the occupants. It is also noted that a number of rooms are serviced by multiple windows which would increase access to daylight. This has been confirmed by the Councils independent review.

London Wharf

- 7.29 Of the 4 windows studied which are located on the western elevation at the second and third floors, all would meet the BRE guidelines and will not face a reduction in VSC of more than 20% beyond their existing values.

110-112 Pritchard Road

- 7.30 Of the 5 windows studied which are located on the eastern elevation at first floor level, all would meet the BRE guidelines and will not face a reduction in VSC of more than 20% beyond their existing values.

Overall

- 7.31 Overall the development shows full compliance with the guidelines in terms of daylight. The impacts to the daylight conditions of the studied properties would therefore be negligible. These findings have been also confirmed by the Councils independent review and that all windows that require testing have been tested.

Sunlight

- 7.32 The BRE report recommends that for existing buildings, sunlight should be assessed for all main living rooms of dwellings and conservatories, if they have a window facing within 90 degrees of due south. If the centre of the window can receive more than one quarter of annual probable sunlight hours (APSH), including at least 5% of annual probable sunlight hours in the winter months between 21 September and 21 March, then the rooms should still receive enough sunlight. If the available sunlight hours are both less than the amount above and less than 0.8 times their former value then the occupants of the existing building will notice the loss of sunlight.

Existing Regents Wharf flats

- 7.33 Of the 12 windows studied all would meet the BRE guidelines for summer sunlight hours, however 3 would fail with regards to winter sunlight (see figure1 above). The existing winter sunlight levels are low already and it is felt that the small losses are unlikely to be perceptible by the occupants. Taking the winter sunlight numbers in isolation there is a minor adverse impact. However, once one understands the context, the low existing winter levels and the adherent summer sunlight levels, the overall impact would be negligible. These findings have also been confirmed by the Councils independent review.

- 7.34 An objection was received following the publication of the officers report for the June 13th committee date. The objection raised concerns with regards to additional transgressions not picked up by the Councils independent review, however, in terms of the additional transgression to W8 on the second floor, whilst the reduction is below the 0.8 recommended guideline the window retains 8% of winter sunlight hours which exceeds the target of 5%. This window is therefore correctly identified as adhering to the BRE guidance.
- 7.35 In terms of the annual sunlight reduction to W11, this is reduced from 9% to 7%, a ratio reduction of 0.77 – however the guidelines state a third target in 3.2.11 of the BRE guidance whereby a reduction of no more than 4% is sought. As this window sees a reduction of 2% this value satisfies the guidelines.

London Wharf

- 7.36 Of the 2 windows assessed, which are located on the second and first floors all pass the tests set out in the BRE guidance. The Daylight and Sunlight Report shows that there is full compliance with the standards for both annual and winter sunlight levels.

110-112 Pritchard Road

- 7.37 The window assessed, located on the first floor passes the tests set out in the BRE guidance. The Daylight and Sunlight Report shows that there is full compliance with the standards for both annual and winter sunlight levels.

Overall

- 7.38 Overall the development shows almost full compliance with the guidelines in terms of sunlight with the exception of winter hours to three of the windows tested. Considering the existing values and wider context the impacts to the sunlight conditions of the studied properties would therefore be negligible. These findings have also been confirmed by the Councils independent review.

Noise & Vibration

- 7.39 The proposal seeks the introduction of residential development on the site. It is not considered that the proposed residential land use would give rise to an unacceptable noise impact. Both the scale and nature of the use is akin to existing neighbouring development and is therefore considered to be compatible.
- 7.40 Objection has been received regarding the noise of construction works and ongoing works as a result of the redevelopment of the site. In order to satisfy the policy and the ongoing objections a condition requiring a construction environmental management plan will be secured in which the developer would have to comply with the current best practice standards (British Standards). To further protect the amenity whilst the site is under construction Acoustic Reports to demonstrate compliance will be required. The council will also condition the construction hours of the development.

Construction Impacts

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

Housing

Housing Mix

- 7.42 Considering the size of the development the proposed housing Mix is acceptable.
- 7.43 Regard has been given to the lack of a family sized unit however due to the relatively small nature of the scheme, the location of the flats at fourth floor level and lack of private amenity space, the proposed units in this instance would not be suitable for families. Therefore, in this particular instance officers feel that the proposed mix which includes different sizes of 2 bed units is on balance acceptable.

