



DEVELOPMENT COMMITTEE

13 June 2019

Report of the Corporate Director of Place

Classification: Unrestricted

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

Reference	PA/17/03009
Site	Walker House, 6-8 Boundary Street
Ward	Weavers
Proposal	Change of use of first floor office space (use class B1a) to 4no. residential flats (use class C3). Construction of a two-storey building to the rear to provide approx. 400sq.m of office space (use class B1a).
Recommendation	Grant planning permission with conditions
Applicant	Metro Associates
Architect	GML Architects LTD
Case Officer	John Miller
Key dates	- Application registered as valid on 19/01/2018 - Initial public consultation finished on 09/02/2018 - Amended plans received 01/05/2019 - Revised public consultation finished on 04/06/2019

EXECUTIVE SUMMARY

The proposed redevelopment of this site represents a good example of a mixed use development (residential and office) and is considered appropriate in this location as it falls within the City Fringe Opportunity Area. The development would provide additional office accommodation and the residential units would have an appropriate standard of accommodation as required by planning policy.

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. There would be a degree of impact (less than substantial) to the Conservation Area however; officers consider that given the proposals would be of high architectural quality and that public benefits that would result from the scheme (including additional office space, housing, and improvements to the existing building for the benefit of visitors and residents) would outweigh this limited harm.

The report explains that part of the reasoning behind the acceptability of the proposal is derived from its location and relationship with Walker House, which does not form part of the historic Grade II Listed Boundary Estate mansion blocks and nor does the rear open space / car parking area forms part of the historic court yard spaces serving the Boundary Estate. The proposal will preserve the character and setting of surrounding heritage assets, including listed buildings and Conservation Areas.

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.

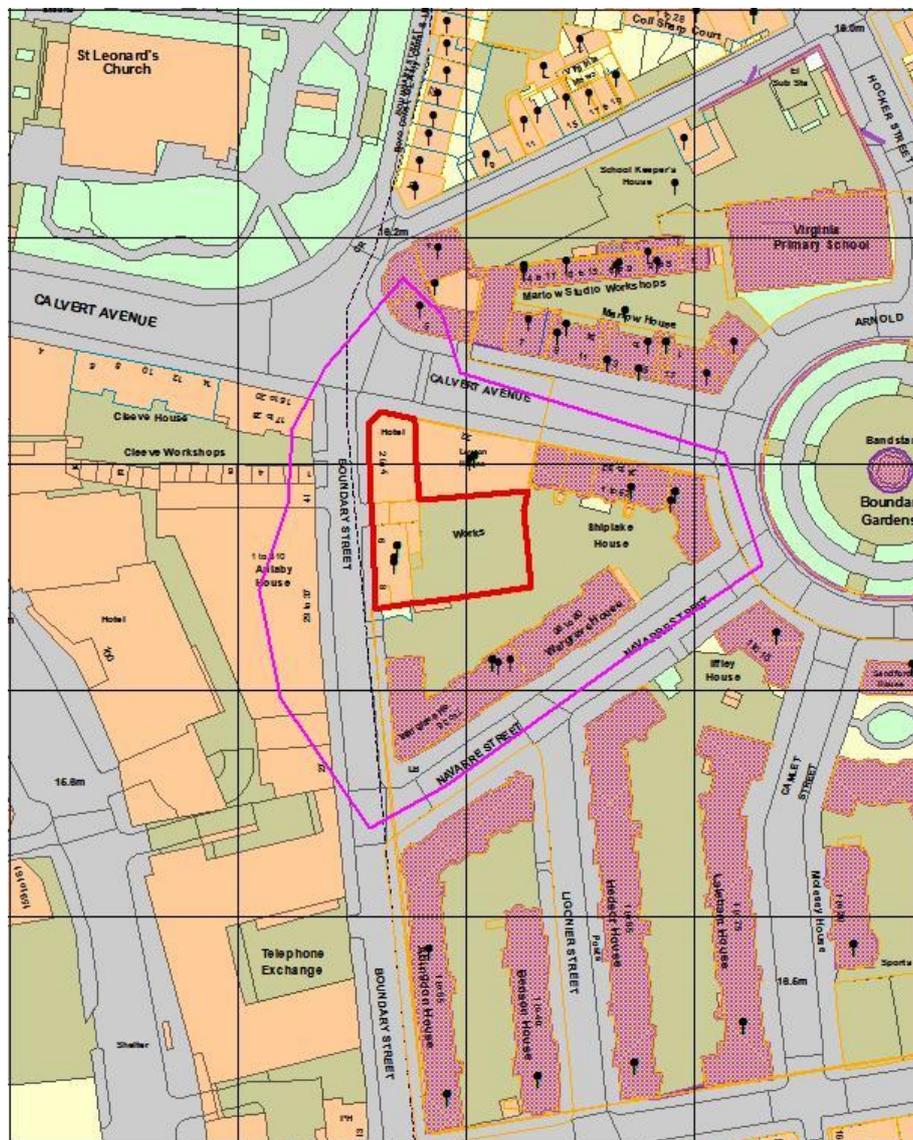


Figure 1: Site boundary (red) including consultation (pink)

1. SITE AND SURROUNDINGS

- 1.1 The application red line boundary includes Walker House building fronting Boundary Street, on the corner of Calvert Avenue, and the car park at the rear of this building (approximately 25m x 25m). Walker House is a five-storey building with commercial uses on the lower floor levels and flats on the upper three floors. The first floor of Walker House, subject of this application, is vacant office space. The car park, also subject of this application, provides 20 car parking spaces. It is understood that seven of the spaces are allocated for commercial uses in the adjoining Leyton House. The remaining car spaces are used by occupants of Walker House, but not controlled by planning condition. The car park is located at lower ground level accessed down from a ramp and is also surrounded by a large brick wall.
- 1.2 Immediately at the north of the car park is Leyton House, with commercial at lower levels and residential above. The urban block that Walker and Leyton Houses form part of is roughly triangular. These blocks are part of the wider pattern of development that surrounds Arnold Circus, the heart of the Boundary Estate Conservation Area. Walker and Leyton House are the more recent developments, with the rest of the urban block formed by the original Boundary Estate blocks, which are Grade II Listed.
- 1.3 The application site and streets around Arnold Circus fall within the Boundary Estate Conservation Area. The original Boundary Estate blocks are Grade II Listed, including those in this urban block, Shiplake House to the east, and Wargrave House, on the south side. The boundary with the London Borough Hackney runs down the centre of Boundary Street.

