

Committee: Development	Date: 14 th November 2012	Classification: Unrestricted	Agenda Item No:
Report of: Corporate Director of Development and Renewal Case Officer: Angelina Eke		Title: Planning Application for Decision Ref No: PA/12/02235 Ward(s): St Katherine's and Wapping	

1. APPLICATION DETAILS

Location:	Royal Tower Lodge, 40 Cartwright Street, London E1 8LX
Existing Use:	Residential
Proposal:	Erection of two additional floors on existing building to provide 9 self-contained flats (7 x 2 bedroom, 1 x 3 bedroom flat and 1 x 1 bedroom flats) plus communal amenity space at roof top level.
Drawing No's:	E11-030\S100; E11-030\SB01; E11-030\S00; E11-030\S01; E11-030\S02; E11-030\S03; E11-030\S04; E11-030\S05; E11-030\S06; E11-030\S07; E11-030/P00 Rev A; E11-030/P01 Rev A; E11-030/P01Rev A; E11-030/P02 Rev D; E11-030/P03 Rev D; E11-030/P04 Rev E; E11-030/P05 Rev D; E11-030/P06 Rev D; E11-030/P08 Rev D and E11-030/P09 Rev C; § Photo and photomontages
Supporting Documents:	§ Code for Sustainable Homes, Pre-Assessment Estimator Tool, prepared by BRE Global Limited § Design and Access Statement, Prepared by Osel Architects (Ref E11-030/DAS July 2012) § Daylight Modelling, prepared by Osel Architects § Energy Statement, Chapman Bathurst, Building Services and Environmental Consultants dated July 2012, Version P0 § Planning Statement, Prepared by Osel Architects § Impact Statement, Prepared by Osel Architects § Noise Impact Assessment, prepared by Alan Saunders dated 16 July 2012 § Structural appraisal on two storey addition, prepared by RCA Consulting Civil & Structural Engineers Structures (Ref MPL/13497)
Applicant:	St James Development (UK) Ltd
Owner:	St James Development (UK) Ltd
Historic Building:	N/A
Conservation Area:	Adjoins Tower Conservation Area

2.0 SUMMARY OF MATERIAL PLANNING CONSIDERATIONS

- 2.1 The local planning authority has considered the particular circumstances of this application against the Council's approved planning policies contained in the Adopted Core Strategy
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2010, the London Borough of Tower Hamlets Unitary Development Plan 1998, the Council's Interim Planning Guidance (October 2007), the Council's Managing Development DPD (Submission Version 2012), the London Plan 2011 and the National Planning Policy Framework and has found that:

- 2.2 The proposal makes efficient use of the site and provides an increase in the supply of housing. As such, the proposal would accord with Policy 3.4 of the London Plan (2011), policy SP02 of the Core Strategy (2010) and policy DM3 of the Managing Development DPD (submission version 2012) which seek to ensure the use of land is appropriately optimised.
- 2.3 The proposed amount of amenity space is acceptable and in line with policy DM4 of the Managing Development DPD (Submission version 2012), and policy SP02 of the Core Strategy Development Plan Document (2010), which seek to improve amenity and liveability for residents.
- 2.4 The unit mix is acceptable, and contributes towards quality and choice of housing within this locality including the provision of new family housing. This accords with Policies 3.8-3.12 of the London Plan (2011), policy SP02 of the Core Strategy (2010) and policy DM3 of the Managing Development DPD (submission version 2012). These policies seek to maximise housing choice including the supply of family housing.
- 2.5 The layout and size of the proposed residential units accords with the requirements of Policy 3.5 of the London Plan (2011), policy SP02 of the Core Strategy (2010), policy DM4 of the Managing Development DPD (Submission version 2012) and the interim London Housing Design Guide (2010).
- 2.6 The two storey roof extension proposed is acceptable in terms of bulk, mass, scale and design including use of materials and visual appearance. As such, the scheme accords with London Plan (2011) Policies 7.1 – 7.8 (Inc.) which seek to ensure buildings and places are of a high quality design and visually appropriate. The proposal also accords with Policy SP10 of the adopted Core Strategy (2010), policies DM24 and DM26 of the Managing Development DPD (Submission version 2012), and saved policies DEV1 and DEV9 of the Council's Unitary Development Plan (1998), which seek to ensure buildings respect the integrity of the existing building and site context.
- 2.7 Subject to conditions, the proposal does not result in any unduly detrimental impacts in terms of privacy, overlooking, sunlight and daylight or sense of enclosure for existing or future residents. Subject to the mitigation proposed in the Noise Report accompanying the application, the proposal would not have any undue impacts in terms of noise. As such, the proposal would accord with Policy SP10 of the Core Strategy (2010), saved policies DEV2 and DEV50 of the Council's Unitary Development Plan (1998), policy DM25 of the Managing Development DPD (Submission Version 2012) and Policies DEV1 and DEV10 in the Interim Planning Guidance (2007), which seek to protect residential amenity.
- 2.8 The Energy and Sustainability strategies for this application have been prepared in line with the Mayor's energy hierarchy and London Plan (2011) Policies 5.2, 5.3, 5.6, 5.7, 5.9 – 5.15 (inc), and Policy 5.17. The proposal also accords with policy SP11 of the Core Strategy (2010) and policy DM29 of the Managing Development DPD (submission version 2012).
- 2.9 On balance, transport matters, including servicing arrangements are acceptable. The new units will be car free and adequate cycle parking will be provided. This accords with policies SP08 and SP09 of the Core Strategy (2010), policies T16 and T19 of the Council's Unitary Development Plan (1998) and policies DM20 and DM22 of the Managing Development DPD (Submission Version 2012). These policies seek to minimise parking and promote sustainable transport options.

