

Committee: Development	Date: 6 th April	Classification: Unrestricted	Agenda Item Number: 7.1
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Report of: Director of Development and Renewal	Title: Town Planning Application
Case Officer: Beth Eite	Ref No: PA/10/02510
	Ward: Mile End and Globe Town

1. APPLICATION DETAILS

Location:	Land Adjacent To Bridge Wharf, Old Ford Road, London
Existing Use:	Vacant land
Proposal:	Erection of 2no. three storey, four bed houses.
Documents:	Impact Statement, Design and Access Statement, Arboricultural Impact Assessment by Marishal Thompson Group, Parking Survey Report by Stilwell Partnership
Drawing Nos:	2 (01) 00, 2 (03) 00, 2 (04) 00, 2 (05) 00, 2 (05) 01, 2 (05) 02, 2 (05) 03, 2 (09) 00, 2 (12) 00, 2 (12) 01, 2 (12) 02, 2 (12) 03, 2 (13) 00, 2 (14) 00, 2 (14) 01, 2 (14) 02, 2, (14) 03, 2 (20) 00, 2 (20) 01 and 2 (20) 02,
Applicant:	Renaissance Investments
Ownership:	As above
Historic Building:	N/A
Conservation Area:	Regents Canal & Victoria Park

2. INTRODUCTION AND BACKGROUND TO THIS REPORT

- 2.1 This application was first reported to Development Committee on 10th February 2011 with an Officer recommendation for approval. Members considered the scheme and resolved NOT TO ACCEPT Officer recommendation.
- 2.2 Members were minded to refuse planning permission for the following reasons:-
- The scale of development/overdevelopment and the impact of proposal on the openness of the immediate area;
 - Loss of open space;
 - The overall sustainability credentials of the proposed development;
 - Concerns over highway safety, caused by the close proximity of front doors to the back edge of pavement, overall pavement widths in the vicinity of the site, poor visibility on Old Ford Road and the potential for increased accidents.
- 2.3 However, the decision to refuse was deferred, to allow Officer's to prepare a report setting out the detailed reasons for refusal and the implications of the Members' resolution.

- 2.4 The Deferred item was returned to Development Committee on 10th March 2011. A copy of the reported is attached at Appendix 1. At paragraph 3.5 of that report, Officer's proposed two detailed reasons for refusal based on the issues that Member's raised. The report also raised concerns about refusing planning permission on highway safety grounds (the second reason for refusal).
- 2.5 On 10th March 2011 there were insufficient Members present, who had also been present at the 10th February meeting, when the item was first debated/voted upon. This therefore rendered the 10th March 2011 meeting inquorate for the Deferred item. Under the Development Committee's Procedure Rules (paragraph 11.4) it is stated that in these circumstances, the item will have to be re-considered afresh (which would include public speaking rights being triggered again).
- 2.6 Consequently, the report which follows sets out the Officers' assessment of the application. It also includes short summaries of any further correspondence received following the 10 February 2011 Development Committee. Whilst it is for the Committee to consider the item afresh, the issues previously raised by Members as well as the items highlighted in the 10th March Deferred item report, remain material to the consideration of the application.

3. RECOMMENDATION

- 3.1 That the Committee resolve to **GRANT** planning permission subject to:

Conditions

- 1 Time limit
- 2 Development to be carried out in accordance with the approved plans
- 3 Samples of all external materials to be submitted
- 4 Details of the tree protection measures.
- 5 Details of the green roof
- 6 Risk assessment and Method statement outlining all works to be carried out adjacent to the water
- 7 Details of hard and soft a landscaping scheme shall be submitted
- 8 Details of a feasibility study shall be carried out to assess the potential for moving freight by water during the construction process
- 9 Details of the proposed lighting scheme for the development shall be submitted
- 10 A survey of the dock edge with a method statement and schedule of repairs and dredging works shall be submitted.
- 11 Restrictions on permitted development
- 12 Front doors to the dwellings should only open inwards
- 13 Boundary treatment details

14 S278 for highways works.

4 PROPOSAL AND LOCATION DETAILS

Proposal

- 4.1 The application seeks permission for two detached houses which would be three storeys in height providing four bedrooms. They would be of a contemporary design with a flat roof, constructed predominantly of brick. They would have a staggered 'zig-zag' footprint and would be positioned at approximately 45 degrees to the road.
- 4.2 Due to the change in levels from the front to the rear of the site the houses would appear as 2.5 storeys from Old Ford Road and three storey from the rear. The garden areas would be at the lower level at the rear of the site, adjacent to Bridge Wharf.