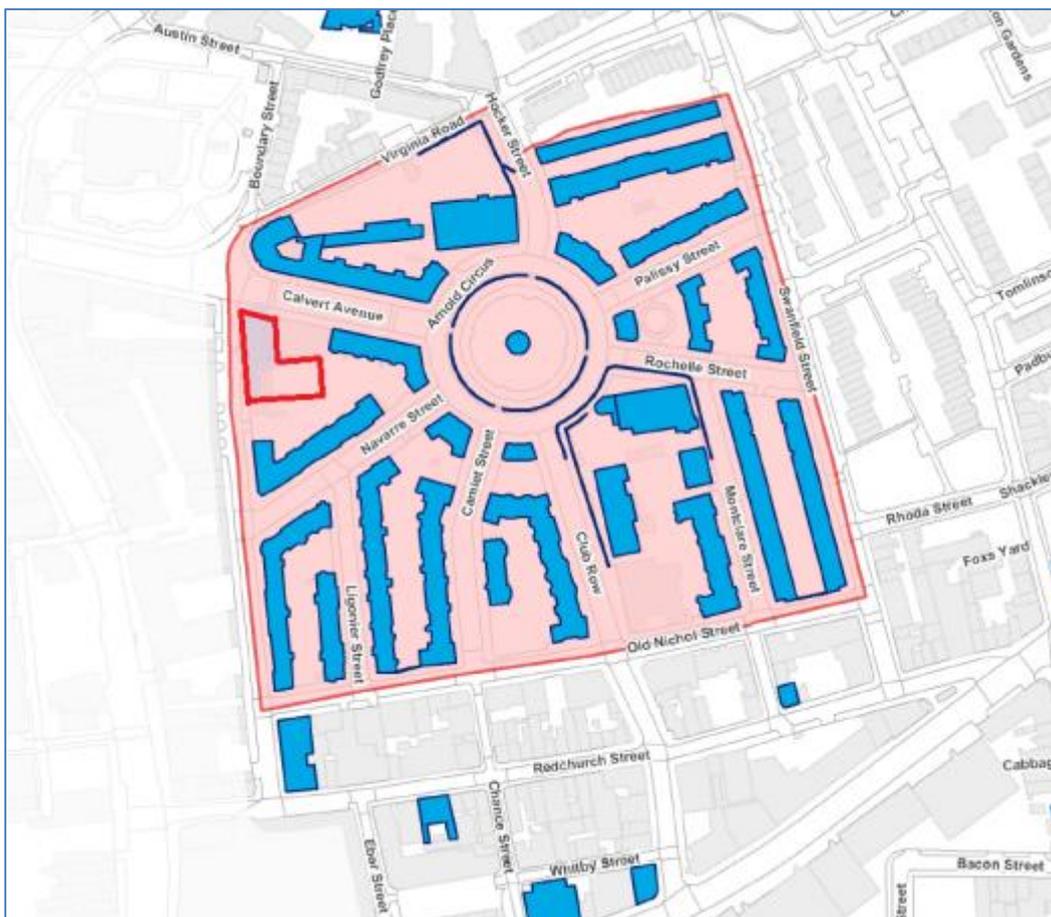


Figure 2: Boundary Estate Conservation Area

- 1.4 The application site has a Public Transport Accessibility level of 6b (the highest - excellent) with Shoreditch Overground station to the south (approximately 320m away) and Old Street Underground to west (approximately 800m away) as well as various local bus routes in close proximity. The application site is in the office to residential permitted development exclusion zone, where the rights to make the aforementioned general permitted development change in use does not apply.

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 in two broadly distinct parts:
- a) Change of use of first floor office space (use class B1a), approximately 380sq.m to 4 residential flats (use class C3). The proposal would provide 1 x 1-bed, 2 x 2-beds, and 1 x 3-bed. The proposal includes provision of 2 x balconies at rear.
 - b) Construction of a new two-storey office building in the rear car park. The building would be on stilts with the lower level of approximately 97sq.m of space and the remainder the car parking spaces. The upper level would provide approximately 310sq.m of office floorspace. The access to the office building would be through the existing gate and undercroft into the rear of Walker House.
- 2.2 The scheme would be 'car free' for incoming residents with existing residents still benefiting from the remaining informal spaces. The existing number of car parking spaces from within the site would be reduced from 20 to 13. A total of 20 cycle parking spaces would be provided to serve all the uses.
- 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 copper cladding, and glazing as illustrated in the applicants' document package and re-produced below. 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:
- Incorporation of gutters into the design
 - Amended skylight
 - Revised main entrance to Walker House

3. RELEVANT PLANNING HISTORY

Application Site

- 3.1 PA/17/01567: Installation of revised entry-way including new door and panelling. Approved 07/05/2019
- 3.2 PA/16/02194: Change of use of first floor office space (use class B1a) to 4no. residential flats (use class C3). Construction of a three-storey building to the rear to provide 700sq.m of office space (use class B1a). Application withdrawn by applicant, following advice from officers that

the proposal would not be supported, 27th January 2017 due to scale, footprint and massing concerns.

- 3.3 PA/09/00540: Lawful development certificate for use of ground floor as single dwellinghouse. Refused: 24th June 2009.
- 3.4 PA/08/02655: Retention of use of basement as a gymnasium (use class D2) and extract fans on exterior of building. Approved: 24th March 2009.
- 3.5 PA/07/01868: Division of ground floor studio space (use class B1) to provide a self-contained 1-bedroom flat (use class C3) and studio space (use class B1). Refused: 18th July 2007: Reason: failed to provide justification for loss of employment.

Leyton House, 22 Calvert Avenue

- 3.6 PA/18/02176: Change of use from Use Class D1 to flexible Use Class D1 / B1 and / or A1. Approved 13/07/2018
- 3.7 PA/08/01592: Change of use of ground and lower ground floor from office (use class B1) to Arts and Cultural Exchange Centre and Gallery (use class D1). Approved: 19th September 2008.
- 3.8 PA/98/01173: Alterations and partial reconstruction of Leyton House and addition of four floors in similar style, to retain business space on ground and lower ground floors with new loading bay at lower level and provide 3 live/work units on first floor and 13 flats above. Servicing and parking in rear yard to be shared between commercial occupiers of Leyton House development and both residential and commercial occupiers of Walker House. Approved 11th June 2014.

Club Row Building, Rochelle Centre, Club Row, Arnold Circus, London E2

- 3.9 PA/12/02317 and PA/12/02318: Planning permission and Listed building consent for change of use from D1 (Non-residential institution) to mixed A1 (Shop), B1 (Business) and D1 (Non-residential institution), external and internal extensions and alterations. Refused by Tower Hamlets Development Committee April 2013. Appeal Allowed by the Planning Inspectorate January 2014.

