

Committee: Strategic Development	Date: 18 th January 2006	Classification: Unrestricted	Report Number:	Agenda Item Number: 8.6
Report of: Director of Development and Renewal Case Officer: Rachel Blackwell		Title: Town Planning Application Ward: Bethnal Green North		

1. APPLICATION DETAILS

Location:	Empress Coach works, 1 to 4 Corbridge Crescent and site at rear, Corbridge Crescent, London, E2 9DS
Reference Number:	PA/05/00663
Existing Use:	Coach storage yard with associated buildings containing workshop and office accommodation
Proposal:	Construction of buildings up to 11 storeys to provide 511sq.m. of commercial space on ground floor, 129 residential units and associated car parking.
Drawing Nos/Documents:	204009/100B, 204008/120C, 204009/121B, 204009/122B, 204009/123B, 204009/124B, 204009/125B, 204009/126B, 204009/127B, 204009/128B, 204009/129B, 204009/130B, 204009/140B, 204009/141B, 204009B/143B, 204009/144B, 204009/150A, 204009/151A Planning Statement – April 2005 Historic Buildings Assessment – August 2004 Transport Assessment - April 2005 Sustainable Energy Strategy – April 2005 Urban Design Statement – May 2005 Sun and Daylight Report – May 2005 Density Statement Accessibility (Transport) Statement – August 2005 Environmental Statement, Wind Microclimate Study – October 2005 Landscape Proposals – July 2006 Overshadowing Report - July 2006
Applicant:	KKM Architects
Ownership:	Ridley Villas Ltd
Historic Building:	N/A
Conservation Area:	N/A

2. RECOMMENDATION

- 2.1 That the Committee resolve to REFUSE planning permission on the grounds that:

LOCAL GOVERNMENT ACT 2000 (Section 97) LIST OF BACKGROUND PAPERS USED IN THE DRAFTING OF THIS REPORT

Brief Description of background papers:	Tick if copy supplied for register	Name and telephone no. of holder:
Application, plans, adopted UDP, draft LDF and London Plan		Rachel Blackwell 020 7364 0436

1) The proposal would result in an over development of the site, with a proposed residential density of 1,713 hr/ha, resulting in unacceptable design, amenity and environmental impacts as outlined in reasons for refusal (2) to (6), and as such it is contrary to:

(a) Policy HSG9 of the Tower Hamlets Unitary Development Plan 1998 which defines a normal guideline of 247 hr/ha for new residential development

(b) Policy HSG1 of the Local Development Framework, Core Strategy and Development Control Development Control Submission Document and Policy 4B.3 of the London Plan 2004, which identifies the appropriate density range for the site as being 650-1100hr/ha based on location, setting and public transport accessibility.

2) The development would be insensitive to the context of the surrounding area by reason of design, mass, scale and height and fail to take account of the development capabilities of the site. As such the proposal is contrary to:

(a) Policies DEV1 and DEV2 of the Tower Hamlets Unitary Development Plan 1998, which requires development to be sensitive to the surroundings and the development capabilities of the site.

(b) Policy DEV6 of the Tower Hamlets Unitary Development Plan 1998, which requires the development of high buildings outside the central area zone to have regard to the design, siting and character of the locality and their effect on views.

(c) Policy DEV2 of the Local Development Framework Core Strategy and Development Control Development Plan Document, which requires development to be, designed to the highest design quality standards.

(d) CP48 and Policy DEV27 of the Local Development Framework Core Strategy and Development Control Development Plan Document, which specify the criteria to assess tall buildings.

(e) Policies 4B.1, 4B.3, 4B.8 and 4B.9 of the London Plan 2004 which provide location and assessment criteria for tall buildings.

3) The applicant has not adequately demonstrated how the development will accommodate the principles of accessibility and inclusive design given the failure to submit an Access Statement. As such the proposal is contrary to:

(a) Policies DEV1, DEV2 and DEV 3 of the Local Development Framework Core Strategy and Development Control Development Plan Document, which require a design and access statement to accompany planning applications.

(b) Policy 4B.5 of the London Plan 2004.

4) The development would fail to provide a satisfactory standard of residential accommodation in that the applicant has not demonstrated that any of the units meet Lifetime Home Standards and incorporate inclusive design principles. As such the proposal is contrary to Policy DEV3 Local Development Framework, Core Strategy and Development Control Submission Document and Policy

3A.14 of the adopted London Plan 2004 which requires development to incorporate inclusive design principles as well as ensuring that all dwellings meet Lifetime Homes Standards and that 10% are wheelchair accessible

5) The applicant has not adequately demonstrated mitigation against unreasonable noise sources to future occupants from the nearby railway line. As such the proposal is contrary to:

(a) Policy DEV10 Local Development Framework, Core Strategy and Development Control Submission Document to ensure that occupiers and neighbours should be protected from excessive noise and vibration pollution.

(b) Policy 4A.14 of the London plan which seeks to reduce the adverse impacts of noise from development proposals.

6) The development would be insensitive to its location adjacent to the Regents/Grand Union Canal by reason of design, mass, scale and height, resulting in overshadowing that could potentially affect the canal ecology. As such the proposal is contrary to:

(a) Policy DEV57 of the Tower Hamlets Unitary Development Plan 1998, which seeks to protect Sites of Nature Conservation Importance.

(b) Policy OSN3 Local Development Framework, Core Strategy and Development Control Development Control Submission Document, which requires development adjacent to the Blue Ribbon Network to respect its water location.

(c) Policy 43.C of the London Plan, which seeks to protect and enhance the biodiversity of the Blue Ribbon Network.

3. PROPOSAL AND LOCATION DETAILS

Proposal

3.1 An application has been made for full planning permission to redevelop land at 1-4 The Oval and 1-3 Corbridge Crescent by demolition of the existing buildings on the site and erection of an 11 storey residential led development with B1 units at ground level. The development is proposed to incorporate 130 residential units with 14 car parking spaces and 160 cycle spaces provided within the podium level.

3.2 The building would comprise an 11 storey form massed towards the corner of Corbridge Crescent and The Oval. The form reduces to 9 storeys as it departs from the corner of the site and is further reduced to 8 storeys at the abuttal with 5-6 The Oval. The building comprises a central podium at ground level containing the following features:

- A basement car park accessed from The Oval containing 14 car parking spaces, and one disabled space.
- 2 Commercial units (B1 use, 511m²) fronting both The Oval and Corbridge Crescent.

