



## DEVELOPMENT COMMITTEE

06/06/2022

Report of the Corporate Director of Place

Classification: Unrestricted

### Application for Planning Permission

[click here for case file](#)

<b>Reference</b>	PA/22/00250
<b>Site</b>	Garages to the West of Donegal House, Buckhurst Street, London
<b>Ward</b>	St Peters
<b>Proposal</b>	Demolition of existing garages and the construction of six new, 2 and 3 storey, 4-bed terraced town houses with landscaped front and rear gardens and inset roof terraces.
<b>Summary Recommendation</b>	Grant Planning Permission subject to conditions
<b>Applicant</b>	Capital Delivery Team, London Borough of Tower Hamlets
<b>Architect/agent</b>	Peter Barber Architects
<b>Case Officer</b>	Enoch Ng
<b>Key dates</b>	Application validated 23/02/2022 Public consultation finished on 08/04/2022

## **EXECUTIVE SUMMARY**

The scheme is for construction of six new houses on a garage site. All six new homes would be larger family sized four bedroom homes and new council housing let at affordable rents.

In land use terms the principle of development raises no policy issues with the scheme involving the demolition of outdated garages that are generally too small to garage modern cars to provide much needed affordable rented housing.

The provision of 6 family sized four bedrooms units whilst not providing for a mix of homes by number of bedrooms is considered acceptable given the recognised acute need for larger family sizes affordable rented homes in the Borough, given the small size of the scheme and the need to best optimise the use of the site for housing.

The new residential accommodation is of a very high standard, with all the homes dual aspect, with a good internal layouts including separate kitchens to all the homes and separate dining rooms to five of the six homes lending themselves well suited for family life. Each of the homes would benefit from a rear garden and a generously sized external amenity terrace level which will cater for differing family needs.

The design of the scheme involves an attractive and imaginative architectural approach, by an architectural practice that has specialised over the years in the provision of high-quality social housing schemes. The approach to massing is sensitive to site context including both the existing homes at Donegal Horse and to the individual street scene including positive enhancement to the setting of neighbouring individual heritage assets and to the surrounding Conservation Area more generally with the design of the scheme more sympathetic to the area than the current garages. The scheme provides benefits too in terms of providing a more inviting and active street frontage which in turn will enhance the streetscene of Buckhurst Street.

The proposed development responds appropriately to the positive aspects of the local context. It is visually interesting, well detailed, proportional and designs out opportunities for crime.

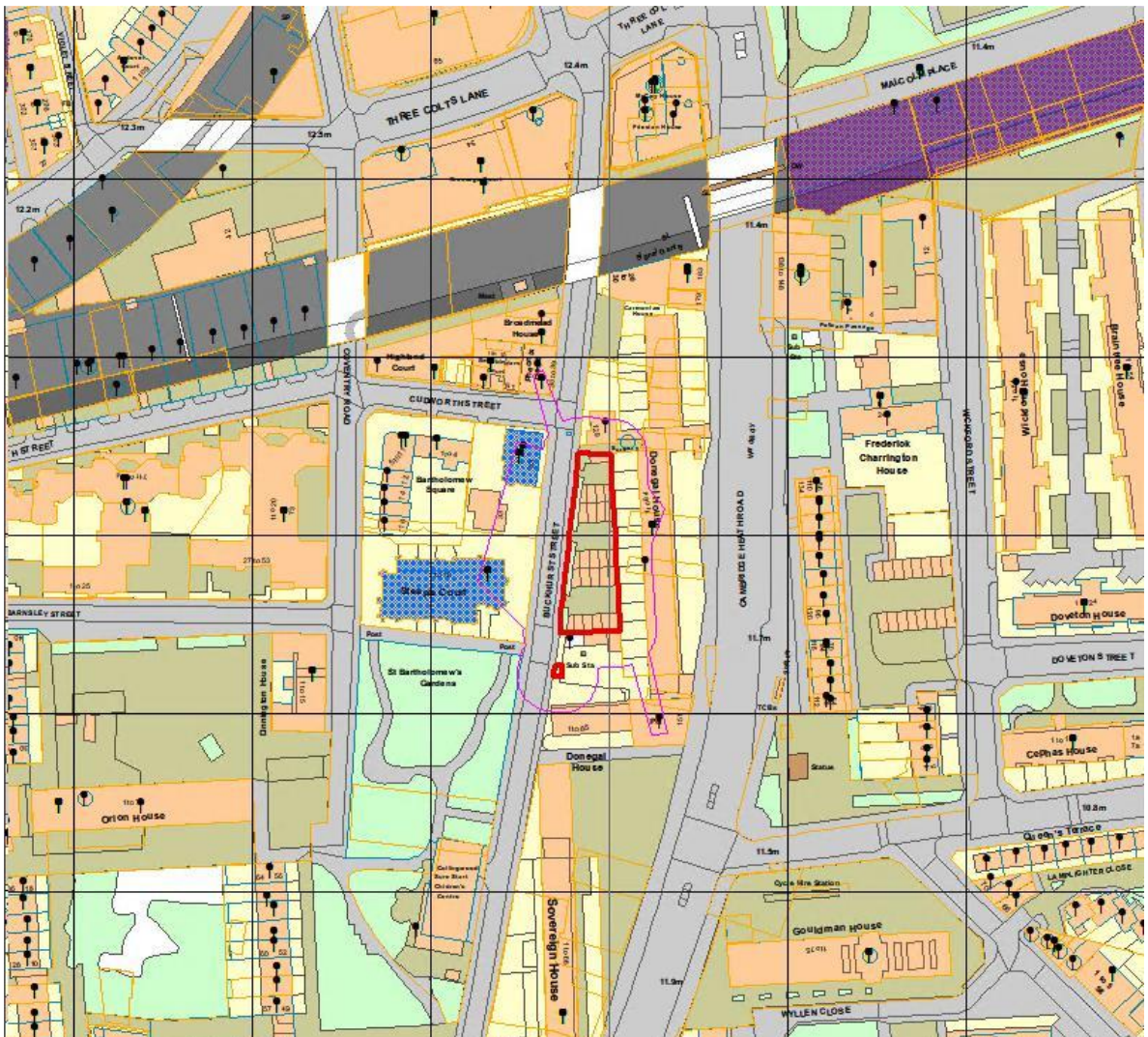
In terms of daylight whilst there are small number of transgressions in daylight against BRE guidance to ground floor windows in Donegal House and first floor flank window at 129 Buckhurst Street the retained light levels will be such that neighbouring homes will remain with acceptable levels of both sunlight daylight that comply with the Local Plan neighbour's amenity policy and this confirms the height and massing of the proposed development is appropriate in the site context in daylight terms.

The development would result in the loss of five existing trees but planning officers conclude this is acceptable in the context of a scheme that would provide for six new affordable rented homes and replace an area occupied by unattractive hardstanding and unappealing garages with an appropriately landscaped terraced residential scheme that would include the re-planting of eleven trees, six of them semi-mature trees and sited within the streetscene.

With respect to highways and transportation the scheme raises no concerns and the cycle provision complies with London Plan standards. The scheme will provide adequate waste and recycling provision for the new homes and additional and improved communal bin storage for Donegal House. The scheme is also consistent with development policies in respect of matters of sustainability and biodiversity.

Overall, the development is considered to comply with relevant Development Plan policies and approval is recommended.