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 As amended plans were received in July 2018 and May 2019 and three rounds of consultation were undertaken to give neighbours the opportunity to consider the various amendments.
- 4.3 In total there were 33 unique letters of objection.
- 4.4 In the first round of consultation which took place in January 2018, 29 letters of objection and 1 petition with 29 signatures was received.
- 4.5 In the second round of consultation which took place in September 2018 11 letters of objection (including previous objectors) was received.
- 4.6 In the third round of consultation which took place in May 2019, 11 letters of objection (including previous objectors), and a petition with 21 Signatures was reviewed

4.7 The issues raised in the petitions are as follows:

- We, the undersigned, are writing to object to the Planning Application above mainly to build a two storey office in the car-park of Walker and Leyton Houses.
- Heritage - out of character, proposed materials not appropriate, proposed building intrusive and visible to residents, visible from Arnold Circus, a Grade II listed historic park, the centre piece of the whole estate
- Loss of light / noise / density – those affected will lose light and suffer a negative impact in terms of energy efficiency, balconies proposed will add to acoustic canyon effect of noise and disturbance, proposal will increase density to already built up area
- Biodiversity / Pollution – object to removing any ivy covered walls, will affect community gardens in Wargrave and Shiplake houses

4.8 The issues raised in the objection letters are as follows:

- Design of building incompatible with townscape, character and appearance
- Disagree with the submitted Heritage Assessment that the proposal is a well-designed and proportioned building
- Proposal is excessively large for a small space surrounded by residential
- Impact of light reflectance from roof of development, light pollution from development
- Submission refers to wider community benefit and viability of Walker House. Viability of Walker House not in doubt, building is in a good state of repair, residential and commercial units all occupied, residents' sinking fund significant, car park is regularly used. Shoreditch already one of busiest areas of London, additional employees doesn't seem relevant
- Loss of daylight to Calvert 22 space, basement and gallery space depends on natural light a very significant extent and loss of daylight to residential properties
- Development would displace space for servicing space for vehicles for Calvert 22 space. Gallery utilises rear car park for deliveries of exhibits including large artworks; may force deliveries onto surrounding streets; receive up to 20 deliveries over 12 months; vehicles range from a transit van to heavy goods vehicle
- Secure access is currently in place for Walker House car park with keypad locked gates. This will be compromised during and after the proposed build
- Proposal will involve reduction of car parking spaces by 38% and no parking for proposed office. Agreed planning permission for Leyton House secured 19 car parking spaces, but proposal retains 13 spaces
- Secure by design concerns with proposal including a partly covered parking space out of sight from the street and neighbouring properties
- Do not believe volumes of waste are adequately dealt with
- Potential for the car park to be used as landscaped open space. This potential would be lost with the proposal to build

- The proposed office development is not needed nor wanted
- Have structural concerns about the proposal
- Revised scheme is the same as before so concerns raised previously are still valid

5. CONSULTEES

LBTH Refuse

- 5.1 The applicant will need to ensure that any obstruction and overuse of bins will be managed by a managing agent. The same applies to the trolleying distance. The applicant will need to ensure that all bins are presented to within the 10 meter trolleying distance and adhere

Officer comment: the applicant has confirmed that they are willing to secure a DSP via condition.

LBTH Highways

- 5.2 Should planning permission be granted it is requested that an informative is included that loading / unloading can only take place outside of the site where it is safe and lawful to do so. Any non-lawful servicing will be subject to enforcement action by the parking control team. In terms of existing deliveries, the proposed layout shows manoeuvring will be more difficult than the current situation but that loading can still occur. Vehicles which currently service from the rear will be able to do so and large vehicles which currently reverse on site or wait on street will continue to do so. The 1998 planning consent was approved with a loading bay and car parking spaces and it is understood that previous application incorporated car parking into the s106 legal agreement. This will need to be looked into should the application be recommended for approval.

Officer comment: Officers note that the existing legal agreement from 1998 permission secured a number of car spaces for the business premises at 22 Calvert Avenue. It is understood that no additional legal agreement exists for the remaining spaces.

LBTH Biodiversity officer

- 5.3 The site has little existing biodiversity value, and the buildings are not suitable for bats. There will, therefore, be no significant adverse impacts on biodiversity.

LBTH Tree officer

- 5.4 Mature tree to the south of the site, agreed pruning methods and agreed pruning points, and supervised excavation agreed in revised arboricultural report. Details acceptable

External responses

Historic England

- 5.5 No consultation required for this application.

Historic England Archaeology (HEA)

- 5.6 Proposal is unlikely to have a significant effect on heritage assets of archaeological interest. No further assessment or conditions necessary.

Crime Prevention Officer

- 5.7 Clarity need in terms of access between commercial and residential premises as well as perimeter treatments. This can be resolved by way of condition requiring secure by design accreditation

CADAP

- 5.8 Upon request of members the application was taken to the Conservation and Design Advisory Panel and this took place in
- 5.9 Members questioned whether the principal of the proposal to infill the site was suitable. They raised issues with regards to the sustainability (ie overheating) and the use of the materials. Comments with regards to the practicality of the proposals including noise, ventilation, gutters, the skylight, how it would be built and generally in relation to residential layouts were also noted. It was recommended that landscaping should be provided. No assessment of the Conservation Area has been undertaken to date.

Officer comment: Following the CADAP meeting the applicant sent updates on the scheme and responded to comments made. Officers feel these have been adequately addressed in the response and through the updates which saw clarification on the sustainability, ventilation ect, and revised/new drawings were submitted for the skylight & gutters. In terms of the comment regarding the principle of development and assessment of the Conservation Area the application package includes a detailed heritage impact assessment which addresses these issues. Officers also find the standard of accommodation of the new residential units to be satisfactory. Officers analysis of the amended submission (including a response to the CADAP comments is provided in the 'Material Planning Considerations' section of the report).

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 - LP4.1, LP4.5, LP4.7, SP01, SP02; SP06, DM15
(city fringe areas, office)

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 Land for Industry and Transport SPG (2012)
- LP Draft New London Plan (2019)
- LBTH Employment Land Review (2016)
- LBTH Draft Local Plan (2019)

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

Land Use

7.2 The application concerns two elements that are related, these are the change of use of vacant office space within the Walker House building and the construction of a new two-storey building to the rear. The vacant office space would be converted into new residential accommodation. The new building to the rear of the Walker House building in the existing car park would provide new office space.