3.0 RECOMMENDATION

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

Conditions on Planning Permission

- 3.2
- (1) Time Limit (Three Years)
 - (2) Development to be built in accordance with approved plans
 - (3) Full details of facing materials to be used for the development
 - (4) Full details of privacy screens to mitigate overlooking
 - (5) Provision and retention of cycle spaces shown in approved drawings
 - (6) Refuse provision in accordance with drawing
 - (7) Detail of measures to meet Code for Sustainable Homes 4
 - (8) Compliance with noise mitigation measures
 - (9) Compliance with lifetime homes
 - (10) Compliance with energy statement
 - (11) car and permit free development
- Any other conditions(s) considered necessary by the Corporate Director Development & Renewal

Informative on Planning Permission

- 3.3 CIL

4.0 PROPOSAL AND LOCATION DETAILS

The Proposal

- 4.1 St James Development (UK) Ltd ('the applicant') is seeking planning permission for the erection of two additional floors on an existing building to provide 9 self-contained flats (7 x 2 bedroom, 1 x 3 bedroom and 1 x 1 bedroom).
- 4.2 The existing central staircase and the lift shaft will be extended up to the new roof level serving the two new floors and roof top plant area
- 4.3 In terms of safety and security, the proposal will incorporate continuous handrails set back from the parapet lines, which will be black polyester powder coated with glazed infill panels.
- 4.4 The existing building is four storeys in height and terminates with a flat roof, which is screened by a parapet wall. There is an existing small building which houses the lift shaft and is used for maintenance purposes.

Background

- 4.5 In December 2011, the applicant submitted a similar proposal for 8 residential units under application no: PA/11/03377. This was withdrawn October 2012 by the applicant following concerns raised by officers about the design and amenity impacts.
- 4.6 During the course of the application, the applicants requested a pre-application meeting to address the concerns raised by officers and local objectors in respect of the previous application, the applicant submitted an application for pre-applications discussions to resolve the concerns identified. Following this, a number of amendments were made to the scheme to improve its overall design merits and the amenity concerns raised in connection with the proposed roof plant.

Site and Surroundings

- 4.7 The application site comprises of a four storey residential building with basement on the north side of East Smithfield. The existing development were constructed as offices, but was subsequently converted to create 41 self-contained flats.
- 4.8 The site has two vehicular access points off Cartwright Street and East Smithfield, which serves the open car park at ground and lower ground floor levels.
- 4.9 Although the application site is not listed, it adjoins the Tower Conservation Area at its north-eastern boundary at the junction of East Smithfield and Cartwright Street.
- 4.10 Within the immediate context of the site, there is a mixture of land uses such as offices as well as residential uses. The application site also within a Central Activities Zone.
- 4.11 The application site also lies within the Core Strategy Place of Tower of London.

Planning History

- PA/11/03377** Erection of two penthouse floors on top of the existing building to provide eight additional flats (7 x 2 bedroom & 1 x 3 bedroom flats) plus installation of plant at roof level. The application was withdrawn on 11 October 2012.
- WP/94/00064** Conversion of existing office building to provide 41 self- contained flats at former 34-39, East Smithfield. London E1. Full planning permission dated 03 August 1994.

5.0 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:
- 5.2 **The London Plan Spatial Development Strategy for Greater London (July 2011)**

- 3.3 Increasing housing supply
- 3.4 Optimising housing potential
- 3.5 Quality and Design of Housing Development
- 3.8 Housing Choice
- 3.9 Mixed and Balanced communities
- 5.1 Climate change mitigation
- 5.2 Minimising carbon dioxide emissions
- 5.3 Sustainable design and construction
- 5.5 Decentralised energy networks
- 5.6 Decentralised energy in developments
- 5.7 Renewable Energy
- 5.13 Sustainable Drainage
- 5.17 Waste Capacity
- 6.5 Funding Cross rail and other strategic transport
- 6.9 Cycling
- 6.10 Walking
- 6.13 Parking
- 7.1 Buildings London Neighbourhoods and community
- 7.2 An Inclusive environment
- 7.3 Designing out Crime
- 7.4 Local character

