

Committee: Development	Date: 12th September 2013	Classification: Unrestricted	Agenda Item Number:
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Report of: Director of Development and Renewal	Title: Town Planning Application
Case Officer: Angelina Eke	Ref No: PA/13/00188
	Ward: East India and Lansbury

1. APPLICATION DETAILS

Location:	15-19 RigdenStreet
Existing Use:	Residential
Proposal:	Provision of an additional storey to incorporate 1 x 2 bed flat and alterations to the front elevations at first and second floors to provide new balconies.
Drawing Nos:	Ordnance Survey OS Map RS 01 Scheme 3 RS 02 Scheme 3C RS 03 Scheme Rev 3C
Documents:	None
Applicant:	Mr Stephen Conlay
Ownership:	As above
Historic Building:	N/A
Conservation Area:	Lansbury Conservation Area

2. EXECUTIVE SUMMARY

- 2.1 The proposal makes efficient use of the site and provides an increase in the supply of housing. As such, the proposal would accord with Policy 3.4 of the London Plan (2011), policy SP02 of the Core Strategy (2010) and policy DM3 of the Managing Development Document (2013) which seeks to ensure the use of land is appropriately optimised.
- 2.2 The proposed roof extension would be acceptable in term of its bulk, scale and massing including height and design and it would integrate successfully with the host building and it would preserve the appearance of the Lansbury Conservation Area. As such the proposal would comply with Policies 7.1, 7.4 and 7.6 in the London Plan (2011), Policy SP10 of the Core Strategy (2010) and policies DM24 and DM27 in the Managing Development Document (2013) including guidance in the National Planning Policy Framework (2013). The above policies and guidance seek to promote principles of good design and ensure new developments are sensitive and respectful to the character and setting of the surrounding area and conservation area context.
- 2.3 The layout and size of the proposed residential units accords with the requirements of Policy 3.5 of the London Plan (2011), policy SP02 of the Core Strategy (2010), policy DM4 of the Managing Development Document (2013) and the Mayor's London Housing

Supplementary Planning Guidance (November 2012).

- 2.4 On balance, transport matters, including servicing arrangements are acceptable. The new units will be car free and adequate cycle parking will be secured by way of a condition. These accords with policies 6.1 and 6.9 of the London Plan (2011) and policy SP09 in the Core Strategy (2010) and Policy DM22 in the Managing Development Document (2013), which seeks to ensure new developments, promote more sustainable modes of transport.

3. RECOMMENDATION

- 3.1 That the Committee resolve to **GRANT** planning permission.

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

3.3 Compliance Conditions

1. Time limit –three years
2. Compliance with plans - development in accordance with the approved schedule of drawings and documents.
3. Provision and retention of cycle spaces
4. Compliance with Lifetime homes
5. Refuse provision in accordance with drawing
6. Prior to commencement, full details of ground floor external amenity space to the rear
7. Car and permit Free Development secured by s106 agreement
8. Materials – details to be submitted

Informatives

1. For the applicant to contact Building Control
2. CIL

4. PROPOSAL AND LOCATION DETAILS

Proposal

- 4.1 It should be noted that as originally proposed the application scheme was for a two storey roof extension to the existing three storey building. However, following concerns raised by officers in respect of the resulting built form, the application scheme has been revised. The current revised proposal seeks planning permission for the erection of an additional roof storey to the existing three storey building to form 1 x 2 bed flat. Planning permission is also sought for alterations to the first and second floor front elevation to provide balconies

Site and Surroundings

- 4.2 The Lansbury Estate is a post-war, planned neighbourhood, and comprises a comprehensive redevelopment with residential accommodation of varied types but mainly fairly low rise and low density, with private gardens and communal green spaces, several schools, two churches, a shopping precinct (Chrisp Street Market) and a small park. It was designed by a number of different architects and was built over a period of years, something which is evident from the variations in the style of buildings. The southern half of the estate is designated as a conservation area and includes a number of older buildings, several of them listed, such as the old George Green School and an ex Seamen's' hostel along East India Dock Road.