- Pedestrian access to residential accommodation above. There are 4 separate entrances proposed.
 - Cycle spaces.
 - Bin Storage.
 - Plant equipment.
- 3.3 Located above the podium level is a central area of communal open space. Communal roof gardens are also proposed on the 6th and 7th floors of the development.
- 3.4 It is also sought to carry out public realm improvement works, including paving, landscaping, seating, lighting, etc to the site at both The Oval and Corbridge Crescent frontages to improve the integration between the site and the canal environs. Enhancements are also proposed to Grove Passage, Hare Row and under the railway viaduct to improve the aesthetics as well as the safety and security of access to the site.

Site and Surroundings

- 3.5 The application site comprises land at 1-4 the Oval and 1-3 Corbridge Crescent, London. The site is located to the north of Bethnal Green within 100 metres of Cambridge Heath Road. The site is currently occupied by the Empress Coachworks, which is enclosed by a brick wall with a single storey workshop building located in the southern portions of the site. A two storey building is located at the north west corner of the site, which provides a reception and office. The remainder of the site is used for open storage. Historically the site was used for a saw mill, timber yard and a bottle factory.
- 3.6 Corbridge Crescent to the north of the site runs parallel with the Regents Canal/Grand Union Canal. The canal has a width of approximately 15 metres. This watercourse also forms the boundary with the LB of Hackney. The north and part west boundaries of the site front Corbridge Crescent. Bollards are provided at the eastern end of Corbridge Crescent where the site abuts Cambridge Heath Road. Therefore it is only possible to access the site by vehicle from The Oval.
- 3.7 To the north of the site on the opposite side of the Regents/Grand Union Canal are a number of residential properties and vacant industrial land fronting Andrews Road. The towing path is located on the north side of the canal and provides access in an east/west direction along the canal. This access is frequently used by pedestrians and cyclists.
- 3.8 The Oval abuts the western site boundary and separates into two portions of roadway to the south of the site, with an oval shaped car parking area in the centre. Historically the Oval was a public park and is designated as a London Square and is protected by the London Square Preservation Act 1931.
- 3.9 Further to the west of the site on the opposite side of The Oval is No 5-10 Corbridge Crescent. This site is currently vacant. Further west is the Bethnal Green Gasworks, which rises up to approximately 10 storeys in height.
- 3.10 To the south of the site is 3-4 The Oval currently containing a 2-3 storey form associated with light industrial uses. Immediately to the east of the site is the railway viaduct, which carries National

Rail services. Pedestrian access is provided from the site through to the Cambridge Heath Road via Corbridge Crescent and Hare Row and to Hackney Road via Grove Passage and The Oval.

3.11 The area bounded by Cambridge Heath Road to the east, Regents Canal to the north, Hackney Road to the South and the gasworks to the west is predominantly employment use other than a Church and commercial and residential development located on Cambridge Heath and Hackney Roads. The nature of land use within the area is currently evolving with a number of recent planning applications to develop mixed use development, including office and residential uses at this location.

3.12 Recent permissions in the area include:

- PA/06/71 - 22-27 The Oval - Change of use from a design studio to an education centre - Permission 09/03/2006
- PA/04/640 - 5-6 Corbridge Crescent - Demolition and construction of a 9 storey building containing B1 units at ground level and 72 flats - Permission - 03/04/2006
- PA/05/421 - 33-35 The Oval - Demolition and construction of a 5 storey building containing B1 units at ground level and 14 flats - Permission 15/12/2005
- PA/02/855 - 5-6 Corbridge Crescent - Demolition of the existing buildings and erection of 3 class B1 units and 10 live work units - Permission - 12/12/2002
- PA/01/188 - 5-6 Corbridge Crescent - Retention of print works on ground floor and erection of 2-3 additional storeys to create 8 live work units - Permission 13/09/2001
- PA/01/446 - Between 3-4, 5-6 The Oval - Construction of a pre fabricated building on the site - Permission 10/12/2001
- PA00/938 - 20A The Oval - Demolition and construction of a 2 storey building containing B1 use - Permission - 21/11/2000

3.13 The site is well located in terms of public transport. The site has a PTAL (Public Transport Accessibility Level) of 6. Cambridge Heath Railway Station is located approximately 150 metres to the south of the site. This station provides services operated by One Railway. Bethnal Green Underground Station (Central Line) is located approximately 800 metres to the south and can be reached in about 10 minutes by foot. There are a number of bus stops located on both Cambridge Heath and Hackney Roads.

Planning History

3.14 The following planning decisions are relevant to the site:

PA/01/01446 - Planning permission was issued on the 10th December 2001 for the erection of a 2 storey prefabricated building for use as temporary offices.

4. POLICY FRAMEWORK

4.1 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

Proposals:		N/A
Policies	DEV1	Design Requirements
	DEV2	Environmental Requirements
	DEV3	Mixed Use Developments
	DEV4	Planning Obligations
	DEV6	High Buildings Outside the Central Area Zone
	DEV12	Landscaping Provision
	DEV13	Planting
	DEV17	Street Furniture
	DEV18	Public Art
	DEV34	London Squares
	DEV46	Protection of Waterways & Water Bodies
	DEV47	New Development Adjacent to rivers, canals and other water areas
	DEV48	Access to Waterways in New Development
	DEV50	Construction Noise
	DEV51	Contaminated land
	DEV54	Health & Safety Executive
	DEV55	Development & Waste Disposal
	DEV56	Development & Recycling of Waste
	DEV57	Sites of Nature Conservation Importance
	DEV62	Development Adversely Affecting the Ecology of Sites of Nature Conservation
	HSG2	Location of New Housing
	HSG3	Affordable Housing
	HSG7	Dwelling Mix & Type
	HSG8	Access to Housing
	HSG9	Density in Family Housing
	HSG13	Standard of Dwelling
	HSG16	Housing Amenity Space
	T15	Transport & Development
	T17	Planning Standards (Parking)
	T20	Pedestrian facilities along Canals
	T21	Improvement of Existing Pedestrian Routes

Emerging Local Development Framework

Proposals:	C6	Development Sites (Subject to the preparation of the Central Area AAP)
Core Strategies	IMP1	Planning Obligations
	CP1	Creating Sustainable Communities
	CP2	Equal Opportunity
	CP3	Sustainable Environment
	CP4	Good Design
	CP5	Supporting Infrastructure
	CP9	Employment Space for Small Businesses
	CP11	Sites in Employment Use
	CP19	New Housing Provision
	CP20	Sustainable Residential Density
	CP21	Dwelling Mix & Type
	CP22	Affordable Housing
	CP25	Housing Amenity Space
	CP30	Improving the Quality and Quantity of Open