5.3 Adopted Core Strategy 2025 Development Plan Document (September 2010)

Strategic Objectives	SO7 – SO9	Urban Living for everyone
	SO10	Creating Healthy and Liveable Neighbourhoods
	SO14	Dealing with waste
	SO19	Making connected places
	SO21	Creating attractive and safe streets and spaces
	SO23	Creating Distinct and durable places
	SO24	Working towards a zero carbon borough
	SO25	Delivering Place making
	SP02	Urban Living for Everyone
	SP05	Dealing with waste
	SP09	Creating attractive and safe streets and places
	SP10	Creating Distinct and Durable Places
	SP11	Working towards a zero-carbon borough
	SP12	Delivering Successful Place making

5.4 Unitary Development Plan 1998 (as saved September 2007)

Proposal	Central Activities Zone
DEV1	Design requirements
DEV2	Environmental Requirements
DEV4	Planning Obligations
DEV6	Energy Efficiency
DEV8	Protection of local views
DEV9	Control of Minor Works
DEV12	Provision of landscaping within new developments
DEV50	Noise
DEV55	Development and Waste Disposal
DEV56	Waste Recycling
HSG7	Dwelling Mix and Type
HSG13	Housing Space Standards
T16	Traffic Priorities for New Development
T18	Pedestrians and the road network
T21	Pedestrian needs in new developments

5.5 Managing Development Plan Document (Submission Version 2012)

DM3	Delivering Homes
DM4	Housing Standards and amenity
DM8	Community infrastructure
DM9	Improving air quality
DM13	Sustainable drainage
DM14	Managing Waste
DM20	Supporting a sustainable transport network
DM22	Parking
DM24	Place Sensitive Design
DM25	Amenity
DM26	Building Heights
DM27	Heritage and the Historic Environment

5.6 Interim Planning Guidance for the purposes of Development Control (October 2007)

CON2	Conservation areas
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DEV1	Amenity
DEV2	Character and Design
DEV4	Safety and security
DEV6	Energy efficiency and renewable energy
DEV5	Sustainable design
DEV10	Disturbance from noise pollution
DEV15	Waste and recyclables storage
DEV16	Walking and cycling routes
DEV19	Parking for motor vehicles
HSG2	Housing Mix
HSG7	Housing Amenity Space

5.7 Government Planning Policy Guidance/Statements

NPPF 2012 National Planning Policy Framework
Interim London Housing Design Guide (August 2010).

5.8 Community Plan – One Tower Hamlets

The following Community Plan objectives relate to the application:

A Great Place To Be
Healthy Communities
Safe and Supportive Communities

6. CONSULTATION RESPONSE

Building Control

- 6.1 It is noted that LBTH Building Control Section has no involvement within the proposal as this is the remit of an approved inspector.

Environmental Health (Noise and Vibration)

- 6.2 The Noise Impact assessment Report dated 16th July 2012 by Alan Saunders Associates is acceptable. The acoustic glazing proposed is acceptable and the plant noise should subject to mitigation outlined in the report, meet LBTH requirements.

LBTH Waste Management

- 6.3 No objections in principle. The waste strategy outlined in the design and access statement is satisfactory.

LBTH Highways

- The site is in an area of good Public Transport Accessibility (PTAL 5) and connectivity and should be subject to an s106 residential on street parking permit free agreement.
- The night time parking occupancy of nearby residential parking on Cartwright and Thomas Street at 104% and 112% respectively underlines the need for this agreement.

LBTH Policy

No objections to the proposal.

7.0 LOCAL REPRESENTATION

- 7.1 198 neighbouring properties within the area shown on the map appended to this report were notified about the application and invited to comment. The application was publicised on site by way of a site notice. 42 letters of representations were received from neighbours and

local groups in response to notification and publicity of the application were as follows:

No of individual responses:	42	Objecting:	41	Supporting:	0
No of petitions received:	1				

Representation Comments

7.2 Design

- The proposed design will replicate features of the existing building at the lowest possible costs and this is not appropriate. The design is also similar to the previous scheme which was not approved;
- The proposal represents a cheap and inappropriate design solution.

(Officer Comment: Officers are of the opinion that the proposed roof extension will be sensitively designed and would represent an appropriate addition to the building. Furthermore, materials will be conditioned to secure a high quality appearance and finishes)

Amenity

- The construction phase is likely to take 9 -12 months and this will result in significant disruption for residents, dust and reduction in privacy and overall amenity;
- The lift shaft would need to be extended up to the two floors. This would lead to lift closure for an undefined period causing inconvenience and disruption;
- The proposal will overlook flats and also block views from windows;
- Noise from pumps and plants needs to be fully evaluated.

(Officer Comments: A condition will be imposed to restrict hours of construction. Furthermore, it should be noted that the any disruption/inconvenience arising from the proposal would be for a temporary period only and will be limited to the duration of the proposed works.

The matters regarding impact and reduction of privacy will be addressed in the amenity section of this report).

Other

- The proposal will affect the letting potential of flats and rental income and the works would impact on property values if residents wish to sell during the construction period;
- Lessees will be forced to change their leases involving considerable legal costs and uncertainty;
- When the flat was purchased, residents received assurance that the freeholder would not be able to build on the roof;
- There is very little information about the scope of works for communal spaces such as entrance areas and important security issues such as CCTV coverage is not specifically mentioned;
- There will be disruption to the satellite services;

- A development like this scale would require close co-operation between stakeholders such as the developer and residents/leaseholders. The contact that residents have had to date with the freeholder/managing agents does not inspire confidence, specifically as the consultation period for this application coincided with the Olympic and Paralympic period.