7.3 While the Boundary estate is characterised by significant historical housing blocks, the area also contains a mix of commercial uses. The street facing ground floor frontages of this urban block on Calvert Avenue and Boundary Street includes a range of uses including a gym, art gallery, café and laundrette. Immediately opposite Walker House (LB Hackney) the ground floor is office accommodation. This is part of a wider context with the main commercial activity of Shoreditch High Street to the west, and Shoreditch High Street and Redchurch Street to the south, both nearby.

7.4 In respect of policy designations that apply to this site in terms of land use, the Boundary estate forms part of the City Fringe Opportunity Area. This policy designation has three categories and the application site is within the Inner Core Growth Area. This is an area where demand for employment space is identified as being the highest. The GLA planning framework for the area states that the inner core growth area '*is where development proposals for employment floorspace will be encouraged and supported, in order to support the process of the core expanding and prevent supply diminishing*'. (para 3.9).

7.5 The provision of employment space is an objective of the Council's policies. Large floorplate office developments are to be directed to the Preferred Office Locations (POL) in Aldgate and

Canary Wharf, while other office accommodation including office accommodation that meets the needs of Small and Medium Enterprises (SME) is encouraged more widely in the Borough.

- 7.6 Core Strategy (2010) policy SO15 seeks '*to support thriving and accessible global economic centres of Canary Wharf and the City Fringe which benefit the regional and local economies*', and SO16 '*to support the growth of existing and future businesses in accessible and appropriate locations*'. Managing Development Document (2013) DM15 states that the upgrading and redevelopment of employment sites outside the POLs will be supported. Development should not result in the loss of active and viable employment uses unless it can be shown through marketing that the site is unsuitable.
- 7.7 The provision of office accommodation in the Boundary Estate Conservation Area was addressed by the Planning Inspector for an appeal decided in 2014, in respect of the Rochelle Centre, Club Row. (see RELEVANT PLANNING HISTORY above) In that decision the Inspector commented, '*The appeal site is situated on the edge of the Central Activities Zone, promoting a vibrant mix of uses. It is well located to accommodate the small scale B1 and D1 uses intended. The uses would complement the businesses already present on the site, as well as reflect the cultural based activities in Shoreditch generally*'. These comments are in accordance with the applicable planning policy and the location of the Boundary estate and surrounding area.
- 7.8 In addition to the provision of office accommodation the development proposes 4 residential units. As much of the building is already in residential use this use is consistent with the character of the area and the existing use of the building. Moreover the provision of new housing is also an objective of the Council's policies. Core Strategy (2010) policy SO7 sets out the objective to 'deliver housing growth to meet general and specialised housing demand in line with London Plan targets'. The delivery of new housing is a key objective at local and London-wide levels
- 7.9 In this context in terms of principles of land use the proposed provision of office accommodation and new housing on this site is in line with the local plan objectives and the City Fringe OAPF. The proposal is acceptable in land use terms and would support the achievement of these objectives.

Design & Heritage

- 7.10 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

- 7.11 The proposed new office building would be constructed on stilts from within the basement carpark and would be two storeys in height, leaving space beneath for car parking and services. Overall the building would be 9.2m high at its maximum (from basement level) which is considerably lower than the surrounding area which largely consists of medium rise buildings between 4-7 storeys.
- 7.12 Officers note the improvements the applicant has made and the revised scheme addresses the main issues raised previously through the pre-application process as well as clarifying comments made by CADAP. Whilst visible from upper floors of adjacent buildings, the proposal has been reduced in height and would largely be hidden from view from the public realm. The building has been pulled back slightly from the existing boundary walls, restricting views of the bulk of the development. The reduction in mass has also improved the relationship between the new build and Walker House.

- 7.13 Considering the prevailing heights in the area the proposal is considered acceptable with regards to scale, mass and height.

Appearance & Materials

- 7.14 The external material has been changed following engagement with officers through the pre application submission process. The main material for the building is a pre-oxidised copper cladding. This is a visually distinctive material with a modern look, and overall a high quality material. The material would be appropriate for a new building, making a clear distinction between old and new with colour tones that would relate well to the palette of brickwork that predominates in the Boundary Estate.
- 7.15 The proposed building is two-storeys in height from the level of the surface car park. This means that the building has an eaves height approximately 1.5m above the height of the surrounding wall. The building then slopes up away from the boundary. The east elevation of the building would be set away from the boundary by approximately 3m, from the north elevation with Leyton House by approximately 4.5m, and from the southern boundary approximately 1m. In this respect the proposed building would be a new feature in the immediately surrounding communal space on the opposite side of the boundary wall. However, for the reasons discussed above, including the boundary treatment and the location at the rear of these buildings the proposal would not be a prominent or significant feature in the surrounding area.
- 7.16 Officers also note the improvements made to the main residential entrance which have been approved under PA/17/01567 are also incorporated into this application. This saw the reduction of available space from within the internal porch and an improved lighting scheme in response to the anti-social behaviour activity in the area.
- 7.17 Following comments provided by CADAP additional details outlining where gutters would be located and a revised skylight were submitted. These details are considered acceptable in terms of appearance and materials.
- 7.18 It is acknowledged that from a 'birds-eye' plan perspective, and a view from upper floors of surrounding buildings, the proposal fills in a large part of the existing car park. This is a notable change from upper floor views. However, these are not the key views in respect of the impact of the proposal on the general character and appearance of the Conservation Area and surrounding area (discussed below).

Secure by Design

- 7.19 Policy 7.3 of the London Plan and policy DM23 of the Managing Development Document (2013) seek to ensure that developments are safe and secure.
- 7.20 The proposed development has been assessed by the Crime Prevention Officer who has not raised objection to the proposal, however wanted further clarification on the development. A Condition would therefore be attached to any approval, to ensure that the development will seek to achieve the Secure by Design Accreditation.
- 7.21 Subject to conditions, it is considered that the proposed development as a consequence would provide a safe and secure environment in accordance with policy 7.3 of the London Plan and policy DM23 of the Managing Development Document (2013).

Design Conclusions

- 7.22 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.

Heritage

- 7.23 Development Plan policies call for development affecting heritage assets and their settings to conserve their significance, by being sympathetic to their form, scale, materials and architectural detail.

Archaeology

- 7.24 Whilst the site does not fall in a designated Archaeological Priority Area, Historic England Archaeology (GLAAS) advises that the site lies in an area of general archaeological interest. Remains connected with Roman activity and the post-mediaeval development of London may be affected by the limited fresh intrusive works for extensions and the lift pit.
- 7.25 Following amendments to the Written Scheme of Investigation (WSI) GLAAS are satisfied that the proposal could be dealt with by an appropriately worded compliance condition.

