

Committee: Development Committee	Date: 13 th March 2013	Classification: Unrestricted	Agenda Item No: 7. 1
Report of: Corporate Director of Development and Renewal		Title: Planning Application for Decision	
Case Officer: Nasser Farooq		Ref No: PA/12/03288	
		Ward(s): Blackwall and Cubitt Town	

1. APPLICATION DETAILS

- Location:** Land in Saunders Ness Road, at rear of 1 Glenaffric Avenue, E14
- Existing Use:** Vacant/Brownfield Site
- Proposal:** Erection of three and four storey development to provide 4 x 4 bedroom terrace houses (use class C3) with provision of landscaping and off-street car parking spaces on vacant site.
- Drawing No's:** 1123/01C and 1123/02B
Design Statement dated December 2012
Impact Statement dated December 2012
Saunders Ness Road Daylight and sunlight letter dated 14th November 2012
Flood Risk Assessment dated April 2012
- Applicant:** Mr J Hough
Owner: As above
- Historic Building:** -Adjoins the Grade II listed Great Eastern Public House (Formally Known as the Waterman Arms Public House)
-Adjacent to the Grade II listed Newcastle Drawdock (including Bollards)
- Conservation Area:** Island Gardens Conservation Area

2. SUMMARY OF MATERIAL PLANNING CONSIDERATIONS

- 2.1 The local planning authority has considered the particular circumstances of this application against the Council's approved planning policies contained in the London Borough of Tower Hamlets Unitary Development Plan, Core Strategy 2010, the Managing Development Plan Document (Submission Version May 2012) with modifications, Interim Planning Guidance (October 2007), associated supplementary planning guidance, the London Plan and National Planning Policy Framework 2012 and has found that:
- The proposal makes efficient use of the site and provides an increase in the supply of housing within an acceptable density. As such the proposal accords with policies 3.3 and 3.4 of the London Plan (2011), HSG1 of the Council's Interim Planning Guidance (2007) and objective S07 of the Core Strategy (2010), which seek the maximum intensity of use compatible with local context.
 - The impact of the development on the amenity of neighbours in terms of loss of light, overshadowing, loss of privacy or increased sense of enclosure is acceptable given
-

the urban context of the site and as such accords with saved policies DEV1 and DEV2 of the Council's Unitary Development Plan (1998), policy SP10 of the Core Strategy (2010), policy DM25 of the Managing Development DPD (Submission Version 2012) with modifications and policies DEV1 and DEV2 of Council's Interim Planning Guidance (2007), which seek to ensure development does not have an adverse impact on neighbouring amenity.

- The building height, scale, bulk, design and relationship of the proposed development with the surrounding built form is acceptable and accords with policies 3.5 of the London Plan (2011), policies DEV1, DEV2 of the Council's Unitary Development Plan (1998) and policies DEV1, DEV2, CON1 and CON2 of the Council's Interim Planning Guidance (2007), policies DM24 and DM27 of the Managing Development DPD (Submission Version 2012) and policy SP10 of the Core Strategy (2010), which seek to ensure buildings are of a high quality design and sensitive to the setting of the Island Gardens Conservation Area and the Grade II* listed Public House.
- Transport matters, including parking, access and cycle parking, are acceptable and accord with policies 6.1, 6.3, 6.9, 6.10 and 6.13 of the London Plan (2011), policies T16 and T18 of the Council's Unitary Development Plan (1998), policy SP09 of the Core Strategy (2010), policies DM20 and DM22 of the Managing Development DPD (Submission Version 2012) with modifications and policies DEV18 and DEV19 of the Council's Interim Planning Guidance (2007), which seek to ensure developments minimise parking and promote sustainable transport options.

3. RECOMMENDATION

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

3.2 That the Corporate Director of Development & Renewal is delegated power to impose conditions and informatives on the planning permission to secure the following matters:

Conditions:

1. Time Limit 3 years
2. Compliance with approved plans and documents
3. Samples of all external facing materials and details of window reveals.
4. Details of replacement treesto be submitted and approved.
5. Construction Logistics and Management Plan
6. Hours of construction (08.00 until 17.00 Monday to Friday; 08.00 until 13:00 Saturday. No work on Sundays or Bank Holidays)
7. Detail of Highway Works to be submitted and approved
8. Cycle Parking details to be implemented on site
9. Permit free development for three of the properties
10. Retention of refuse facilities
11. Permitted Development Rights (GPDO 1995 as amended) removed for 4 dwellinghouses.
12. Any other planning condition(s) considered necessary by the Corporate Director Development & Renewal

Informatives

- 1) Section 278 required for works to highway.
- 2) Applicant advised to contact LBTH Building Control team.
- 3) No blocking of surrounding highway and carriageway.
- 4) No skips or construction materials shall be kept on the footway or carriageway.
- 5) Environment Agency- The applicant is advised to incorporate flood mitigation measures within the proposed development.