(Officer Comments: The matters raised relate to tenant and landlord issues and as such this is not a material planning consideration and cannot be taken into account in the assessment of the proposal. The consultation period ran for an initial 21 day period, and responses from residents are accepted up until midday on the day of committee)

8.0 MATERIAL PLANNING CONSIDERATIONS

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

- § Principle of Land Use
- § Housing
- § Design and Impact on setting of Tower Conservation Area
- § Amenity
- § Transportation and Highways
- § Energy and Sustainability
- § Other

Principle of Development

- 8.2 Delivering housing is a key priority both nationally and locally and this is acknowledged within the National Planning Policy Framework, Strategic Objectives 7, 8 and 9 of the Council's Core Strategy (2010) and policy 3.1 of the London Plan, which gives Boroughs targets for increasing the supply of housing.
- 8.3 An important mechanism for achieving the strategic housing objectives outlined in the London Plan is set out in Policies 3.3 and 3.4, which seeks to encourage council's to maximise the development of sites including the provision of family housing to ensure targets are achieved where feasible.
- 8.4 Policy SP02 of the Core Strategy (2010) sets out the borough's overall target for delivery of 43,275 new homes (2,885 a year) between 2010 and 2025. Policy DM3 in the Managing Development DPD (Submission Version 2010) sets out more detailed guidance of how development can help to deliver new homes for existing and future residents of the borough.
- 8.5 The existing building contains 41 flats and the applicant seeks planning permission for a further nine flats. The residential use of the site is already established and therefore the principle of intensification of the existing residential building would be acceptable in land use terms.
- 8.6 On balance, officers are satisfied that the proposal optimises the residential use of the site which accords with policies 3.3 and 3.4 of the London Plan (2011). The units proposed would contribute to meeting the Borough's housing targets, whilst ensuring that a sustainable development is achieved, which is supported by Policy SP02 (1c) of the adopted Core Strategy (2010) and Policy DM3 in the Managing Development DPD (Submission Version May 2012) and guidance set out in National Planning Policy Framework (2012), which seek to encourage initiatives to optimise housing densities and housing supply where appropriate.

Housing Mix

- 8.7 London Plan Policy 3.8 encourages new residential proposals to incorporate housing choice. This is further supported by the Mayor of London's Supplementary Planning Guidance, which seeks to secure family accommodation, within residential schemes, particularly within the social rented sector, and sets strategic guidance for Council's in assessing their local needs.
- 8.8 Policy HSG7 of the UDP states that new housing development should provide a mix of unit sizes where appropriate including a substantial proportion of family dwellings of between 3 and 6 bedrooms. This is reflected in Policy SP02 of the Core Strategy (2010), Policy DM3 of the Managing Development DPD (Submission Version May 2012) and Policy HSG2 of the Interim Planning Guidance (2007), which seeks to promote housing choice.
- 8.9 The nine units proposed will have the following mix of market units 1 x 1 bed, 7 x 2 bed and 1 x 3 bed flats. As the unit threshold is below 10 units, no affordable housing would be required for the scheme. All of the proposed units will be designed to meet Lifetime Home standards.

Tenure	1bed (%)	2 bed (%)	3 bed (%)	4+ bed (%)
MD DPD standards	50	30	20	
Proposal	11%	78%	11%	

- 8.10 The application proposal appears to be heavily skewed towards the provision of two bedroom flats (78%) and it provides 11% 1 bed flats against the borough target of 50%. Similarly, the proposal provides 11% family sized units against the borough's 30% target for family sized units outlined as being in demand within the most up-to-date housing needs assessment.
- 8.11 Whilst it is noted that the mix of units is not fully policy compliant, officers have taken account of site constraints which have impacted on the design and mix of units, such as the existing building layout, the need to extend new lift and stair cases and retain the existing structural walls and to maintain the fenestration arrangement proposed within the existing building.
- 8.12 Given the central nature of the site, and impact of site constraints, officers consider that on balance, the proposed mix would be acceptable and it would increase the overall supply of family sized accommodation, which accords with Policy 3.8 of the London Plan 2011, Policy SP02 of the Core Strategy (2010), Policy DM3 in the Managing Development DPD (Submission Version May 2012), saved Policy HSG7 in the Unitary Development Plan (1998) and Policy HSG2 in the Interim Planning Guidance (2007). These policies seek to ensure that new developments offer a range of housing choices including optimising the provision of suitable sized family accommodation, where appropriate.