		Space
	CP31	Biodiversity
	CP33	Sites of Importance for Nature Conservation
	CP38	Energy Efficiency and Production of Renewable Energy
	CP39	Sustainable Waste Management
	CP40	A Sustainable Transport Network
	CP41	Integrating Development with Transport
	CP42	Streets for People
	CP46	Accessible and Inclusive Environments
	CP47	Community Safety
	CP48	Tall Buildings
Policies:	DEV1	Amenity
	DEV2	Character & Design
	DEV3	Accessibility & Inclusive Design
	DEV4	Safety & Security
	DEV5	Sustainable Design
	DEV6	Energy Efficiency & Renewable Energy
	DEV7	Water Quality and Conservation
	DEV8	Sustainable Drainage
	DEV9	Sustainable Construction Materials
	DEV10	Disturbance from Noise Pollution
	DEV11	Air Pollution and Air Quality
	DEV12	Management of Demolition and Construction
	DEV13	Landscaping and Tree Preservation
	DEV14	Public Art
	DEV15	Waste and Recyclables Storage
	DEV16	Walking and Cycling Routes and Facilities
	DEV17	Transport Assessments
	DEV18	Travel Plans
	DEV19	Parking for Motor Vehicles
	DEV20	Capacity of Utility Infrastructure
	DEV21	Flood Risk Management
	DEV22	Contaminated Land
	DEV24	Accessible Amenities and Services
	DEV27	Tall Buildings Assessment
	EE2	Redevelopment /Change of Use of Employment Sites
	HSG1	Determining Residential Density
	HSG2	Housing Mix
	HSG3	Affordable Housing Provisions in Individual Private Residential and Mixed-use Schemes
	HSG4	Varying the Ratio of Social Rented to Intermediate Housing
	HSG7	Housing Amenity Space
	HSG9	Accessible and Adaptable Homes
	HSG10	Calculating Provision of Affordable Housing
	OSN3	Blue Ribbon Network and the Thames Policy Area
	CON3	Protection of World Heritage Sites, London Squares, Historic Parks and gardens

Supplementary Planning Guidance/Documents

Designing Out Crime
Sound Insulation
Residential Space
Canal side Development
Landscape Requirements

Spatial Development Strategy for Greater London (London Plan)

Policy 4A.7 Energy Efficiency and Renewable Energy
Policy 4A.8 Energy Assessment
Policy 4A.9 Providing for Renewable Energy
Policy 4A.10 Supporting the provision of renewable energy
Policy 4A.14 Reducing Noise
Policy 4B.1 Design Principles for a compact city
Policy 4B.2 Promoting world class architecture and design
Policy 4B.3 Maximising the potential of sites
Policy 4B.4 Enhancing the Quality of the Public realm
Policy 4B.5 Creating an inclusive environment
Policy 4B.6 Sustainable Design and construction
Policy 4B.7 Respect Local context and communities
Policy 4B.8 Tall buildings, location
Policy 4B.9 Large scale buildings, design and impact
Policy 4C.1 The strategic importance of the Blue ribbon network
Policy 4C.2 Context for sustainable growth
Policy 4C.3 The natural value of the Blue ribbon Network
Policy 4C.20 Design, starting from the water
Policy 4C.28 Development adjacent to canals

Government Planning Policy Guidance/Statements

PPG1 General Policy and Principles
PPG3 Housing
PPG9 Nature Conservation
PPG24 Planning & Noise
PPS1 Delivering Sustainable Development
PPS22 Renewable Energy

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

5. CONSULTATION RESPONSE

The views of officers within the Directorate of Development and Renewal are expressed in the MATERIAL PLANNING CONSIDERATIONS section below.

The following were consulted regarding the application:

LBTH Environmental Health

5.1 Contaminated land

Potential that the site is contaminated given previous uses. Recommends a condition to ensure that the applicant carries out a detailed desk study documenting the site history identifying the nature and extent of any

contamination on the site.

Air Quality

No information provided on air quality. A report is required and this can be requested via condition.

Noise

The level of vibration was measured from the yard and not a building foundation. The applicant's consultant states that noise levels will not be exceeded, but horn blast from trains can exceed satisfactory levels. No night time measurements were carried out. There is an issue over the number of trains passing in proximity to the site. Furthermore the noise and vibration measurements submitted by Divine Acoustics cannot be verified and there are several errors in the noise and vibration calculations and assessment

LBTH Highways Development

- 5.2 No objection subject to:-
- S278 agreement to carry out off site highways work including some improvements to two junctions.
 - Improvement to pedestrian routes adjacent to the site including lighting, signage etc.
 - S106 to include car free agreement, contribution in the region of £50,000 towards traffic management schemes and safer routes to schools in the area.

LBTH Cleansing Officer

- 5.3 No response received.

LBTH Horticulture Officer

- 5.4
- Although massing has been reduced still of inappropriate scale.
 - Access to block R by Hare Row is likely to be an unpleasant route under the railway viaduct. The design and lighting provision must avoid hidden corners and shadowing.
 - Open space is limited, higher level of open space required given the density of the proposal.
 - No access to toddlers play area from Block R and limited access from Blocks A and B.
 - Providing The Oval as open space is a step towards meeting open space objectives in the area. Open space objectives of children and young people must be addressed in the design.
 - Detailed hard and soft landscaping proposals required.
 - Some comments on desired species proposed.

LBTH Horticulture & Recreation

- 5.5 The Oval is owned by LBTH and is designated as a London Square. It has not been maintained for many years and it is the intention of the Parks Department to bring it back into use. S106 requirements to assist in the development of public open space in the area.

LBTH Housing Strategy Group

- 5.6
- The provision of affordable housing exceeds the policy requirement for 35% affordable housing, and under the emerging LDF we would require that at least 25% is provided without grant. Grant funding (if available) could be applied to the additional affordable units.
 - The proposal exceeds this policy target i.e. provides more than 80% of 35% of the habitable rooms on site for social rent.
 - From the analysis of unit mix it can be seen that whilst the proposals do not provide any five bedroom accommodation, on balance the scheme provides a reasonable match with the Council's preferred unit mix specified in the LDF. The scheme provides 42% family units (3 bedrooms or larger) within the affordable rented housing, against the Council's target of 45%.
 - Within the market housing, the scheme provides mainly two bed accommodation, with 11% 3 beds against a target of 25%. On balance this is acceptable, taking into account the higher than normal amount of affordable housing proposed.
 - The affordable housing is situated on the east side of the site next to the railway and away from the canal views. Social rented and intermediate housing have their own separate circulation cores. The design is similar to the market units.
 - Most of the flats (but not all) have private balconies.
 - Private amenity space in the form of balconies for all units should be provided.
 - Wheelchair accessible units should be provided and the scheme should demonstrate that all units meet lifetime homes standards.