- 6) Thames Water- The applicant is advised to make proper provision for drainage of ground, water courses or a suitable sewer:
- 7) Cil Informative

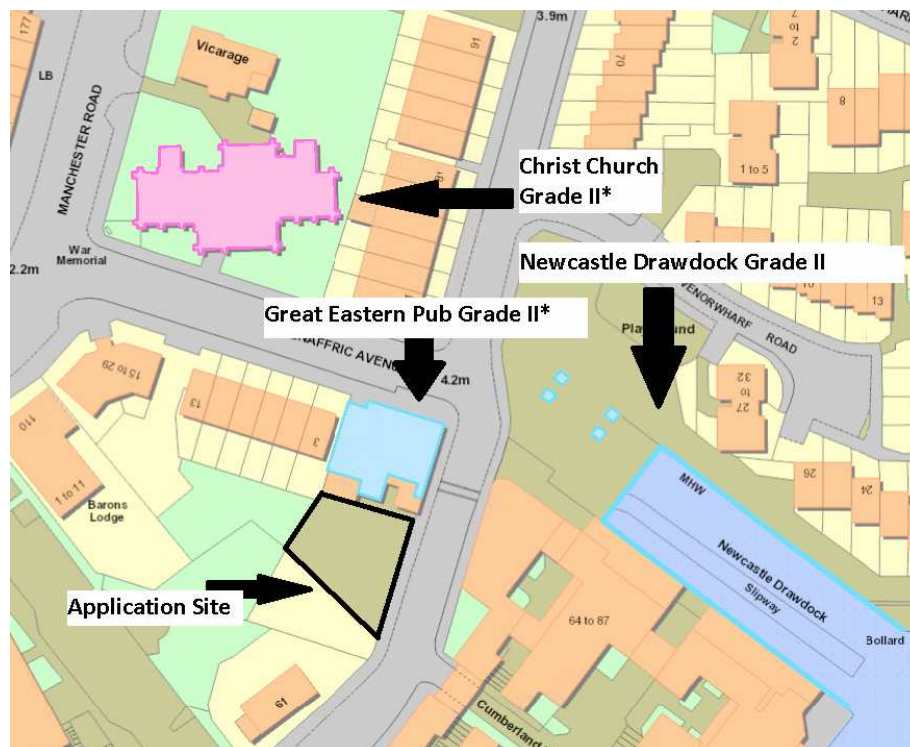
4. PROPOSAL AND LOCATION DETAILS

Proposal

- 4.1 The applicant seeks to erect part three, part four storey development to provide 4 x 4 bedroom terrace houses (use class C3) with provision of landscaping and off-street car parking spaces on vacant site.

Site and Surroundings

- 4.2 The application site area extends to 370sqm and is located on the western side of Saunders Ness Road. The site lies close to the junction of Saunders Ness Road and Glenaffric Avenue, close to the main arterial road on the Isle of Dogs, Manchester Road.
- 4.2 At the Junction of Saunders Ness Road and Glenaffric Avenue, lies the Great Eastern Public House (PH). The PH is an attractive building, three storeys in height and Grade II listed.
- 4.3 The PH forms a group of listed buildings/structures within Island Gardens Conservation Area, namely Christ Church and Christ Church Vicarage on Manchester Road (Grade II* listed), and with the Newcastle Craw Dock, Saunders Ness Road (Grade II listed). The application site in relation to these listed buildings is shown in the following annotated map.



Map 1: Showing site in relation to listed buildings.

- 4.4 Adjacent to the site are London Dockland Development Corporation developments which are residential in nature.
- 4.5 Following the site to the west along Saunders Ness Road is a day nursery and George Green's Secondary School.
- 4.6 To the rear of the site, lie residential properties accessed from Glenaffric Avenue and

Manchester Road respectively.

Relevant Planning and Enforcement History

- 4.7 The following section lists the relevant planning and enforcement history for the application site and the adjoining public house (PH)

Planning History

Application Site

- 4.8 PA/04/01233
On 12 October 2004 planning permission was refused for a retrospective application for the provision of 7 new off-street car parking spaces with access off Saunders Ness Road and the removal of two main limbs of trees on site. The decision was appealed and the appeal was subsequently dismissed.
- 4.9 The appeal was dismissed on highways safety and impact on the Grade II listed public house.
- 4.10 PA/11/03808
On 05th March 2012 planning permission was refused for the 'Erection of 4 x 4 bedroom terrace houses (use class C3) with provision of landscaping and off-street car parking spaces on vacant site.'
- 4.11 The current application is seeking to overcome the reasons for refusal on this application which are:

1. The proposed development by virtue of its lack of detail design front rendered projection with a front canopy, and general fenestration detail does not result in a high quality development and fails to preserve or enhance the character of the Island Gardens Conservation Area and the setting of the adjoining Grade II listed building. As such, the proposal fails to accord with adopted Policy 7.4 of the London Plan, policy SP10 of the Core Strategy (2010), saved Policy DEV1 of the Unitary Development Plan (1998), policies DM24 and DM27 of the Managing Development DPD (proposed submission version 2012), and policies DEV2, CON1 and CON2 of the Interim Planning Guidance (2007), which seeks to ensure a high quality design that contributes to the streetscene, and respects the setting of the boroughs heritage assets.

2. Insufficient information has been submitted to demonstrate that the proposal would not adversely affect the daylight/ sunlight conditions afforded to existing neighbouring residents. As such, the proposal fails to demonstrate compliance with policies SP10 of the adopted Core Strategy (2010), policy DEV2 of the Unitary Development Plan (1998), policy DEV1 of the Interim Planning Guidance (2007) and policy DM25 of the Managing Development DPD (proposed submission version 2012) which seek to protect residential amenity.

3. The provision of four parking spaces by virtue of design and location would require drivers to reverse onto Saunders Ness Road. No information has been submitted to demonstrate the required site lines can be achieved. As such, given the lack of information it is considered that the proposal would adversely impact on the safety of pedestrians on the footway of Saunders Ness Road by virtue of drivers having to reverse with an obstructed view of traffic. As such, the proposal is contrary to adopted Policy SP09(3) of the adopted Core Strategy (2010) and saved policy T18 of the Unitary Development Plan (1998) which seek to protect the safety of pedestrians and policy 6.3 of the London Plan (2011) which states

that development should not affect safety on the transport network.

4. The site is located within Flood Risk Zone 3a and the submitted Flood Risk Assessment is considered to lack the necessary detail on the probability of flooding. Based on this lack of information the local planning authority is not satisfied that the proposal has been suitably designed to mitigate against the risk of flooding. As such, the proposal fails to accord with government guidance set in PPS5 'Development and Flood Risk', policy SP04 of the adopted Core Strategy (2010), saved Unitary Development Plan policies U2 and U3, Interim Planning Guidance (2007) policy DEV21, these policies seek to prevent development from increasing the risk of flooding on site.

Adjoining Site (PH)

4.12 PA/11/00998

On 6 September 2011 planning permission was refused for change of use of the upper 1st and 2nd floors of The Watermans Arms from ancillary public house accommodation (Use Class A4) to backpackers' hostel accommodation (Sui Generis), comprising 8no. Dormitories with a total of 83no. beds.

4.13 PA/11/02210

On 13 October 2011 listed building consent was granted for the demolition of existing single storey rear brick store and concrete access ramps and formation of a new external timber decked courtyard area with planters.

Application site

4.14 Enforcement case (ref: ENF/11/00243).

May 2011 six mature trees were removed from the site without prior notification, which is required as the site is located within a conservation area.

4.15 The Applicant was prosecuted for the removal of trees and was required to pay a fine of £4,500 plus costs, however this carries next to no weight when considering the current application.

Adjoining Site (PH)

4.16 Enforcement case (ref: ENF/11/00808).

Alleged unauthorised change of use to hotel use and associated operational works. Enforcement Appeal was upheld and planning permission was effectively granted for a 60 bed hostel.

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:

Unitary Development Plan 1998 (as saved September 2007)

Policies:	DEV1	Design Requirements
	DEV2	Environmental Requirements
	DEV9	Control of Minor Works
	DEV12	Provision Of Landscaping in Development
	DEV50	Noise
	DEV55	Development and Waste Disposal
	DEV56	Waste Recycling
	HSG7	Dwelling Mix and Type

HSG13	Internal Space Standards
HSG16	Housing Amenity Space
T10	Priorities for Strategic Management
T16	Traffic Priorities for New Development
T18	Pedestrians and the Road Network
T21	Pedestrians Needs in New Development

Core Strategy adopted 2010

Strategic Objectives:	S07	Urban Living for Everyone
	S08	Urban Living for Everyone
	S09	Urban Living for Everyone
	SO14	Dealing with waste
	SO19	Making Connected Places
	SO20	Creating Attractive and Safe Streets and Spaces
	SO21	Creating Attractive and Safe Streets and Spaces
	SO22	Creating Distinct and Durable Places
	SO23	Creating Distinct and Durable Places
	SO25	Delivering Placemaking
Spatial Policies:	SP02	Urban Living for Everyone
	SP05	Dealing with waste
	SP08	Making connected Places
	SP09	Creating Attractive and Safe Streets and Spaces
	SP10	Creating Distinct and Durable Places
	SP12	Delivering Placemaking

Managing Development DPD(Submission Version2012) with alterations.