Standard of proposed accommodation

- 7.44 Officers are satisfied that all of the proposed residential units are compliant with the relevant space standards. Each of the dwellings provides adequate integrated storage space and room layouts and sizes are generally acceptable. Additionally all flats benefit from a dual aspect setting.
- 7.45 It is however noted that only the 2B4P flat provides private amenity space in the form of a 7sqm balcony. The rest of the flats would be serviced by roughly 420sqm of communal amenity space found at the ground floor facing the canal which is used by existing units.
- 7.46 The communal space which currently services the existing units is considered to be acceptable in terms of quantum to service the proposed uplift in flats. Objections have been raised with regards to the loss of green space to the communal area; however, this has been identified to be as a result of the cumulative development on the application site. As the size of the space will not be amended as a result of the development officers raise no objection in this regard.
- 7.47 Objection has been raised over the provision of private amenity space, however from the above it can be seen that on balance the standard of accommodation for the proposed flats is acceptable.

Summary

- 7.48 The proposed standard of residential accommodation has been carefully considered in respect to the development plan and best practise guidance. Five of the flats do not provide private amenity space; however, on balance officers consider the proposal to be acceptable in this regard.

Transport

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

Car parking and access

- 7.50 Residents benefit from off-street dedicated car parking in the basement. Existing parking opportunities within the development will be retained.

Deliver, servicing and refuse

- 7.51 The Design & Access Statement submitted by the applicant outlines that the existing waste collection activity occurs from the existing bin store at ground floor level fronting Wharf Place from 6 Chamberlin bins. This has been confirmed by officers as part of a site visit undertaken on Friday 11/01/2019 with 4 bins being used for general waste and 2 for recycling.

- 7.52 Objections have been received from residents that the stores are already beyond maximum capacity and that an increase in flats would cause further strain on the arrangement.
- 7.53 Highways and waste officers requested further clarification on the existing arrangement and as a result updated documents were received detailing the existing and proposed arrangement/capacity. The plans have been correctly updated to show the 6 bins and the council's waste officer is satisfied that the capacity arrangements are suitable. Officers are satisfied that 6 bins would provide the necessary capacity as outlined in the Local Plan.
- 7.54 Overall providing 6 bins would lead to a capacity of 7680L where the total required for the entire development would be 5100L. As a result the proposed waste arrangement is policy compliant for the existing and proposed residential units combined.
- 7.55 Officers are satisfied that the scheme is capable of delivering an acceptable waste strategy.

Cycle parking

- 7.56 Initially as per the London Plan Guidelines an 8 additional cycle parking spaces were to be provided adjacent to the existing spaces. This arrangement was found to be suitable however given the objections from residents surrounding the capacity of the existing cycle parking an opportunity to provide an upgraded space for existing residents was identified at basement level.
- 7.57 As previously proposed the basement cycle storage would provide 28 spaces, however it was identified that this would impede a car parking space. This has been redesigned so that the car parking space is not impacted and as a result the number of cycles in the basement has been reduced to 20.
- 7.58 To account for the reduction at basement level an additional 8 spaces are proposed at ground floor level where the existing cycle store is located which will be accessible to all residents in a secure area. As per the original report officers find this arrangement to be a significant upgrade over the existing situation and raise no objections. This will be secured to be implemented via condition.

Conclusion

- 7.59 Following advice of the Council's legal officer, if planning permission is to be granted this should be done subject to a 'Grampian' condition. This condition is to ensure commencement of a development does not take place until a deed of variation has been completed in respect of permission PA/98/01173 and the proposed amended arrangement of the existing car park. Other conditions required are a car-free agreement to prevent the proposed new residential flats requesting on-street permits, details of cycle parking and a Construction Management Plan, to manage the construction impacts during the build. Subject to these conditions the proposal is acceptable in terms of transport and highways considerations.

Environment

Landscaping & Biodiversity

- 7.60 The existing site has limited ecological value and the site is not suitable for bats. There will be no significant impacts on biodiversity as a result of the proposal.
- 7.61 The Council's biodiversity officer has given consideration to the Preliminary Roost Assessment (PRA) submitted by the applicant. The report has recorded the existing biodiversity value as well as a moderate potential for bats roosting at the existing site.
- 7.62 The submitted survey states that bats are not roosting at the existing site. Current best practice guidelines state that the results of such surveys are valid for one year. Hence, if work

has not commenced by June 2019, a precautionary bat survey must be undertaken before work commences. This will be secured via condition.

7.63 Officers are otherwise satisfied that the proposal would not give rise to significant impact upon biodiversity.

- Enhancements

7.64 The councils Biodiversity Officer has stated that the proposed green roof will be sufficient to ensure net gains for biodiversity.