# SITE PLAN



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- Planning Application Site Boundary
- Other Planning Applications
- Consultation Area
- ↑ Land Parcel Address Point
- Locally Listed Buildings
- Statutory Listed Buildings

## Planning Applications Site Map PA/20/00557

This site map displays the Planning Application Site Boundary and the extent of the area within which neighbouring occupiers / owners were consulted as part of the Planning Application Process



London Borough  
of Tower Hamlets

Scale: 50m grid squares

Date: 06 June 2022

## **1 SITE AND SURROUNDINGS**

- 1.1 The application site consists of 19 single storey garages to the east of Buckhurst Street and to the west of Cambridge Heath Road. For the purposes of this report, it will be referred to as 'the site'.
- 1.2 The site measures 0.065 hectares in area and is in the St Peters Ward. It is a long slightly triangular site with a long street frontage facing west onto Buckhurst Street
- 1.3 The site is flanked to the east by 7 storey Donegal House and the locally listed heritage assets St Bartholomew Church and Vicarage are located on the opposite (west) side of Buckhurst Street. Bartholomew's Gardens are located nearby south of the site on Buckhurst Street and is publicly accessible open space. To the north is a detached house and existing bin storage area for Donegal House (which will be upgraded as part of this proposal). Immediately to the south is a substation and carparking area within the front yard of the north facing block of Donegal House.
- 1.4 The site falls within Archaeological Priority Area Bethnal Green (Tier 2), city fringe sub area and green grid buffer zone

## **2. PROPOSAL**

- 2.1 The application proposes to demolish all existing garages on the site, and erect six houses two and three storeys in height (Use Class C3).
- 2.2 All of the residential dwellings would serve as affordable rented housing three let as London Affordable Rent and the other three as Tower Hamlets Living Rent.
- 2.3 The proposed development would be car-free.
- 2.4 Each house would have defensible space at the front that would accommodate private cycle storage for two bicycles in the front garden. A further 4 cycle parking spaces are configured externally for visitors to the south of the site, east of the substation. Bin stores will also be provided within the front garden.
- 2.5 Each house would benefit from individual private amenity space within its own rear garden area and by a private terrace located on the first floor level.

## **3 RELEVANT PLANNING HISTORY**

**Application site** - none relevant

## **4 PUBLICITY AND ENGAGEMENT**

- 4.1 129 neighbour notification letters were sent to nearby properties as detailed on the attached site plan.
- 4.2 A site notice was displayed on 18/03/2022. The proposal was advertised in the press by way of press notice on 10/03/2022.
- 4.3 The number of representations received in response to notification and publicity of the application is as follows:

- 36 letters of representation (of which 13 letters without full address) including an objection letter from the Collingwood Tenants & Residents Association
- 1 petition of objection with 42 signatures (of which 9 individuals have already submitted individual letter of representation)

## **Objections**

4.4 The representations highlighted the following points:

### Land use

- The garages to be demolished cause are used the storage and car parking purposes
- There are more suitable areas to build housing and other housing coming on land nearby

### Design and heritage

- Security concerns with the proposal and more specifically substation can be used to get access into the new builds via a dark corridor
- Proposal would increase anti-social behaviour activities
- Impractical layout in design terms
- Create enclosure to the rear entrance of Donegal House north
- No architectural merit, being visually alien, out of character and an eyesore to the surroundings
- Very modern in design
- Overdevelopment in an area which is heavily overcrowded,
- Poor quality properties
- Loss of visual amenity, uneasy relationship to the church building

### Amenity

- Loss of privacy and overlooking
- Loss of daylight and overshadowing to gardens
- Loss of outlook
- Increased sense of enclosure for residents on the lower floors
- Residents in Donegal house who rely on the garages would experience loss of amenity
- Give rise to noise (especially from balconies) and air pollution

### Environment

- Lack of open space and areas for residents to enjoy
- Loss of mature trees
- More rats/vermin as a result of changes including bin stores

### Highways

- The lack of parking would place strain on the surrounding highway network
- There are existing parking issues, and this proposal would add to those issues

### Waste

- Do not want the bins at Donegal House to be relocated as it would cause overcrowding of bins and a reduction in existing bin capacity.

### Other

- A fire hazard to Donegal House as there will be reduced access through the back gardens for firefighters if they were ever required
- Not indicated if the scheme will be developed as affordable housing
- No prior engagement with local residents prior to planning submission
- Detrimental to health/wellbeing

- Will affect wifi
- Tower Hamlets Housing should focus on maintaining and repairing existing properties not building new homes
- Scheme will block views
- Scheme will devalue existing properties
- Place additional pressure on an overstretched maintenance department
- The proposals will increase population and put pressure on local infrastructure
- The development is not for the local community

## 5 CONSULTATION RESPONSES

### *Internal consultees*

#### **LBTH Housing**

5.1 Comments are incorporated within the 'Housing' section of this report.

#### **LBTH Environmental Health - Noise & Vibration**

5.2 No objection subject to a condition to manage demolition and construction activities, a condition on noise mitigation measures, and a condition requiring details of mechanical plant.

#### **LBTH Environmental Health – Air Quality**

5.3 Recommended the following conditions:

- Demolition/Construction Environmental Management & Logistics Plan.
- Any non-road mobile machinery (NRMM) used not to exceed the emission standards set out in the Mayor of London's 'Control of Dust and Emissions During Construction and Demolition' Supplementary Planning Guidance 2014 and registration under the Greater London Authority NRMM scheme.

#### **LBTH Environmental Health - Contamination**

5.4 No objection subject to a condition requiring details identifying the extent of the contamination and the measures to be taken to avoid risk to the public, buildings and environment when the site is developed.

#### **LBTH Biodiversity**

5.5 No objection subject to a condition requiring biodiversity mitigation and enhancements.

#### **LBTH Arboriculture**

5.6 Objected to the loss of mature trees. These trees are unremarkable individually, but as a group they create an avenue effect with important amenity value. The proposals show a net gain of trees through tree planting, five are planted in rear gardens and are not visible from the public realm. The other six are planted in the front gardens adjacent to the street, which are very close to the proposed build, where post development pressures will foreseeably put a strain on their future retention.

#### **LBTH Energy Efficiency/Sustainability**

- 5.7 The current proposals have sought to implement energy efficiency measures and renewable energy technologies to deliver CO2 emission reductions. Comments are incorporated within the 'Energy & Sustainability' section of this report.

#### **LBTH Sustainable Drainage Systems**

- 5.8 No objections subject to condition.

#### **LBTH Waste Policy & Development (WP&D)**

- 5.9 No objections to the individual bin's arrangement at the proposed houses subject to condition.
- 5.10 Detailed comments regarding the upgrade of existing Donegal House bins area are incorporated with the 'waste' section of this report.

#### **LBTH Transportation & Highways (T&H)**

- 5.11 No objection subject to conditions.
- 5.12 Detailed comments are incorporated with the 'Transportation' section of this report.

#### ***External consultees***

#### **Metropolitan Police Designing Out Crime Officer**

- 5.13 A Secured By Design Condition should be attached if permission is granted.

#### **Historic England Greater London Archaeological Advice Service (GLAAS)**

- 5.14 The NPPF envisages evaluation being undertaken prior to determination. However, in this case consideration of the nature of the development, the archaeological interest and/or practical constraints are such that a two-stage archaeological condition could provide an acceptable safeguard. This would comprise firstly, evaluation to clarify the nature and extent of surviving remains, followed, if necessary, by a full investigation.

#### **London Fire & Emergency Planning Authority**

- 5.15 No response received.

## **6 RELEVANT PLANNING POLICIES AND DOCUMENTS**

### **Adopted policy**

- 6.1 Section 38(6) of the Planning and Compulsory Purchase Act 2004 requires applications for planning permission to be determined in accordance with the Development Plan unless material considerations indicate otherwise.
- 6.2 The *National Planning Policy Framework (2021)*, which the Development Plan needs to be in accordance with, sets out the Government's planning policies for England and how these

should be applied and provides a framework within which locally prepared plans for housing and other development can be produced.

6.3 The purpose of the planning system is to contribute to the achievement of sustainable development which has the following three overarching objectives: economic, social and environmental.