Policies	DM3	Delivering Homes
	DM4	Housing standards and amenity space
	DM14	Managing Waste
	DM20	Supporting a Sustainable transport network
	DM22	Parking
	DM23	Streets and the public realm
	DM24	Place sensitive design
	DM25	Amenity
	DM26	Building Heights
	DM27	Heritage and the historic environment

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

Policies:	DEV1	Amenity
	DEV2	Character and Design
	DEV10	Disturbance from Noise Pollution
	DEV12	Management of Demolition and Construction
	DEV13	Landscaping and Tree Preservation
	DEV15	Waste and Recyclables Storage
	DEV16	Walking and Cycling Routes and Facilities
	DEV17	Transport Assessments
	DEV18	Travel Plans
	DEV19	Parking for Motor Vehicles
	DEV22	Contaminated Land
	HSG1	Determining Residential Density
	HSG2	Housing Mix
	HSG7	Housing Amenity Space

Supplementary Planning Guidance/Documents

Designing Out Crime Parts 1 and 2

Spatial Development Strategy for Greater London (London Plan) 2011

Policies:	3.3	Increasing Housing Supply
	3.4	Optimising Housing Potential
	3.5	Quality and Design of Housing Developments
	3.9	Mixed and Balanced Community
	3.14	Existing Housing
	5.12	Flood Risk
	6.1	Strategic Approach
	6.3	Assessing Effects of Development on Transport Capacity
	6.9	Cycling
	6.10	Walking
	6.11	Smoothing Traffic Flow and Tackling Congestion
	6.13	Parking
	7.2	An Inclusive Environment
	7.3	Designing out crime
	7.4	Local Character
	7.5	Public Realm
	7.6	Architecture
	7.8	Heritage Assets and Archaeology

Government Planning Policy Guidance/Statements

NPPF National Planning Policy Framework

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

6. CONSULTATION RESPONSE

6.1 The views of the Directorate of Development and Renewal are expressed in the MATERIAL PLANNING CONSIDERATIONS section below. The following were consulted regarding the application:

Environment Agency (Statutory Consultee)

6.2 No objection in principle.

(Officer Comment: Informatives to cover the planning issues raised by the Environment Agency would be placed on any permission issued.)

LBTH Arboricultural Officer

6.3 The current tree planting with a specification to be agreed is acceptable. A contribution of £2250.00 is requested to plant an extra 6 trees for planting in the Highways.

(Officer Comment: Given, that the nature of the development it is not subject to an s106 agreement. A condition will be imposed on the consent requiring the planting of a minimum of 6 new trees, details of which to be submitted to and approved by the local planning authority. With regards to requesting this via the imposition of a condition, a condition

requiring a financial contribution is not considered to meet the necessary tests for imposing a condition)

LBTH Highways

- 6.4 The applicant has proposed one car parking space for each property in the form of a front driveway. The subject site is located in an area with poor access to public transport (PTAL 2).
- 6.5 Given the small size of this development (4x4 bed houses) and the low PTAL rating, Highways does not object to the proposal of 1 car parking space per unit.
- 6.6 Glenaffric Avenue has a night time on-street parking occupancy of 100% and Saunders Ness Road has a night time parking occupancy of 75%, which is approaching stress levels. The development shall therefore be subject to a section 106 on-street car permit free agreement.
- 6.7 Each property has a dedicated refuse and cycle store for two bicycles. This is in compliance with the London Plan of two cycle parking spaces per three or more bed residential unit.
- 6.8 A section 278 agreement will be required to construct the crossovers for the driveways and renew the footway in front of the site. Subject to the section 106 and 278 agreements, Highways have no objections.
- 6.9 *Updated comments in relation to Highways safety:*
- 6.10 The applicant has demonstrated that the vehicle-to-pedestrian inter-visibility of each of the proposed drives meets highway standards (1.5m visibility envelopes on each side of the parking space, measured from the back of the footway). Thus, despite the proximity of the curve in the road, Highways does not have pedestrian safety concerns sufficient to require removal of any of the driveways.
- 6.11 Regarding vehicle-to-vehicle inter-visibility and the road safety risk of collision between vehicles exiting the proposed driveways and vehicles using Saunders Ness Road. LBTH Highways have consulted the Metropolitan Police Traffic Management Officer who has raised concerns that the western two parking spaces will have insufficient visibility of vehicles approaching from the south for drivers who may be reversing from these properties onto Saunders Ness Road.
- 6.12 The insufficiency of these parking spaces is based on the 85th percentile speed here to be approximately 25mph. However, surveys by both the applicant and Highways officers indicate that the 85th percentile speed of vehicles travelling north on Saunders Ness Road is materially below 25 mph (approximately 20 mph) reducing the typical stopping distance required of vehicles.
- 6.13 Based on the information provided Highways are of the view that the westerly most space has insufficient vehicle-to-vehicle inter-visibility and that this space should be removed on the grounds of road safety, In response highways will not subject this residential unit to having a residential on-street parking permit free agreement.
- 6.14 Further mitigation will be achieved through installation of signage prior to the bend to slow vehicle traffic. This will be secured via a s278 agreement.
- 6.15 *(Officer comment: The applicant has agreed to this suggestion and omitted the most westerly parking space, the signage works along with the dropped kerb works are recommended to be carried out under a s278 agreement)*