Site and Surroundings

- 4.3 The application site is a vacant plot of land which is located to the north west of Bridge Wharf which is an inlet from Regents Canal that runs directly to the north east of the site. It is located within the Regents Canal conservation area and the Victoria Park Conservation area – the boundary running through the site.
- 4.4 The plot of land currently consists of an area of grass with some mature Willow trees located in the northern corner. The front of the site is obscured from view at present by a brick wall which varies in height from 1.8m to 2.6m and is located adjacent to the pavement.
- 4.5 Directly to the south of the site is a development known as Bridge Wharf. This is a residential development approved in 1992 which is part three, part 4 storeys in height and has a curved design. The three storey element of the development is located closest to the application site. There is a means of escape from Bridge Wharf to Old Ford Road which is located to the south west of the application site.
- 4.6 There is no one style to properties in the locality. To the north and directly opposite the application site is a four storey property which appears to be a converted public house. Along Old Ford Road to the east and west there are period properties which remain well maintained and attractive in appearance. To the east these are three storeys plus basement and to the west these are two storeys. Within close proximity of the site there are a number of high rise blocks of flats including the tower blocks of the Cranbrook Estate to the south, beyond the Bridge Wharf development.

Planning History

- 4.7 The following planning decisions are relevant to the application:
- PA/06/00347 Provision of two residential moorings, each measuring 20 metres in length by 4 metres width approximately, at Hammerhead Berth linked to Grand Union Canal. Withdrawn
- PA/06/00950 Provision of a single permanent residential mooring for a barge or canal boat (Sui generis use) measuring 20 metres in length by 4 metres width approximately, on the north-western side of the inlet, known as Hammerhead Berth on the Grand Union Canal.

Refused 1/12/2006

Allowed at appeal (APP/E5900/A/07/2046969) on 25/1/2008 – now expired.

PA/08/00548 Erection of a part 4 part 5 storey building comprising of 9 residential units (4 x 1 bed, 1 x 2 bed and 4 x 3 bed) Withdrawn

PA/09/00879 Erection of three, four storey, four bedroom houses. Withdrawn

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:

Core Strategy 2010 (adopted September 2010)

Policies	SP02	Urban living for everyone
	SP04	Creating a green and blue grid
	SP10	Creating distinct and durable places
	SP12	Delivering Placemaking

Unitary Development Plan 1998 (as saved September 2007)

Policies	DEV1	Design Requirements
	DEV2	Environmental Requirements
	DEV12	Provision of landscaping in development
	DEV14	Tree Preservation Orders
	DEV15	Retention / Replacement of mature trees
	DEV56	Waste recycling
	HSG7	Dwelling Mix and type
	HSG16	Housing amenity space
	OS7	Loss of open space
	T16	Traffic priorities for new development

Interim Planning Guidance for the purposes of Development Control

Policies	DEV1	Amenity
	DEV2	Character and design
	DEV13	Landscaping and tree protection
	DEV15	Waste and recyclables storage
	DEV16	Walking and cycling routes and facilities
	HSG2	Housing mix
	HSG7	Housing amenity space
	CON2	Conservation Areas

Supplementary Planning Guidance/Documents

Residential Space

Spatial Development Strategy for Greater London (London Plan)

	3A.1	Increasing London’s supply of housing
	3A.2	Boroughs Housing Targets
	3A.6	Quality of new housing provision
	3C.1	Integrating transport and development
	3D.14	Biodiversity and nature conservation
	4A.11	Living roofs and walls
	4B.1	Design principles for a compact city
	4B.11	London’s built heritage
	4B.12	Heritage conservation

4C.8	Freight uses on the Blue Ribbon Network
4C.10	Increasing sport and leisure on the Blue Ribbon Network
4C.11	Increasing access alongside and to the Blue Ribbon Network
4C.13	Mooring facilities on the Blue Ribbon Network

Government Planning Policy Guidance/Statements

PPS1	Sustainable development and climate change
PPS3	Housing
PPS5	Planning and the historic environment

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.

The following were consulted regarding the application:

6.2 Environmental Health

- There may be inadequate natural light to the sub-ground level rooms. (**Officer comment:** *These rooms have an outlook to the rear which is south facing and is therefore considered to provide a reasonable standard of natural light to the occupants*)
- Sound insulation report should be provided to demonstrate compliance with part E of the building regulations. (**Officer comment:** *This would be requested by Building Control rather than the planning department*)

6.3 Highways

- There is sufficient space within the ground floor of each dwelling to provide cycle storage.
- There is little space off-street for the storage of construction materials or for vehicles to load. Given the constraints of the site a construction logistics plan is required.
- The site has a poor PTAL (PTAL 2), therefore it is not appropriate to require this development to be car-free or permit free. The applicant has provided a parking stress survey which shows that there is sufficient capacity within the Controlled parking zone (CPZ) to accommodate the additional parking generated by this development.