Housing Quality and Residential Space

- 8.13 London Plan Policy 3.5 seeks to ensure that the design and quality of new housing proposals are of the highest standard internally and externally and in relation to the wider environment. Part C of the Policy states that new dwellings should generally conform to specified dwelling space standards, have adequately sized rooms and efficient layouts. The Mayor's London Housing Design Guide (Interim Edition, August 2010) sets out further guidance on the implementation of these policies with regard to the layout of family units.
- 8.14 Policy SP02 of the Core Strategy (2010) seeks to ensure that new housing has adequate provision of internal space standards in line with the Mayor of London Interim Housing Guidelines (2010). The policy aims are reiterated in Policy DM4 in the Managing

Development DPD (Submission Version May 2012).

- 8.15 The proposed units would all meet the minimum space standard requirements and it is envisaged that the layout and design of units would be of a high standard internally and each of the flats will benefit from good natural lighting. As such the proposal would accord with policy 3.5 of the London Plan 2011 and Policy DM4 in the Managing Development DPD (Submission Version May 2012) and the interim GLA's London Housing Design Guide (August 2010).

Wheelchair Housing and Lifetime Homes Standards

- 8.16 The scheme proposes fully accessible buildings that would meet 100% Lifetime Homes standards and 10% of the units provided are to be wheelchair accessible. The inclusive design and access arrangements accord with London Plan policies 3.8 and 7.2 and the internal layout would comply with Policy DM4 in the Managing Development DPD. It is recommended that the retention of this provision be conditioned as part of the consent.

Design and Impact on Tower Conservation Area



Image 1: Proposed elevation

- 8.17 Good design is central to all objectives of the London Plan. Policy 7.1 in particular sets out a series of overarching design principles for development in London. Other design policies in this chapter and elsewhere in the London Plan include specific design requirements relating to optimising the housing potential of sites, the quality of new housing provision, designing out crime, local character, public realm, architecture and heritage assets. These policies require new development to be sensitive to the character of the surrounding area in terms of design, bulk, scale and the use of materials. They also require development to be sensitive to the capabilities of the site.
- 8.18 Furthermore, policy DEV2 of the IPG, supported by policy SP10 of the Core Strategy and DM24 of the MD DPD (Submission version May 2012) seek to ensure new development creates buildings and spaces that are of high quality in design and construction, are sustainable, accessible, attractive, safe and well integrated with their surroundings.

- 8.19 The application site adjoins the Tower Conservation Area at its north eastern boundary at the junction of East Smithfield and Cartwright Street and therefore Policy 7.8 of the London Plan, Policy SP10 of the Core Strategy, Policy DM27 in the Managing Development DPD (Submission Version May 2012) and CON2 of the Interim Planning Guidance (2007) are applicable. These policies seek to ensure that development within, or which would affect the setting of a Conservation Area would preserve the special or enhance the special architectural interest of the Conservation Area.



Image 2: Proposed elevation

- 8.20 The application site is within an area where the adjoining buildings vary in heights and form, and the immediate context is mixed use in character adjoining the city fringe. Buildings within the immediate locality incorporate a variety of architectural styles.
- 8.21 The application building is arranged in an L shape and is approximately four storeys high with the two principle facades, Cartwright Street (east) and East Smithfield (south) being of a brick construction with UPVC windows. The building elevations are separated by a render brick plinth with recessed balconies at intervals. The building terminates with a flat roof, which is screened by a high parapet wall.
- 8.22 Adjacent to the site at the junction of Cartwright Street and East Smithfield is a buff brick residential building that is 4 storeys high. Further north along East Smithfield, the application building fronts onto an eight storey high residential blocks known as St Katherine's dock apartments. This group of three buildings is constructed mainly in brick and incorporates a two storey glazed extension and they are set behind a high brick wall within a mixed use complex comprising office and residential buildings. To the south of the site is a five storey building of a traditional brick construction design and era.
- 8.23 The new build element comprises two new floors on the existing roof of the building. It will be of a modern design and due to the structural implications will be a more light weight structure than the existing. Each of the floors proposed will be set back from the parapet

edge, and the architectural detailing proposed seeks to mirror the rhythm, proportions and fenestration arrangement of the existing building.

- 8.24 The palette of materials proposed will include brick slips to match the existing building with small aluminium panels on the Croft Street elevation. Due to the need to maximise natural light, the roof extension will incorporate render panels to match the stone parapet with large areas of glazing.
- 8.25 The Council's Urban Design and Conservation Team accept the principle of a two storey addition to the existing building and consider that the design rationale adopted is appropriate to the site context. To ensure a high quality appearance and finish, full details of the materials will be secured by way of a condition.
- 8.26 The principle of a two storey extension plus the impact of the lift run and balustrading to the proposed communal amenity space at roof top level would be acceptable in townscape terms. The mass, bulk and scale including height of the proposed new build element would be appropriate to the existing building and streetscape and it is envisaged that the new roof form would read as an integrated, but subordinate part of the existing building. The principle parapet heights will also be maintained which supports successful integration between the existing and new roof extension.
- 8.27 Given the sympathetic design approach, the local context, the proposal would respond well within the local context and would not appear visually overbearing at street level. Furthermore, it is not considered that the proposal would not have a negative impact on the setting of the Tower Conservation Area. Subject to conditions to ensure a high quality materials and finishes, the proposal would accord with policy SP10 of the Core Strategy (2010), Policies DM24 and DEV27 of the Managing Development (Submission Version May 2012), saved policies DEV1 and DEV9 of the Unitary Development Plan (1998) and Policies DEV2 and CON2 of the Interim Planning Guidance (2007). These policies seek to ensure developments respect the integrity of the host building and are appropriate to the site context.

