

<b>Committee:</b> Development	<b>Date:</b> 10th November 2010	<b>Classification:</b> Unrestricted	<b>Agenda Item Number:</b> 7.1
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<b>Report of:</b> Director of Development and Renewal	<b>Title:</b> Town Planning Application
<b>Case Officer:</b> Mary O'Shaughnessy	<b>Ref No:</b> PA/10/01211
	<b>Ward:</b> Bow East

## 1. APPLICATION DETAILS

<b>Location:</b>	Old Ford Methodist Church, 522 Old Ford Road, London, E3 2LY
<b>Existing Use:</b>	
<b>Proposal:</b>	Demolition of existing building and redevelopment of site to provide 8 flats, 1 house, community areas and an office suite.
<b>Drawing Nos/Documents:</b>	<p>Drawings:  0327.100 REVB, 0327.101 REVB, 0327.102, 0327.103, 0327.104, 0327.105 REVA, 0327.106 REVA, 0327.107 REVA, 0327.108, 0327.201 REVA, 0327.202 REVE, 0327.203 REVW, 0327.204 REVAA, 0327.205 REVZ, 0327.206 REVX, 0327.207 REVV, 0327.208 REVK, 0327.210 REVH, 0327.211 REVG, 0327.212 REVG, 0327.213 REVH, 0327.214 REVD, 0327.215 REVA, 0327.216 REVA, 0327.217 REVA, 0327.218 REVA, 0327.219 REVA, 0327.220 REVA, 0327.221 REVA, 0327.222 and 9832/T/01-01</p> <p>Documents:  Design Statement, REV B, prepared by Rogers Partnership.  Impact Statement, REVB, prepared by Rogers Partnership, and;  Appendices REV B.  Energy Report, prepared by Ecowise, 6<sup>th</sup> August 2010.</p>
<b>Applicant:</b>	Gateway Housing Association
<b>Ownership:</b>	Gateway Housing Association, Old Ford Housing Association and LBTH Highways.
<b>Historic Building:</b>	Not applicable
<b>Conservation Area:</b>	Not applicable

## 2. SUMMARY OF MATERIAL PLANNING CONSIDERATIONS

- 2.1 The Local Planning Authority has considered the particular circumstances of this application against the Council's approved planning policies contained in the Core Strategy, September 2010, (CS), London Borough of Tower Hamlets Unitary Development Plan 1998 (as saved September 2007), (UDP), and the Council's Interim Planning Guidance for the purposes of Development Control (2007) (IPG), associated supplementary planning guidance, the

London Plan 2008 (Consolidated with Alterations since 2004) (LP) and Government Planning Policy Guidance and has found that:

- 2.2 The proposed part 2 part 4 storey mixed use development is considered appropriate in terms of design, bulk, scale, and massing. The height of the building is justified in this location given, this is a corner site and given the variety of building heights in the area. This is in accordance with strategic policy SP10 of the Core Strategy adopted September 2010, saved policy DEV1 of the adopted Unitary Development Plan 1998 (as saved September 2007), and policy DEV2 of the Interim Planning Guidance for the purposes of Development Control (2007). These policies seek to ensure appropriate design within the Borough which respects local context.
- 2.3 The proposal is considered appropriate in relation to the residential amenity of the site in terms of daylighting and sunlighting, sense of enclosure, outlook, overlooking and privacy. This is in line with strategic policy SP10 of the Core Strategy adopted September 2010, saved policy DEV2 of the adopted Unitary Development Plan 1998 (as saved September 2007), and DEV1 of the Interim Planning Guidance for the purposes of Development Control (2007). These policies seek to protect the amenity of residential occupiers and the environment in general.
- 2.4 In reference to transport matters, including provision of cycle parking, access, servicing and the creation of a car free development, the proposal is considered acceptable and in accordance with policies 3C.1, 3C.2, 3C.3 and 3C.23 of the London Plan 2008 (Consolidated with Alterations since 2004), strategic policy SP09 of the Core Strategy adopted September 2010, policies DEV1, T16, T19 of the adopted Unitary Development Plan 1998 (as saved September 2007),, policies DEV16, DEV17 and DEV19 of the Interim Planning Guidance for the purposes of Development Control (2007). These policies seek to ensure developments can be supported within the existing transport infrastructure.
- 2.5 The proposal provides an increase in the supply of specialist housing accommodation for vulnerable groups in the borough of which there is a known need. As such, the proposal is in accordance with strategic policy SP02 of the Core Strategy adopted September 2010, saved policy HSG7 of the adopted Unitary Development Plan (1998) (as saved September 2007), and policy HSG2 of the Interim Planning Guidance for the purposes of Development Control (2007), which seek to encourage new housing and ensure that new developments offer a range of housing choice.
- 2.6 In this instance the net loss of 169 square meters of D1 floor space is considered acceptable, given the continued provision of a community centre on the site, the improvements to the community facilities and the benefits of providing a 100% affordable housing scheme at the upper levels. This is in line with policies 3A.13 and 3A.18 of the London Plan 2008,(Consolidated with Alterations since 2004) strategic policy SP03 of the adopted Core Strategy September 2010, saved policy SCF2 of the adopted Unitary Development Plan 1998 (as saved September 2007), and policy SCF1 of the Interim Planning Guidance for the purposes of Development Control (2007). These policies seek to protect existing social infrastructure and community facilities.

