

LONDON BOROUGH OF TOWER HAMLETS

DEVELOPMENT COMMITTEE

15th October 2014

UPDATE REPORT OF HEAD OF PLANNING AND BUILDING CONTROL

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Agenda item no	Reference no	Location	Proposal / Title
6.1	PA/14/1486	Land to the south of Rainhill Way, Bow Cross Estate, London, E3	Erection of 4 x 3 bedroom residential units on land located south of Rainhill way
6.3	PA/14/01887	7 Westport Street, London, E1 0RA	Change of use of part of ground floor unit from Estate Agent (Use Class A2) to mini cab call centre use (Use Class B1).

Agenda Item number:	6.1
Reference	PA/14/01486
Location	Land to the south of Rainhill Way, Bow Cross Estate, London, E3
Proposal	Erection of 4 x 3 bedroom residential units on land located south of Rainhill way, Bow Cross Estate, London E3.

1.0 Corrections

1.1 Please note the following amendments to this report

- a) Under 'Applicant' and 'Ownership', this should read 'Swan Housing Association'
- b) References to Bruce Grove should read 'Bruce Road'
- c) Under Drawings – drawing 1972_101 rev B has been referenced twice and this should only be referenced once.
- d) Under Paragraph 7.20 which refers to DCLG's New Homes Bonus Calculator, this states that the indicate scheme may generate £5,822 in the first year and a total payment of £34, 9334 over 6 years. This should read '£34,933.'
- e) Members should note that reference has been made in the committee report to 'Crossways Estate', the same estate is also known as 'Bow Cross Estate'
- f) In paragraph 6.10 refers to consideration for Planning Obligations. This should be omitted.
- g) Paragraph 6.20 refers to 9,220sq.m of communal open space however this should be 9,220sq.m of soft landscaping areas.

2.0 Clarification

2.1 During the course of the application, the applicant has submitted additional information for clarification purposes and these are clarified below:

Details submitted	Dated	Officer comment
<ul style="list-style-type: none"> • Drawing 1972/PA/PA100 (showing proposed site plan) • Drawing 1972/PA101 Rev B showing the proposed ground floor plan 	22 nd September 2014	The drawings have been updated to show secure cycle storage for the new houses, details are to be secured by condition and to show increased window sizes on the northern elevation (to improve day lighting)
<ul style="list-style-type: none"> • Drawings : 1972/PA102 Rev A and 1972/PA/200 		Updated to show minor variations to the window sizes

Rev A		
Updated Daylight/Sunlight Assessment	31 st July 2014	To take account of the increase to window sizes on the northern elevation and includes further shadowing assessment of the community garden
<ul style="list-style-type: none"> • Noise Survey and Assessment (ref 5989/NSA/ revision 2) • Vibration Assessment (5989/NSA rev 2) 	8 th September 2014	To address further clarification to Environmental Health Team
<ul style="list-style-type: none"> • Revisions to the Overshadowing assessment contained within the (37593_PO_02 Revisions 3) 	26 th September 2014	The information was requested by officers to clarify whether the proposed community gardens to the western end of the site would be adequately sunlit on 21 st March.
Transport (Technical note)	24 th September 2014	The Transport Statement has been updated to illustrate that two covered cycle parking spaces can be provided within each of the gardens proposed for the development.

3.0. Additional representations and clarifications:

3.1 Additional representation was received from a Local Ward Member for Bromley North Ward (Cllr Mohammed Mufti Miah) on 14th October 2014, and has objected to the application scheme.

3.2 Additional clarification has been sought by an objector on the following points:

- a) The percentage of child play space on the crossways estate and also confirmation of the number of children living on the estate or indeed applied the LBTH child yields rational?

[Officer Comment: The child play space requirement that was delivered (818sq.m) within the Estate was acceptable.]

- b) Confirmation of what is meant by 'semi private' in regards to the amenity space as stated on page 31 of the report paragraph 6.20.

[Officer Comment: Semi-private space in this context has been taken to mean 'communal amenity space.']

- c) Within the context of the committee report, how much semi private' space is delivered across the site.

[Officer Comment: This is set out in paragraph 6.20 of the committee report and corrected in paragraph 1.1 g) above, which states that 9,330 sq metres of soft landscaped areas has been provided across the Estate of which 5,128 sq metres is communal amenity space. However, it should be noted that the information requested above is not relevant to the consideration of this application. Paragraph 6.31 of the Committee Report illustrates that the proposal would deliver adequate private amenity space which exceeds policy requirements. In addition, the application site is not a designated open space; communal open space or private open space].