- 4.3 The Lansbury Estate lies within a conservation area which was designated in 1997. In 1948, Lansbury was chosen as the site of the 'Live Architecture' Exhibition of the 1951 Festival of Britain.

Planning History

- 4.4 The following planning decisions are relevant to the application:

PA/10/02609: Erection of rear extension to existing building, construction of two new floors and change of internal layout of existing floors to create a five storey building and nine new flats, consisting of 4 one bedroom and 5 two bedroom flats. This application was validated on 14 January 2011 and subsequently withdrawn on 10 March 2011.

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:

3.3	Increasing housing supply
3.4	Optimising housing potential
3.5	Quality and design of housing developments
3.8	Housing Choice
3.9	Mixed and Balanced communities
6.1	Strategic Approach
6.9	Cycling
6.13	Parking
7.1	Building London's Neighbourhoods and Communities
7.4	Local character
7.6	Architecture
8.3	Community Infrastructure Levy

Core Strategy Development Plan 2025 Development Plan (September 2010) (CS)

SPO2	Urban Living for Everyone
SPO5	Dealing with waste
SPO9	Creating attractive and safe streets and spaces
SP10	Creating distinct and durable places
SP12	Delivering Place making

Managing Development Document (April 2013) (MDD)

DM3	Delivering Homes
DM4	Housing Standards and amenity space
DM14	Managing Waste
DM20	Supporting a sustainable transport network
DM22	Parking
DM24	Place-sensitive design
DM25	Amenity
DM27	Heritage and the Historic Environment

Government Planning Policy Guidance/Statements

- National Planning Policy Framework (2012) (NPPF)
- Mayor of London Housing Supplementary Planning Guidance (November 2012)

Community Plan

The following Community Plan objectives relate to the application:

6. CONSULTATION RESPONSE

6.1 The views of the Directorate of Development & Renewal are expressed in the MATERIAL PLANNING CONSIDERATIONS section below.

6.2 The following were consulted regarding the application:

6.3 LBTH Waste and Recycling:

The waste arrangements are considered satisfactory by the waste section, subject to larger bins.

(Officer comments: Full details of this aspect can be secured by way of a condition.)

6.4 LBTH Building Control

The initial scheme for a two storey roof extension was unacceptable as flats directly off a staircase as the resulting development would be over 4 storeys in height and a stair lobby (possibly ventilated) at each floor would be required. As the proposal has been revised to show one additional flat, the resulting development would be 4 storeys in height and the proposal would appear more acceptable.

(Officer comments:An informative will be attached to the planning permission advising the applicant to contact the Council's Building Control Team in respect of meeting the necessary building control requirements)

6.6 LBTH Transportation and Highways:

According to a recent on-street car parking survey (2010), Rigden Street has a daytime and night time parking occupancy of between 29% and 143% respectively. This demonstrates that the parking stress has exceeded the 80% level (as of 2010). In addition, the good PTAL of the area (PTAL 4) would warrant a 'car and permit' free condition. Therefore, in accordance with DM22.2 of the Managing Development Document (2013) and to promote sustainable modes of transportation and manage the growth of vehicular traffic within the borough, Highways would require a section 106 'car and permit' free agreement for this development.

On balance, the Highways Team cited that they had no objections in principle to the proposal, but considered that further information and clarification would be required in respect of cycle storage before planning permission could be considered. In addition, an s106 agreement should be secured for this development.

(Officer comments: The provision of a car free agreement is to be addressed as part of a planning condition.)