6.4 The adopted Development Plan's key planning policies relevant to this application are:

	<b><i>The Tower Hamlets Local Plan 2031 (2020)</i></b>	<b><i>London Plan (2021)</i></b>
Land use (principle, residential)	S.SG1, S.SG2	GG1, D1
Housing (standard of accommodation, amenity, play space)	S.H1, D.DH2, D.H3	H2, H10
Design and Heritage (layout, townscape, massing, heights and appearance, materials, heritage)	S.DH1, D.DH2, S.DH3,	D2-8
Amenity (privacy, outlook, daylight and sunlight, noise, construction impacts)	D.DH8	
Transport (highway safety, car and cycle parking, servicing)	D.TR2, D.TR3 D.TR4	T2, T3, T4, T5, T6, T7
Waste (recycling)	D.MW3	SI 7
Environment (energy efficiency, air quality, noise, biodiversity, flooding and drainage, and contaminated land)	S.ES1, D.ES7, D.ES2, D.ES9, D.ES3, D.ES4, D.ES5, D.ES8	SI2, SI3, SI12, SI13, G6

6.5 Other legislation, policy and guidance documents relevant to the proposal are:

- National Planning Practice Guidance (last updated 2021)
- National Design Guide (2019)
- Planning (Listed Buildings and Conservation Areas) Act 1990
- LBTH Planning Obligations SPD (2021)
- Reuse Recycle Waste SPD (2021)
- Central Area Good Growth SPD (2021)

## **7 PLANNING ASSESSMENT**

7.1 The key issues raised by the proposed development are:

1. Land use
2. Housing
3. Design and Heritage
4. Amenity
5. Transport
6. Waste and recycling
7. Environment
8. Infrastructure
9. Human Rights and Equalities



## Land use

- 7.2 London Plan Policy H1 seeks to ensure the pressing need for more homes in London is recognised by increasing the supply of housing and policy D3 states that all development must optimize the site capacity through the design-led approach. Policy GG2 seeks to proactively explore the potential to intensify the use of land to support additional homes by making the best use of land.
- 7.3 Policy H1 of the London Plan also places a strategic expectation that the Borough will need to deliver 35,110 new homes as a 10-year housing target (annualised to 3,511 per year) between 2019/20 and 2028/29. The proposal would help contribute towards an acute need in the Borough for provision of larger (4 bed) family-sized affordable rent housing.
- 7.4 No policy concerns are raised in respect of the loss of current use of the land which consists of hardstanding area that is not designated for car parking and garages. Whilst residents have concerns over the loss of 'amenity space' it should be clarified the space is not purposed to serve as open area amenity space for the residents of Donegal House.
- 7.5 There is no policy requirement to replace the existing car parking spaces or the hardstanding area. However the impacts in respect of car parking shall be discussed in more detail within the 'transport' section of this report.

## Housing

- 7.6 The proposed housing mix is shown in Table 1, below.

Unit Type	Affordable rented/	units	Policy requirement
1 bed	0%	0	25%
2 bed	0%	0	30%
3 bed	0%	0	30%
4 bed +	100%	6	15%
Total		6	100%

**Table 1: Required and Proposed Housing Mix**

- 7.7 The application proposes six affordable rented residential homes – 6 x 4 bedroom 6 person family-sized dwellings, with 3 (50%) rented as London Affordable Rent homes and 3 as (50%) Tower Hamlets living rent homes. The proposals would be a departure from the Local Plan residential mix requirement in policy S.H1, as there would be no 1 bed, 2 bed and 3 bed homes. However, given the small size of the scheme and the fact that the proposal provides 4 bedrooled units, that would meet the strategic ambition to deliver more family sized, affordable housing, for which there is identified and acute need the mix in this instance is supported.

### Standard of residential accommodation

- 7.8 The London Plan policy D6 and Tower Hamlets Local Plan Policies S.DH1 and S.H1 seeks to ensure that all new housing is appropriately sized, high-quality and well designed. Specific standards are provided by the Mayor of London Housing SPG to ensure that new housing would be "fit for purpose" in the long term, comfortable, safe, accessible, environmentally sustainable and spacious enough to accommodate the needs of occupants throughout their lifetime.
- 7.9 All the new homes would meet or exceed the internal floor standards, with exemplary standards for external amenity spaces. In line with guidance, the detailed floor plan submitted

demonstrate that the proposed dwellings would be able to accommodate furniture, storage, access and activity space. All the houses would be both east and west facing (dual aspect), with plot 1 having additional window facing north and plot 6 having additional window facing the south respectively. Separate kitchens are also provided as required by policy.

- 7.10 No wheelchair homes will be provided due to design and layout configuration. The proposal is acceptable and provides higher standard of accommodation when compared to the minimum standards set out in policy.

## **Design and heritage**

### Policy

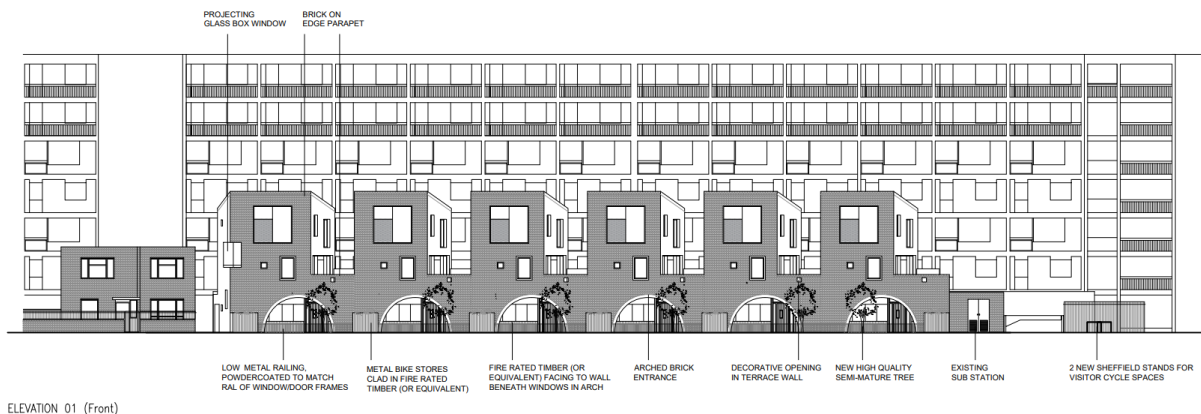
- 7.11 Policy S.DH1 in the Local Plan requires development to meet the highest standards of design, layout and construction which respects and positively responds to its context, townscape, landscape and public realm. To achieve this, the development should be of appropriate scale, height, mass, bulk and form in its site context, represent good urban design and ensure the architectural language employed complements and enhances its immediate and wider surroundings. It also seeks to ensure that high quality design, materials and finishes are used to ensure the building is robust, efficient and fit for the life of the development.

### Layout, height, scale, and massing

- 7.12 Whilst Donegal House is a seven storey building the surrounding buildings range from two to three storey. The height and massing of the proposal has been developed to respond appropriately to the existing local scale. The accommodation consists of 6 x four-bedroom houses. The design approach responds sympathetically to the streetscene and to surroundings housing through the inclusion of visual breaks within the terrace that help reduce the increased sense of bulk. The Conservation & Urban Design Team are satisfied the scheme will make a positive contribution on the local townscape both by enhancing the setting of the local heritage assets (including the locally listed church) and by making for a more neighbourly and visually pleasing and attractive relationship to Buckhurst Street than the existing garages.