LBTH Corporate Access Officer

- 5.7
- An access statement should be submitted for assessment.
 - Landscape proposals indicate design ideas which may not be suitable. Granite sets proposed on carriageway, may have implications for mobility impaired.
 - It should be demonstrated that the inset parking work is appropriate for the visually impaired.
 - There are access implications for The Oval improvements.
 - No justification in terms of lifetime homes.
 - Access to all communal facilities should be accessible, i.e. bins, bike store, post entry, etc.

Environment Agency (Statutory Consultee)

- 5.8
- No objections.

Greater London Authority (Statutory Consultee)

- 5.9
- The Mayor supports in principle high density, residential led mixed use development in this location subject to a number of detailed concerns being addressed.

Further work should still be undertaken by council in partnership with the GLA on the design, costing and implementation of the public realm works identified in the framework.

Outstanding issues include:

- Sunlight and shadowing model should be supplied to help assess the impact of overshadowing.
- A full visual impact assessment should be carried out using audited planning images.
- Consideration should be given to the internal layout of the dwellings to eliminate noise issues. Conditions should be applied requiring acoustic glazing and ventilation for all windows. These measures should be indicated in the noise and vibration report.
- Further work should be carried out investigating the technical feasibility of combining CHP with other renewables.
- Evidence should be provided which demonstrates that the proposed new housing is to be built to lifetime homes standards, a minimum of 10% are to be wheelchair accessible. A comprehensive access statement should be provided.
- Clarification should be provided on the number and location of disabled parking spaces.
- The number of bicycle spaces should meet the standards set out in the London Cycle Network Design Manual.
- Agreement should be reached over financial contributions towards improving security for pedestrians around the site including along Grove Passage, Hare Row and Corbridge Crescent where it passes under the railway viaduct.
- Agreement should be reached over the payment of contributions towards the upgrading of pedestrian routes in the area and towards improvements to the oval.
- Green travel plan should be submitted identifying measures to enforce low car use and improve access in and around the site and for public transport users.
- An ecological assessment should be carried out to assess the impact of the development upon the regent's canal.
- Further info required on detailed design and layout of the play space on the first floor podium and the equipment to be provided.
- Agreement should be reached over the payment of a financial contribution towards the upgrading of play space facilities within existing parks close to the development.
- Agreement should be reached regarding financial contribution towards local employment initiatives.

British Waterways (Statutory Consultee)

5.10

Overshadowing/ Design

- Whilst we like the idea of a feature tower it does little to break up the development because the rest of the building mass and bulk is not much shorter than the tower. Therefore the development as illustrated by the shadow analysis would have a significant overshadowing impact on the canal to the detriment of ecology, boaters and the amenity value of the canal and its towpath. Whilst the height of the adjacent building is noted, the cumulative effect of tall buildings adjacent to the canal would have a canyoning effect. BW would clearly welcome any sustainable design solutions to mitigate the overshadowing and potential for ecological harm.
- Any works involving BW land will need to be agreed by British

Waterways through an appropriate commercial agreement before development commences.

- BW welcomes many of the landscaping proposals, which are assumed to be the subject of negotiations on a section 106 agreement.
- BW would also like to see measures to soften the canal wall edge to improve the visual appearance and to promote biodiversity as mitigation against the overshadowing effects of the development.
- The site location (next to the canal) presents a rare opportunity to provide a wharf, moorings and/or vehicle access point to transfer freight to and from the canal network.
- The construction cycle for the development could potentially be serviced from the canal.
- Once construction is completed, the site frontage presents an opportunity for the provision of formal moorings.
- The section of the canal frontage nearest to the railway bridge presents an opportunity for a loading area for storing and transporting domestic and commercial waste and recyclables to a Waste Transfer Station.

London Borough of Hackney

- 5.11 Object to the application:
- Scale, bulk and mass excessive
 - Not appropriate in the context of surrounding low scale development
 - Bulk and mass
 - Impact to Regent's Canal

English Heritage – Archaeology

- 5.12 Site lies outside of an Archaeological Priority Zone as specified in the UDP, however the canal side location and previous industrial use is of potential significance.

English Heritage

- 5.13 It is important that any development on this site and the various developments coming forward around The Oval are coordinated in terms of scale and proportion. The plans to landscape the open space at the centre of The Oval and possibly erect railings, would be a very welcome development.

London Fire & Civil Defence Authority

- 5.14 No response received.

Health and Safety Executive (Statutory Consultee)

- 5.15 HSE advice is that there are sufficient reasons on safety grounds for advising against the granting of permission in this case.
If the application is refused on grounds of safety HSE will provide the necessary support in the event of an appeal.
If it is decided to support the application LBTH must give prior notice to HSE in order for them to give further consideration to the case.

6. LOCAL REPRESENTATION

6.1 A total of 123 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. The number of representations received from neighbours and local groups in response to notification and publicity of the application were as follows:

It is noted that the application was reconsulted following amendments to the design. The neighbouring properties were sent an additional letter, site notice and a newspaper advertisement were reissued.

1st Consultation (May 2005)

No of individual responses: (62)	Objecting: (61)	Supporting: (0)
No of petitions received:	1 objecting containing 34 signatories	

2nd Consultation (August 2006)

No. of individual responses: (7)	Objecting: (7)	Supporting: (0)
No. of petitions received: (0)		

6.2 The following issues were raised in representations that are material to the determination of the application, and they are addressed in the next section of this report:

Land Use

- The development would have a negative effect on the local environment.
- The Broadway Market and surrounding streets currently have a village atmosphere; a 14 storey (sic) building would be out of character with this.
- The development has a high population density – would exceed guidelines.
- The proposal lacks suitable affordable housing provision.
- There is a lack of mixed accommodation in terms of dwelling sizes.
- The existing houses on the site should be restored and used to promote small businesses within the coach yard.
- There is a lack of services in area, i.e. supermarkets, to meet the demand of residents.
- Improvements should be made to The Oval as part of the development.

Design

- A 14 storey (sic) building is out of character with other development along the Regents Canal.
- The proposed building would dominate the landscape
- The proposed height and scale is out of character with surrounding development
- The unsympathetic design and use of materials is overwhelming to the low rise surroundings and canal habitat.
- There is a danger in establishing a precedent for buildings that are significantly taller than the surrounding.

Conservation

- The proposal would change the fabric of the area which has great historical significance
- The existing buildings on the site should be restored.
- There are buildings on the site which are of historical interest.
- Corbridge Crescent has a rare cobbled road surface which should be retained and restored.

Environmental

- The proposal would negatively effect the wildlife and character of the canal environs
- The proposal would result in overshadowing of the canal.