Surrounding Conservation Areas and Listed Buildings

- 7.26 As set out below, the Conservation Area is arranged around the central Arnold Circus. The Boundary Estate Conservation Area Appraisal states:

The character of the Boundary Estate Conservation Area is defined by the semi-formal late 19th-century housing estate, which is made up of twenty (Grade-II listed) purpose-built housing blocks. The majority of the blocks are five stories high, each individually designed to reflect its position within the estate and its relationship to its surroundings. The raised central garden known as Boundary Gardens, is the centre point of the estate, with the housing blocks arranged on seven unequally placed streets radiating from this focal point.

Calvert Street, the original main road leading from Shoreditch High Street was widened and extended to provide a grander entrance to the estate. The tree-lined Calvert Avenue was remodelled with shops facing onto the road and workshops to the rear. Today, these are still in existence, many with their original shop fronts.

- 7.27 The application site consists of Walker House, a building that has historically been extended and altered. The building has an immediate relationship with Leyton House that was extended substantially subject to a planning permission in 1998. As stated previously the rear of the buildings is the lower ground level car park, which is bound by a brick wall. The car park level is lower than the surrounding public realm and is approximately 4m below the height of the surrounding wall
- 7.28 The planning application drawings are submitted with an accompanying Heritage Impact Assessment. A fundamental consideration in the assessment of an application in this area is that it does preserve or enhances the integrity, character and understanding of this Conservation Area, and this very historically significant Estate. Whilst included within the Conservation Area, Walker House was not built as part of the LCC's ground breaking Boundary Estate. The building site is at the rear of the property, situated below existing ground level and was evidently built on in the past and importantly did not form part of the historic yard spaces between the Boundary Estate blocks, which are a key part of the areas character and an important component of the Conservation Area.
- 7.29 Extensions of any significance or main alterations would not be entertained in the immediate setting or surrounding communal area to an original Grade II Boundary Estate building. However, assessment of this site shows that this is a part of the Estate different from the other Estate buildings. The Council's specialist heritage officer has considered the principle and specific proposals of a new building on the rear car park to be acceptable.

- 7.30 In considering the development from the surrounding streets and within the communal area in the centre of this urban block, the visual impact of the proposal is very limited given the location of the proposal to the rear, given the existing car park is set at lower ground level and given the existing wall that surrounds the car park does much to help screen the proposal. Set in this context, while the top of the proposal would become a new feature in the surrounding area officers are of the opinion the proposal has a more than satisfactory relationship with the surrounding public realm and would preserve the character of the Conservation Area, enhancing the appearance of this screened away section of the Conservation Area.
- 7.31 Residents have specifically noted that the proposal would be visible from Arnold Circus; however, visibility does not immediately suggest that harm would be caused and in this instance given the low scale of development proposed and the screening afforded to this part of the site the proposal would not be detrimental to the character and appearance of the surrounding Conservation Area.
- 7.32 Whilst the proposal would result in the development of a new, modern building within the Conservation Area the redevelopment of site, in particular the limited visibility from the street, the quality of the design and materials as outlined above, is considered to preserve the character and appearance of the Boundary Estate Conservation Area. Overall, it is considered that the proposal would sit comfortably in this context and would not cause any adverse harm to the setting of statutory and locally listed buildings and the setting of the Conservation Area.

Neighbour Amenity

- 7.33 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

- 7.34 Officers are satisfied that the proposed development has been sensitively designed to ensure acceptable separation distances will exist between the proposed new buildings and existing facing buildings on neighbouring sites. As a result of the redesign the proposed office development is at lower ground and ground floor level. Walker House and neighbouring Leyton House have residential properties at first floor and above with the proposed building generally being at a lower level than the residential flats. Furthermore, there are no windows facing north. As such officers consider that the development would not adversely impact neighbours outlook or sense of enclosure, nor raise challenging issues in terms, daylight, sunlight (discussed below), and privacy to these residential properties.
- 7.35 The development is set away from Shiplake and Wargrave Houses to the south, behind the existing wall and should not have any significant impact on residential amenity to the occupants of these buildings due to the barrier created by the existing wall and the height at which the building is proposed.

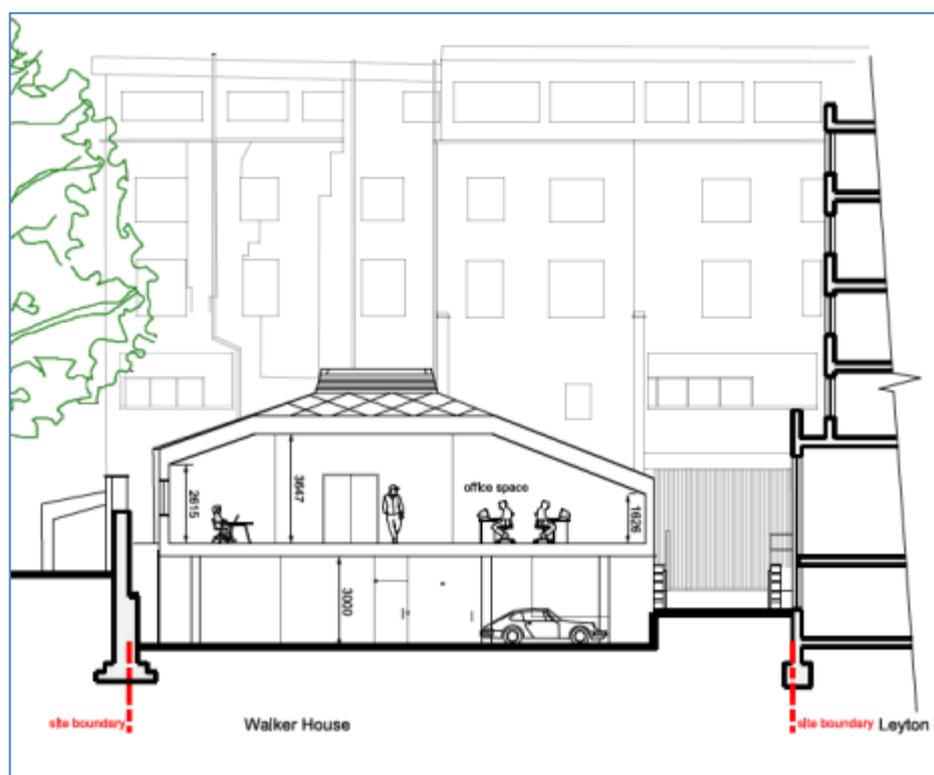


Figure 3: Section of proposal with lower ground and ground of Leyton House (22 Calvert) on right.