**Figure 1: Massing model looking towards Donegal House and axonometric sketch**



**Figure 2: Proposed West elevation (front) with Donegal House in the background**

### Appearance and materials

- 7.13 The grouping of housing has been designed with reference to traditional London terraced housing yet has been developed with a contemporary approach which would sit well within the neighbourhood, complementing and enhancing north/south axial views through Buckhurst Street. The proposed materials will be durable, stand the test of time and weather well and would enhance the character of the development involving pale rustic bricks (a defining feature of other recent buildings from this architectural practice). The rustic brick complements the other signature design features (front facing arched entrances, segmented layouts, inset fenestration, first floor roof top amenity terraces) and will assist to break up the massing and provide genuine architectural interest to the grouping within the street.
- 7.14 The current site is occupied by garages and hardstanding that are visually unappealing and utilitarian in appearance. The proposed building and associated planting would positively enhance the area and sit comfortably alongside the nearby heritage assets (locally listed St Bartholomew's Vicarage, Steeple Court) and St Bartholomew's Gardens. The provision of a corner lightbox fenestration at first floor corner of northernmost site is an interesting signature detail of the development, providing more contemporary character and an individuality to the grouping.

### Landscaping

- 7.15 The proposal scheme is accompanied by a landscaping plan scheme. An arboricultural assessment was undertaken of existing trees that run along the boundary of site. They are all identified to be low value and would be replaced by 6x trees at front and 5x trees at rear. Further landscaping proposals include planting schedule throughout the site via planters and provision of green roofs. The planting would provide suitable biodiversity enhancements compared against the existing condition and also would provide visual interest along the street and to the rear gardens. Views toward the terrace from Donegal House would be benefited via provision of planting and views of the green roofs. Examples of hard landscaping includes use of small-scale setts for use in front gardens and paved rear areas. These materials suit the palette of the buildings and other external features. The development is of individual character (with signature architectural features), with the notched appearance of the terraces positively enhancing the townscape of Buckhurst Street.
- 7.16 Officers note the proposed locations of the trees (apart from plot 6) align with the roof terrace and the proposal shall deliver a robust planting scheme with tree protection above ground and sufficient rooting environment below. Details of the tree planting strategy are going to be secured via condition which will include details of the new trees proposed and specifically will set out how the loss of the existing trees for removal will be justified by the new planting.

### Safety and security

- 7.17 Pedestrian experience of the development is also complemented via use of low metal front garden railings (finished to suit window/door frames) allowing visual permeability and an inviting appearance. Timber clad metal cycle storage is also proposed at front ground floor level. The treatment siting of the cycle storage additionally suits the materiality of the development.
- 7.18 There is an existing rear boundary wall along eastern site edge, with a metal interlinked fence above this stretching to 2.9m tall in height. This is quite a tall rear boundary wall and officers understand it was raised previously for security purposes. The proposed homes, by the nature of their location offer a higher sense of security by preventing any potential unauthorised access from the garages on Buckhurst Street.
- 7.19 It is officers opinion that developing this garage site would encourage active frontages and promote passive surveillance of the public realm, thus enhancing the safety along Buckhurst Street and complying with London Plan policy D6 and Local Plan policy D.DH2.

### Design conclusion

- 7.20 The design of the proposal including the distinctive arrangement of the massing, the attention to detail paid to each individual building feature, mean this small housing scheme is of notable architectural interest which would complement and significantly visually enhance the streetscene in which it located.

### **Heritage**

- 7.21 Policies S.DH3 and D.DH4 of the Local Plan and policy HC1 of the London Plan require development affecting heritage assets and their settings to conserve their significance, by being sympathetic to their form, scale, materials and architectural detail.

### Locally listed buildings

- 7.22 The proposed development would not cause any harm or loss of the significance of the nearby locally listed buildings at 33 Buckhurst Street and Steeple Court (formerly St Bartholomew's Church), given the separation distances from them. Officers conclude the setting would in fact be improved through the introduction of these six houses. The currently utilitarian and ordinary appearance of the garages would be improved by the residential development and improvements made to the general public realm. The impact on heritage assets and townscape is positive.

### **Neighbouring amenity**

- 7.23 Development Plan policies seek to protect neighbour amenity by safeguarding privacy and ensuring acceptable outlook. Development must also not result in an unacceptable material deterioration of the daylight and sunlight conditions of surrounding development. Nor should the development result in an unacceptable level of overshadowing to surrounding open space and private outdoor space. The levels of noise, artificial light, fume or dust pollution during the construction and life of the development must also be assessed.

### Daylight and sunlight policy and guidance

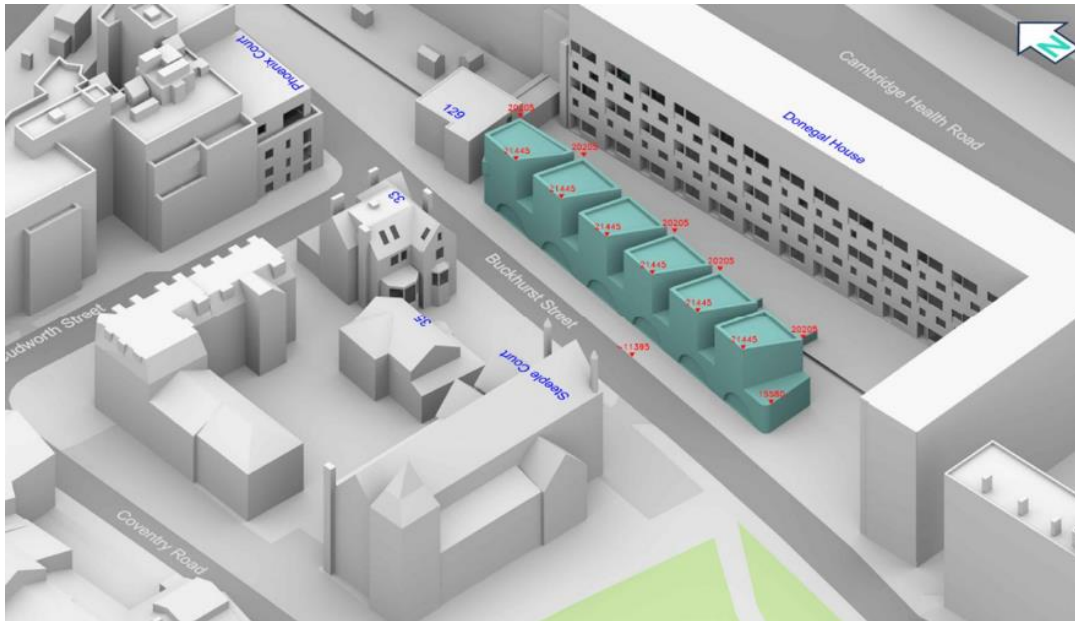
- 7.24 Policy D.DH8 of the Local Plan requires the protection of the amenity of future residents and occupants by ensuring adequate levels of daylight and sunlight for new residential developments. Guidance relating to daylight and sunlight is contained in the Building Research Establishment (BRE) handbook 'Site Layout Planning for Daylight and Sunlight' (2011).

- 7.25 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) or daylight distribution (DD) 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.
- 7.26 BRE guidance in relation to VSC requires an assessment of the amount of daylight striking the face of a window. For full compliance with the BRE guidance 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.
- 7.27 The NSL calculation takes into account the distribution of daylight within the room, and again, figures for full compliance with the BRE guidance should not exhibit a reduction beyond 20% of the former value.
- 7.28 With regard to sunlight, a window is considered to be adversely affected if a point at the centre of the window receives in the year less than 25% of the Annual Probable Sunlight Hours (APSH), including at least 5% of the Winter Probable Sunlight Hours (WPSH) (September 21<sup>st</sup> - March 21<sup>st</sup>) and less than 0.8 times its former sunlight hours during either period. Sunlight is relevant to habitable rooms if they have a window facing within 90 degrees of due south.
- 7.29 Figure 3 below contains LBTH numerical classifications that are applied to aid categorising daylight and sunlight impacts:

Reduction to daylight (VSC & NSL)	Effect classification
0 - 19.9%	Negligible
20% - 29.9%	Minor adverse
30% - 39.9%	Moderate adverse
40% +	Major adverse

**Figure 3: Classifications for daylight and sunlight loss**

- 7.30 With regard to overshadowing, BRE guidance suggests that for an external space to appear well sunlit throughout the year, at least 50% of the amenity area should receive at least 2 hours of direct sunlight on March 21<sup>st</sup>. It states that the “*availability of sunlight should be checked for all open spaces*”, which usually includes gardens, sitting-out areas, parks or playgrounds.