6.4 Tree Officer

- No objections to works proceeding providing mature trees are conserved and protected according to BS 5837 (2005).

6.5 Waste Management

- Development has allowed for adequate storage space for refuse and recycling, and current location access is suitable for collection service.
- The location of the bin store is far from the southern house, which is a concern where residents do not use the allocated bin store and instead place their waste out the front of the house. A more preferable design would be to allocate two smaller bin areas (one in the existing area, and one closer to the south house), which

encourages responsibility for each household's waste as it is clearly identifiable. (**Officer comment:** *There is a distance of approximately 14m from the southern house, this is considered a reasonable distance for residents to carry their refuse. There is limited scope for the positioning of a separate bin store closer to the property due to the need to maintain the access to the Bridge Wharf development*)

6.6 British Waterways (Statutory Consultee)

- We are pleased that the two moorings are included in the waterspace.
- The building does appear quite close to the dock and dominant in comparison to the existing open site, though I am not aware of the height of the original building on the site.
- We would recommend the incorporation of brown or green roofs in the development.
- Bat and bird boxes would also be beneficial.
- Any new lighting scheme should ensure that there is minimal overspill into the canal to prevent it harming wildlife habitats.
- British waterways would like to see the site utilise its waterside location for waterborne transport for the transport of freight. A feasibility study, and implementation of its findings, should be carried out in connections with the potential use of the site for waterbourne transport.
- A landscape and management plan aimed at enhancing the visual and ecological value of the site should be provided and discussed with British Waterways.
- A contribution should be sought for environmental improvements to the canal and its towpath. (**Officer comment:** *Given that the development only seeks consent for two dwellings it is not considered reasonable to request financial contributions towards local improvements in the canal and tow path as the number of additional people in the area would be minimal*)

6.7 Environment Agency (Statutory Consultee)

- No objection

7. LOCAL REPRESENTATION

7.1 A total of 99 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 in East End Life and on site.

7.2 For the avoidance of any confusion, this section of the report details all representations that have been received by the Council since the submission of the application. The summary includes those late representations that were previously reported by way of separate addendum reports.

7.3 The number of representations received from neighbours in response to notification and publicity of the application were as follows:

No of individual responses:	42	Objecting:	42	Supporting:	0
No of petitions received:	0				

7.4 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:

Trees & biodiversity

- There is likely to be serious damage to the trees as the plans do not take into account the roots or the canopy which will be much more expansive. These trees provide a good natural habitat to a number of species including, birds, foxes and rabbits.

Highways

- The doors would open directly out onto Old Ford Road which could block the narrow pathway for pedestrians passing by if people congregate outside the houses. There have been a number of serious car crashes on the approach to this bridge and any development which makes crossing the road at this point more difficult should not be allowed.
- There is no car parking provision for this development and there is already significant parking pressure in the local area.
- There does not appear to be any provision for the collection of waste from the site.
- There is no ability to service the development

Amenity impacts

- The proposal represents an overdevelopment of the site.
- The view towards the conservation area will be obscured.
- It will adversely affect the visual amenity of the canal side for pedestrians and canal using public.
- The houses would overshadow properties in Bridge Wharf.
- There may be a significant effect on water pressure in the area.
- There would be direct overlooking from the new houses into the properties on Bridge Wharf.

Character of development / impact on Conservation Area

- The materials used will clash violently with the surrounding area.
- The proposal represents a change of use as the area was last used as a disembarking point for the restaurant which was on the site. This therefore represents a change of use from business to residential and houses on this site will further preclude the use of the area as a loading / unloading bay or leisure point as part of the Blue Network.
- Status of land developed/undeveloped ;
- Objection to classification of land as brownfield site;
- Loss of brick wall, dock and trees contribute to character and appearance of conservation area;

7.5 Since the initial 10 February 2011 Development Committee report was finalised, three letters were received. Two of these letters were sent in by Councillor Whitelock (both of which were summarised in an addendum report linked to the reports to the 10 February and 10 March Committees). The third letter was summarised in the 10 March 2011 report (dealing with the Deferred item). The issues raised by these letters can be summarised as follows:

- The impact upon the trees and loss of wildlife has not been mentioned in the officer's draft refusal reasons;
- The erection of two four bedroom houses will not have an insignificant impact upon the number of pedestrians using the footway on Old Ford Road and despite the information provided on accidents, there is still significant concern that these dwellings will cause harm to highway and pedestrian safety;
- Query as to whether the site can be classed as "brownfield" land and questions officer's previous comment that the removal of the high brick wall onto Old Ford Road would provide a more attractive public realm and highlights and emphasises the importance of the wall, dock and wooded open space on either side of the dock in terms of conservation area character and appearance

8. MATERIAL PLANNING CONSIDERATIONS

- 8.1 The main planning issues raised by the application that the committee must consider are:
1. The principle of a residential development on the site.
 2. The implications of the outstanding planning permissions and s106 agreement affecting the site.
 3. The character and appearance of the proposal.
 4. The impact of the proposal on the surrounding residential occupiers.
 5. The quality of accommodation for the future occupiers of the site.
 6. The impact upon the mature trees and biodiversity.
 7. Highways implications including servicing and refuse provision.

The principle of residential use

- 8.2 The Council's records show that during the 1980's the application site was occupied by a restaurant. In 1992 planning permission was granted for the Bridge Wharf residential development (reference GT/91/00049). The granting of this planning permission included the application site and identifies the area as a location for a new social club.
- 8.3 The social club has never been brought forward as part of this planning permission and was not referred to in the conditions of the approval, or the s106 agreement that accompanied the application. The site remains a grassed area after the restaurant was demolished in the late 1980's / early 1990's. It is considered that the original use of the restaurant has been abandoned given the approximately 20 year lapse in development on the site.
- 8.4 The provision of additional housing is supported at the national, regional and local level. PPS3 states that "*A flexible, responsive supply of land – managed in a way that makes efficient and effective use of land, including re-use of previously-developed land, where appropriate.*" should be applied to the provision of housing. Within the London Plan policy 3A.1 sets out targets for each Borough and requires Local Authorities to seek the maximum provision of additional housing possible. At the local level this is supported by the Core Strategy objective which seeks to "*deliver housing growth to meet general and specialised housing demand in line with London plan housing targets*".
- 8.5 As the previous use of the site has been abandoned and the site is predominantly surrounding by residential development it is considered that the site would be suitable for residential use as this would represent a re-use of previously developed land in accordance with the requirements of national, regional and local policies.

Previous planning permissions and outstanding s106 agreement.

- 8.6 Residential mooring permission
A previous permission for a residential mooring within the inlet adjacent to the application site was granted on appeal on 25th January 2008. This permission was not implemented and has now expired. The issue of loss of privacy between the residential mooring and the new housing is considered to have been overcome by virtue of the expiration of the planning permission.
- 8.7 S106 agreement for Bridge Wharf development
A legal agreement was signed in June 2002 pertaining to the Bridge Wharf development. This sought to secure a number of items including the footings for a new bridge (but not actually for the bridge itself) to provide access from Bridge Wharf to Old Ford Road would

require access to the east of the proposed dwellings.

8.8

Given that there is not a path which runs along the western side of the canal, this bridge would only serve to provide access for the Bridge Wharf residents to Old Ford Road. These residents already have a separate access to the west of the application site, consequently it was not considered cost effective to install the bridge.

Character and appearance.

- 8.9 The site is located within two conservation areas, Victoria Park and Regents Canal, the boundary between the two running through the site. Policy CON2 within the Interim Planning Guidance (IPG) requires all developments within a conservation area to preserve or enhance the distinctive character of the Conservation Area in terms of scale, form, height, materials and architectural design.
- 8.10 There is a variety of style and types of buildings in the area and it cannot be said that one particular style is dominant. Section 4.2 of the report details what the pattern of development is in the area which can generally be described as mixed. Heights and general massing of buildings is also varied with buildings ranging from 2 – 16 storeys, the directly adjacent buildings range from 2-4 storeys.
- 8.11 The design which has been chosen for this development is a contemporary style which has not attempted to replicate any one of the immediate buildings but creates a character of its own. Due to the level change throughout the site the buildings would appear as three storeys when viewed from the south and 2.5 storeys when viewed from Old Ford Road.
- 8.12 The buildings would each be constructed from brick (two slightly differing bricks to denote the different residences) with metal framed windows. Each house would have a green roof to help it blend in with the green character of the canal side when viewed from the upper storeys of the neighbouring properties.
- 8.13 The buildings would have a sleek, crisp design with large openings for the windows on both the front and rear elevation. It is considered that the houses will address both the street and the canal well providing visual interest from both public realms.
- 8.14 Given the mixed character of the area it is considered that the development preserves the character and appearance of both of the conservation areas that this development site spans.
- 8.15 Policies DEV1 of the Unitary Development Plan (UDP) and DEV2 of the IPG are also relevant as they provide general advice over what represents good design. Being sensitive to the capabilities of the site is seen as key and not resulting in an overdevelopment or poor space standards is important. Development should protect notable features within the site and should be designed at a human scale. Attention should also be paid to the requirements set out in policy SP10 of the Core Strategy (CS) which seeks to ensure that buildings promote good design which are sustainable, accessible, attractive, durable and well integrated with their surroundings.
- 8.16 The development has been the subject of negotiation with Council officers to reach a stage which is considered acceptable, with two previous applications being withdrawn due to concerns over suitability of the scheme for the site.
- 8.17 A major constraint for the site is the mature willow trees which are located to the east and the need to ensure that any development would not harm the health of these trees. It is