- 7.36 The non-residential use that has an immediate relationship with the proposal is the rear frontage of the 22 Calvert Avenue. This is currently occupied by the Calvert Foundation, a not-for profit organisation concerned with culture and creative arts activities. The premises occupy the ground and lower ground, this includes art gallery space, café and bookshop, meeting space for hire, and associated offices. While it is clearly the case that from a 'birds-eye view' the proposal is a notable change to the setting of the car park, the relationship with residential properties is reasonable. The proposal is set back from the adjoining 22 Calvert Foundation offices by approximately 4.5m and maintains a reasonable level of daylight, sunlight and outlook to these dual aspect premises
- 7.37 In terms of the proposed residential units as there are existing units above, the proposal would not introduce any new overlooking concerns beyond that which currently exists as the proposed balconies would be inset within the building.
- 7.38 Given the use, location, separation distance of surrounding facing residential properties and the tight urban grain in this part of the Borough, it is considered that the proposal would not unduly result in a detrimental impact upon the amenity of the residents of the surrounding properties in terms of privacy, loss of outlook and sense of enclosure.
- 7.39 Overall, it is considered that the proposed development is suitably designed to ensure privacy is preserved, a level of outlook is maintained and there will be no sense of enclosure to surrounding residential properties.

Daylight & Sunlight

- 7.40 Guidance relating to daylight and sunlight is contained in the Building Research Establishment (BRE) handbook 'Site Layout Planning for Daylight and Sunlight' (2011).
- 7.41 A number of residential properties surround the site which can be impacted by the development, these have been tested as part of the application, and the results have been independently reviewed on behalf of the Council, these are discussed below.
- 7.42 For calculating daylight to neighbouring residential properties affected by the proposed development, the primary assessment is the vertical sky component (VSC) method of assessment together with the no sky line (NSL) assessment where internal room layouts are known or can reasonably be assumed. These tests measure whether buildings maintain most of the daylight they currently receive
- 7.43 BRE guidance in relation to VSC requires an assessment of the amount of daylight striking the face of a window. The VSC should be at least 27%, or should not be reduced by more than 20% of the former value, to ensure sufficient light is still reaching windows. The NSL calculation takes into account the distribution of daylight within the room, and again, figures should not exhibit a reduction beyond 20% of the former value.
- 7.44 The following properties have been tested for Daylight and Sunlight based on land use and proximity to the site:
- Leyton House
 - Shiplake House
 - Wargrave House

Leyton House

- 7.45 Of the 46 windows tested, 44 would meet the BRE guidelines and will not face a reduction in VSC of more than 20% beyond the existing values. Of the 2 windows that do not meet the BRE daylight levels in terms of the 20% of their former value these windows are located at lower ground floor level serving the gallery space and face a loss of 23% and 25% of their former value which is marginally below the standard of 20%. The windows would receive VSC's of 22.01 & 22.24 respectively and would therefore maintain good access to daylight.

Shiplake House

- 7.46 Of the 14 windows tested all would meet the BRE guidelines and will not face a reduction in VSC of more than 20% beyond the existing values. The impacts are therefore negligible.

Wargrave House

- 7.47 Of the 58 windows tested all would meet the BRE guidelines and will not face a reduction in VSC of more than 20% beyond the existing values. The impacts are therefore negligible.

Walker House

- 7.48 In terms of Walker house the proposed development involves blocking up two ground floor windows of Walker House facing onto the car park. These are two small windows with security bars over them. The lawful use for this unit is as a workspace studio (B1), with primary outlook onto Boundary Street. The planning history shows an application has been refused planning permission and a lawful development certificate for use of this space as residential. With the primary outlook and daylight from windows onto Boundary Street, blocking up these windows will not have a significant impact on the amenity of the building.

Sunlight

- 7.49 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.

Leyton House

- 7.50 Of the 46 windows tested, 38 would pass the tests set out in the BRE. All the windows that fail belong to the lower ground floor non-residential institution and would fail in terms of winter hours but pass in terms of summer hours. Given the location, use of the building and the number of windows studied this reduction in sunlight levels to the building is acceptable.

Shiplake House

- 7.51 Of the 14 windows assessed 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. The impact on sunlight levels is therefore negligible.

Wargrave House

- 7.52 No sunlight analysis is required as these windows face north. Overall, there is no impact in daylight and sunlight terms to the properties in Wargrave House as a result of the proposed development.

Conclusion

- 7.53 The proposed development shows almost full compliance with the required daylight and sunlight standards. Overall considering the size of the scheme, the highly urban context (located within a carpark) and the number of windows tested these reductions in daylight are on balance acceptable.

Overshadowing

- 7.54 In terms of permanent overshadowing, the BRE guidance in relation to new gardens and amenity areas states that "it is recommended that for it to appear adequately sunlit throughout the year, at least half of a garden or amenity space should receive at least 2 hours of sunlight of 21 March".
- 7.55 There are no existing amenity spaces or park areas within close proximity to the development.

Noise & Vibration

- 7.56 Objections have been received due to the balconies proposed potentially adding to the acoustic canyon effect within the courtyard area. It should be noted that two balconies are proposed facing in to the courtyard area which would not be a discordant feature in a residential area such as this. Many properties have windows facing into the courtyard area currently which are openable. There are also amenity terraces which are located facing the courtyard in properties such as Leyton House which is adjacent to the application site in question.
- 7.57 Given there are existing residential properties with external amenity spaces in the area and also that there is a policy requirement for residential private amenity space; it is not

considered that two residential amenity spaces (for private use of occupants of the flats) would cause an unacceptable impact on amenity.

- 7.58 Officers have also considered the effect on noise from the office building. Given that typical offices hours are proposed and that there are existing businesses form within Calvert Avenue, no objection is raised.

Construction Impacts

- 7.59 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

- 7.60 Considering the size of the development the proposed housing Mix is acceptable.

Standard of proposed accommodation

- 7.61 The proposed development includes change of use of the first floor of Walker House from vacant B1 office space to provide 4 new flats. The accommodation would be a mix of 1 x 1-bedroom flat, 2 x 2-bedroom flats and 1 x 3 –bedroom flat.
- 7.62 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. The units would be primarily served by existing large windows to the west. In addition 3 of the 4 flats would be dual aspect including windows to the east. Two of the four flats, including the 3-bedroom unit, would have private amenity in the form of an inset terrace. The submitted amendments have had no effect on the residential units
- 7.63 The second floor and above of Walker House is in residential use and this would be a continuation of that arrangement. This reflects the predominant character of the estate and surrounding area with residential on upper floors. The existing building is well suited to residential accommodation and the proposed units should have good levels of daylight, sunlight, outlook and privacy.
- 7.64 In summary, the quality of residential accommodation assessed against policy and with due regard to site constraints is satisfactory.