- d) Confirmation as to whether 'general landscaped areas' as described in the report can also be classed as communal amenity space?

[Officer Comment: The general landscaped areas are not communal amenity spaces but general landscaped edges and incidental soft landscaped areas which provide visual amenity.]

- e) Can you clarify if you or one of your colleagues visited the Crossways Estate to ascertain if the figures provided by Swan regards to the communal open space were indeed accurate?

(Officer Comment: The information relating to communal amenity space for the wider crossways estate has been supplied by the applicant, however, the material planning consideration in this case, remains whether the proposal under consideration provides adequate private amenity space for future occupants. Officer's assessment clearly illustrates that the policy requirement for private amenity space is adequate within this development. In addition, the officers have been on site but the purpose of the site visit was not to quantify the communal amenity space provisions.]

- f) The submission of documents in regards to the green space and landscaping details were accepted after the consultation period ended and they have never appeared on the website.

[Officer Comment: Although a landscaping plan has been submitted, this was to show how the community garden area would be re-provided within the scheme; and should members be minded to approve the scheme, full details of the proposed landscaping is proposed to be secured by condition]

- g) Following the publication of the committee agenda, an email received from an objector sought clarification on what the update Transport statement contained.

[Officer Comments: Members should note that the content of the Transport Statement remains the same as initially submitted with the application – however the updated revised Site Plan at Appendix A illustrates two covered cycle parking spaces to the rear of each property. The details are illustrative only and should members be minded to approve this application, a condition would be applied to secure full details of this aspect of the proposal.]

- h) Following the publication of the committee agenda, a resident of the adjoining premises within 1-9 RainHill Way sought clarification as to the extent of overshadowing on the Land East of the site, proposed to be a Community Garden and whether or not the applicant had assessed the impact of both the proposed building and also the building 1 to 9 Rainhill Way on the community gardens proposed.

[Officer Comment: The details submitted show that the proposed community growing area to the west of the site would benefit from adequate sunlight on 31st March 2014. However, whilst it is acknowledged that this area may experience some shadowing impact, this on its own is insufficient to recommend that the application is refused given that this space is not set aside specifically for any individual or group of properties and officers consider that it would not diminish the quality of the space to the extent that it is not usable. As such, it is considered that the scheme remains acceptable in this regard.

- i) An email was received from a right of lights consultant engaged by the resident at 7 Rainhill Way which states the following:

" I have undertaken a Preliminary Review of the issue and concluded that the proposal breaches the 25 degree test in relation to our client's ground floor rear (kitchen) window. I am however, concerned to hear that the proposal will also include screening which is not detailed within the drawn plans. This is likely to have an effect on the accuracy of the analysis prepared by Malcolm Hollis. I also note that only the daylight test for Vertical Sky Component has been undertaken by Malcolm Hollis in respect of our client's property and not the internal test for Daylight Distribution. Therefore, the analysis undertaken does not fully represent the impact of the proposal upon the internal layout of our client's property and is both insufficient and inaccurate.

It is unlikely that a site visit to our client's property and any amendments to the computer model can be made by Malcolm Hollis before the meeting tomorrow evening. I would therefore be grateful of your assurance that my above concerns are brought to the attention of the committee members before they decide on the application. Should my concerns not be forwarded the committee will be making a decision based on information which is inaccurate and insufficient; which ultimately could lead to a Judicial Review being sought by my client."

[Officer Comment: Whilst the concerns have been acknowledged, the daylight/sunlight report assessed demonstrates that adjoining premises at 1-9 Rainhill Way and the tested windows would still continue to meet BRE guidance in terms of Vertical Sky Component and as such, no daylight distribution test would normally be required. With regards to the proposed screening of gardens, this will be below the existing height of the perimeter boundaries for properties to the east.]

4.0 RECOMMENDATION

- 4.1 Officer recommendation remains as set out in the committee report.

Agenda Item number:	6.3
Reference	PA/14/01887
Location	7 Westport Street, London, E1 0RA
Proposal	Change of use of part of ground floor unit from Estate Agent (Use Class A2) to mini cab call centre use (Use Class B1).

1.0 ADDITIONAL REPRESENTATION

- 1.1 A petition has been submitted in support containing 10 signatories.
- 1.2 Two letters have been submitted from existing objector withdrawing their objections and now supporting the application

(Officer response: The above representation has been noted.)

2.0 RECOMMENDATION

- 2.1 Officer recommendation remains as set out in the committee report.