7. LOCAL REPRESENTATION

7.1 A total of 51 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:

7.2 No of individual responses: 6 Objecting: 6 Supporting: 0

No of petitions received: 3 Three petitions were received, although the formats of the petitions were identical raising the same issues and signed by the same people, save for two additional signatures on the third petition. The total number of signatures received from local residents (taking account of duplicates) is 26 signatures

7.3 Following subsequent revisions to the scheme, further consultations were undertaken and 4 letters of representation including a petition letter (containing 26 signatures) were received outlining concerns about the proposal on the following grounds:

1. Design

The proposal fails to respect the local context and street pattern and the resulting development will be unsympathetic to the character of the area by virtue of its scale and proportions and use of materials and it will not preserve or enhance the conservation area.

(Officer Comment: Officers consider that the proposed built form will not be out of keeping with the host building or site context. The Council's Urban Design and Conservation officer considered that the principle of an additional storey would be acceptable given the varied architectural styles in this locality.)

2. Amenity

Even at a slightly reduced scale, the application proposal will result in loss of daylight/sunlight as the new development will be significantly taller (at five storeys) when compared to the surrounding two storeys residential buildings.

(Officer Comment: The proposal is unlikely to unduly detrimentally worsen the daylight/sunlight conditions to the adjoining properties and this will be addressed within the 'amenity' section of this report)

The proposal would result in loss of satellite signals.

(Officer comment: It is not considered that the additional height and massing of the building will adversely impact on the satellite reception as envisaged.)

The proposal will result in the reduction in privacy and increased overlooking to adjoining properties, which will adversely impact on residential amenity.

(Officer Comment: It is considered that the overlooking and outlook from the additional storey would be commensurate to that which already exists on site, at first and second floor levels. Accordingly, it is not considered that the proposal would result in an unduly detrimental loss of privacy for nearby residential occupants)

3. Highways

The additional flat will result in additional traffic congestion and there are insufficient parking spaces within the area.

(Officer Comment: Whilst an additional flat is proposed, officers do not agree that this

this will result in a material increase in traffic congestion. Notwithstanding this, the proposal will be subject to a condition to ensure that the prospective occupiers of the flat are prohibited from applying for car parking permits to park on street.)

8. MATERIAL PLANNING CONSIDERATIONS

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

1. Principle of Land Use
2. Housing
3. Design and impact on Lansbury Conservation Area
4. Amenity
5. Transportation and Highways
6. Other

Land Use

8.2 Delivering housing is a key priority both nationally and locally and it is acknowledged within the National Planning Policy Framework, Policy SPO2 in the Council's Core Strategy (2010) and Policy 3.3 in the London Plan, which gives Boroughs targets for increasing the supply of housing.

8.3 An important mechanism for achieving the strategic housing objectives in the London Plan are set out in Policies 3.3 and 3.4, which seeks to encourage council's to maximise the development of sites including the provision of family housing to ensure targets are achieved where appropriate.

8.4 Policy SPO2 in the Core Strategy (2010) sets out the Borough's overall target for delivery of 43,275 new homes (2,885 a year) between 2010 and 2025. Policy DM3 in the Managing Development Document (2013) sets out more detailed guidance on how developments can deliver new homes for existing and future residents.

8.5 The application premises is a three storey 1960 detached block containing 3 x 3 flats. The application proposal does not impact on the existing family sized units.

8.6 The current revised application seeks to create one x two bed flat within a proposed roof addition, which will result in the intensification of residential use of the site.

8.7 There is no objection on land use grounds with the principle of intensifying the residential use of the site as this would accord with Policies 3.3 and 3.4 in the London Plan, policies SP02 (1c) and SP02 (5a) of the Adopted Core Strategy (2010) including national guidance set out in National Planning Policy Framework (2012), which seek to encourage initiatives to optimise housing densities and housing supply where appropriate.

Housing Mix

8.8 London Plan Policy 3.8 encourages new residential proposals that incorporate housing choice. This is further supported in the Mayor of London's Supplementary Planning Guidance, which seeks to secure a range of housing types, and Policy SP02 in the Core Strategy and Policy DM3 in the Managing Development Document which seek to encourage a balance of housing types and sizes.