Amenity

- 8.28 Policy SP10 (4) of the adopted Core Strategy (2010), Policy DM25 in the Managing Development DPD (Submission Version 2012), policies DEV2 and DEV50 of the UDP (1998) and Policy DEV10 of the Interim Planning Guidance (2007), seek to ensure that developments protect and where possible improve the amenity of existing and future residents which includes visual privacy, overshadowing, outlook, noise and vibration levels.

Sunlight and Daylight

- 8.29 Given the orientation of windows for the roof addition, the only habitable rooms which could potentially be affected by reduced daylight/sunlight are those on the Crofts Street elevations. These windows for these units are orientated such that they do not benefit from direct sunshine at any point during the year. Given the separating distance between the proposal and adjoining developments, it is considered that on balance, the proposal will cause undue detrimental impacts on the amenity of adjoining residents.

Privacy

- 8.30 Saved UDP Policy DEV2 and policy DM25 of the MD DPD (Submission Version 2012) requires new developments to be designed to ensure that there is no unduly detrimental reduction in privacy for existing and future occupiers. A separating distance of 18m between opposing habitable rooms is taken as a guide to reduce inter-visibility to a degree acceptable to most people.

- 8.31 The proposal has been designed to minimise the incidence of overlooking. It is recognised that some minimal reduction in privacy may occur where habitable rooms adjoin the boundary of an adjoining flat on the new floors of the proposal. Given the separating distance between the new roof extension and adjoining developments, it is not considered that there will be any undue amenity impacts to adjoining residents. To minimise the impacts of privacy on the new floors, the applicant intends to provide glazed privacy screens to mitigate this. The proposal also incorporates small areas of sedum roof to demarcate privacy boundaries so as to minimise the incidence of overlooking, which is considered acceptable. In view of the above, it is not considered that the proposal will give rise to any undue amenity impacts on privacy within the development or to adjoining buildings.

Noise

- 8.32 Policy 7.15 of the London Plan, saved policies DEV2 and DEV50 of the UDP, policies SP03 and SP10 of the Core Strategy (2010) and policy DM25 of the MD DPD seek to ensure that new development proposals reduce noise impacts by minimising the existing and potential adverse impact and separate noise sensitive development from major noise sources.
- 8.33 The application was accompanied by a Noise Impact Assessment, which seeks to assess the potential noise impact from nearby roads and other noise sources, including impact of new roof plant on the nearest residential properties.
- 8.34 The Council's Environmental Health Officer has assessed the applicants' noise report and the mitigation proposed and has advised that the proposal subject to mitigation to minimise the impact of road and plant noise, would raise no adverse impacts on amenity grounds. It is recommended a condition is attached to ensure this is carried out.

Private Amenity Space

- 8.35 Saved UDP policy HSG16 requires that new development should make adequate provision for amenity space, this is re-affirmed in IPG Policy HSG7.
- 8.36 Policy DM4 specifically advises that applicants apply LBTH child yields and the guidance set out in the Mayor of London's SPG on 'Providing for Children and Young People's Play and Informal Recreation' (which sets a benchmark of 10 square metres of useable child play space per child). The policies above seek to ensure that amenity space is integrated into a development, in a safe, accessible and usable way, without detracting from the appearance of a building.
- 8.37 It should be noted that there are a number of inset private balconies on the Cartwright Street and East Smithfield elevations. Within the proposal, each flat will have access to private external amenity space within the terraced areas. The boundary treatment to the amenity spaces will be secured by condition.
- 8.38 The application proposes the following private amenity space to the rear of each property:

Unit No.	Amenity space (sq.)
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No.1	18sqm
No.2	6 sq. m
No.3	22sqm
No.4	16sqm
No.5	18sqm
No.6	21sqm
No.7	24sqm
No.8	44sqm

- 8.39 At roof top level, the applicant intends to provide communal amenity space, which measures 30 square metres. The quantum of amenity space proposed for each flat accord with policy SP02 of the adopted Core Strategy (2010), Policy DM4 in the Managing Development: Development Plan Document (Submission Version May 2012), saved policy HSG16 in the Unitary Development Plan (1998) and HSG7 of the Interim Planning Guidance (2007). These policies seek to ensure that high quality, useable amenity spaces are incorporated into new developments. It should be noted that no public open space was provided with the original scheme and the new units have acceptable quantum of private amenity space and so in this instance, the lack of public open space overall does not weigh against the overall merits of this scheme.
- 8.40 On balance, and given the site constraints, the applicant has demonstrated that the development site can absorb the additional development without any reciprocal impacts on the visual character of the building and no undue impacts on local amenity. The site also provides private amenity space which accord with the policy requirements for the proposal.