### 3. RECOMMENDATION

- 3.1 That the Committee resolve to **GRANT** planning permission subject to:
  - A. The prior completion of a **legal agreement** to secure the following planning obligations:
    - a) Affordable Housing (7 x 1 bedroom units and 1 x 3 bedroom units)

- b) 100% Car Free Development
  - c) Any other planning obligation(s) considered necessary by the Corporate Director Development & Renewal
- 3.2 That the Corporate Director Development & Renewal is granted delegated power to negotiate the legal agreement indicated above.
- 3.3 That the Corporate Director Development & Renewal is granted delegated power to impose conditions and informatives on the planning permission to secure the following matters:

### **Conditions**

- 1 Full planning permission – 3 year time limit
- 2 Drawings – to be built in accordance with the approved drawings
- 3 Approval of samples/details/particulars prior to commencement of works
  - All facing materials
  - Detailed sections of roof storey, clock tower and overhang
- 4 Hours of operation of Community Use (D1):-
  - 08.00 to 21:00 Monday – Friday, and;
  - 09.00 to 21.00 on Saturdays and Sunday.
- 5 Details of cycle parking to be provided prior to occupation and it will be secured in perpetuity.
- 6 Energy report to be provided prior to commencement of works and complied with.
- 7 Code for Sustainable Homes details to be provided prior to commencement of works and secured in perpetuity.
- 8 Retention of obscure glazing and screening to outdoor terraces and window in communal hallway in perpetuity.
- 9 Archaeology Report prior to commencement of works
- 10 Hours of Construction 8-5 Monday to Friday and 9-1 Saturday and no work on Sunday or public holidays
- 11 Refuse secured in perpetuity
- 12 Management Plan - details to be submitted prior to the occupation of the building
- 13 *Any other planning condition(s) considered necessary by the Corporate Director Development & Renewal*

### **Informatives**

- 1 Associated S106 agreement

2 Guidance on cycle parking design

3 *Any other planning informatives(s) considered necessary by the Corporate Director Development & Renewal*

3.4 That, if by 22nd December 2010 the legal agreement has not been completed, the Corporate Director Development & Renewal is granted delegated power to refuse planning permission.

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

##### **Proposal**

4.1 The proposal is for the demolition of the existing building on site and the erection of a building rising from two to four storeys comprising nine residential units and a community centre including associated office suite.

4.2 The eight, one bedroom units would be for Radicle Organisation. Radicle is a registered charity providing practical and emotional support services for isolated and vulnerable people including accommodation for single mothers. They are one of the few London providers specialising in this type of housing.

4.3 The proposed building would be two storeys to Pulteney Close rising to four storeys along Armagh Road and Old Ford Road.

##### **Site and Surroundings**

4.4 The application site is located at the junction of Armagh Road and Old Ford Road. The site is 'L' shaped and the existing buildings wrap around 510-520 Old Ford Road.

4.5 Fronting Old Ford Road is a two storey building with a pitched roof which is set forward from the adjacent buildings to the west. To the rear is a two storey building with a flat roof which extends behind the 510-520 Old Ford Road and is smaller in bulk and scale.

4.6 These buildings date from the 1950s and are not designated heritage assets (i.e. they are neither listed nor located within a conservation area.) It is noted that the site is located within an archaeological priority zone.

4.7 The area around the site is varied in respect of building heights and styles. Building heights vary from two to four storeys.