considered that this proposal has achieved this and as a result of retaining the trees, the development would also retain elements of the existing open character of the locality.

- 8.18 There would be some reduction in views towards the conservation area, however the removal of the high brick wall which is adjacent to the pavement edge along Old Ford Road would open up the site and provide a more attractive public realm, therefore contributing to the character and appearance of the conservation areas it is located within.
- 8.19 Overall the proposal is considered to improve the appearance of what is currently a vacant site. It is considered that the proposed development is in accordance with the above policy aims and would deliver two high quality, well designed buildings which provide much needed additional family housing.

Impact upon the surrounding occupants

- 8.20 A number of objections have been received in respect of this development. Some concerns relate to car parking and servicing of the development along with concern about the potential loss of the trees on the site. Other concerns relate to the direct impact upon the amenities of the neighbouring occupants, predominantly those at Bridge Wharf which is to the south of the site. The concerns raised by these residents relates to overlooking and a loss of privacy, a reduced view out over the conservation area and overshadowing to the north facing windows.
- 8.21 Policies DEV2 of the UDP and DEV1 of the Interim Planning Guidance outlines that developments should not adversely affect adjoining buildings by a loss of privacy, outlook or a material deterioration of their daylighting and sunlighting conditions.

Privacy

- 8.22 This development has been designed so as to have a minimal impact upon the amenities of the surrounding residents. The proposed dwellings would be 14m away from the eastern wing of the Bridge Wharf building. However, due to the orientation and layout of the buildings there would be no habitable rooms which would directly face any habitable room windows within Bridge Wharf.
- 8.23 To the north of the site former public house which has been converted into residential use. There are windows from the proposed development which would face towards this property but they would be at an angle and not face directly towards these flats. Therefore, would not result in any direct overlooking.

Outlook

- 8.24 A number of residents have raised concerns about the loss of outlook these houses would create for the Bridge Wharf residents. It is not considered that this loss of outlook would be significant due to the distance between the proposed building and Bridge Wharf. The dwellings would be lower in height than the Bridge Wharf development and would therefore not be overbearing to the residents. The eastern and western outlook from the north facing windows of Bridge Wharf would not be affected and the staggered design of the new buildings would break up the elevations to appear less dominating from the northern view looking directly onto the site.
- 8.25 As the new buildings would appear as a 2.5 storey building from Old Ford Road, it is considered that this is compatible with the surrounding area and would not result in any significant loss of outlook from any properties to the north of the application site.

Daylight and Sunlight

- 8.26 Given that the application site is to the north of Bridge Wharf, it is not considered that there is

any significant loss of light to the occupants of this property. As the path of the sun moves from east to west there would be no overshadowing caused from the proposed properties to the occupants of Bridge Wharf.

- 8.27 The nearest residential property to the north is the former public house on the corner of Stewardstone Road and Old Ford Road. It is not considered that the proposed dwellings would have any significant impact upon these occupants in terms of a loss of light or overshadowing due to the application site being an average of 16m away and at a lower level, causing the dwellings to only rise 2.5 storeys above the pavement level on Old Ford Road.
- 8.28 Overall it is considered that the impact upon the surrounding neighbouring occupants would be minimal and would not cause significant harm to the amenities currently enjoyed by the existing residents. It is considered that for the reasons outlined above, that the development complies with policies DEV2 of the UDP and DEV1 of the IPG which seek to protect residential amenity.