Refuse

- 8.41 Policy 5.17 of the London Plan, Policy DM14 of the Managing Development DPD (Submission Version, 2012), Policy SP05 of the Core Strategy (2010), Saved Policies DEV55 and DEV56 of the UDP (1998) and Policy DEV15 of the Interim Planning Guidance (2007) require developments to make suitable waste and recycling provision within developments.
- 8.42 There is an existing refuse storage area at ground floor level and this area will be upgraded to accommodate the new flats. The Council's Waste Management Team have assessed the proposed refuse provision and consider it to be acceptable for the estimated level of waste to be generated within the development.
- 8.43 It is considered that the proposal is acceptable in terms of refuse storage and collection, which accords with saved policy DEV55 of the Unitary Development Plan (1998), Policy DM14 of Managing Development: Development Plan Document (Submission Version May 2012) and policy DEV15 of the Interim Planning Guidance (2007) which requires waste and recycling facilities to be adequate to service the site.

Energy and Sustainability

- 8.44 London Plan energy policies aim to reduce carbon emissions by requiring the incorporation of energy efficient design and renewable energy technologies. Policy 5.2 and 5.7 state that new developments should achieve a reduction in carbon dioxide emissions of 40%. IPG policies DEV5 and DEV6 and CS policy SP11 have similar aims to London Plan policy.
- 8.45 In terms of the sustainability, the new proposal will be designed to achieve Code Level 4 and there will be renewable energy sources proposed in the form of Air Source Heat Pumps
- 8.46 The energy strategy approach embraces the 'lean-clean-green' energy hierarchy and demonstrates a significant contribution to reducing CO₂ emissions, which subject to condition would accord with the above policy objectives.

Transport and Highways

Car Parking

- 8.47 Policy 6.9 of the London Plan (2011), policy SP09 of the Core Strategy (2010), Policies DM22 and DM23 in the Managing Development DPD (submission version 2012), and policy

DEV19 in the Interim Planning Guidance (2007) seek to facilitate more walking and cycling activities and create a safer environment for cyclists.

- 8.48 The application site is highly accessible being within walking distance of both Tower Gateway DLR station and Tower Hill Tube station, and has good public transport accessibility (PTAL5). It lies within a controlled parking zone.
- 8.49 There are a total of 41 on site car parking spaces which are located within the secure lower ground floor parking area and within lower ground floor courtyard, which can be accessed from East Smithfield. There is a further car park within the open courtyard at ground floor level, which can be accessed from Cartwright Street through a secure gated entrance.
- 8.50 The applicant intends for the proposal to be car free and therefore new residents will be prohibited from having a car parking permit to parking on-street. The Council's Highway and Transportation Team was consulted on the proposal and raised no objections to a car free development secured through a s106 agreement.

Cycle Parking

- 8.51 London Plan (2011) Policies 6.1 and 6.9 seek to promote sustainable modes of transport, accessibility, and reduce the need to travel by car. Policy 6.3 also requires transport demand generated by new development to be within capacity.
- 8.52 Policy SP09 of the Core Strategy (2010), Policies DM22 and DM23 in the Managing Development DPD (Submission Version 2012) and policy DEV16 of the Interim Planning Guidance (2007) re-affirms this aim and also emphasizes the need to provide better facilities and a safer environment for cyclists.
- 8.53 The application proposal seeks to provide 10 additional cycle storage spaces, which will be located within the ground floor courtyard adjacent to the Cartwright Street entrance. The design and access statement confirms that an existing cycle storage facility exists within the lower ground floor garage, which the applicant is seeking to upgrade. The upgrade works however, do not form part of this application.
- 8.54 The Council's Highway and Transportation Team have reviewed the cycle parking provision proposed and they have confirmed that both this would be acceptable and would accord with Policies 6.1 and 6.9 of the London Plan (2011), policy DEV16 of the Interim Planning Guidance (2007) and policy SP09 of the Core Strategy (2010) which seek to secure adequate cycle parking in new development.

ANY OTHER ISSUES

Localism Act (amendment to S70(2) of the TCPA 1990)

- 8.55 Section 70(1) of the Town and Country Planning Act 1990 (as amended) entitles the local planning authority (and on appeal by the Secretary of State) to grant planning permission on application to it. From 15th January 2012, Parliament has enacted an amended section 70(2) as follows:
- 8.56 In dealing with such an application the authority shall have regard to:
 - a) The provisions of the development plan, so far as material to the application;
 - b) Any local finance considerations, so far as material to the application; and
 - c) Any other material consideration.
- 8.57 Section 70(4) defines "local finance consideration" as:

- a) A grant or other financial assistance that has been, or will or could be, provided to a relevant authority by a Minister of the Crown; or
- b) Sums that a relevant authority has received, or will or could receive, in payment of Community Infrastructure Levy.

8.58 In this context “grants” might include:

- a) New Homes Bonus

8.59 These issues now need to be treated as material planning considerations when determining planning applications or planning appeals.