7.65 Subject to the conditions, the proposed development is considered to be acceptable in this regard.

Other matters

7.66 At the previous committees, issues were raised by residents with regards to ongoing and delayed construction of implementing previous planning permissions. Members commented on whether a condition could be secured for the applicant to construct the development in a timely manner.

7.67 In response to this it would be unlawful for the Council as a planning authority to grant permission and consent subject to conditions that require the development to be completed within an allocated timeframe. Such a condition would not meet the tests for planning conditions as set out in the NPPF.

7.68 A standard condition requires that the developer commence works within three years of the permission will be secured; however, the owner could decide to delay the implementation of the works, if it wished to do so. There is also no compulsion on an applicant to carry out the development or works that benefit from the permission.

Human Rights & Equalities

7.69 The proposal does not raise any unique human rights or equalities implications. The balance between individual rights and the wider public interest has been carefully considered and officers consider it to be acceptable.

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

8. RECOMMENDATION

8.1 That subject to any direction by the Mayor of London, **conditional planning permission is GRANTED** subject to the prior completion of a legal agreement to secure the following planning obligations:

8.2 Financial obligations:

8.3 With regards to the Community Infrastructure Levy considerations, Members are reminded that the London mayoral MCIL2 became operational from 1 April 2019 and would be payable on the scheme if approved.

8.4 Planning Conditions

Compliance conditions

1. Permission valid for 3 years
2. Development in accordance with approved plans
3. Hours of construction

Prior to commencement of development conditions

4. Construction Environmental Management Plan (including noise reports)

Prior to completion of superstructure works conditions

5. Materials (samples and details)
6. Landscaping details including external lighting
7. Architectural Drawings
8. Waste Management Strategy
9. Car Free development
10. S278 Agreement
11. Cycle Parking
12. Waste Details
13. Biodiversity enhancements including green roof

Ongoing Conditions

14. Further Bat Surveys (depending on commencement of development)

Informatives

- Canal and River Trust – construction and encroachment

APPENDIX 1

List of documents and plans for approval

EXISTING DRAWINGS

EXISTING SITE AND LOCATION PLAN	1431_L_001 REV A
EXISTING BASEMENT PLAN	1431_L_010
EXISTING GROUND FLOOR PLAN	1431_L_011 REV C
EXISTING FIRST FLOOR PLAN	1431_L_012
EXISTING SECOND FLOOR PLAN	1431_L_013
EXISTING THIRD FLOOR PLAN	1431_L_014
EXISTING ROOF PLAN	1431_L_015
EXISTING ELEVATIONS (1)	1431_L_020
EXISTING ELEVATIONS (2)	1431_L_021
EXISTING SECTIONS	1431_L_025

PROPOSED DRAWINGS

PROPOSED BASEMENT PLAN	1431_L_110 REV A
PROPOSED GROUND FLOOR PLAN	1431_L_111 REV C
PROPOSED FIRST FLOOR PLAN	1431_L_112 REV A
PROPOSED SECOND FLOOR PLAN	1431_L_113
PROPOSED THIRD FLOOR PLAN	1431_L_114 REV C
PROPOSED ROOF PLAN	1431_L_115 REV B
PROPOSED ELEVATIONS 1	1431_L_120 REV B
PROPSOED ELEVATIONS 2	1431_L_121 REV B
PROPOSED SECTIONS	1431_L_125 REV A
CYCLE STORAGE DETAIL	1431_L_151 REV A