4.8 Directly to the west of the site is a row of six terraced houses which are two storeys in height with a pitched roof. To the south-west of the site is a four storey block of flats which form part of the Ranwell Estate. To the east of the site on the opposite side of Armagh road is a row of three storey residential properties. To the north of the site, on the opposite side of Old Ford Road, is a four storey property known as Moorhen House.

##### **Planning History**

4.9 The following planning decisions are relevant to the application:

##### Application Site:

4.10 PF/08/00067 In 2008 the Council provided pre-application advice to the applicant in

respect of design, bulk scale and use of the building. The proposal was for the creation of 12 flats and a community centre.

- 4.11 PA/09/01453 *“Demolition of existing building and erection of a four storey building to provide 11 flats, community areas and office suite.”*

The application was withdrawn by the applicant on 1<sup>st</sup> October 2009 following the advice of officers when it became evidence that the incorrect ownership certificates had been completed.

- 4.12 PA/09/02151 *“Demolition of existing building and erection of a four storey building to provide 10 flats, community areas and office suite.”*

The application was withdrawn by the applicant on 7<sup>th</sup> January 2010 following the advice of officers. Officers raised concern about the overall, bulk, scale and design of the building and the impact this would have on adjacent occupiers. It was considered that these matters needed to be addressed further.

## 5. POLICY FRAMEWORK

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

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

PPS5 Planning and the Historic Environment

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

Policy No.	Title
3A.13	Specialist needs and specialist housing
3A.17	Addressing the needs of London’s diverse population
3A.18	Protection and enhancement of social infrastructure and community facilities
3C.1	Integrating transport and development
3C.2	Sustainable transport in London
3C.3	Sustainable transport in London
3C.23	Parking Strategy
4A.1	Tackling climate change
4A.3	Sustainable design and construction
4A.4	Energy assessment
4A.7	Renewable Energy

### **Core Strategy (Adopted September 2010)**

Strategic Policies:	Policy No	Title
	SP02	Urban living for everyone
	SP03	Creating healthy and liveable neighbourhoods
	SP05	Dealing with waste
	SP09	Creating attractive and safe streets and spaces
	SP10	Creating distinct and durable places
	SP11	Working towards a zero-carbon borough
	SP12	Delivering placemaking and Bow Vision Statement
	SP13	Planning Obligations

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

Policy No	Title
DEV1	Design Requirements
DEV2	Environmental Requirements
DEV43	Protection of Archaeological Heritage
DEV44	Preservation of Archaeological Remains
DEV45	Development in Areas of Archaeological Interest
DEV50	Noise
DEV55	Development with Waste Disposal
DEV56	Waste Recycling
HSG7	Dwelling Mix and Type
HSG13	Standard of Converted Dwellings
HSG14	Special Needs Accommodation
HSG15	Preservation of Residential Character
HSG16	Housing Amenity Space
T16	Traffic Priorities for New Development
T18	Pedestrians and the Road Network
SCF2	Criteria for Residential and Day Care Facilities

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

Policies:	Policy No	Title
	DEV1	Amenity
	DEV2	Character and Design
	DEV6	Energy Efficiency and Renewable Energy
	DEV10	Disturbance from Noise Pollution
	DEV15	Waste Recyclables and Storage
	DEV16	Walking and Cycling Routes
	DEV17	Transport Assessments
	DEV19	Parking for Motor Vehicles
	HSG3	Affordable Housing Provisions in Individual Private Residential and Mixed-use Schemes
	HSG7	Housing Amenity Space
	HSG9	Accessible and adaptable Homes
	HSG10	Calculating Provision of Affordable Housing
	SCF1	Social and Community Facilities
	CON4	Archaeology and Ancient Monuments

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

SPG: Residential Space Standards

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

- A better place for living safely
- A better place for living well
- A better place for creating and sharing prosperity
- A better place for learning, achievement and leisure
- A better place for excellent public services

## **6. CONSULTATION RESPONSE**

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

6.2 The following were consulted regarding the application:

### **LBTH Cleansing**

- 6.3 The refuse and recycling provision is adequate.

### **LBTH Environmental Health – Daylight and Sunlight**

- 6.4 The submitted Daylight and Sunlight Report prepared by Devla Patman Associates, dated July 2009 has been reviewed and it is considered that it would be acceptable to grant planning permission for the proposed development.