8.60 Regarding Community Infrastructure Levy considerations, following the publication of the London Mayor’s Community Infrastructure Levy, Members are reminded that the London Mayoral CIL is now operational, as of 1 April 2012. The Mayoral CIL applicable to a scheme of this size as it will result in the payment of £25,747 towards Cross Rail, which is based on the gross internal area of the proposed development (764.2 square metres).

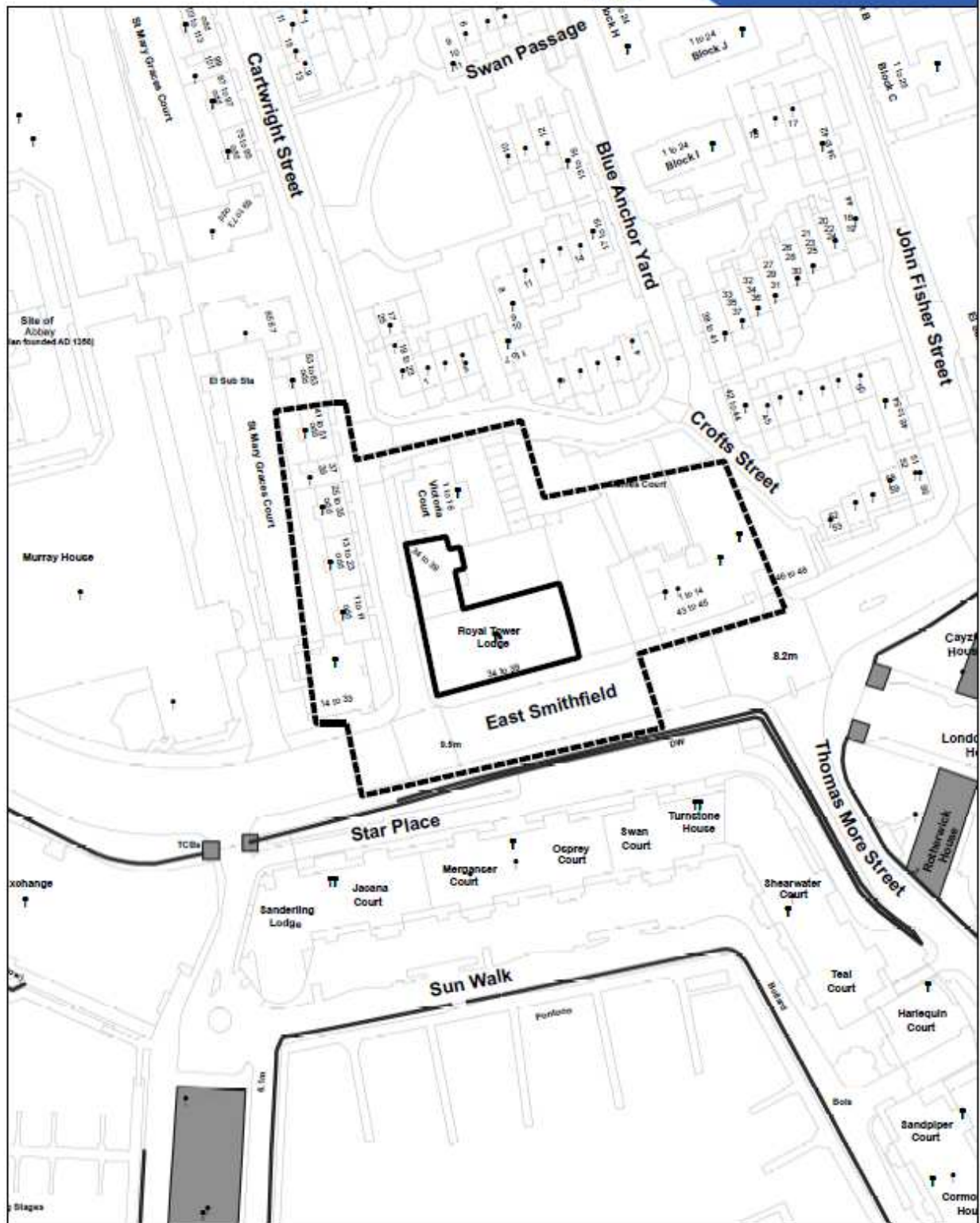
8.61 The New Homes Bonus was introduced by the Coalition Government during 2010 as an incentive to local authorities to encourage housing development. The initiative provides unring-fenced finance to support local infrastructure development. The New Homes Bonus is based on actual council tax data which is ratified by the CLG, with additional information from empty homes and additional social housing included as part of the final calculation. It is calculated as a proportion of the Council tax that each unit would generate over a rolling six year period.

8.62 Using the DCLG’s New Homes Bonus Calculator, and assuming that the scheme is implemented/occupied without any variations or amendments, this development is likely to generate approximately £15,833 within the first year and a total of £94,966 over a rolling six year period. There is no policy or legislative requirement to discount the new homes bonus against the s.106 contributions, and therefore this initiative does not affect the financial viability of the scheme.

CONCLUSION

8.63 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 PA/12/02235



Planning Application
Site Boundary



Locally Listed Buildings



Land Parcel Address



Consultation Area



Statutory Listed Buildings

0 15 m



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.

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