- 8.9 Officers consider that the additional two bedroom unit would add to and diversify the mix of units on site which is welcomed and in accordance with the objectives of Policy 3.8 of the London Plan (2011), Policy SPO2 in the Adopted Core Strategy (2010) and Policy DM3 in the Managing Development Document (2013), which seek to ensure that new developments optimise housing choice.

Housing Quality and Residential Space

- 8.10 Policy 3.5 in the London Plan seeks to ensure that the design and quality of new housing proposals are of the highest standard internally and externally and in relation to the site context. Part C of the Policy states that new dwellings should generally conform to the specified dwelling space standards, have adequately sized rooms and efficient layouts and it should meet the changing needs of Londoners over their lifetime.
- 8.11 Policy SPO2 in the Core Strategy (2010) seeks to ensure that new housing has adequate provision of internal space standards in line with The Mayor of London Housing Supplementary Planning Guidance (November 2012). The policy aims are reiterated in Policy DM4 in the Managing Development Document (2013).
- 8.12 The proposed unit would be 62m² which meets the minimum standard requirements in Policy 3.5 of the London Plan. The layout and the design of the proposed unit would be of high quality, and benefit from good natural lighting and double aspect, and as such the proposal would accord with policy 3.5 in the London plan and policy DM4 in the Managing Development Document (2013), which seeks to deliver new homes to meet the full range of needs of existing and future residents.

External Amenity Space

- 8.13 The proposed unit does not have any external amenity space and as such this would fail to meet the objectives of Policy SP02 of the Adopted Core Strategy (2010) and Policy DM4 in the Managing Development Document (2013). However, it should be noted that the applicant has made alterations to the family sized units on the front elevation to provide balconies at first and second floors. Whilst the top floor would have no external amenity space, it is considered that the introduction of this facility for the two flats below is welcomed. Furthermore, the opportunity exists at ground floor level to enhance the layout and utility of the communal open space for existing and future residents which is welcomed. The details relating to the layout of the ground floor communal amenity space will be secured by condition. Overall, it is considered that the proposal will meet the policy aims set out above, which seeks to ensure that external amenity space fully integrated within new developments to improve the amenity and liveability for residents.

Wheelchair Housing and Lifetime Homes Standards

- 8.14 The proposal unit would be fully accessible and would meet 100% Lifetime Homes standards. The inclusive design and access arrangements accords with London Plan policies 3.8 and 7.2 and the internal layout would comply with Policy DM4 in the Managing Development Document. It is recommended that this provision be conditioned as part of the consent.

Design and Impact on Lansbury Conservation Area

- 8.15 Good design is central to all objectives of the London Plan. Policy 7.1 in particular sets out a series of overarching design principles for development in London. Other design policies in this chapter and elsewhere in the London Plan include specific design requirements relating to optimising the housing potential of sites, the quality of new

housing provision, designing out crime, local character, public realm, architecture and heritage assets. These policies require new development to be sensitive to the character of the surrounding area in terms of design, bulk, scale and the use of materials. They also require development to be sensitive to the capabilities of the site.

