

Committee: Strategic Development	Date: 8 th November 2007	Classification: Unrestricted	Agenda Item No: 6.1
Report of: Corporate Director Development & Renewal		Title: Deferred Item – Addendum Report	
Case Officer: Shay Bugler		Ref No: PA/06/2081	
		Ward(s): Limehouse	

1. APPLICATION DETAILS

Location: 721-737 Commercial Road and 2-22 Lowell Street, Commercial Road, London

Existing Use: The site is currently vacant. (Formally used as an open yard, recycling plant facilities and warehousing).

Proposal: Demolition of existing buildings and redevelopment up to 14 storeys to provide 319 units (319 residential units (9 x studio; 107 x 1 bed; 119 x 2 bed; 79 x 3 bed and 5 x 5 bed)) residential units and 675 sqm commercial (Class A2, A3, A4, B1, D1 and D2) space.

Drawing Nos: PL/225 Rev A: Section EE Blocks C & E North Elevation

New composite drawings

PL/500: Upper Ground Floor Plan

PL/501: First Floor Plan

PL/502: Second Floor Plan

PL/503: Third Floor Plan

PL/504: Fourth Floor Plan

PL/505: Fifth Floor Plan

Applicant: SURE Estates Ltd

Owner: SURE Estate Ltd

Historic Building: N/A

Conservation Area: N/A

2. BACKGROUND

Addition Daylight/Sunlight study

- 2.1 The proposal was deferred at the Strategic Development Committee on the 20th September 2007. The Committee requested that a daylight/sunlight assessment be carried out to assess the impact the proposed development would have on the daylight and sunlight levels to Salmon Lane Evangelical Church.

3. ADDITIONAL INFORMATION

The applicant has submitted the following report to assess the application:

- Daylighting / Sunlighting Report on the Salmon Lane Evangelical Church by Drivers Jonas dated 12th October 2007.

Policy Context

- 3.1 Policy 4B.9 of the London Plan refers to the design and impact of large scale buildings and includes the requirement that in residential environments particular attention should be paid to privacy, amenity and overshadowing.
- 3.2 DEV 2 of the UDP seeks to ensure that the adjoining buildings are not adversely affected by a material deterioration of their daylighting and sunlighting conditions. Supporting paragraph 4.8 states that DEV2 is concerned with the impact of development on the amenity of residents and the environment.
- 3.3 Policy DEV1 of the Council's Interim Planning Guidance stipulates that development is required to protect, and where possible improve, the amenity of surrounding existing and future residents and building occupants, as well as the amenity of the surrounding public realm. The policy includes the requirement that development should not result in a material deterioration of the sunlighting and daylighting conditions of surrounding habitable rooms.

Further daylight/sunlight assessment

- 3.4 The applicant appointed Drivers Jonas to undertake a daylight and sunlight analysis on the effects of the proposed redevelopment of 723-737 Commercial Road on the non-residential elements of the Salmon Lane Evangelical Church.
- 3.5 The daylight/sunlight analysis has been carried out at the request of the Committee.
- 3.6 Driver Jonas analysis was carried out using residential standards for daylight sunlight levels for habitable rooms as recommended in the BRE guidelines. This is because there are no guideline standards for daylight levels to church halls or non residential properties. It is important to note that if the Church Hall was residential, it would pass the ADF tests.
- 3.7 The Vertical Sky Component (VSC) test was first undertaken. This involves using a skylight indicator, which calculates the Vertical Sky Component at the centre point of each affected window. The occupants of the existing building will notice a reduction in the amount of daylight when the VSC is less than 27% and less than 0.8 of its former value. The results conclude that all rooms in the church building fail the vertical sky component test as all windows fall below the ratio reduction test when compared against the existing situation, with levels ranging from 0.4 to 0.7.

- 3.8 The VSC test demonstrates that in comparison to the existing situation the rear windows of the Church will have a reduction in daylight below the recommended values suggested in the BRE guidelines. This is inevitable given the development site is largely under developed and the proposed development will be in keeping with an inner city environment.
- 3.9 It is important to note that all rooms are non habitable and remain ancillary to the main church hall/worship area. The ancillary rooms to the church including the study room, library and office on the ground floor and an office and committee room/library on the upper ground floor.
- 3.10 The second test used was the Average Daylight Factor (ADF) test which is more reliable than the VSC test because ADF tests take into account a range of variables which the other tests do not. For example, only the ADF test takes into account the size of the window and whether the room has more than one window. These are important factors which affect the level of illumination within a room.
- 3.11 The ADF was used to calculate internal daylighting levels. The daylighting calculations use the formula as set out in the British Standards document BS8206 Pt 2 'Lighting for buildings code of practice for daylighting. The minimum values of ADF in dwellings are 1% for bedrooms, 1.5% for living rooms and 2% for kitchens.
- 3.12 The ADF results were obtained for each room individually and expressed as a percentage. The value used was the minimum room size standards for 1.5% for habitable rooms. Where there were two or more windows within one room the ADF was found separately for each window, and the results calculated.
- 3.13 Table 1: Average Daylight Factor (measured by habitable room's targets as set out in BRE guidance)