Amenity

- The development would result in overshadowing to surrounding residential properties.
- The development would result in a loss of privacy/overlooking to surrounding residential properties.
- There are insufficient amenity areas provided within the development.
- The position of the site makes it difficult for rubbish collection, emergency access, etc.
- There is a lack of consideration in the development of open space for families and children.
- The development would impede the existing views of surrounding residential properties.
- The development will result in noise impact to the surrounding area both during construction and occupation.

Highways

- There are existing parking issues in the area.
- There is a lack of parking provided within the development.
- Many businesses within the area presently use The Oval for car parking. The reinstatement of this area as open space will place pressure on parking in the area.
- Vehicle access is an issue.
- Development would increase traffic problems within the area.
- The development would lead to increased traffic levels resulting in higher pollution and noise levels throughout the area

Other Matters

- There are safety concerns for future occupants given the proximity to the railway line and the gas works.
- There is a potential fire hazard on the site given that the site is inaccessible on two sides, which provides poor access to fire brigade or other emergency vehicles.
- Existing infrastructure, i.e. Victorian sewers would find it difficult to cope with the increased demand resulting from the development.
- There is the potential for a restriction on the operation of existing businesses on Corbridge Crescent and The Oval due to the proposed location of residential development.

7. MATERIAL PLANNING CONSIDERATIONS

7.1 The main planning issues raised by the application that the Committee must

consider are:

1. Land use in a defined employment location;
2. The suitability of the Urban Design Framework;
3. Whether the density, scale and mass of the proposal is acceptable;
4. The impact of the proposal on the character of the area;
5. Affordable housing, dwelling mix and housing standards;
6. Internal and external amenity;
7. The impact of the development on sites of nature conservation;
8. Associated amenity impacts to surrounding properties.

Land Use

- 7.2 Land use within the area is presently evolving and the site and surrounds has been designated in the Local Development Framework – Core Strategy and Development Control Submission Document as a development site.
- 7.3 The site is presently used for a coachworks. A majority of the site is currently used for the storage and maintenance of coaches. We are advised by the applicant that approximately 3 persons are currently employed on the site.
- 7.4 The scheme proposes 511m² of B1 floor space at ground level. The GLA in its Stage 1 referral applied the RICS/Gerald Eves standard of an average of 16m² per worker, therefore the scheme would have the potential to provide B1 office/workspace for approximately 31.9 people, which is well above the current level of employment generated on the site. In order to complement and ensure compliance with Policy EMP2 of the UDP (1998), should the development be supported it is recommended that planning contributions be sought for employment and training initiatives for local people as well as social infrastructure.

Density

- 7.5 The scheme would result in a residential density of 1713 hr/ha (habitable rooms per hectare). This substantially exceeds the guidance of Policy HSG9 of the UDP (1998). Policy HSG9 sets out four circumstances where higher densities may be acceptable, these include:
- 1. The development would be for special needs housing or non-family housing*
 - 2. The development is located within easy access to public transport, open space and other local facilities*
 - 3. The dwellings are part of a substantial mixed use development or are a small infill*
 - 4. It can be demonstrated that the development meets all other standards for new dwellings in the Plan and does not conflict with the Council's policies for the environment.*
- 7.6 UDP policy HSG9 has largely been superseded by the density policies of the London Plan 2004 and Policy HSG1 of the Local Development Framework – Core Strategy and Development Control Submission Document. These both include the implementation of a density, location and parking matrix, which links density to public transport availability as defined by PTAL (Public Transport Accessibility Level) scores which are measured on a scale of 1 (low) – 6 (high).
- 7.7 It is acknowledged that the site is excellently served by public transport with a

PTAL '6'. For 'central site's with a PTAL range of 4 to 6, the appropriate density of 650-1100hr/ha would allow for very dense development, large building footprints and buildings of four to six storeys and above, consistent with larger town centres all over London and much of Central London. The proposed density of 1713 hr/ph exceeds the greater level of the density range, indicating a potentially significant level of overdevelopment on the site.

- 7.8 The applicant has not provided sufficient justification as to why this level of development is suitable for this site or this location. The GLA stated in their Stage 1 referral report that *“the density of the proposal could be justified if the design quality of the scheme is high enough, there are however concerns about the visual impact of the development on the site, particularly in terms of the height, bulk massing of the drum tower and the shadowing the development would cast upon the internal courtyard space, residential units in the lower floors, Regents Canal and the nearby existing pedestrian routes particularly Grove Passage and Hare Row.”*

Design & Built Form

- 7.9 The proposal does not accord with policies DEV6 of the UDP (1998) and Policy DEV27 of the Local Development Framework – Core Strategy and Development Control Submission Document in relation to tall buildings, given the high density of the proposal as demonstrated above and failure to meet a number of important design criteria.
- 7.10 In addition to tall building and density policies, the proposal would conflict with the design and environmental Policies DEV1 and DEV2 of the 1998 UDP and Policy DEV2 of the Local Development Framework – Core Strategy and Development Control Submission Document, which requires the bulk, height and density of development to positively relate to surrounding building plots and blocks, and the scale of development in the surrounding area. Furthermore the proposal does not conform to the general scale and character of the canal environs as required by policy DEV47 of the UDP (1998) and OSN3 of the Local Development Framework – core strategy and Development Control Submission Document.
- 7.11 The proposed scale and form of development, coupled with the high densities proposed and poor standards of amenity would result in an overdevelopment of the site. Furthermore the proposal is considered to have little regard to the site and its surrounding context, including the nature conservation value of the Regents/Grand Union Canal. The design failures of the proposal are best demonstrated in the following summary:
- Corbridge Crescent, The Oval and surrounding streets, although presently an employment location currently exhibit a low scale character which is consistent with surrounding development on Hackney and Cambridge Heath Roads as well as the scale of the Regents/Grand Union Canal and development to the north within the LB Hackney. It is acknowledged that the area is evolving with a more mixed use focus; however development within the area currently does not exceed 6 storeys in form, to the west of the gas holders.
 - A development was recently approved at No. 5-10 Corbridge Crescent to the west of the site on the opposite side of The Oval; this development would have a height of ranging from 7-9 storeys in height. This development was however much smaller in scale (72 units) with varied

heights and setbacks.