- 8.16 Policy SP10 of the Core Strategy (2010) sets out the basis for ensuring good design that should be considered at all scales of development ranging from major development schemes to minor residential extensions.
- 8.17 More specifically, policies DM23 and DM24 in the Managing Development Document (2013) seeks to ensure that buildings and neighbourhoods promote good design principles to create buildings, spaces and places that are high-quality, sustainable, accessible, attractive, durable and well-integrated with their surrounds.
- 8.18 The proposal is a three storey detached 1960's building, which occupies an important position at the junction of Duff Street and Rigden Street. There are varied architectural styles within this part of Lansbury Conservation Area, however, a number of developments have a distinct rhythm of single pitched and double pitched roof as well as flat roofs.
- 8.19 The application seeks to provide an additional roof storey, with the top storey terminating with a mansard style roof form, which will have a straight edge on the north and south elevations, where the new development adjoins 21 Rigden Street. However, the east and west elevations will have a mansard type design.
- 8.20 The extension is proposed to be constructed of natural slate, with matching brickwork incorporated and reconstituted stone cills. The windows are proposed as powder coated aluminium.
- 8.21 The application site is within an area where the adjoining buildings are predominantly two storeys, with some three and four storey buildings, and incorporate a variety of architectural styles. The immediate context is predominantly residential in character.
- 8.22 The existing building despite its era is considered to be simple and functional in terms of its design. The proposed additions and alterations to the front elevation of the building would be sympathetic to the host building by virtue of its bulk, mass scale and appearance and the overall design including the additional height of the roof extension would integrate well with the surrounding context and conservation area setting.
- 8.23 Although concerns were raised by residents on design grounds, officers consider that concerns raised have been addressed in the most recent revisions to the scheme. Given the sympathetic design approach and varied site context, the proposal would not appear visually overbearing at street level. Furthermore, it is not considered that the proposal would have a negative impact on the Lansbury Conservation Area.
- 8.24 Subject to conditions to ensure a high quality materials and finishes, the proposal would accord with Policies 7.1, 7.4 and 7.6 in the London Plan (2011), Policy SP10 of the Core Strategy (2010) and policies DM24 and DM27 in the Managing Development Document (2013) including guidance in the National Planning Policy Framework (2013). The above policies and guidance seek to promote principles of good design and ensure new developments respect the integrity of the host building and are appropriate to the site context.

Amenity

- 8.25 Policy SP10(4) of the Core Strategy(2010) and policy DM25 in the Managing Development Document (2013)requires development to protect and where possible improve the amenity of surrounding existing and future residents and building occupants, as well as protect the amenity of the surrounding public realm. Residential amenity includes such factors as a resident's access to daylight and sunlight, microclimate, outlook and privacy.
- 8.26 Local residents raised concern regarding privacy and overlooking, from the additional storey and introduction of balconies on the front elevation. Whilst overlooking will be increased through the alterations, it is not considered that this would be to an unduly detrimental level, and the approach is appropriate within the urban context of the site.
- 8.27 In respect of daylight/sunlight loss to neighbouring properties, it is considered that the additional height of the roof is unlikely to result in any unacceptable impacts to adjoining properties through daylight/sunlight loss, due to the scale of the addition.
- 8.28 In The proposal is considered in terms of amenity for existing and future residents, and would accord with Policy SP10 in the Adopted Core Strategy (2010), Policy DM25 in the Managing Development Document (2013) including guidance within the National Planning Policy Framework (2012). The above policies and guidance seek to safeguard the amenities of residential occupiers of the Borough.

Transportation and Highways

Car Parking

- 8.29 Policy 6.9 in the London Plan (2011), policy SP09 of the Core Strategy (2010), Policies DM22 and DM23 in the Managing Development Document (2013) seek to facilitate more walking and cycling activities and create a safer environment for cyclists.
- 8.30 The application site is highly sustainable and benefits from having good connectivity to public transport and is within walking distance to All Saints Docklands Light Railway station, with a PTAL of 4.
- 8.31 The applicant intends for the proposal to be car free and therefore the prospective residents will be prohibited from having a car parking permit to park on-street. The Council's Highway and Transportation Team was consulted in this regard and raised no objections to a car free development secured by way of a condition.

Cycle Parking

- 8.32 London Plan (2011) Policies 6.1 and 6.9 seek to promote sustainable modes of transport, accessibility, and reduce the need to travel by car. Policy 6.3 in the London Plan requires transport demand generated by new development to be within capacity.
- 8.33 Policy SP09 of the Core Strategy (2010), Policies DM22 and DM23 in the Managing Development Document (2013) re-affirms this aim and also emphasises the need to provide better facilities and a safer environment for cyclists.
- 8.34 An area for secure cycle parking for the proposal has been incorporated within the communal amenity space and although full details need to be submitted, it is considered that the provision of a dedicated area can be secured by condition.
- 8.35 The Council's Highway and Transportation Team have reviewed the cycle parking provision proposed and they have confirmed that this would be acceptable. The proposal

therefore accords with Policies 6.1 and 6.9 of the London Plan (2011) and policy SP09 in the Core Strategy (2010) which seeks to secure adequate cycle parking within developments, subject to details of the cycle parking being secured by condition.