Quality of accommodation

Internal space

- 8.29 Each dwelling provides a kitchen, dining room and lounge at ground floor level, due to the site being lower than Old Ford Road the main outlook from these rooms would be to the south with only a high level window and the entrance door fronting Old Ford Road.
- 8.30 The upper two floors would comprise four bedrooms and two bathrooms. The staircase would be positioned within the centre core of each dwelling. Each bedroom would have a large window with a Juliet style balcony providing a good outlook from each habitable room. Each room would be dual aspect providing good light levels into the dwelling.
- 8.31 The floorspace within each of the properties would be approximately 120sqm which exceeds the Council policy by 22sqm.

External space

- 8.32 Policy HSG7 of the IPG requires dwelling houses of this nature to provide 50sqm of private amenity space. To the rear of each of the properties a 24sqm garden area would be provided, which would be adjacent to the canal inlet. This would be south facing and so would be in direct sunlight for the majority of the day. The garden is approximately half of what is required for a house of this size. However, it is considered to be high quality amenity space adjacent to the canal and south facing. Therefore, given that quality of the amenity space, the proximity of the site to Victoria Park and the internal size of the dwellings this level of provision is considered acceptable in this instance.
- 8.33 Overall it is considered that the development would provide a good quality living environment for the future occupiers of the site and would be in accordance with policies DEV2 of the UDP, DEV1 of the IPG and S09 and SP02 of the Core Strategy which seeks to ensure that all housing in Tower Hamlets is of a high quality and is well designed

Trees and biodiversity

Trees

- 8.34 Policy DEV15 of the UDP states that the retention and replacement of existing mature trees will normally be sought in development proposals where the trees are considered to be of townscape or environmental value. There are a number of mature willow trees in the vicinity of the site, three immediately to the north east of the site and three within the triangle of land which is located on the south side of the canal inlet. These trees are considered to be of both

townscape and environmental value and an asset to the conservation area.

- 8.35 An arboricultural report has been submitted with the application which provides details of the three Willow trees that are adjacent to the application site. It recommends that all three of the trees can be retained and if properly protected through the construction process will not be damaged. It also recommends that the tree closest to the proposed buildings has its crown reduced to provide clearance to the building and the tree closest to the bridge has its crown lifted to give clearance to the highway.
- 8.36 These trees have significant amenity value and a point of concern raised by a number of local residents is the long term future of the trees as there may be requests from the future occupiers of the site to prune these trees. Given these are already mature trees the potential for their increased growth is minimal. Furthermore the houses have been constructed so as to orientate away from the trees. This would make requests for their pruning in order to allow extra light into the houses unlikely.
- 8.37 Whilst such a request cannot be ruled out in the future, the trees are protected by virtue of being in a conservation area and as such, any proposal to reduce the size of the trees will require consent from the Local Authority who will be able to assess the impact upon the amenity value of the works at every stage.

Biodiversity

- 8.38 It is noted that this is currently a green site, however it is not classed as a 'Greenfield' site as there has been previous development on the site. Brownfield sites such as this are encouraged to be used for residential development.
- 8.40 Policy SP04 seeks to protect and enhance biodiversity and ensure that developments achieve a net gain in biodiversity and promotes the use of green roofs. In this case, whilst some of the open area will be lost to housing, there would be a re-provision of green space at roof level. Overall there would be no net loss of green space on the site compared to the current situation. In comparison to the previous use of the site as a restaurant it is considered that this would be a net gain which is in accordance with policy SP04.

Highways, servicing and refuse

Car parking

- 8.41 The site has a Public Transport Accessibility Level of 2 which is poor. No vehicle parking is associated with the development which is supported by policy DEV19 of the IPG which allows for a maximum of 0.5 spaces per residential unit.
- 8.42 Policy SP09 within the Core Strategy promotes car free developments and seeks to minimise car parking provision for new development. As the site has a PTAL of 2 it is not considered reasonable to require this level of development to be car free and the occupants would be allowed to apply for car parking permits for the local Controlled Parking Zone.
- 8.43 A parking survey has been commissioned by the applicant in order to assess whether or not there is capacity for additional cars to be parked on the surrounding streets. The survey was carried out at two different times (one in the afternoon and one at night) and within a 300m distance of the application site. At both times there were in excess of 40 parking spaces available. It is therefore considered that the addition of two residential dwellings would not add significantly to the on-street parking stress in the immediate vicinity. This survey has been reviewed and concurred with by Highways officers.

Cycle parking

- 8.44 No cycle parking is shown for the proposed properties however, each dwelling would have its own garden and direct access from this to the street so there would be the ability for the occupants to store their bicycles within the curtilage of the site.