LBTH Environmental Health –Noise and Vibration.

6.16 No comments received.

7. LOCAL REPRESENTATION

7.1 A total of 23 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 at the application site.

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

No. of individual responses: 18 Against: 6 In Support: 12
No of petitions received: 1 in against containing 33 signatures.

Objections Received

7.2 Land use/design

- Height
- Overdevelopment of site
- Proposal has an adverse impact on adjoining Listed Building and the Island Garden Conservation Area.

(Officer Comment: The above issues are addressed within Material Planning Considerations under 'Land Use' and 'Housing'.)

7.3 Amenity Impacts

- Loss of trees
- Privacy
- Shadowing

(Officer Comment: the above issues are discussed further within Material Planning Considerations under 'amenity' and 'Loss of trees'.)

7.4 Highway Impacts

- Increase in traffic
- impacting upon the safety of pedestrians and the highway network

(Officer Comment: The development will be secured as car and permit free. This will prevent any exacerbation of traffic on local roads. Three of the four parking spaces have been considered by the Highway department and considered acceptable in terms of provision and highway safety, the remaining car-parking space has been omitted from the proposals. The Highways impacts are discussed in more detail within Material Planning Considerations under 'Transportation'.)

Letters of support

- 7.5
- Proposal is policy compliant in that it is an acceptable land use, acceptable design, preserves residential amenity and supports housing growth.
 - Proposal is an improvement on the existing condition of the site.
 -

(Officer Comment: These comments have been noted.)

8.0 MATERIAL PLANNING CONSIDERATIONS

- 8.1 The application has been fully considered against all relevant policies under the following report headings:
1. Land-use
 2. Housing
 3. Design, Impact on Heritage Assets
 4. Amenity
 5. Transportation

Land-use

- 8.2 The application site has no specific designations in the adopted Unitary Development Plan 1998 (UDP), the Interim Planning Guidance 2007 (IPG) or the Managing Development DPD (Submission Version May 2012) (MD DPD). The application proposes a residential development comprising 4 residential dwellings provided as a single terrace of properties. Each property is proposed to be delivered with private amenity space to the rear and a front garden fronting Saunders Ness Road, providing defensible space onto the local streetscape.

Prior to being felled, the site contained 6 mature Sycamore trees which provided a visual amenity contribution to the streetscene, the unlawful felling of the trees in May 2011 has resulted in the site appearing fairly unattractive, lacking a presence in the streetscene and harming the appearance of the conservation area and the grade II listed building.

The National Planning Policy Framework (NPPF) seeks to boost significantly the supply of housing. The application site whilst having a low Public Transport Accessibility Level (PTAL) rating of 2 with one being the lowest is located closest to the Island Gardens DLR and local bus services.

In land use terms, subject to the suitable replacement of the felled trees, the site is considered appropriate for re-development, in particular for residential uses which are prevalent in the area.

In overall terms, officers are satisfied that the development makes the most efficient use of land. In terms of housing use it is noted that the surrounding area is residential in nature and would therefore provide a suitable environment for future residential accommodation. The provision of additional units at this location would assist in meeting the boroughs housing targets in accordance with policies 3.3 and 3.4 of the London Plan (2011), policies S07 and SP02 of the Core Strategy September (2010) and national planning guidance contained in the recently adopted NPPF.

Housing

- 8.9 The application proposes 4 residential (Use Class C3) units at the application site. All accommodation is proposed as private sale accommodation, as this development is not of a scale to require the delivery of affordable housing.

All four residential units are proposed to be four bedroom family homes. The Council's housing studies have identified that there is a significant deficiency of family housing within the Borough. This shortage is reflected in Council policy which seeks to ensure development provides a range of dwelling sizes.