### **LBTH Highways**

- 6.5 The proposed scheme involves the upper floors extending out and overhanging the surrounding pavements. Highways do not support this and raise objections as a result. Any part of a building which overhangs the public highway will require technical approval and a projection licence and Highways do not wish to issue these approvals.
- 6.6 [**Officer Comment:** *The applicant will be advised of the need to apply to the Highways Department for a projection licence for any part of the building which overhangs the highway. However this is a licensing issue that could not justify the refusal of the scheme on planning grounds.*]
- 6.7 The Applicant has indicated that the proposed development is to be car/permit free and this is welcomed by the Highway Department.
- 6.8 [**Officer Comment:** *This will be secured via a Section 106 Agreement.*]
- 6.9 Clarification is required as to the location of the cycle parking and the proposed Kendall bicycle racks are not supported by the Highways Department. As such, cycle parking should be provided in accordance with LBTH policy.
- 6.10 [**Officer Comment:** *It is recommended that this matter be controlled via condition An informative will be added setting out the preferred style of cycle racks.*]

### **LBTH English Heritage – Archaeology (Statutory Consultee)**

- 6.11 To date no comments have been received.

## **7. LOCAL REPRESENTATION**

- 7.1 A total of 171 neighbouring properties within the area shown on the map appended to this report were notified about the application and invited to comment. The application has also been publicised on site. The number of representations received from neighbours and local groups in response to notification and publicity of the application were as follows:

No of individual responses: 4            Objecting: 4            Supporting: 0  
No of petitions received: 1 objecting containing 104 signatories

- 7.2 The following issues were raised in representations that are material to the determination of the application, and they are addressed in the next section of this report:
- 7.3 Objection to the use of the property for a community centre and hostel for vulnerable young mothers.

- 7.4 [**Officer Comment:** *This matter is discussed under the Land Use Section of this report at paragraphs 8.2-8.13.*]
- 7.5 Height of the proposed property. It should be no more than two storeys.
- 7.6 [**Officer Comment:** *This matter is discussed under the Design Section of this report at paragraphs 8.26-8.35.*]
- 7.7
- There are currently problems with noise and disturbance from the existing Church use and this will worsen with the proposed development. There are concerns that the proposed residents will play loud music.
  - The proposed development will impact on light, privacy and the enjoyment of their properties.
  - Increase in anti-social behaviour because the property will be occupied by young girls with babies.
- 7.8 [**Officer Comment:** *This matter is discussed under the Amenity Section of this report at paragraphs 8.36-8.52.*]
- 7.9 There are currently problems with parking when the existing Church is in use. Patrons of the Church use private residential parking bays. There is concern that this problem will worsen because of the proposed mixed use scheme with community use and residential accommodation.
- 7.10 [**Officer Comment:** *This matter is discussed under the Highways Section of this report at paragraphs 8.53-8.58.*]

## **8. MATERIAL PLANNING CONSIDERATIONS**

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

1. Land Use
2. Housing
3. Design
4. Amenity
5. Highways
6. Other

### **Land Use**

- 8.2 The proposal is for the retention of the existing community use at ground floor level and the creation of nine residential properties at the upper floors comprising 8 x 1 bedroom units and 1 x 3 bedroom unit.
- 8.3 Policies 3A.13 and 3A.18 of the LP seek to ensure that boroughs protect existing social infrastructure and community facilities and provide special needs housing in appropriate locations.
- 8.4 Part 7 (c), of strategic policy SP02 of the CS and saved policy HSG14 of the UDP support the provision of specialist housing for vulnerable groups including vulnerable women and children.
- 8.5 Part 5 of strategic policy SP03 of the CS, seeks to provide high quality social and community



facilities in the borough by maximising opportunities to deliver new facilities as part of new developments and locating such facilities in accessible locations. Saved policy SCF2 of the UDP and policy SCF1 of the Interim Planning Guidance 2007 (IPG) set out the criteria for the assessment of new social and community facilities. Consideration needs to be given to the likely catchment area of the facility, the accessibility of the site, the needs of the area and the quality of the proposal.