Room	Target	Existing	Proposed	Target
Store/study (ground floor)	1.5%	0.2%	0.2%	fail
Archive store/ground floor (ground floor)	1.5%	0.4%	0.3%	fail
Kitchen (lower ground)	1.5%	2.8%	1.9%	pass
Library (basement)	1.5%	1.2%	0.8%	fail
Office study (upper ground)	1.5%	0.9%	0.3%	fail
Pastoral Office	1.5%	1.4%	0.9%	fail
Church Hall/workshop	1.5%	4.4%	3.2%	Pass
Committee	1.5%	2.2%	1.4%	Pass

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- 3.14 From the table above, it is clear that store study room, archive store, library, office study and pastoral office fall below the ADF minimum standards for habitable rooms. However, it must be noted that the existing daylight levels falls below the minimum room size for a living room. Whilst there is a reduction in the amount of daylight levels of these rooms, the rooms are not habitable and remain ancillary to the primary room which is the Church hall/worship room. The archives room and kitchen will still retain satisfactory level of daylight.
- 3.15 The main reason for carrying out the additional daylight/sunlight test was to assess the impact the proposal would have on the main Church hall/worship room and committee room. The table shows that worship area of the church, which the Council considers to be the main area for daylight and sunlight expectation, far exceeds the BRE guideline suggestions with the proposed development in place. Given that the primary room of concern (church hall/worship) exceeds the minimum requirement for daylight, the Council is satisfied that the proposal will not have a detrimental impact on its use.
- 3.16 The proposal will not have an adverse impact on the amenity levels to Salmon Lane Evangelical Church. Furthermore, if the use of the main church were residential, this would be acceptable.

Response to Waterslade daylight/sunlight assessment

- 3.17 Mission Building Management Ltd commissioned Waterslade Ltd to undertake an assessment of the proposed development on the Salmon Lane Mission Buildings as well as comments on the Drivers Jonas July 2006 report:
- 3.18 Waterslade Ltd assessment relies on the three dimensional computer model of a selection of representative rooms and windows in the Mission building as well as the existing building, the proposed scheme and the immediate context.
- 3.19 The assessor notes that points taken for assessment in Drivers Jonas daylight/sunlight report fail the Vertical Sky Component (VSC) tests. The Council accepts that the proposal fails the VSC tests in the previous addendum report. This is why the Average Daylight Factor test was undertaken.
- 3.20 With reference to the ADF calculations, their report identifies failures for 4 rooms only and sunlight failures to 7 rooms, the vast majority of all the habitable rooms pass the ADF tests. The rooms that fall short only fall marginally short and are not significant enough to warrant a refusal. The Waterslade Report highlights ADF failures to 4 rooms and sunlight failures to 6 rooms, and all are situated adjacent to the boundary of our site where the flank windows are situated.

- 3.21 Waterslade asserts that the three living rooms to the front of the Mission building closest to the boundary fail the ADF. The 4th room is located in the rear 3 storey block adjacent to the Church and this room overlook the proposal site, the use of which is not identified in their tabulation, but referred to as a 'living room' in the report.
- 3.22 Nevertheless, the daylight /sunlight reports submitted by Drivers Jonas in July 2006 and June 2007 demonstrate that whilst there is a diminution in the amount of daylight loss at point 2 (flank windows to front of Mission) and point 6 (Waterslade W3/W4/W5/11s as above) Drivas Jonas findings are that ADFs here to the 3 living rooms pass at 2.3%. These are calculated from figures from plans obtained from the architects who designed the refurbishment of the Mission building - CZWG Architects. It is acknowledged that the diminution of daylight is more intense, but the VSC calculation shows a level of 20%, which is considered acceptable.
- 3.23 The sunlight test fails on all 3 floors. These are the flank windows to the Mission located towards the back on the flank wall. The findings in the July 2007 report reveal that the 3 flank windows to the front closest to Commercial Road pass the sunlight test. That leaves the 'living room' referenced by Waterslade (referenced above) and point 6 in the Drivers Jonas report as passing the relevant BRE guidelines.
- 3.24 In summary, 4 windows fail the ADF calculations. The results by Waterslade are correct, the reduction of daylight levels to these windows is not considered to be of a magnitude to warrant a refusal.
- 3.25 Table 2: Reduction of daylight levels to 4 rooms as reported by Waterslade Ltd.