Transport

- 7.65 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

- 7.66 Walker House and Leyton House benefit from an off-street car park within their demise located to the rear of the buildings. In respect of the wider Boundary Estate this is not a common feature. The main characteristic of the rear of properties in the Estate is open

communal space. However, this site does not include original Boundary Estate buildings and it is understood the current location of the car park was historically the site of a warehouse building, possibly destroyed in bomb damage.

- 7.67 The car park has 20 spaces. It is accessed through a controlled access gate (approx. 4m in height) from Boundary Street, and down a ramp to the lower ground level of the car park. The proposal is for a development that sits over the existing car park, and it is to change the number of car parking spaces reducing them from 20 spaces to 13 spaces.
- 7.68 Relevant planning history in respect of this car park is the 1998 approval for extensions and alterations to Leyton House, which included details on the use of the car park to serve Walker and Leyton Houses. The layout of the car park is secured by condition 8 and the accompanying S106 agreement pursuant to this permission. If permission were to be granted a condition requiring the applicant to vary the existing s106 would be secured
- 7.69 The condition and S106 identify 6 of the 20 spaces and state that they shall be used exclusively for commercial uses in Walker and Leyton Houses. The proposal subject of this report maintains an allocation of 6 spaces for commercial uses. In effect, as the allocated 6 spaces for commercial use remains, the reduction in car parking spaces (6 spaces) will be for unallocated general use car parking.
- 7.70 The objective of adopted planning policy is to reduce the use of car journeys in areas that are well connected to public transport. As set out in the site and surroundings section above, this is a highly connected location with the highest public transport accessibility level (PTAL) of 6b. This is a reflection of the short walking distance to Underground and Overground stations and a wide range of bus routes.
- 7.71 It is understood that for existing residents a loss of car parking would be undesirable. However, in a highly connected location as this there would need to be clearly identifiable severe transport impacts from the proposed reduction of 6 spaces for this to be a significant concern in respect of the planning application. This is not considered to be the case in respect of car parking.

Refuse

- 7.72 The existing refuse store to the rear of the building will be replaced with a new store providing office storage and residential storage. The proposal provides sufficient bin space based on standards including 3 x refuse bins, 2 x recycling bins and 1 x compostable bin for the residential element and 2 x commercial refuse bins for the office elements.
- 7.73 The waste officer has noted that the distance to the street is more than 10 metre pulling distance and therefore the applicant will need to manage the waste accordingly including presenting bins to street on refuse collection days. The applicant has agreed to this proposal and the details of this arrangement will be required through the delivery and service management plan which will be required by condition.

Servicing and deliveries

- 7.74 The rear car park is also used for servicing for commercial businesses and an objection to the application has been received by the 22 Calvert Foundation. This relates to servicing of the Foundation premises, primarily in respect of deliveries of art works. The Foundation have advised they receive up to 20 deliveries in a 12 month period, vehicles used range from transit vans to Heavy Goods Vehicles, The Foundation state they also receive deliveries from the street but on-street parking and stepped access mean this is not ideal.
- 7.75 It is considered that servicing for this business must be maintained; however, it is noted the number of deliveries is on average less than 2 deliveries a month.

- 7.76 Notwithstanding this, the design of the proposal is such to accommodate continued servicing from the rear of a transit van type vehicle. The proposed office accommodation provides a clear height of approximately 3m, which is a comfortable distance for a transit van, that measures approximately under 2m in height. Large vehicles could not be accommodated in the proposed arrangement for the rear car park. However, it is not considered likely that such vehicles would be easily accommodated under the current arrangement, with ramped access, and on street servicing would be necessary. Given the relatively modest number of deliveries over the year this should be accommodated in a manner that would not harm the safety or capacity of the highway.

Trip generation

- 7.77 In respect of the impact of the proposed development, the submitted application includes a Trip generation assessment for the proposed net increase of office floorspace (44sq.m) and the new proposed 4 residential units. The trip generation shows 90% (59no.) of additional journeys by public transport, cycling or walking. There are projected numbers of 10% (7no.) journeys by car. However, this is only a projected number in a location where there will not be allocated spaces for these uses, and in a highly accessible location, this should not have a significant affect. Overall, the trip generation is commensurate with a highly accessible inner London location as this and should be comfortably accommodated by the existing public transport infrastructure.

Cycle parking

- 7.78 The Design and Access Statement notes that there are currently 8 cycle parking spaces located within the existing car park which are provided by way of 4 Sheffield stands. The proposal will re-provide these 8 cycle parking spaces in addition to 12 new cycle parking spaces consisting of 5 cycle parking spaces for the new office and 7 cycle parking spaces for the new residential units. This is compliant with the current London Plan (2016) standards.
- 7.79 The cycle parking spaces will be located in two stores at basement level to the west and south east of the existing basement level. Details of the access arrangements and layout of cycle parking stands will be secured by way of condition.

Conclusion

- 7.80 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

Air Quality

- 7.81 An Air Quality Assessment has been submitted by the applicant and this assesses the impacts of the development on the local area as a result of changes in traffic, any emissions from plant on site and the dust emissions during the construction phase of the project. The impact on the local area as a result of the proposed development is considered to be insignificant. With regards to the impacts of construction on air quality, dust and other pollutant emissions from the construction and demolition phases of the construction of the proposed development will

see the site designated a “Low Risk Site” and residual effects are not be considered significant. Appendix 5 includes site specific mitigation for a low risk site and the implementation of these measures can be ensured through the condition requiring a Construction Management Plan.

Waste

- 7.82 Development Plan policies require adequate refuse and recycling storage.
- 7.83 All commercial waste and recycling is to be stored within a storage area on the ground floor with direct access from the north-west corner of building to Greenfield Road.. Objections have been received that this would not be adequate however the store has been sized appropriately, taking account of Council guidance.