**Figure 4: Daylight/ sunlight model plan view**

7.31 The properties that were assessed are as follows:

- Phoenix Court
- 129 Buckhurst Street
- Donegal House
- Steeple Court
- 35 Buckhurst Street
- 33 Buckhurst Street

7.32 The Council appointed an independent daylight/sunlight consult to review the applicant's submitted report and concluded the appropriate methodology was undertaken in the submitted daylight/sunlight report:

Daylight and sunlight results

7.33 The applicant's submitted daylight/sunlight report identified the following properties as having windows and/or habitable room that would fully meet the BRE guideline targets with only negligible adverse impacts with the proposed development in place in relation to both to daylight and where applicable sunlight also:--

- Phoenix Court
- Donegal House
- Steeple Court
- 35 Buckhurst Street

7.34 The following properties have a greater impact in terms of daylight impacts and these are discussed in greater depth:

129 Buckhurst Street

*Daylight results*

7.35 This property is identified as a seven-bedroom detached house and was assumed the first-floor flank window to be serving the habitable room in the absence of floor plan.

- 7.36 This flank window would experience a moderate VSC loss of 30.24% and a minor loss of 21.5%. It will retain a VSC of 17%, which is generally considered acceptable in an urban environment. Officers consider that because of these results the perception of light obstruction to a person in the inner part of the rooms will not be materially different and on balance considered acceptable.
- 7.37 The NSL method indicates that the room facing the site will experience a 21.5% reduction in sky visibility. The room will remain with NSL coverage to 75.5% of its area, which is generally considered well-lit in an urban environment.

DAYLIGHT						
Room	Room Use	Window	Existing VSC	Proposed VSC	Loss	%Loss
129 Buckhurst Street						
R1/11	ASSUMED_RESI_4M	W1/11	24.54	17.12	7.42	30.24

NSL						
Room	Room Use	Whole Room sq ft	Existing sq ft	Proposed sq ft	Loss sq ft	%Loss
R1/11	ASSUMED_RESI_4M	113.0	108.8	85.4	23.4	21.5

**Table 2: Daylight (VSC and NSL) result at 129 Buckhurst Street**

*Sunlight results*

- 7.38 The assessment demonstrates the compliance with the guidelines for APSH and therefore the effect in sunlight terms to the room is considered to be negligible.

Donegal House

*Daylight results*

- 7.39 This property wraps around the east and southern flanks of the site and is arranged over 7 storeys. Due to the modest scale of the proposed development, 130 windows, serving 107 habitable rooms across 5 storeys from ground floor to fourth floor have been assessed but not the top two storeys.
- 7.40 Out of 130 assessed windows, 114 windows would experience negligible impacts in daylight as measured against both the VSC and NSL measures, with reduction limited between 0% and 16.88%. The other 16 windows have a greater adverse daylight impact in terms of VSC and NSL and are discussed in greater depth.

DAYLIGHT						
Room	Room Use	Window	Existing VSC	Proposed VSC	Loss	%Loss
<b>Donegal House</b>						
R2/60	LIVINGROOM	W2/60	3.46	3.46	0.00	0.00
R2/60	LIVINGROOM	W3/60	30.83	23.44	7.39	23.97
R4/60	LIVINGROOM	W5/60	4.83	3.87	0.96	19.88
R4/60	LIVINGROOM	W6/60	32.43	22.53	9.90	30.53
R6/60	LIVINGROOM	W8/60	5.18	3.66	1.52	29.34
R6/60	LIVINGROOM	W9/60	33.00	23.24	9.76	29.58
R8/60	LIVINGROOM	W11/60	5.35	3.35	2.00	37.38
R8/60	LIVINGROOM	W12/60	33.20	23.84	9.36	28.19
R10/60	LIVINGROOM	W14/60	5.51	3.61	1.90	34.48
R10/60	LIVINGROOM	W15/60	33.32	24.51	8.81	26.44
R12/60	LIVINGROOM	W17/60	5.72	3.71	2.01	35.14
R12/60	LIVINGROOM	W18/60	33.28	25.83	7.45	22.39
R14/60	LIVINGROOM	W20/60	5.91	3.97	1.94	32.83
R14/60	LIVINGROOM	W21/60	33.09	26.09	7.00	21.15
R16/60	LIVINGROOM	W23/60	6.06	4.33	1.73	28.55
R16/60	LIVINGROOM	W24/60	32.65	27.14	5.51	16.88
R18/60	LIVINGROOM	W26/60	6.05	4.35	1.70	28.10
R18/60	LIVINGROOM	W27/60	31.75	27.30	4.45	14.02
R20/60	LIVINGROOM	W29/60	6.06	4.58	1.48	24.42
R20/60	LIVINGROOM	W30/60	30.34	27.87	2.47	8.14
R22/60	LIVINGROOM	W32/60	6.16	4.90	1.26	20.45
R22/60	LIVINGROOM	W33/60	28.63	27.40	1.23	4.30

NSL						
Room	Room Use	Whole Room sq ft	Existing sq ft	Proposed sq ft	Loss sq ft	%Loss
R2/60	LIVINGROOM	170.9	169.4	160.7	8.7	5.1
R4/60	LIVINGROOM	170.5	169.1	140.0	29.0	17.1
R6/60	LIVINGROOM	170.9	169.4	160.8	8.7	5.1
R8/60	LIVINGROOM	170.9	169.4	163.3	6.2	3.7
R10/60	LIVINGROOM	170.9	169.6	157.7	11.9	7.0
R12/60	LIVINGROOM	170.9	170.2	166.6	3.6	2.1
R14/60	LIVINGROOM	170.9	169.4	165.3	4.0	2.4
R16/60	LIVINGROOM	170.9	169.6	166.5	3.1	1.8
R18/60	LIVINGROOM	170.9	169.4	169.3	0.1	0.1
R20/60	LIVINGROOM	170.9	169.4	169.4	0.0	0.0
R22/60	LIVINGROOM	170.9	169.4	169.4	0.0	0.0

**Table 3: Daylight (VSC and NSL) result at Donegal House (affected windows only, highlighted in yellow)**



Reduction to daylight (VSC & NSL)	Effect classification	Number of assessed windows at Donegal house
0 - 19.9%	Negligible	114
20% - 29.9%	Minor adverse	10
30% - 39.9%	Moderate adverse	6
40% +	Major adverse	0

**Table 4: Classifications for daylight loss of the assessed windows at Donegal House**

- 7.41 The 16 affected windows are all ground floor west-facing windows serving living rooms with each living room served by two windows. 9 are secondary windows located in the entrance way that have their ability to see light hindered by the layout and design of Donegal House. The scheme will result in minor and moderate adverse VSC results between 20.45% and 37.38%. However, the design of the Donegal House helps explain the degree of impact with the secondary window set behind the roof of a projecting entrance.
- 7.42 The remaining 7 windows are located at the ground floor on the main west facing façade and are primary windows serving the individual living rooms. The scheme would experience classified minor and moderate adverse VSC reductions between 21.25% and 30.53%. However these reductions would still involve all 7 windows retaining the Vertical Sky Component figure in a range between 23% and 26% which is generally accepted to be a reasonable retained VSC figure.
- 7.43 It should be noted in respect of the room served by these 16 impacted windows, the NSL daylight distribution results (the other metric by which to assess daylight impacts to existing rooms) there are no noticeable reduction beyond 20% of the former NSL value and as such taking these sets of results together officers conclude the daylight impacts to the affected rooms are minor and are acceptable.