Minimum daylight levels promoted in the BRE guidelines for living rooms	Existing ADF	Proposed ADF	Reduction below minimum standard
1.5%	(R2/11) 1.54%	1.20%	20%
1.5%	(R5/21) 2.06%	1.3%	13%
1.5%	(R5/22) 1.99%	1.18%	22%
1.5%	(R5/23) 2.03%	1.24%	17%

- 3.26 With reference to sunlight, the Council acknowledges that the rear flank windows to 3 bedrooms fail on all floors, but the 3 front living rooms pass.
- 3.27 The Council needs to further investigate the findings from the daylight/sunlight study from Waterslade. In addition, a more detailed response to the points raised by Waterslade report will follow and will be available prior to the committee meeting.

The impacts the proposal will have on the neighbouring site

3.28 A letter dated 4th October 2007 was received by the Council from mgl architects who are acting on behalf of the developer for 25 -28 Dalgleish Street (the site behind the subject site). This letter raised concerns with the proposed development and the potential impact it may have on their site. This was not raised as an issue when it previously went to Committee. The impact the proposal could potentially have on 25-28 Dalgleish Street was not raised at the previous meeting. Although this objection letter was only received post the previous meeting, the Council considers it important to address the concerns that were raised:

- The four storey block of news houses (Block F) will result in an unacceptable loss of daylight/sunlight to the listed buildings on Commercial Street .
- The proposal would not prejudice the development potential of the English National Opera.
- The applicant has not assessed the levels of daylight and sunlight that will be achieved to the proposed dwellings, which would highlight the issue of the relationship between the two sites.
- The implications of a proposed part 6/part 14 storey tall building and its potential to prejudice amenity space and daylight/sunlight of 25-28 Dalgleish Street.

Response to the above concerns

3.39 Firstly, it is worth noting that amendments have already been made to the scheme in order not to prejudice the development rights of the ENO site. The footprint of Block G has been reduced since the proposal was originally submitted which demonstrates a greater degree of sensitivity to its context and sympathetic to the setting of the listed building. The junction between the listed terrace and the west pavilion has also been resolved to the satisfaction of the Council. The height of Block E (West Pavilion) was reduced from 7 to 6 storeys. The plan of Block E West Pavilion was revised at the south end of the building to minimise impact on neighbouring terrace.

3.40 In response to the particular points raised in the letter, the Council has the following specific comments to make:

3.41 With reference to Block F, the objector believes that the proposal will result in a loss of daylight/sunlight to the development to the north and the listed buildings to the south. The internal daylighting report carried out shows there are no daylight issues to Block F. The upper ground floor plans shows the bedrooms adhere to the guidelines. The first floor level living rooms achieve a good daylight level apart from one larger dining room to the far east of the block which falls below the BRE guidelines. (If the window width were increased by 450mm to the dining room then this room would adhere to the BRE guidance). However, overall, the proposal adequately complies with the BRE guidance.

- 3.42 With reference to Block A (The Tower), the tower has been designed to minimise impact and facilitate the potential development of the ENO site. The Council does not believe that the proposed Block A would adversely impact on the development potential of 25 to 28 Dalgleish Street. It is not possible to carry out a daylight/sunlight assessment as there are at present no definitive proposals for any development of the ENO site. As such, the proposal cannot in its current state prejudge daylight/sunlight levels to the ENO site.

Further security measures for 1st to 3rd floor of building adjacent to Mission Building

- 3.43 The agent has submitted new composite enlarged plans (PL 500 to 505) showing junction details of the East Pavillion Building with The Mission and the Church. The side windows of The Mission, particularly to units 204 and 305 are indicated on the drawings. These plans are attached as Appendices 2 to 7.
- 3.44 Privacy /security screens to the projecting balconies have been added to the rear and at roof terrace level to the front, to prevent loss of privacy and access on to the flat roof of the building immediately adjoining The Mission. There is no access at roof at first floor level. The latter was previously a perceived security issue and this is now eliminated (refer to attached composite drawing numbers: PL500 to 505). Therefore, the Council considers that this sufficiently addresses the concerns raised.
- 3.45 Minor amendments have been made to the Wilson's Place elevation. The previous plan showed the bike shed to be two storeys. The new plan for the North elevation to blocks C & E shows the relationship of the Church access and the proposed building more clearly and corrects the height of the bike shed, which is a single storey. Therefore, the impact of the bike shed on the church has been reduced to the satisfaction of the Council.

4. RECOMMENDATION

- 4.1 My recommendation is unchanged (approval). The previous report is attached as Appendix 1 to this report.