DOCUMENTS

Design & Access Statement prepared by Square Feet Architects

**Preliminary Roost Assessment, November 2017 prepared by Greengage
Bat Survey Report, June 2018 prepared by Greengage**

REFUSE STORAGE ANALYSIS prepared by Square Feet Architects

Daylight and Sunlight to Neighbouring Buildings dated April 2019 dated BVP

**Review Report on a Daylight & Sunlight Assessment dated May 2019 prepared by
Anstey Horne**

Appendix 2

Selection of plans and images



CGI of proposed development – view along Regents Canal looking south west



CGI of proposed development – Ariel view looking south west



Existing site looking south



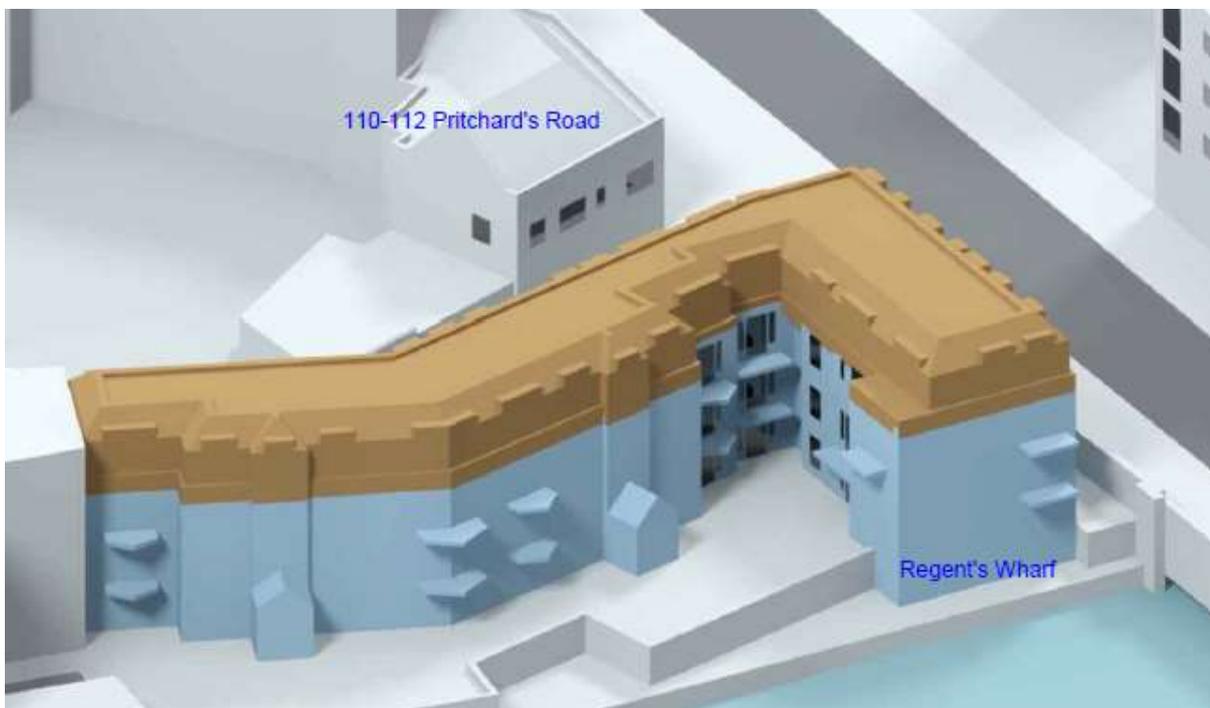
Existing site looking south west



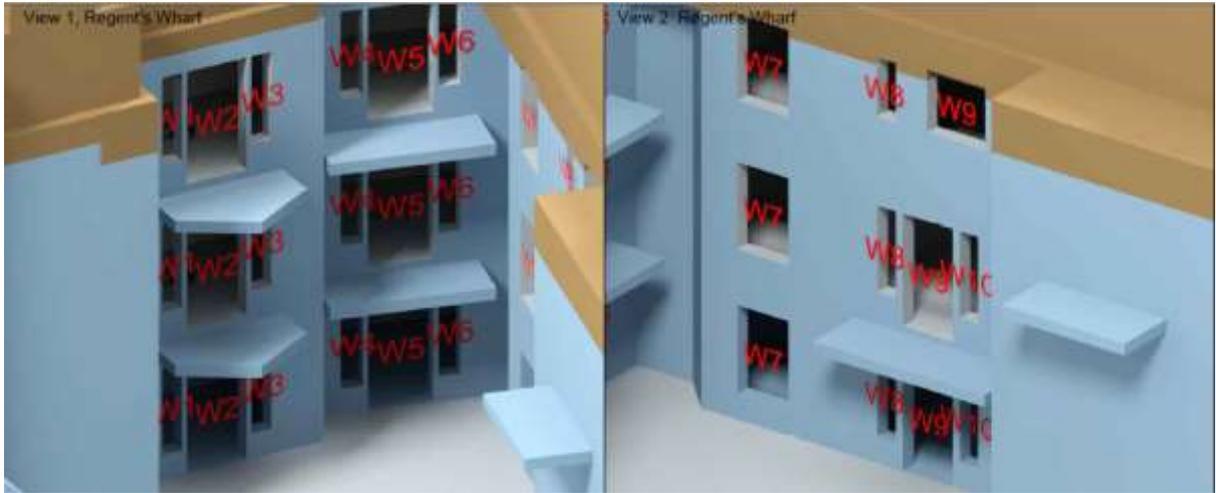
Existing site looking north east



Existing site looking south east from Cat and Mutton Bridge



Model of tested windows for Regents Wharf & Pritchard's Road



Windows tested Regents Wharf