### Housing

- 8.6 The proposal is for the creation of nine residential units comprising 8 x 1 bedroom units and 1 x 3 bedroom unit. Eight of the units would be for the use of Radicle Housing which provides accommodation for young homeless vulnerable mothers or mothers-to-be. There would be support staff on the premises Monday – Friday from 09:30 – 17.30 with an ‘on call’ service at weekends for residents.
- 8.7 Radicle already operates five similar schemes to help young pregnant women or mothers across London. There is one facility currently within the borough known as the Whitechapel Family Centre, 38 Newark Street, and they provide supported housing for young pregnant women or mothers. Given the constraints of the current building, the LBTH supported housing service has requested the relocation of the service. It is proposed to relocate the family centre to the application site. The Whitechapel Family Centre is currently full which demonstrates that there is a demand for the existing facility which would be re-provided as part of this development. The Radicle Centre has advised that they have had no complaints from neighbours in respect of amenity issues or anti-social behaviour issues at the existing facility.
- 8.8 The Tower Hamlets Homelessness Strategy 2008-2013 sets out the Council’s aims in respect of tackling homelessness within the borough. Section two deals specifically with children, young people and families and it notes that young people leaving home feature disproportionately highly amongst homelessness presentations. In respect of specialist housing it states that “*overall capacity is much smaller than some comparable boroughs.*”
- 8.9 It is considered that the provision of eight residential units which meets the needs of vulnerable women within the borough is in line with the above policies and the aspirations of the Tower Hamlets Homelessness Strategy 2008 -2013.

### Community Use

- 8.10 The existing use of the buildings on the site is as a church and community hall (Use Class D1 with ancillary offices (Use Class B1) associated with the D1 use at first floor level. The gross internal floor area is 619 square metres of which 438 square metres is used as D1 floor space and 181 square metres B1 floor space.
- 8.11 The proposal would result in re-provision of 269 square metres of D1 floor space in the form of a community centre and church at basement and ground floor level. This equates to a net loss of 169 square metres of D1 floor space. The proposal would result in the re-provision of 71 square metres of B1 floor space, which equates to a loss of 98 square metres.
- 8.12 Overall the proposal would result in a net loss of D1 and B1 floor space. Council policies seek to protect existing community facilities within the borough. However, given the proposal would result in a new development which seeks to re-provide high quality usable community facility and affordable housing, it is considered that the merits of the overall scheme would outweigh the loss of some D1 and B1 floor space.
- 8.13 Residents have raised concerns about the impact of the existing use in terms of noise,

parking and anti-social behaviour. The use of the site for a church and community centre is the established planning use of the site. This proposal is not for the change of use to a community centre given the use is existing. It is not considered that this application would result in an intensification of the use given it would result in an overall reduction of floor area for the D1 use. Therefore, any existing impacts should be reduced further. The parking and amenity impacts will be discussed within the relevant sections of this report.

## **Housing**

- 8.14 The proposal is for the creation of nine residential units comprising 8 x 1 bedroom units and 1 x 3 bedroom unit.
- 8.15 The proposed one bedroom units would be for the use of Radicle Organisation which provides accommodation for single mothers with new born babies or mothers to be.
- 8.16 The principle of residential accommodation in this location is considered acceptable; given this is the predominant land use in the area. The family unit would have separate access from Pulteney Close which is welcome. Access to the flats would be from Armagh Road and a separate entrance to the community use has also been provided.
- 8.17 Local residents have raised concerns about the potential for anti-social behaviour, noise, and parking stress because of the proposed users of the residential accommodation.
- 8.18 Officers do not consider that there is direct evidence to substantiate the claims that the proposed users, because the proposed occupants are young mothers, would result in an increased level of anti-social behaviour. Officers have checked with the Community Safety Officer if there have been any anti-social behaviour problems associated with the existing centre at Newark Street. They confirmed that they had no reports of anti-social behaviour linked to the family centre. It is also noted that noise disturbance is a matter which can be dealt with by Environmental Health legislation. Finally, Radcile who operate the Whitechapel Family Centre advised that they had not had complaints from residents. Parking stress will be discussed within the Highways section of this report.

## Housing Mix

- 8.19 Part 5 of strategic policy SP02 of the CS and saved policy HSG7 of the UDP requires development to provide a mix of housing sizes on all sites and seeks to provide specialist housing. Saved policy HSG7 of the UDP requires new developments to provide a mix of unit sizes including a substantial proportion of family housing.
- 8.20 The proposal would result in the creation of 8 x 1 bedroom units and 1 x 3 bedroom unit. It is noted that this would not result in a balanced mix of housing types. However, in the assessment of this application, consideration has been given to the need for the provision of one bedroom units for single mothers and the fact that the proposal would be 100% affordable. On balance, officers consider that the merits of the scheme as a whole outweigh the imbalance within the housing mix in this instance.