*Sunlight results*

- 7.44 All the windows tested facing the site oriented within 90 degrees due south surveyed would experience negligible loss of APSH, thus complying with the BRE guidance in APSH.

Conclusion on daylight and sunlight

- 7.45 As noted on the above figure, officers consider acceptable levels of daylight and sunlight are maintained despite the small, isolated deviations to some of the ground floor windows within Donegal House. Ground floor windows are always most vulnerable to being impacted and secondary window existing dwellings inset design helps explain many of these impacts. Such limited impacts need to be balanced against benefits of the proposal involving provision of additional affordable housing and the general positive enhancement the scheme makes to Buckhurst Street.
- 7.46 The local planning authority's independently appointed daylight/sunlight concludes and is a view shared by officers that there are some windows that fall below the BRE recommendations in VSC terms, but the NSL results and retained VSC levels indicate that Donegal House will remain with acceptable levels of daylight in the post development situation
- 7.47 The height and massing of the proposed development could therefore be considered to be appropriate in the context of the site and surrounding area in daylight terms, thus complying with D.DH8 of the Tower Hamlets Local Plan.

### Overlooking/privacy

- 7.48 Policy D.DH8 of the Local Plan does state that a distance of approximately 18m between habitable rooms reduces inter-visibility to a degree acceptable to most people

#### *Neighbours to the south and east (Donegal House)*

- 7.49 The glazing on the rear and south elevation of the proposal is kept to an absolute minimum and designed to avoid overlooking of the rear boundary. There are only two windows per home at ground floor level facing west which leads out into new private courtyard gardens but does not overlook existing properties or gardens as views out are restricted by the existing tall rear boundary wall and fence.
- 7.50 A small, high-level window is located at first floor of each property but serves only the internal staircase (not a habitable room) and is located so that the cill is a minimum of 1.8m above the stairs. Therefore, no habitable room windows overlooking Donegal House to the west.
- 7.51 The first-floor roof terraces are designed so that they are at their narrowest along the rear elevation, and that the rear terrace wall is taller at 1.3m above terrace first floor level, with an additional high quality privacy screen above this totalling 1.9m in height. This will shield views from the roof terraces down into existing amenity spaces.
- 7.52 To the south the windows are proposed set more than 19m away from the nearest neighbouring window and therefore no concerns are raised.

#### *Neighbours to the west*

- 7.53 To the west of the site, the closest point between the west elevation windows at first and second floor level of the neighbouring property 33 Buckhurst Road and the first-floor terrace of the proposed building would be 12m. There is no direct overlooking given the position of window and this is considered a reasonable distance between windows within an urban context. The terrace is also designed in a way not to face the neighbour directly. On balance, it is considered that this relationship would not create unacceptable overlooking issues towards the east-facing rooms of 33 Buckhurst Road.
- 7.54 Toward the southern end of the site, the proposed windows would be at least 18m distance and as such the arrangement is considered acceptable. The terrace is designed such that any window opening does not face the neighbour directly but rather the flank wall of an adjoining neighbour. This shield views from the roof terraces and any potential overlooking impacts are mitigated.

#### *Neighbours to the north*

- 7.55 The position of the windows is designed to be facing the brick wall of 129 Buckhurst Street and no concerns are raised in this respect.
- 7.56 Overall, the outlook of neighbouring residential properties is maintained by the proposals and no unacceptable instances of overlooking would be incurred.

### Overbearing/sense of enclosure and loss of outlook

- 7.57 Assessing whether a development provides an acceptable or unacceptable sense of enclosure or is unduly overbearing cannot be readily measured in terms of a percentage or a measurable loss of outlook. Rather it is about how an individual feels about a space and consequently it is a subjective assessment, albeit based on principles of good urban design

and relevant characteristics of the site and surroundings. Loss of view is not a material planning consideration.

- 7.58 By locating the massing of the new homes to the western edge of the site, and by breaking up the massing, with the first-floor amenity spaces, the impact on the sense of enclosure for existing residents would not be significant as relief will be provided by the design and form of development proposed. The garden spaces between the site and Donegal House are generous in the urban context and will provide relief. The proposal is also designed with gaps between houses to ensure that there will still be views beyond the proposal available.
- 7.59 Officers consider that these proposed height, massing and separation distances would not make the built form appear unacceptably overbearing towards the streetscene and the locally listed church.
- 7.60 In conclusion the development would protect neighbour's amenity.

### **Transport & servicing**

- 7.61 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.

#### Cycle parking

- 7.62 Provision has been made for 2 cycle parking spaces to be provided within a bike store at each house at ground floor level of the proposed development in accordance with the cycle parking standards set out at Appendix 3 of the Tower Hamlets Local Plan. 2 further spaces are provided externally for visitors. The cycle parking will be secured by way of a compliance condition.

#### Car parking

- 7.63 Garage rental records show that of the existing garages at the proposed site, all are owned by the council with 17 being let. Of the 17 let, 14 are let to residents in the E1 post code and three are let to those in the E2 post code. There are 25 parking spaces in the surrounding area before practical capacity is reached and accordingly it is concluded there is sufficient capacity on the surrounding streets to cater for any potential overspill parking within the existing CPZ.
- 7.64 Notwithstanding the above considerations, the internal dimensions to the existing garages are sub-standard. The length of the garages is typically 5m which is smaller than the required garage size to accommodate modern cars. It is concluded that few of these let garages are used to store cars and are instead more likely to be utilised for other forms of storage.
- 7.65 The application proposes to be car-free which is acceptable for the location of the development. The standard permit-free agreement preventing future occupiers of the scheme from parking on-street would be secured by planning condition; with the exception of future disabled occupants or beneficiaries of the Council's car parking permit transfer scheme.

#### Additional matters

- 7.66 In addition to the above, conditions are recommended to secure Demolition and Construction Management Plan and a S278 agreement providing an agreed scheme of highways works funded by the applicant.

- 7.67 Subject to the above conditions it is considered the proposal would be acceptable in terms of supporting sustainable modes of transport and will have no unacceptable impacts on the safety or capacity of the highways network, in accordance with policy.

### **Waste & recycling**

- 7.68 The scheme provides individual bin enclosures for waste and recycling to an adequate capacity for each of the new houses within their front gardens and this approach is supported.
- 7.69 Regarding concerns raised by residents of Donegal House the scheme would result in no loss of refuse and recycling capacity. The existing open air bin storage area to the north of the site would be upgraded as part of this proposal to secure bin storage room capacity for three bins. The other two bins would be enclosed in an area next to the existing chute access. Overall the scheme shall provide an improved waste and recycling arrangement for residents of Donegal House

### **Environment**

#### *Noise*

- 7.70 LBTH Noise officer has raised no objections subject to condition securing details of noise mitigation measures for demolition and construction activities and plant prior to commencement of construction and occupation of the approved units.