- Higher built form may be appropriate at this location, however the sheer bulk, scale and massing of the proposed building results in a form which appears out of context with this low scale local environment.
- The scheme would propose an 8-9 storey sheer form rising up to 11 storeys at its corner circular element. The proposed provision of balconies, fenestration and variation in materials does little to articulate the façade of the building resulting in a visual appearance of building bulk from the canal. A similar conclusion is reached in regards to The Oval elevation.
- It is acknowledged that setbacks from both The Oval and Corbridge Crescent have been increased in the revision of the scheme. It is however considered that for a building of the proposed size and scale to sit comfortably on this site, in this context, more generous setbacks are required from Corbridge Crescent and the canal to allow for improved integration between these two environments. This is also the case at The Oval where the 8-9 storey form would be located a minimum distance from a recently consented scheme at 5-10 The Oval. The siting of these two buildings given the minimal setbacks would create a tunnelling effect to The Oval resulting in the creation of a poorly designed space, which may reduce the level of integration between the canal environs and proposed open space and development to the north.
- The proposal would result in a poor standard of amenity for future occupants in terms of well oriented, functional, private and communal amenity spaces as discussed in Section 7.25 of this report
- In addition to the appearance of the bulk and scale of the proposal to surrounding residents the proposal may also result in amenity impacts such as overlooking/loss of privacy, overshadowing/loss of sunlight/daylight, etc to surrounding residents as discussed in section 7.45 of this report.
- The development may have an adverse impact on the natural environment, including ecological impacts to the biodiversity of the Regents/Grand Union Canal as discussed in Section 7.33 of this report.

Development Framework

- 7.12 Given the evolving nature of the land use in the area, the applicant at the request of the GLA was asked to initiate the production of a development framework for the site and surrounding area in order to demonstrate how development on the subject site could be implemented, whilst also contributing to development in the wider area. In response the applicant produced a framework which provides a land use strategy, public realm improvements, movement strategy and a spatial layout with development massing guidelines.
- 7.13 It was envisaged that the applicant would be liable for the payment of financial contributions towards the cost of implementing the development framework and the associated public realm improvements to The Oval, Corbridge Crescent, Hare Row and Grove Passage.
- 7.14 As identified in the public realm and landscape strategy, public realm improvements would include:
- Pedestrian improvements to the canal edge in consultation with British Waterways. This would feature a wider pavement and a new balustrade feature to open up views to the canal.

- Widening of the pavement at the sites abuttal with The Oval, provision of planting, paving with the road carriageway repaired.
- Landscape improvements to central London Square within The Oval and potential for public art.
- Improved surfacing for pedestrian approaching the site from Cambridge Heath Road.
- Pavement and landscaping works to surrounding streets including Hare Road and Grove Passage. This would also include lighting to improve pedestrian safety.

7.15 It is considered that the proposed public realm improvements generally accord with the relevant UDP policies regarding landscaping, design, pedestrian movement, etc.

7.16 The nearest public open space to this site is Victoria Park which is 0.9 km away and across Cambridge Heath Road. London Fields and Haggerston Park are a similar distance. This is further away than the London Plan's accessibility standard of 0.4 km to the nearest local park. The proposed public realm improvements including reinstatement of The Oval as open space and pedestrian improvements to the canal edge will go some way towards meeting the areas open space requirements. Therefore in this instance the proposed open space arrangements are considered to be satisfactory.

Affordable Housing

7.17 Adopted UDP Policy HSG3 seeks an affordable housing provision on sites capable of providing 15 or more units in accordance with the Plan's strategic target of 25%. Policy 3A.8 of the London Plan states that Borough's should seek the maximum reasonable amount of affordable housing taking into account the Mayor's strategic target that 50% of all new housing in London should be affordable and Borough's own affordable housing targets.

7.18 The Local Development Framework – Core Strategy and Development Control Submission Document Policy CP22 seek 50% affordable housing provision from all sources across the Borough with a minimum of 35% affordable housing provision on site's capable of providing 10 or more dwellings. Policy HSG10 confirms that affordable housing will be calculated in terms of habitable rooms with the exception of where this yields a disparity of 5% or more compared to calculation in terms of gross floor space.

7.19 The applicant has offered to provide 45 affordable housing units out of the total 130 units proposed, representing 35% provision overall (38% in terms of gross floor space and 40% in terms of the total habitable rooms). This scheme meets the Council's minimum target of 35%.

7.20 The applicant has undertaken the GLA Affordable Housing 'Toolkit' Assessment, which concludes that providing more than 35% affordable housing would remove the reasonable financial incentive for the redevelopment of the site, thereby jeopardising the proposed affordable housing provision.

7.21 Of the affordable housing provision 75% would comprise social rented accommodation and 25% intermediate in terms of habitable rooms. This generally accords with the London Plan's objective that 70% of the affordable housing should be social rented and 30% intermediate. Policy HSG5 of the

Local Development Framework – Core Strategy and Development Control Submission Document requires a social rented to intermediate ratio of 80:20 for grant free affordable housing. The proposal exceeds this policy target.

Dwelling Mix

- 7.22 On appropriate sites, UDP Policy HSG7 requires new housing schemes to provide a mix of unit sizes including a “substantial proportion” of family dwellings of between 3 and 6 bedrooms.
- 7.23 Local Development Framework – Core Strategy and Development Control Submission Document HSG6 specifies the appropriate mix of units to reflect local need and provide balanced and sustainable communities. Family accommodation is again identified as a priority reflecting the findings of the Borough’s Housing Needs Survey as well as the draft East London SRDF. The Policy provides the required breakdown of provision for development proposing 10 units and above. In terms of family accommodation, the Policy requires 45% of social rented housing without subsidy, 40% of social rented housing with subsidy, 10% of intermediate and 25% of market housing to comprise units with 3 or more bedrooms respectively.
- 7.24 It is considered that whilst the proposals do not provide any five bedroom accommodation, on balance the scheme provides a reasonable match with the Councils preferred unit mix specified in the Local Development Framework – core strategy and Development Control Submission Document. The scheme provides 42% family units (3 bedrooms or larger) within the affordable rented housing, against the Council’s target of 45%. Within the market housing, the scheme provides mainly two bed accommodation, with 11% 3 beds against a target of 25%. On balance this is acceptable, taking into account the higher than normal amount of affordable housing proposed.

Amenity

Amenity Space

- 7.25 UDP (1998) Policy HSG16 and Local Development Framework – Core Strategy and Development Control Submission Document Policy HSG13 – Housing Amenity Space states that all housing developments should include the adequate provision of amenity space. The proposal incorporates a central south facing communal amenity space. In order to promote the space it is proposed to provide landscaping, pathways, seating and toddlers play area. Informal south facing roof gardens would also be provided on floors 6 and 7.
- 7.26 A majority of the 130 units proposed are provided with private amenity space in the form of balconies, ground level private gardens and access to communal roof terraces in addition to the central open space.
- 7.27 The open space although south facing and of generous dimensions, given the height, scale, form and layout of the proposed development the north eastern corner of this space would be in shadow for most of the day and would receive poor sun/daylight access, thereby resulting in a poor standard of amenity for these spaces and for units located in this corner of the development. A daylight/sunlight assessment has not been submitted with the application to demonstrate otherwise.
- 7.28 It is noted that there is no access to the central communal open space area from

Blocks C and D (affordable housing) which results in this space being exclusively available to the market housing only. The only communal area of open space provided for the affordable housing units within the development would be the south facing roof garden provided on the 6th floor. This is not considered to be acceptable as it would lead to segregation between residents in the development and a poor standard of amenity for these units, some of which are family sized.