## Residential Space Standards

- 8.21 The SPG Residential Space Standards (1998) and saved policy HSG13 of the adopted UDP set out the minimum space standards for all new housing. All of the units comply with the residential space standards.

## Affordable Housing

8.22 Part 3 of strategic policy SP02 of the CS requires 35% - 50% affordable homes on sites providing 10 new residential units. This proposal is for the provision of 9 units which is not required to provide affordable housing. However, this is a development by Gateway Housing and they are proposing to provide nine socially rented units. This will be secured by a section 106 agreement.

#### Amenity Space Provision

8.23 Part 6 (d) of strategic policy SP02 of the CS, saved policy HSG16 of the UDP and policy HSG7 of the IPG provides that all new housing developments should provide high quality, useable amenity space, including private and communal amenity space, for all residents of new housing schemes. CS, UDP and IPG policies reinforce the need to provide high quality and usable private external space fit for its intended user and the provision is an important part of delivering sustainable development and improving the amenity and liveability for the Borough's residents.

8.24 The proposed family unit includes the provision of a private garden which is welcome and in accordance with policy.

8.25 There is also a communal roof terrace at second floor level for the use of all of the residents which measures approximately 35 square meters. It is noted that the one bedroom units do not include private amenity space. However, in this instance it is considered that given the scale of the scheme and the constraints of the site that overall there is adequate provision of amenity space overall.

#### **Design**

8.26 Part 4 of strategic policy SP10 of the CS seeks to ensure that buildings and neighbourhoods promote good design principles by respecting local context and townscape; including the character, bulk and scale of the surrounding area.

8.27 Furthermore, saved policy DEV1 of the UDP outlines that all development proposals should take into account and be sensitive to the character of the surrounding area in terms of design, bulk, scale and the use of materials, they should also be sensitive to the development capability of the site, maintain the continuity of street frontages and take into account existing building lines, roof lines and street patterns. Furthermore, the design should take into consideration the safety and security of the development.

8.28 Finally, policy DEV2 of the IPG seeks to ensure that new development amongst other things, respects the local context, including character, bulk and scale of the surrounding area, ensure the use of high quality materials and finishes, contribute to the legibility and permeability of the urban environment, and contribute to the enhancement of local distinctiveness.

8.29 The proposal is for the demolition of the existing building which is two storeys in height. It is noted that as the site is not a designated heritage asset i.e. it is neither listed nor located in a conservation area. Therefore, planning permission is not required for the demolition of the existing building.

8.30 The proposal is for the erection of a building between two and four storeys. The four storey element would front Old Ford Road and Armagh Road and it would drop to two storeys at the rear which is in keeping with the massing of the existing property. The design of the building includes a mansard roof set behind a parapet. The design also includes a clock feature at the corner of Old Ford Road and Armagh Road. The proposed materials include grey coloured brick at first floor level, buff coloured brick at second and third floor level, and

copper cladding for the mansard roof.

- 8.31 Within the vicinity of the site there are mix of building heights and styles of properties which vary from two to four storeys. These include terraced family houses and residential buildings providing flats.
- 8.32 The design, bulk, scale and height of the proposed building, is considered acceptable in this location. This is a corner site with the potential for increased height. This pattern of development is evident at Moorhen House directly to the north of the site which is also four storeys in height.
- 8.33 The existing building is two storeys in height with a pitched roof and measures 11.7 meters at its highest point. The proposed building would be four storeys in height with a mansard roof and measures 12.6 metres at its highest point. However, when consideration is given to the heights of the surrounding buildings it is considered that the increase in height and massing by merit of the mansard roof would be acceptable in this location. It is noted that the proposed development is in keeping with the scale of Moorhen House to the north and the four storey building to the south which forms part of the Ranwell Estate.
- 8.34 It is considered that the relationship between 520 Old Ford Road and the proposed building is acceptable because the mansard roof is set back and slopes away from the adjacent property and there is a gap between the two properties. 510 – 520 Old Ford Road is a group of six residential properties and the site was never a part of this group in terms of building line, height, bulk, scale and massing. As such, it is considered that the design, bulk and scale of the proposed development has taken account of the surrounding development and respects its local context.
- 8.35 It is considered that in order to ensure that the proposed scheme would be successful, a high quality palette of materials is essential and this will be controlled via condition.