Refuse

- 8.45 The waste management section have confirmed that the location of the refuse storage is acceptable in terms of collections as it is adjacent to the pavement.
- 8.46 The department has however raised concerns about the requirement for the occupants of the southern dwelling to transport their refuse to the store and questioned whether this is likely to lead to the occupants not using the storage facility. There is limited locations where a refuse store can be sited for these dwellings, the 14m distance is not considered excessive for the occupants to carry their waste and is not likely to discouraged occupants from using.

Other Planning Issues

- 8.47 Concern has been raised about the development precluding the use of the site as a leisure point, as part of the Blue Ribbon Network. Part 4(e) of policy SP04 does seek to improve accessibility to and along waterspaces to maximise usability and promote these places for cultural, recreational and leisure uses. However, given the site is relatively small in area and is not well linked with the rest of the canal, it is considered that the scope for using this site for leisure purposes would be limited. Consequently, a refusal reason on this basis could not be justified, especially as there is no alternative proposal for its recreational use.
- 8.48 The properties would be accessed directly from Old Ford Road and concerns have been raised regarding safety, especially if people congregate outside the houses on what is presently a narrow strip of pavement. However the proposal would open up the site to a degree by removing the wall along this section of the road thereby increasing the width of the pavement from the existing situation. In addition different pavement setts would be used to delineate the boundary between public highway and private land in front of the dwellings and a condition has been included to ensure that the front doors open inwards.

Conclusions

- 8.49 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.

Planning Application Site Map



-  Planning Application Site Boundary
-  Consultation Area

-  Locally Listed Buildings
-  Statutory Listed Buildings

 Land Parcel Address



1:1,250

This Site Map displays the Planning Application Site Boundary and the neighbouring Occupiers / Owners who were consulted as part of the Planning Application process. This map is based upon Ordnance Survey material with the permission of Ordnance Survey on behalf of the Controller of Her Majesty's Stationery Office © Crown copyright. Unauthorised reproduction infringes Crown copyright and may lead to prosecution or civil proceedings. 100019288, 2010.

APPENDIX 1

Committee: Development	Date: 10th March 2011	Classification: Unrestricted	Agenda Item Number:
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Report of: Director of Development and Renewal	Title: Town Planning Application
Case Officer: Beth Eite	Ref No: PA/10/02510
	Ward: Mile End and Globe Town

1. APPLICATION DETAILS

Location:	Land Adjacent To Bridge Wharf, Old Ford Road, London
Existing Use:	Vacant land
Proposal:	Erection of 2no. three storey, four bed houses.
Documents:	Impact Statement, Design and Access Statement, Arboricultural Impact Assessment by Marishal Thompson Group, Parking Survey Report by Stilwell Partnership
Drawing Nos:	2 (01) 00, 2 (03) 00, 2 (04) 00, 2 (05) 00, 2 (05) 01, 2 (05) 02, 2 (05) 03, 2 (09) 00, 2 (12) 00, 2 (12) 01, 2 (12) 02, 2 (12) 03, 2 (13) 00, 2 (14) 00, 2 (14) 01, 2 (14) 02, 2, (14) 03, 2 (20) 00, 2 (20) 01 and 2 (20) 02,
Applicant:	Renaissance Investments
Ownership:	As above
Historic Building:	N/A
Conservation Areas:	Regents Canal & Victoria Park

2. RECOMMENDATION

- 2.1 That the Committee notes the details of this report and officers' advice regarding the appropriate form of the new motion (at paragraph 3.5) when resolving either to grant or refuse the planning application proposing the erection of 2x4 bed houses at Bridge Wharf, Old Ford Road.

3. BACKGROUND

- 3.1 At its meeting of 10 February 2011, the Council's Development Committee resolved **NOT TO ACCEPT** officers' recommendation to GRANT planning permission (subject to conditions) for the erection of 2, three storey, four bedroom houses:
- 3.2 Members were minded to refuse planning permission for the following reasons:
- The scale of development/overdevelopment and the impact of proposal on the openness