Access

7.29 In accordance with the London Plan and Local Development Framework – Core Strategy and Development Control Submission Document policy HSG9 it is expected that all new housing must be built in accordance with Planning Standard 5: Lifetime Homes including at least 10% of all new housing being wheelchair accessible or easily adaptable for residents that are wheelchair users.

7.30 The applicant has not provided an access statement nor demonstrated how the proposal will promote an inclusively accessible development. The proposal therefore does not comply with Policy DEV1 of the UDP (1998) nor Policy DEV1, DEV2, DEV3, DEV4, DEV5 or HSG9 of the Local Development Framework – Core Strategy and Development Control Submission Document which requires the submission of an access statement to demonstrate permeability throughout the site and the provision of adequate access for disabled people with respect to the layout of the development.

Noise

7.31 Policy DEV10 of the Local Development Framework – Core Strategy and Development Control Submission Document states that attenuation measures will be required for development sensitive to noise and vibration pollution. Concerns have been raised about the proposal and its relationship to the railway line to the east. The development has been designed to ensure that habitable rooms are located away from this boundary. However a small number of single aspect rooms, some of which are bedrooms, overlook the railway and are located a minimum of 7 metres from the elevated railway viaduct.

7.32 The applicant has submitted an acoustics assessment as part of the proposal. This statement has been assessed by LBTH Environmental Health and Environmental Protection Departments. It is concluded that there are several technical errors in the reports and that further consideration should be given to the design to eliminate this problem in order to ensure that habitable rooms are not unduly affected by unreasonable noise sources. This has not been further explored by the applicant to date.

The Canal Environs

7.33 Immediately to the north of the subject site is the Regents/Grand Union Canals, which are designated in the proposals maps of both the UDP (1998) and Local Development Framework – core strategy and Development Control Submission Document as a site of nature conservation.

7.34 In addition the Regents/Grand Union Canal is part of the public realm contributing to London's Open Space Network. The Blue Ribbon Network identified in Section 4C of the London Plan sets out general policies for regeneration related to London's network of rivers, docks, canals and other open spaces, this is reiterated in Policy OSN3 of the Local Development Framework –

Core Strategy and Development Control Submission Document.

- 7.35 It is acknowledged that in accordance with Policy DEV47 and DEV48 of the UDP (1998) the proposal will improve the aesthetic amenity of the site and the canal environs whilst also allowing for improved pedestrian access to the canal and its associated tow path.
- 7.36 Policy OSN3 of the Local Development Framework – Core Strategy and Development Control Submission Document states that development adjacent to the Blue Ribbon Network must respect its waterside location.
- 7.37 British Waterways were consulted given their role in the management, maintenance and preservation of the network of canals and other navigations. Both British Waterways and LBTH officers concur that the height scale and massing of the proposed building does not respect the canal environs or the surrounding context.
- 7.38 The applicant has submitted a shadow study, which details the shadow impacts of the proposal upon the canal environs at various times throughout the year. The applicant has failed to submit an ecological assessment. Therefore the ecological impacts of the shadows upon the biodiversity of the canal environs cannot adequately be assessed, resulting in a failure to address the requirements of UDP (1998) Policies DEV46 Protection of Waterways & Water Bodies, DEV47 Development Adjacent to rivers, canals and other water areas, DEV57 Sites of Nature Conservation and Importance and DEV62 Development Adversely Affecting the Ecology of Sites of Nature Conservation and policy OSN3 of the Local Development Framework – Core Strategy and Development Control Submission Document.

Energy

- 7.39 The Local Development Framework – Core Strategy and Development Control Submission Document contains a number of policies to ensure the environmental sustainability of new development. Policy DEV6 requires major development to incorporate renewable energy production to provide at least 10% of the predicted energy requirements on site. In addition all new development is required include a variety of measures to maximise water conservation (Policy DEV7) incorporate sustainable drainage systems (Policy DEV8) and construction materials (Policy DEV9). In addition all new development is required to make sufficient provision for waste disposal and recycling facilities (Policy DEV15).
- 7.40 The applicant has submitted an energy statement which outlines the proposed and potential energy efficiency and renewable energy measures within the scheme. The development achieves an ecohomes rating of “good” given its orientation, building materials, use of energy efficient appliances; and natural ventilation, etc. However the combined heat and power proposals (CHP) with a biomass back up are not considered to be practically feasible by the GLA and it is recommended that the applicant discuss this further with the GLA. Given that further discussion on this point has not been carried out it is concluded that the development does not comply the energy principles as detailed in the London Plan or policy DEV6 of the Local Development Framework – Core Strategy and Development Control Submission Document.

Transport & Parking

- 7.41 In accordance with Policy TR1 the site is well located in terms of public transport, with a PTAL (Public Transport Accessibility Level) of 6. Both LBTH Highways engineers and TfL in the GLA stage 1 referral report state that the public transport network in the vicinity of the site is capable of absorbing the additional trips generated by the development. The proposed improvement works detailed in the development framework will seek to provide improved vehicle and pedestrian accessibility within the area thereby enabling better access to transport facilities.
- 7.42 TfL expects the developer to make a contribution towards the implementation of the accessibility improvements works including lighting to promote improved safety and security. TfL also expects the production of a Green Travel Plan to encourage the use of sustainable modes of travel. In the event that the development is approved this would be a requirement of the S106 agreement.
- 7.43 These contributions as well as a Section 278 agreement for Highways works in the vicinity of the site (junctions), a car free agreement and a contribution towards traffic management schemes and safer routes to school are supported by LBTH Highways department and would be included in the S106.
- 7.44 The car parking provision of 14 spaces is in accordance with the maximum standards defined in the London Plan and Local Development Framework – core strategy and Development Control Submission Document. One disabled space is provided within the car parking area. In order to comply with LBTH car parking standards it is recommended that two be provided. Cycle parking provision is provided in excess of TfL and LBTH requirements.