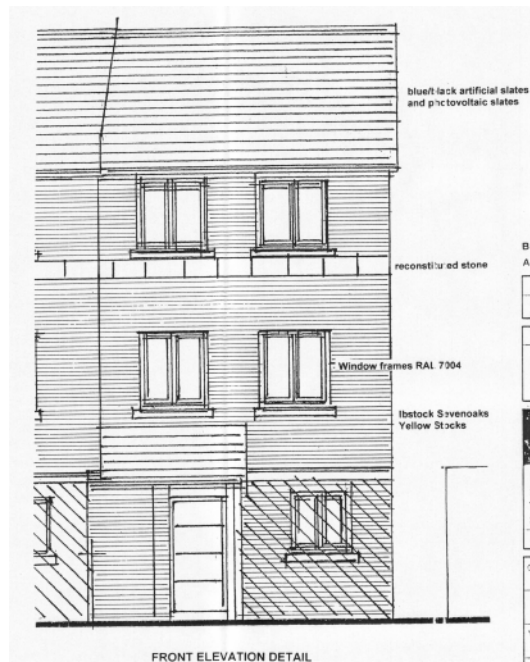
Saved policy HSG7 of the UDP requires development to provide a mix of unit sizes and this is reflected in London Plan policy 3.8 which also requires development to offer a range of housing choice. Policy SP02 of the CS and MD DPD policy DM3 specifies the particular mix of unit sizes required across different tenures in the Borough.

- 8.12 The proposed housing mix provides single family dwellinghouses which mirror the

accommodation provision along parts of Saunders Ness Road. This is in-keeping with the existing type and mix of housing in the immediate area and is considered to accord with planning policy in the delivery of family accommodation in the local area, which is meeting an identified need in the borough.

Design, Impact on Heritage Assets

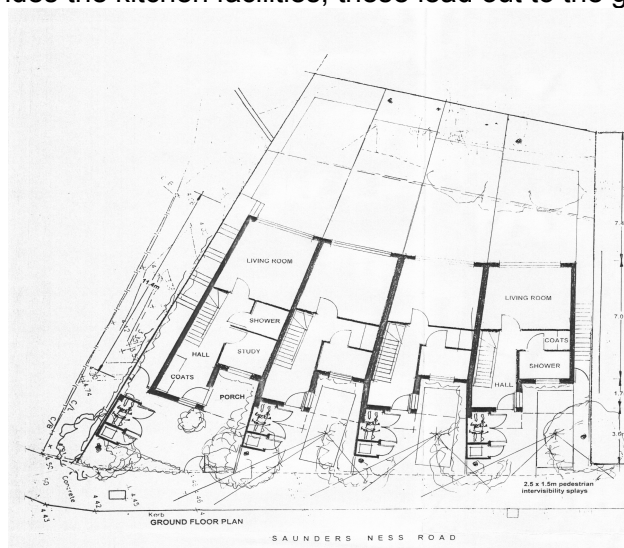
- 8.13 Good design is central to the objectives of national, regional and local planning policy. Policy 3.5 of the London Plan provides guidance on the quality and design of housing developments and specifies a number of criteria aimed at achieving good design. These criteria are reflected in saved policies DEV1 and DEV2 of the UDP; strategic objectives and policies SO20, SO21, SO22, SO23 and SP10 of the CS, policies DM23 and DM34 of the emerging MD DPD and IPG policies DEV1 and DEV2.
- 8.14 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.
- 8.15 Furthermore, policy SP10 of the CS and DM24 of the MD DPD 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 within their surroundings.
- 8.16 The application is seeking permission for the erection of four x 4 bedroom houses in a staggered appearance on this infill site. Fronting Saunders Ness Road the houses are proposed as three storeys in height and to be constructed of yellow stock brick. They are staggered in terms of appearance with each having pitched roofs, with reconstituted stone detailing on the front elevation. A single storey front 'porch type' addition is also proposed.
- 8.17 The applicant in order to meet code for sustainable homes level 4 is proposing a combination of artificial and photovoltaic slates to the front elevation which is south facing.
- 8.18 Given the steep gradient of the site, the kitchen and dining room areas are located at a lower ground floor level and lead out to small gardens, creating the appearance of four storey buildings to the rear.
- 8.19 The applicant has omitted the two storey front projection, the front canopy and the rendered projection which formed the principle design concerns from the earlier proposal.
- 8.20 The front elevation is shown on the following plan.



8.21 The house nearest to the grade II listed public house is set 8.5m away from the main three storey part of the public house and set back from Saunders Ness Road by around 5 metres. The street scene elevation is shown in the image below.



8.22 The following plan outlines the ground floor of the units. The Ground floor consists of a lobby, and a small lobby and a living room. The upper floors consist of bedrooms and a lower ground floor level provides the kitchen facilities, these lead out to the garden.