- of the immediate area;
 - Loss of open space;
 - The overall sustainability credentials of the proposed development;
 - Concerns over highway safety, caused by the close proximity of front doors to the back edge of pavement, overall pavement widths in the vicinity of the site, poor visibility on Old Ford Road and the potential for increased accidents.
- 3.3 Following the 10 February Committee, officers have received a follow up objection letter (to the one that was referred to in the previous addendum report). This further letter deals specifically with the issue of the loss of open space and the previous report's alleged failure to properly address the detrimental impact of the proposed development on the character and appearance of the Victoria Park Conservation Area and the Regents Canal Conservation Area. Members may also have received individual copies of this letter.
- 3.4 The letter also comments on the developed/undeveloped status of the site; whether it can be classed as brown-field land (previously developed) and then reviews the site history in considerable detail, including the background to the previously approved footbridge and community facility. The letter questions officers' previous comment that the removal of the high brick wall onto Old Ford Road would provide a more attractive public realm and highlights and emphasises the importance of the wall, dock and wooded open space on either side of the dock in terms of conservation area character and appearance. The letter specifically refers to the importance of canal-side features as part of conservation area character.
- 3.5 Officers have interpreted Members' previous reasons/concerns and have drafted reasons for refusal to cover the points and issues highlighted. The two reasons for refusal are suggested as follows:
1. The proposed development, by reason of its scale, mass and increased sense of enclosure, would result in an overdevelopment of this restricted site and a loss of open space, detrimental to the open character and visual amenities of the area and the character and appearance of the Victoria Park Conservation Area and the Regents Canal Conservation Area, contrary to policies SO23, SP02 and SP10 of the adopted Core Strategy Development Plan Document (2010), policy DEV1 and OS7 of the Unitary Development Plan 1998 ("saved") and policies DEV2, CON2 and HSG1 of Tower Hamlets Interim Planning Guidance (2007).
 2. The proposed development, in view of the restricted pavement width found within this stretch of Old Ford Road, the highway alignment in the vicinity of the site and the proposed layout of the buildings close to the back edge of footway, would be detrimental to highway/pedestrian safety, contrary to policies SO20, SO21, SP03 and SP09 of the adopted Core Strategy Development Plan Document (2010) and policy DEV17 of Tower Hamlets Interim Planning Guidance (2007).

4. OFFICER COMMENTARY

- 4.1 Issues associated with the scale and mass of the development and the impact of that scale on the open character or the area adjacent to the Regents Canal, the importance of this area of open space in terms of recreational and amenity value and the impact of the development on the character and appearance of the conservation area are matters of judgement and would represent reasonable and sustainable reasons for refusal, should Members agree to re-affirm their previous resolution and refuse planning permission on this ground alone.

- 4.2 Issues associated with the impact of the development on highway safety will be significantly more challenging to defend on appeal. Your officers have discussed Members concerns with Highway colleagues who have advised that defending a refusal on grounds of highway safety would be very difficult to sustain. As Members will be aware, failure to adequately defend reasons for refusal on appeal could well lead to costs awarded against the local planning authority.
- 4.3 Whilst officers agree that the footway width is narrow in this location, the increase in pedestrian flows generated by this development will be insignificant, so the ability of the footway to accommodate pedestrians at a level of acceptable safety will not be compromised.. There is currently no private forecourt area adjacent to this development site so the construction of the proposed two houses would not further restrict the amount of space available to pedestrians, compared to the existing situation. Over the last 36 months, there have been three accidents in the vicinity of the site. Two of these accidents were slight, where vehicles turning out of Sewardstone Road collided with passing traffic on Old Ford Road. The other accident (albeit more serious) involved a 9 year old female pedestrian which occurred west of the junction of Old Ford Road and Type Street. As no vehicular access points onto the site are proposed, vehicle collisions are not considered to be a reasonable possibility. Therefore, for the reasons referred to above, your officers consider that no material harm to highway or pedestrian safety would result from permitting this development.

5. IMPLICATIONS OF THE DECISION

- 5.1 Should Members decide to re-affirm their previous resolution and refuse planning permission, either as previously confirmed or as amended (following consideration of this report) there are a number of possibilities open to the Applicant. These would include (though not limited to):-
1. Resubmission of an amended scheme to overcome reasons for refusal;
 2. Lodge an appeal against the refusal of the scheme. The Council would vigorously defend any appeal against a refusal.

6. CONCLUSION

- 6.1 All other relevant policies and considerations have been taken into account. It is recommended that Members consider the draft reasons for refusal alongside the previous report presented to the 10 February 2010 Development Committee (see Appendix 1), Section 4 of this report (Officer Commentary) and determine the planning application as they see fit.

7. APPENDICIES

- 7.1 ~~Appendix One — Committee Report to Members on 10th February 2011.~~
- 7.2 ~~Appendix Two — Addendum Report to Members on 10th February 2011.~~

(Appendices referred to above have not attached to papers reported to Development Committee 6th April. Additional material has been incorporated into main report above.)