Landscaping & Biodiversity

- 7.84 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.
- 7.85 The biodiversity officer has noted the only feature of any value for biodiversity is the ivy on the south wall due to the fact it is likely to support nesting birds and its loss would result in a very minor adverse impact on biodiversity. The ivy should be cleared outside of nesting season or a survey for nesting birds undertaken before clearance and this will be controlled by way of condition.
- 7.86 In terms of biodiversity enhancements, the applicant has investigated the option of introducing additional biodiversity enhancements to mitigate any losses and meet the requirements of the Local Biodiversity Action Plan (LBAP). The applicant has confirmed that bird and bee nesting boxes can be incorporated into the scheme which will be along the boundary walls. The provision of these nests (and other mitigation and enhancement as is feasible) as well as the retention of as much of the ivy as is feasible will be controlled by condition.

Land Contamination

- 7.87 Subject to standard conditions, the proposals are acceptable from a land contamination perspective and that any contamination that is identified can be satisfactorily dealt with.

Energy

- 7.88 The proposal is a minor application and an Energy Statement has been submitted which shows how the development will be designed to maximise energy efficiency and reduce carbon emissions in line with Building Regulations and London Plan principles.
- 7.89 Such measures include solar control double glazing, mechanical ventilation with heat recovery, high efficiency air source heat pumps and gas boilers. A 9.5% reduction in carbon dioxide over current Building Regulations can be achieved. In addition, there are no existing or potential district heating networks in the vicinity of the development. These measures are welcomed and appropriate approach for the scheme.

Human Rights & Equalities

- 7.90 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.

- 7.91 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. Three year time limit
2. Compliance with approved plans and documents
3. Tree Protection Measures
4. Provision of approved refuse storage
5. Hours of construction

Pre-Commencement Conditions

6. Details of noise and vibration mitigation measures
7. Details of biodiversity mitigation measures
8. Timing of vegetation clearance (breeding birds)
9. Land Contamination
10. Construction Management Plan
11. Samples and details of all facing materials
12. Method statement for the protection of the boundary wall beside the tow path
13. Proposed amendments to car park approval

Prior to occupation conditions

14. Details of cycle parking
15. Works completed to the new residential entrance to Walker House
16. Delivery and Service Management Plan
17. Details of all Secure by Design measures and Secure by Design accreditation
18. Car Permit Free (bar Blue Badge Holders and Permit Transfer Scheme)

Appendix 1

List of plans for approval

Schedule of Drawings

- 4588/PA001
- 4588/PA002,
- 4588/PA010 A
- 4588/PA011
- 4588/PA012
- 4588/PA013
- 4588/PA020
- 4588/PA021
- 4588/PA030 C
- 4588/PA031 A
- 4588/PA032 A
- 4588/PA033
- 4588/PA040 A
- 4588/PA041
- 4588/PA045 A
- 4588/PA050 A
- 4588/PA051
- 4588/PA052
- 4588/PA060 A
- 4588/PA070
- 4588/PA080
- 4588/PA090

Schedule of Documents

- Heritage Impact Assessment dated October 2017 prepared by Bob Kindred Heritage Consultants
- Daylight and Sunlight to Neighbours dated October 2017 prepared by Brooke Vincent and Partners
- Design and Access Statement dated November 2017 prepared by GML Architects
- Arboricultural Impact Assessment dated 30th May 2018 prepared by Hallwood Associates
- Archaeological Desk based Assessment dated September 2016 prepared by Allen Archaeology
- Air Quality Assessment dated 12th October 2016 prepared by Hawkins Environmental
- Transport Statement dated September 2017 prepared by Entran Ltd
- Energy Statement dated October 2017 prepared by Chris Evans Consulting
- Preliminary Ecological Assessment dated October 2016 prepared by The Ecology Partnership

Appendix 2

Selection of plans and images



01 Aerial View from North
002



02 Aerial View from South
002



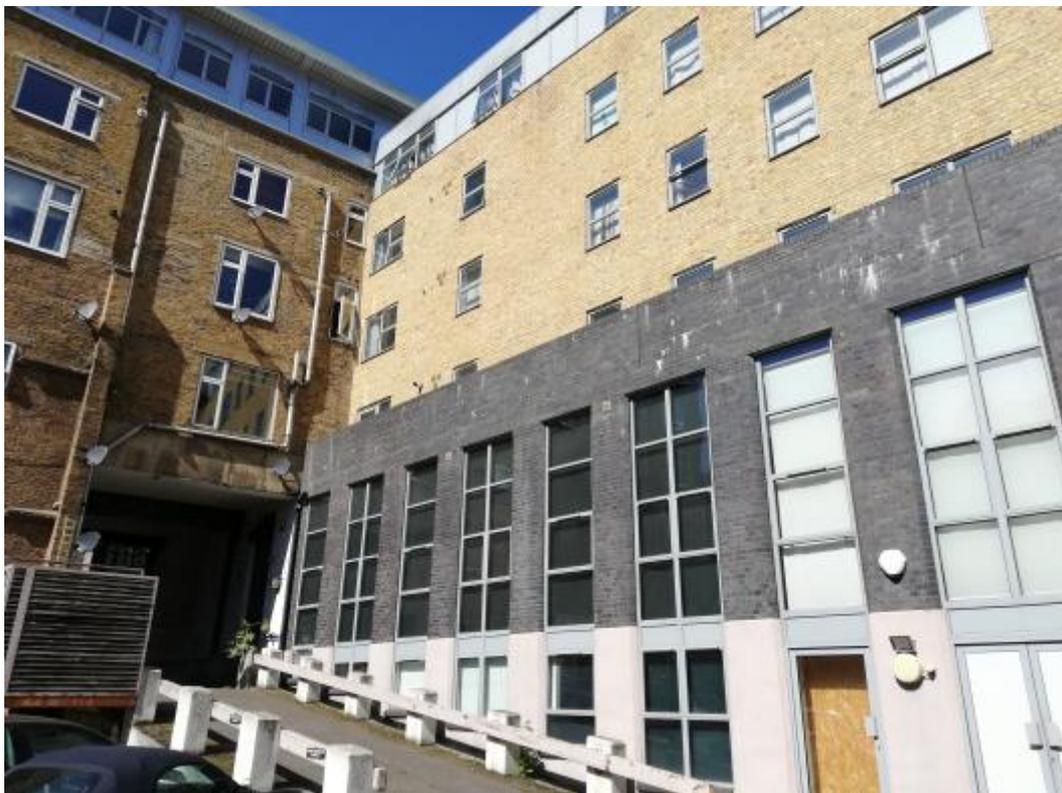
Rear of Walker House from car park



View from Boundary Street, Walker House Left, Wargrave House right, car park boundary wall beyond.



View from junction of Navarre Street, application site in background within courtyard



22 Calvert Avenue premises and access ramp



Vehicle Access via Boundary Street



Boundary wall and Wargrave house from within the carpark