8.23 Overall, the proposed terraced housing approach is considered suitable to the sites context.

The design, omitting obtrusive features from an earlier scheme is now considered acceptable and considered to overcome the previous reason for refusal.

- 8.24 The final materials will be conditioned to ensure they are acceptable especially in relation to the solar slate panels.
- 8.25 The design, scale, height and bulk of the proposed development is therefore considered to be acceptable and in accordance with saved policies DEV1, DEV2 and DEV3 of the UDP; policies SO20, SO21, SO22, SO23 and SP10 of the CS, policies DM23 and DM34 of the MD DPD (submission version 2012) and IPG policies DEV1 and DEV2.

Impact on Local Heritage Assets

- 8.26 The site is located within the Island Gardens Conservation Area, and there are several listed buildings/ structures in close proximity of the site. Of these, the Grade II listed public house adjoins the site.
- 8.27 The proposed London stock brick and design of the buildings is considered appropriate to the context of the site and would preserve and enhance the character and appearance of the Island Gardens Conservation Area.
- 8.28 The proposed height of the dwellings, which is just below the public house along with the setback away from the public house, is considered to preserve and enhance the setting of this Grade II listed heritage asset.
- 8.29 Overall, the design, scale and relationship of the proposed housing is considered to preserve the character of the Island Gardens conservation area and the setting of the Grade II listed public house. The proposal would accord with policies CON1 and CON2 of the IPG, policy SP10 of the Core Strategy, policy DM27 of the MD DPD and national guidance contained within the NPPF.

Amenity

Daylight and Sunlight

- 8.30 Policies DEV2 of the UDP, DM25 of the MD DPD and SP10 of the CS seek to ensure that adjoining buildings are not adversely affected by a material deterioration in their daylighting and sunlighting conditions. Policy DEV1 of the IPG states that development should not result in a material deterioration of sunlight and daylighting conditions for surrounding occupants. These policies also seek to ensure the amenity of future occupants.
- 8.31 The previous application was refused, due to a lack of information on daylight/sunlight and as such, officers were unable to be certain that the proposed development would not adversely impact on the amenity of adjoining residents to the rear of the site and of those in the public House.
- 8.32 The revised application provides additional information outlining, that due to the oblique distances involved the proposed development would not fall within any of the vertical sky assessments for local residents to warrant a full daylight/ sunlight assessment. On this basis, officers are satisfied that the proposed development would not give rise to any unduly detrimental impact on local residents in terms of Daylight/ Sunlight.
- 8.33 The proposed development would not have an adverse impact on neighbours and future residential occupiers in terms of loss of daylight and sunlight. The proposal is therefore considered acceptable and complies with UDP policy DEV2, CS policy SP10, DM25 of the MD DPD (submission version 2012)with modifications, and IPG policy DEV1.

Overshadowing

- 8.34 Due to the orientation of the building, the proposed development is likely to cause some overshadowing of the rear gardens in the early morning and late evening, however this is considered to be fairly minor in nature given the separation distances involved and considered acceptable overall, not leading to a loss of amenity.

Privacy

- 8.35 Saved UDP Policy DEV 2 and policy DM25 of the MD DPD (submission version 2012) requires that new development should be designed to ensure that there is sufficient privacy for neighbouring residents. These policies state that a distance of 18m between opposing habitable rooms reduces inter-visibility to a degree acceptable to most people.
- 8.36 The application site achieves a separation distance of 18 metres between the proposed development and the existing residential blocks opposite the site on Saunders Ness Road, and around 50 metres to those located at Manchester. The remaining properties at 3-13 Glenaffric Avenue are located at oblique angles.
- 8.37 The proposal therefore will ensure no significantly adverse impacts arise from the proposal. As such, the proposal accords with saved policy DEV2 of the UDP, policy SP10 of the CS, policy DM25 of the MD DPD and policy DEV1 of the IPG which seek to protect the amenity of future residents.

Residential Floorspace Standards

- 8.38 London Plan policy 3.5 seeks quality in new housing provision and together with MD DPD policy DM4 and saved UDP policy HSG13, requires new development to make adequate provision of internal residential space.
- 8.39 The submitted drawings and details of the unit layouts show that the units meet the requirements of the space standards set out in policy 3.5, table 3.3, of the London Plan 2011 and policy DM4 of the MD DPD.

Residential Amenity Space

- 8.40 Saved UDP policy HSG 16 requires that new development should make adequate provision for private amenity space, IPG Policy HSG7 and MD DPD policy DM4 set minimum space standards for the provision of private amenity space in new developments.