### **Amenity**

- 8.36 Part 4 a and b of strategic policy SP10 of the CS, saved policy DEV2 of the UDP and policy DEV1 of the IPG seek to protect the residential amenity of the residents of the borough. These policies seek to ensure that adjoining buildings are not detrimentally affected by loss of privacy or overlooking of adjoining habitable rooms or a material deterioration of daylighting and sunlighting conditions.

### **Sense of Enclosure and Outlook**

- 8.37 The proposed development seeks to maintain the existing building lines, height, bulk and scale of the existing development as far as possible. However, the proposed building would result in an increase in the bulk, scale and mass when viewed from the rear gardens of 510-520 Old Ford Road facing east. There is currently a gap between the two buildings on site which offers views between the buildings which would be partially lost as a result of the proposed development.
- 8.38 The applicant has sought to reduce the impact of the proposed building from previous schemes by incorporating a mansard roof into the design. The slope of the mansard reduces the impact of the top floors of the building. The footprint of the mansard roof has also been reduced in order to reduce the impact on the existing residents of 510-520 Old Ford Road. The main increase in bulk occurs along the Armagh Road elevation.
- 8.39 In terms of outlook and sense of enclosure it is considered that the proposed building would result in an impact on the existing residents of 510 – 520 Old Ford Road. This would be mostly noticeable from the rear gardens. However, it is not considered this would be a

substantial impact. In assessing this matter consideration has been given to the difference in massing between the existing building and proposed building. It is the increase in massing which would impact upon the outlook and sense of enclosure of these residents. However, consideration has also been given the layout of these residential properties and the existing relationship to the application site. The fact the existing building is 'L' shaped means it wraps around these properties and already limits the sense of outlook and encloses these buildings.

- 8.40 Furthermore, when consideration is given to the overall benefits of the scheme it is not considered that in this instance given the existing relationship between the buildings that it would not merit a robust reason for refusing this scheme.

#### Overlooking and Privacy

- 8.41 It is not considered that the proposed development would result in an increase in overlooking or loss of privacy for existing residents or would not be an issue for proposed residents because there are no windows along the northern elevation of the proposed family house and the rear of 510-530 Old Ford Road. There is one window along the western elevation and this serves a communal hall way and would be obscure glazed. The proposed roof terrace would be screened and have planting. These matters would be controlled via condition in order to ensure they are maintained in perpetuity.

#### Daylight and Sunlight

- 8.42 The Environmental Health Daylight and Sunlight Officer, has reviewed the submitted report prepared by Delva Patman Associated, dated 10<sup>th</sup> June 2010 and is satisfied with its contents.

#### Sunlight

- 8.43 BRE guidance states that a window facing within 90 degrees of due south receives adequate sunlight if it receives 25% of annual probable sunlight hours including at least 5% of annual probable hours during the winter months. The submitted report indicates that the tested properties would receive levels of sunlight in winter and summer above BRE guidance levels.

#### Daylight

- 8.44 The submitted report includes the results of BRE Vertical Sky Component and Average Daylight Factor tests.
- 8.45 Daylight is normally calculated by three methods - the vertical sky component (VSC), daylight distribution/No Sky Line (NSL) and the average daylight factor (ADF). 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 less than 20% of the former value, to ensure sufficient light is still reaching windows. These figures should be read in conjunction with other factors including ADF. This figure calculates the average amount of daylight which a room would receive.
- 8.46 In respect of VSC, three windows were tested and the results indicate that none of the windows currently comply with BRE guidance. However, two of the three windows would experience a failure of less than 20% and this is in accordance with BRE guidance. In respect of 520 Old Ford Road, the difference between the existing and proposed situation would be 28.7%. However, when consideration is given to the ADF results it is noted that all of the windows pass and are in accordance with BRE guidance.

- 8.47 In conclusion, it is evident that, when consideration is given to the existing urban location that the level of failure for one window in respect of one test is marginal and on balance this would not merit refusal of the scheme.

#### Overshadowing

- 8.48 BRE Guidance states that open spaces should receive not less than 40% of available annual sunlight hours on the 21<sup>st</sup> March. Furthermore, any additional loss must be within 20% of the former conditions. The proposal would be acceptable in respect of its impact in terms of overshadowing.