#### *Energy & sustainability*

- 7.71 Part 1 of policy D.ES7 of the Local Plan requires new development to be zero carbon (to be achieved through a minimum 45% reduction in regulated CO2 emissions and the remaining regulated CO2 emission to 100% - to be off-set through a cash in lieu contribution).
- 7.72 The Buckhurst Street Energy Strategy sets out the proposals for on-site CO2 emission reductions of 55% against a building regulation baseline. As such the scheme is meeting policy requirements and delivering the CO2 emission reductions through energy efficient design and heat pumps.
- 7.73 However, the LBTH climate emergency declaration identifies that zero carbon requirements should be integral to the design of new council development schemes and that all development schemes play their part in delivering as close to zero carbon on-site, to minimise future retrofit requirements. As such the scheme should be targeting as near to zero through integrating renewable energy generating technologies into the scheme where feasible. To help achieve these greater CO2 savings, above Local Plan policy requirement and to ensure that energy loads are minimised to protect residents against high fuel bills further energy saving details beyond those set out on in the submitted Energy Strategy shall be secured by planning condition.

#### *Biodiversity*

- 7.74 A biodiversity report was submitted as part of the application. LBTH's Biodiversity Officer raises no objection to its finding. The scheme is consistent with Policy D.ES3 of the Local Plan and G6 of the London Plan in relation to biodiversity enhancements that will be secured through imposition of a planning condition.

#### *Flood risk & drainage*

- 7.75 Policy D.ES5 of the Local Plan requires development to reduce the risk of surface water flooding through demonstrating how it reduces the amount of water run-off and discharge from the site through the use of appropriate water reuse and sustainable drainage systems techniques. A detailed surface water drainage strategy will be secured by planning condition to ensure compliance with Policy D.ES5.

#### *Pollution*

- 7.76 Policy D.ES2 of the Local Plan requires development to meet or exceed the 'air quality neutral standard, to submit an air quality assessment for major development and provide mitigation where an assessment indicates that a development will cause harm to air quality or where end users could be exposed to poor air quality.
- 7.77 LBTH Environmental Health (Air Quality) Officer has raised no objection to the air quality assessment with the submitted air quality assessment subject to conditions.

### **INFRASTRUCTURE**

- 7.78 With regards public transport and highway infrastructure this is addressed in the 'transport' section and it is considered that there would be no unacceptable impact on transport infrastructure.
- 7.79 In terms of the impacts on local services such as health and education facilities, this will be considered outside of this planning permission on a strategic level with the demand of six additional houses on local services factored in with the strategic partners. Officers understand there will be a CIL relief as the proposed units are all affordable housing.

### **HUMAN RIGHTS & EQUALITIES**

- 7.80 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.
- 7.81 The proposed development does however provide a series of benefits through the provision of affordable housing.
- 7.82 Officers are satisfied that the proposed development would not result in adverse impacts upon equality or social cohesion.

### **CONCLUSION**

- 7.83 Officers assessed the proposed development against the relevant Development Plan Policies, having regard to the consultation responses received and other material considerations. In drawing conclusions, are satisfied that any amenity impacts are mitigated in the best way possible and details are secured via condition. On this basis, Officers are satisfied that the proposed development would not give rise to an unacceptable amenity impact. Instead, it would be a great improvement for the local area and promoting active frontage along Buckhurst street by providing well-designed, much needed affordable family housing in the borough.

- 7.84 Taking all into account, the proposed development is considered to be acceptable and it is recommended that planning permission is granted, subject to the planning conditions and obligations set out in this report.

## **8 RECOMMENDATION**

### **Planning Conditions**

- 8.1 The conditions apply to each phase of the proposed development, insofar as they are relevant to that phase.

#### **8.2 Compliance**

1. Timeframe - 3 years deadline for commencement of development
2. Plans - Development in accordance with approved plans
3. Personal – personal condition to the council
4. Hours of construction
5. Cycle Parking
6. Waste storage
7. PD restrictions – fences and gates
8. Plant noise
9. Housing – tenure

#### **Pre-commencement**

10. Archaeology - evaluation to clarify the nature and extent of surviving remains, followed by a full investigation if necessary
11. Demolition, Construction Environmental Management and Logistics Plan (Including Dust and Emissions Management Plan)
12. Land contamination remediation and mitigation

#### **Prior to superstructure works**

13. Biodiversity – Mitigation and Enhancement
14. Air quality – plant and machinery
15. Design - Details of external facing materials, balustrading and architectural detailing.
16. Design - Details of landscaping
17. Highways – Details of cycle parking
18. SUDs scheme
19. Trees – Tree planting strategy

#### **Prior to occupation**

20. Secured by Design - details
21. Car-free development
22. Energy efficiency/ PV array
23. Details of affordable housing and rental levels
24. Waste strategy (including the bins for the proposed houses and bin storage area to the north of the site)

### **Informatives**

1. S278
2. No blocking of footway/ carriageway
3. Demolition and construction noise limits

**APPENDIX A:**

<b>Drawings</b>	
<b>Drawing no.</b>	<b>Title</b>
BS_L_070 P04	Location plan
BS_L_080 P02	Existing site plan
BS_L_090 P03	Existing elevations
BS_L_100 P06	Proposed ground floor plan
BS_L_110 P07	Proposed first floor plan
BS_L_120 P06	Proposed second floor plan
BS_L_130 P05	Proposed roof plan
BS_L_101 P02	Proposed ground Floor plan (with existing windows)
BS_L_111 P02	Proposed first floor plan (with existing windows)
BS_L_121 P02	Proposed second floor plan (with existing windows)
BS_L_131 P02	Proposed roof plan (with existing windows)
BS_L_410 P06	Proposed sections
BS_L_411 P07	Proposed elevations
P174-L01-A	External Works Layout
P174-L02-A	Planting Plan

<b>Documents</b>	
<b>Document</b>	<b>Author</b>
Design & Access Statement	Peter Barber Architects
Landscaping, cycle storage and refuse strategy	Peter Barber Architects
Daylight & sunlight – part 1 & 2	Point 2 surveyors
Transport Statement – part 1 & 2	Lime Transport
Air Quality Assessment	Air Quality Consultants
Arboricultural Survey & Impact Assessment	Arboricultural Design & Consultancy
Archaeological desk-based assessment	RPS
Biodiversity report	Greengage Environmental
Energy strategy	EngDesign
Fire safety statement	Building Control Approval
Noise impact assessment report	Hann Tucker Associates
Phase I Geo-environmental Assessment part 1, 2, 3, 4 & 5	3e Consulting Engineers
Train induced vibration assessment report	Hann Tucker Associates