Other

Refuse

- 8.36 Policy 5.17 of the London Plan, Policy DM14 of the Managing Development Document (2013) and Policy SP05 of the Core Strategy (2010) require developments to make suitable waste and recycling provision within developments.
- 8.37 The existing development has refuse at ground floor level within the rear part of the site, and the submitted drawings (RS 02 Scheme 02) illustrates 4 x 500 litre bins. The Council's Waste Management Team was consulted and notes that the waste arrangements were satisfactory, subject to the bin store capacity being able to accommodate 1100 litre refuse bin and 1280 litre recycling bin. Details of this can be secured by condition.
- 8.38 Subject to conditioning final capacity details, the refuse provision for the new units can be easily accommodated within the curtilage of the site subject to condition to meet the objectives set out in Policy SP05 of the Adopted Core Strategy (2010) and Policies DM14 and DM25 in the Adopted Managing Development Document (April 2013), which seeks to ensure that adequate refuse provision is made within new developments.

Community Infrastructure Levy

- 8.39 In accordance with London Plan policy 8.3, the London Mayor has introduced a London-wide Community Infrastructure Levy (CIL) that is paid on the commencement of most new development in London. The Mayor's CIL will contribute towards the funding of Crossrail. In this case, it is considered that the CIL payment may be required and this will need to be the CIL requirement should be confirmed by the applicant and Tower Hamlets Council once the components of the development have been finalised.

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

- 8.40 Section 70 of the Town and Country Planning Act 1990 (as amended) requires that

in dealing with 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

- 8.41 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.

- 8.42 In this context "grants" might include the New Homes Bonus.

- 8.43 These issues are material planning considerations when determining planning

applications or planning appeals.

- 8.44 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.
- 8.45 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 £2596 within the first year and a total of £15,579 over a rolling six year period.