#### Noise

- 8.49 Local residents have raised concerns about the impact of the proposed use in respect of noise disturbance from patrons of the community use and from the residential occupiers of the building.
- 8.50 The hours of operation of the proposed community centre would be controlled via condition in order to ensure that there would be no impact in respect of noise and disturbance from users of the proposed building. The suggested hours of operation are 8am – 9pm Monday – Friday and 9am – 9pm on Saturdays and Sundays.
- 8.51 This is in line with part 4(a) of strategic policy SP10 of the CS, saved policy DEV50 and HSG15 of the adopted UDP and DEV10 of the IPG which seek to protect residential amenity.
- 8.52 In respect of the proposed residential accommodation, it is not considered that there would be any noise and disturbance over and above noise experienced from any other residential development. There is a near identical specialist housing scheme at The Whitechapel Family Centre, Newark Street and the Community Safety Officer has confirmed that there has not been reports of anti-social behaviour linked with the use. Furthermore, having reviewed the Environmental Health records there have been no complaints in respect of noise associated with the existing Whitechapel Family Centre.

#### **Highways**

- 8.53 Policy 3C.1, 3C.2, 3C.3 and 3C.23 of the LP, seek to integrate transport and development and promote sustainable modes of transport, by encouraging patterns and forms of development which reduce the need to travel by car, seeking to improve walking and cycling capacity and allowing development in suitable locations.
- 8.54 Strategic Policy SP09 of the CS, saved UDP policies T16 and T18 and policies DEV16, DEV17 and DEV19 of the IPG, which outline that in respect of new development consideration, should be given to the impact of the additional traffic which is likely to be generated, the need to provide adequate cycle parking and the need to minimise parking and promote sustainable development.
- 8.55 The Highways officer has raised no objection in respect of the proposed use and its impact on the surrounding highway network. Given, there would be no increase in the intensity of the use of the site; it is not considered there would be an adverse impact on the surrounding highway network.
- 8.56 Residents have raised concerns about the impact of the existing use in respect of parking stress. It is noted that users of the church are using private parking bays. This is not a matter which could be controlled by planning given the bays are not part of this application. However, it would be possible to resolve some of these matters via a Management Plan

which would require the Community Facility to provide information about sustainable modes of transport and the location of on street parking within the vicinity of the site.

- 8.57 The proposed residential units would be secured as car free. This would be secured via a section 106 agreement. This is in line with policy and would promote sustainable modes of transport and reduce stress on the surrounding highway network.
- 8.58 The provision of cycle parking in line with Council standards would be controlled via condition. It is noted that the Highways Officer has requested Sheffield bicycle stands as opposed to the vertical Kendal system proposed.

### **Other Planning Issues**

#### Energy

- 8.59 Policies 4A.1, 4A.3, 4A.4, 4A.6 and 4A.7 of the LP sets out that the Mayor will and the boroughs should support the Mayor's Energy Strategy and its objectives of reducing carbon dioxide emissions, improving energy efficiency and increasing the proportion of energy used and generated from renewable sources. The LP requires a reduction of 20% reduction in carbon dioxide emissions from on site renewable energy generation.

The latter London-wide policies are reflected in policies SP11 of the CS, DEV5 and DEV6 of the IPG.

8.60

- 8.61 The applicant submitted an energy report prepared by Ecowise dated 6<sup>th</sup> August 2010. This outlines that the proposed residential accommodation aims to achieve Code for Sustainable Homes Level 4 and comply with the LP. The report outlines the ability of the scheme to comply with the above policies. At this stage the preferred option has not been outlined. This matter could be controlled via condition if planning permission were granted.

#### Refuse

- 8.62 The refuse store is located integral to the building at the elevation facing Armagh Road, allowing refuse collection to be made directly from the street. This is in line with strategic policy SP05, saved policies DEV55 and DEV56 of the UDP and policy DEV15 of the IPG. These policies seek to ensure that new developments have adequate refuse storage facilities. This retention of the refuse store in perpetuity could be controlled via condition if planning permission were granted.

#### Archaeology

- 8.63 To date no comments have been received from English Heritage Archaeology. There comments will be reported in an update report. Given, the site is in a archaeological priority zone it is considered that if planning permission were granted a condition should be attached requiring the submission of a archaeological report.

### **Conclusions**

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