**APPENDIX B: SITE PHOTOGRAPHS**



Image 1: Buckhurst Street looking south



Image 2: Buckhurst Street looking southeast toward Donegal House





Image 3: Buckhurst Street looking north east toward Donegal House



Image 4: Buckhurst Street looking west

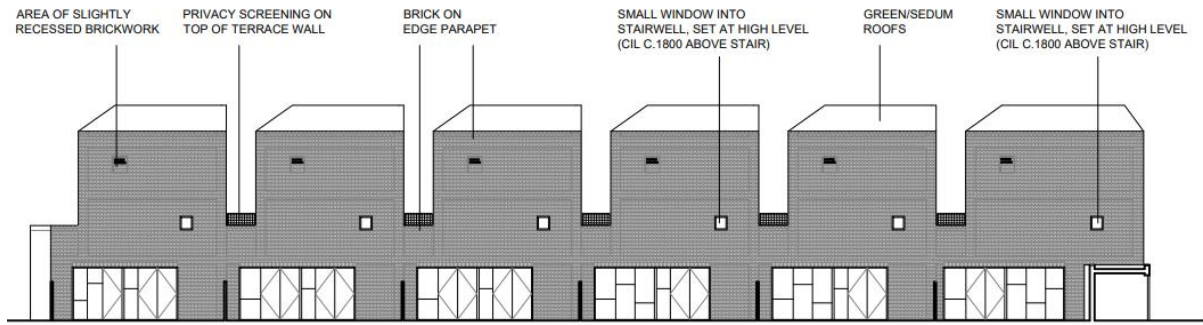


Image 5: Buckhurst Street looking south

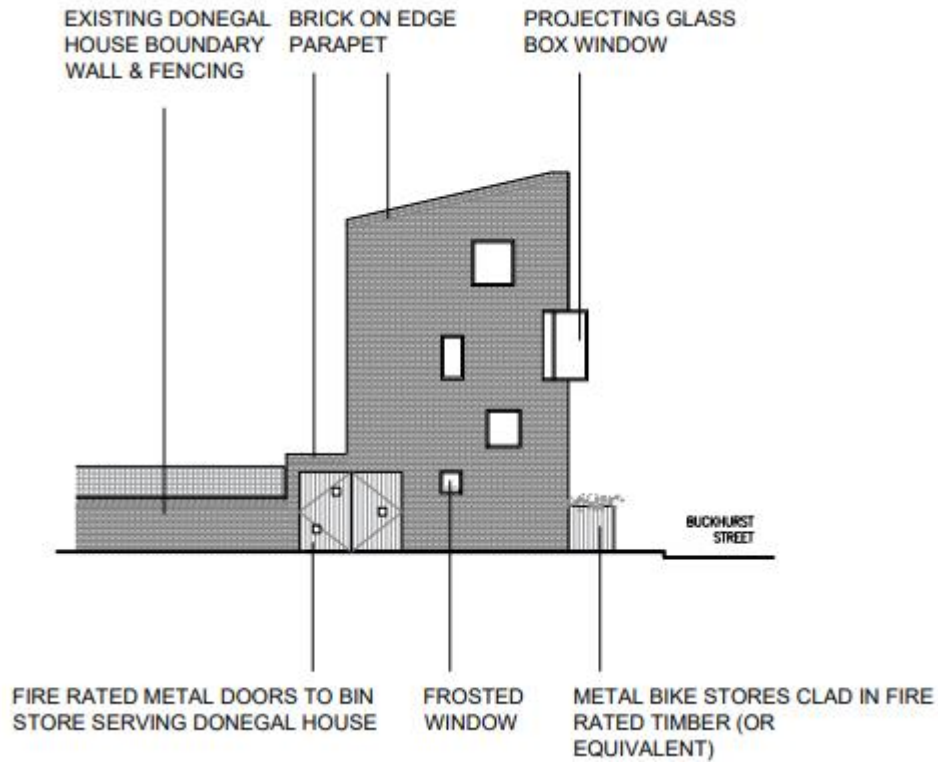


Image 6: Existing Bin store (a total of 5) serving existing Donegal House residents

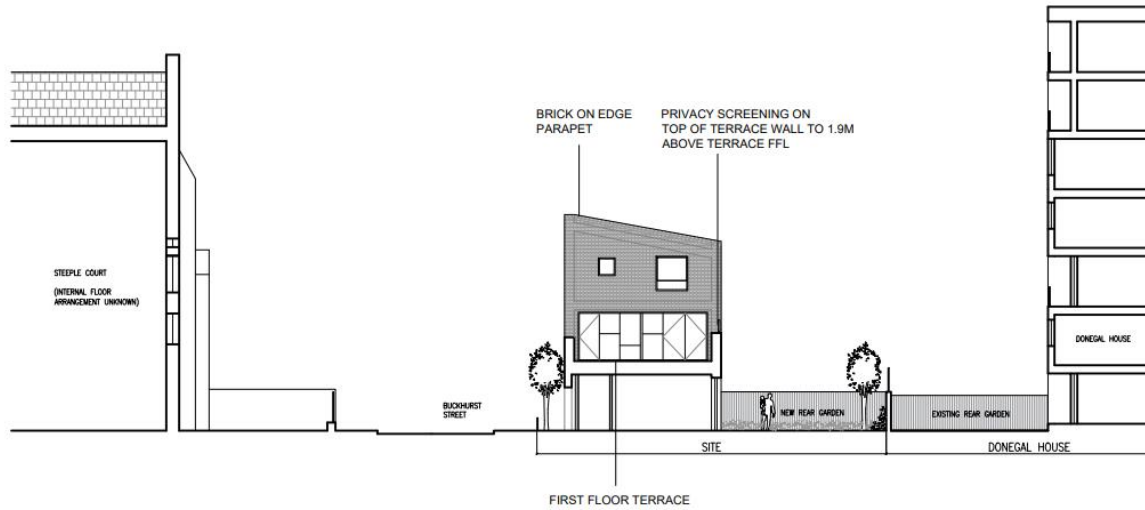
## APPENDIX C: SELECTED DRAWINGS



**Drawing 1: Proposed East elevation (rear)**

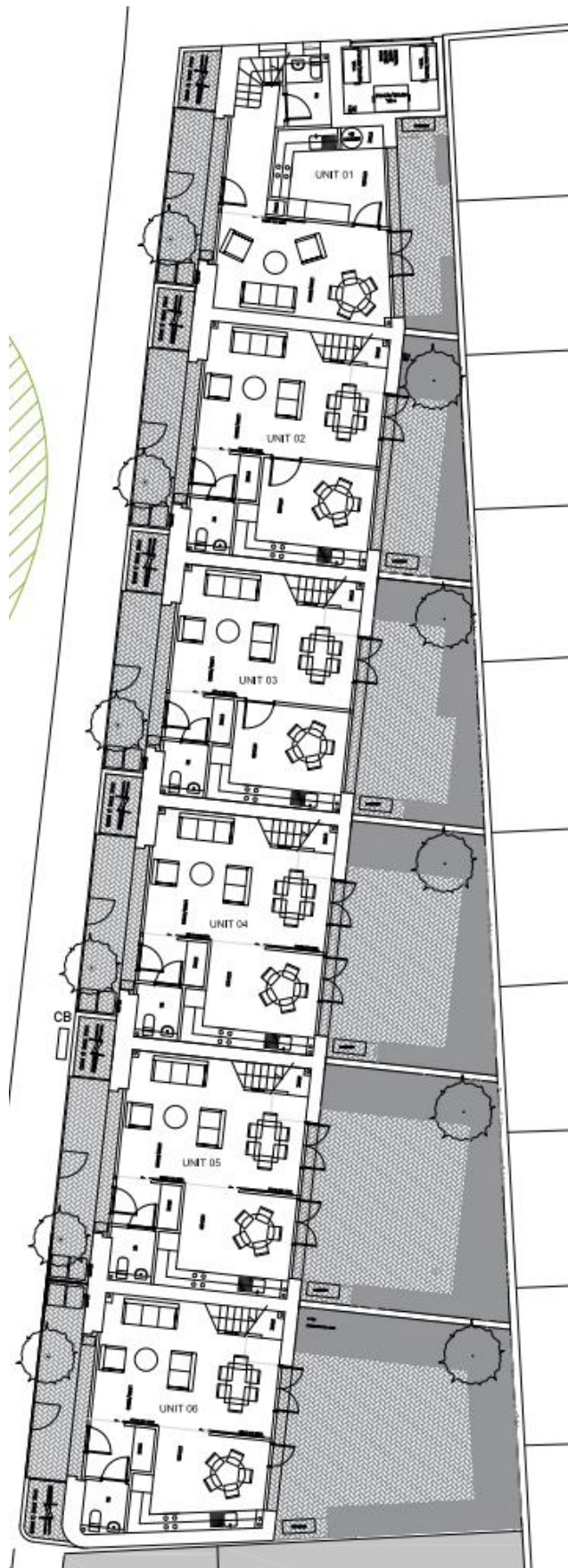


**Drawing 2: Proposed south elevation**



ELEVATION/SECTION 04

**Drawing 3: Proposed section looking towards north of Buckhurst Street (with Steeple Court to the left and Donegal House to the right)**



**Drawing 4: Proposed ground floor plan**



Drawing 5: Proposed first floor plan



**Drawing 6: Proposed second floor plan**