The application proposes the following private amenity space to the rear of each property:

Unit No.	Amenity space (sq.m)	Policy DM4 of Managing Development DPD (submission version 2012) with alterations
No.1	37sqm	8-10sqm
No.2	32sqm	8-10sqm
No.3	32sqm	8-10sqm
No.4	37sqm	8-10sqm

- 8.41 In quantitative and qualitative terms, the development provides quality private amenity space provision for family sized living accommodation and meets local policy requirements.

- 8.42 The limited scale of the proposal means that the applicant is not required to provide detailed landscaping proposal within each residential property. However, permitted development rights have been removed and this will control the height of the boundary treatment.

Noise/Disturbance

- 8.43 Saved Policy DEV50 of the UDP, policy DM25 of the emerging MD DPD and policy SP10 of the CS state that the Council will consider the level of noise from a development as a material consideration. This policy is particularly relevant to construction noise during the development phase. To ensure compliance with this policy conditions would be placed on any permission restricting construction works to standard hours. Given the residential nature of the use, it is considered that the use is compatible with the area and there are unlikely to be any material noise related impacts from the proposed development.

Transportation

- 8.44 London Plan policies 6.1, 6.3, 6.9, 6.10, 6.13, CS policy SP09 and emerging MD DPD policies DM20 and DM22 in broad terms seek to promote more sustainable modes of transport by reducing car-parking and improving public transport.
- 8.45 Local Plan policies seek to ensure that consideration is given to the traffic impact of operational requirements of a proposed use and also seek to ensure priority is given to the safety and convenience of pedestrians.

Car-parking

- 8.46 The current proposals provide one car-parking space for three of the four units, the principle of which has already been considered acceptable within the earlier application. The subject site is located in an area with poor access to public transport (PTAL 2). Given the small size of this development (4x4 bed houses) and the low PTAL rating, Highways have not objected to the proposed 1 car parking space per unit for three of the four units.
- 8.47 It is considered necessary to promote the scheme as permit free for the three houses that would have a parking space, especially given the highways department have identified the adjoining streets as reaching 'stressed levels' in relation to the number of parking permits issues and night-time occupancy levels.
- 8.48 Subject to the imposition of car and permit free agreements for three of the four dwellings the proposal accords with London Plan policies 6.1 and 6.13, MD DPD policy DM22 and IPG policy DEV19

Highway Safety

- 8.49 The car-parking spaces are to be located off street and in the front of the proposed dwelling houses. They would be accessed from Saunders Ness Road. No information was provided within earlier applications (PA/04/01233 and PA/11/03808) to demonstrate the required site lines can be achieved to ensure vehicles reversing back onto the highway would not impede on pedestrian safety. This has formed part of previous reasons for refusal, with officers unable to be satisfied that the proposed development would not adversely affect Highway safety.
- 8.50 The current application is accompanied with information on vehicular site lines for vehicles leaving the parking space, which has been reviewed by the Councils highways officers and considered acceptable
- 8.51 In addition, concerns have been raised by members of the public regarding highway safety, with Saunders Ness Road having a blind and with George Green School located around

70metres south west of the site.

- 8.52 Reference is made to the comments made by the Councils Highways department (sections 6.4 to 6.15 of this report)As a result of these concerns and advice from the Highways department the applicant has omitted the most westerly car parking space for one of the properties, as it would be unable to meet acceptable sightlines and potentially cause an obstruction on the public highway.
- 8.53 The omission of the car parking space, the provision of sightlines, and subject to a s278 agreement to provide a signage to slow down along Saunders Ness Road, satisfies officers that the proposal will not have an unacceptable impact on the local highway network.

Cycle Parking

- 8.54 The application proposes cycle parking facilities to be contained within each residential property, with each unit proposing a cycle store at ground floor level offering safe and secure cycle parking for future residential occupiers.
- 8.55 The provision of secure cycle parking for each residential unit accords with London Plan policy 6.9 and IPG policy DEV16 and is acceptable. It is recommended that these stores are secured by condition.

Others

Trees

- 8.55 Concerns have been raised with regard to the loss of mature trees within the application site. However, given these have already been felledthe applicant and appropriate enforcement action taken. The applicant will be required by condition to re-plant 6 new trees within the boundary of the site, the details of which will be agreed with the Councils Tree Officer. It is considered that this will partially mitigate against the loss of amenity value afforded by the trees that have been lost.

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

- 8.56 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:
- 8.57 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.
- 8.58 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.
- 8.59 In this context "grants" might include the new homes bonus and payment of the community infrastructure levy.

- 8.60 These issues now need to be treated as material planning considerations when determining planning applications or planning appeals.
- 8.61 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 is approximately £20,720 which is based on the gross internal area of the proposed development 592sqm.
- 8.62 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.
- 8.63 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 £7,089.00 within the first year and a total of £42,536.00 over a rolling six year period.

9.0 **Conclusions**

- 9.1 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.