Impact Upon Residential Amenity

Daylight/Sunlight/Overshadowing

- 7.45 In support of the application, the applicant has undertaken a daylight/sunlight assessment to determine the impact of the development to surrounding properties. The study has been carried out in accordance with the methodology and advice set out in the 'Building Research Establishment's' (BRE) guidance report, "Site Layout Planning For Daylight and Sunlight".
- 7.46 The guidelines provide different methods for daylight assessments. The method that officers have generally accepted as the most detailed and most meaningful tool, is the Average Daylight Factor (ADF) method, as this takes into account internal room layouts and sizes, window positions and sizes, and also makes an allowance for reflectance of internal room surfaces. Windows which overlook the site and are north facing are not required to be assessed, as noted within the BRE guidelines.
- 7.47 The daylight and sunlight assessment undertaken as part of the application found that impacts to daylight and sunlight availability to properties at 51-59 St Andrews Road on the opposite side of the Regents/Grand Union Canal are expected to be negligible given that the properties are not located directly opposite the subject site and the orientation of these properties being directly to the south.
- 7.48 As discussed previously the applicant has submitted details of shadow impacts to the canal environs. This shadow study fails to address the shadow impacts to

residential properties to the north. The assessment of impact to residential properties would allow for a more detailed assessment of the shadow impacts associated with the development. Given the height of the buildings proposed and the orientation of the site it is considered that there would be shadow impacts both internally within the site and to surrounding development.

Overlooking

7.49 A number of the objections raised concerns with reference to the potential overlooking from the development and the resulting loss of privacy. The potential overlooking impacts of the development have not been addressed in the information submitted with the application.

7.50 The proposed development would comprise a U shaped building with an 11 storey form massed towards the corner of Corbridge Crescent and The Oval reducing to 9 storeys as it departs from the corner of the site further reduced to 8 storeys in height at the abuttal with 5-6 The Oval. The building would feature a number of balconies, which may have a perceived impact upon the privacy of the surrounding residential properties.

7.51 It is considered that the proposal would have a minimal overlooking impact to surrounding residential properties given the separation distance of approximately 29m to residential properties on the opposite side of the Regents/Grand Union canal. In addition the railway viaduct would provide a separation of more than 20 metres from habitable room windows within the east elevation of the buildings to the rear of units above shops on Cambridge Heath Road.

Demolition and Construction Noise

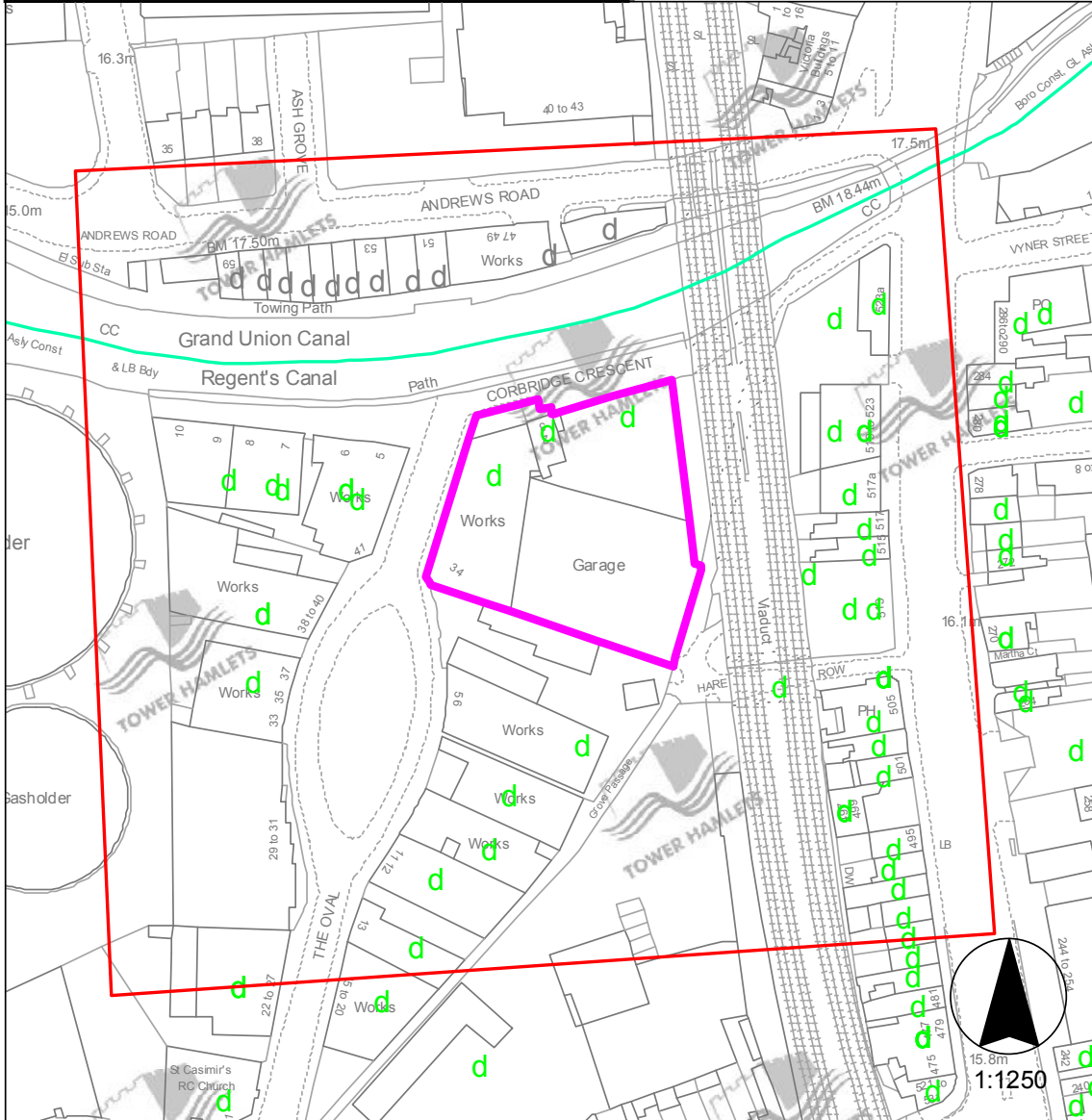
7.52 Concerns have also been raised as to the potential demolition and construction noise impacts to the surrounding properties.

7.53 A Demolition and Construction Method Statement (DCMS) would be required to be approved by the Council, prior to works commencing on site. The DCMS will also be required to comply with the Council's Code of Practice for Construction Sites.

CONCLUSIONS

8.1 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 CONSIDERATION and the details of the decision are set out in the RECOMMENDATION at the beginning of this report.

Site Map



Legend

- Planning Application Site Boundary
- Consultation Area
- d Land Parcel Address

This Site Map displays the Planning Application Site Boundary and the neighbouring Occupiers / Owners who were consulted as part of the Planning Application process. The Site Map was reproduced from the Ordnance Survey mapping with the permission of Her Majesty's Stationery Office © Crown Copyright. London Borough of Tower Hamlets LA086568