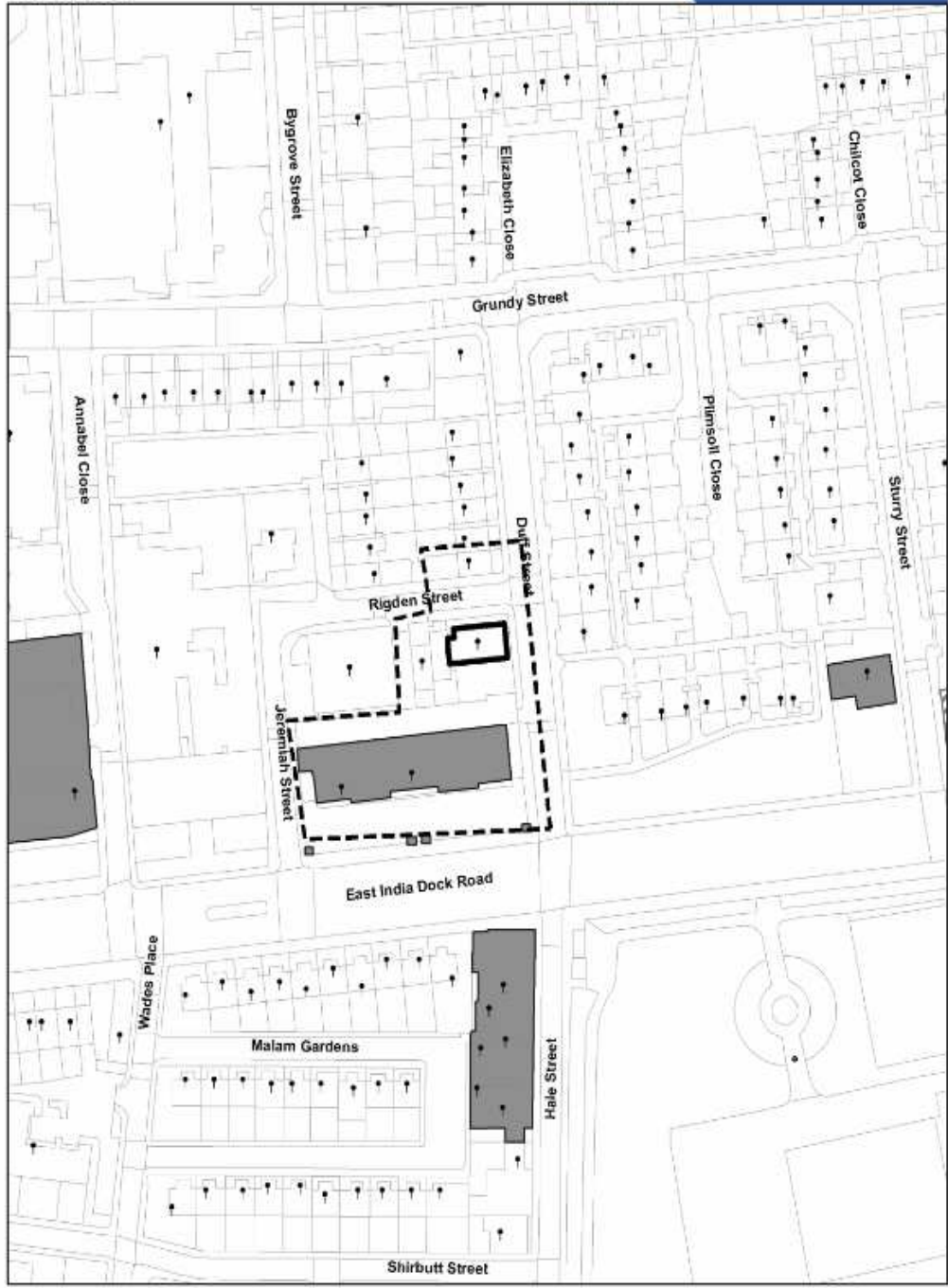
Equalities

- 8.46 The Equality Act 2010 provides that in exercising its functions (which includes the functions exercised by the Council as Local Planning Authority), that the Council as a public authority shall amongst other duties have due regard to the need to-
- (a) eliminate discrimination, harassment, victimisation and any other conduct that is prohibited under the Act;
 - (b) advance equality of opportunity between persons who share a relevant protected characteristic and persons who do not share it;
 - (c) foster good relations between persons who share a relevant protected characteristic and persons who do not share it.
- 8.47 The protected characteristics set out in the Equality Act are: age, disability, gender reassignment, pregnancy and maternity, race, religion or belief, sex and sexual orientation. The Equality Act acknowledges that compliance with the duties set out may involve treating some persons more favourably than others, but that this does not permit conduct that would otherwise be prohibited under the Act.
- 8.48 With regard to age, disability, gender reassignment, pregnancy and maternity, race religion or belief, sex and sexual orientation there are no identified equality considerations.

CONCLUSION

- 9.0 All other relevant policies and considerations have been taken into account. PLANNING PERMISSION should be granted for the reasons set out in the SUMMARY OF MATERIAL PLANNING CONSIDERATIONS and the details of the decision are set out in the RECOMMENDATION at the beginning of this report.

Planning Application Site Map
PA/13/00188



- Planning Application Site Boundary
- Locally Listed Buildings
- Land Parcel Address
- Consultation Area
- Statutory Listed Buildings



This Site Map displays the Planning Application Site Boundary and the neighbouring Occupiers / Owners who were consulted as part of the Planning Application process.
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1:1,250