

<b>Strategic Development Committee</b>	<b>Date:</b> 19 <sup>th</sup> November 2015	<b>Classification:</b>	<b>Agenda Item No:</b>
<b>Report of:</b> Corporate Director Development & Renewal		<b>Title:</b> Planning Application for Decision	
<b>Case Officer:</b> Paul Buckenham		<b>Ref No:</b>	
		<b>Ward(s):</b>	

## 1. BACKGROUND

- 1.1 An application for demolition of existing buildings and erection of buildings that range in height from 3 to 14 storeys containing 153 residential units, car parking and central landscaped courtyard was considered by the Strategic Development Committee at their meeting on 8 October 2015. The officer recommendation was to grant planning permission with conditions and planning obligations, subject to any direction by the London Mayor.
- 1.2 The Committee resolved to defer the application in order to undertake a site visit. The site visit took place on Thursday 22 October, with four committee members attending. At the visit members asked for clarification on two specific planning issues:
- The comparative height of the tallest part of the application proposals and the height of the existing residential buildings on the corner of Bow Common Lane and the Limehouse Cut Canal – Craig Tower and Werner Court.
  - Further information about the impact of the proposed development on the amenity of local residents in Craig Tower and Werner Court, in terms of daylight and sunlight.

## 2. COMPARATIVE BUILDING HEIGHTS

- 2.1 The application proposes redevelopment of the site with four-storey buildings fronting Broomfield Street, seven-storey buildings fronting Upper North Street, seven-storey buildings fronting the canal with a tower element rising up to fourteen storeys above the canal towpath, on the corner of the site fronting Upper North Street and the canal.
- 2.2 The tower would be 41.5 metres high, taken from the level of the towpath. It would appear less tall when viewed from the adjacent Bow Common Bridge due to the difference in levels of approximately 3 metres.
- 2.3 The development at 2-10 Bow Common Lane, that includes Craig Tower and Werner Court, was granted planning permission in 2007. The development is now completed and has been occupied for some years. The scheme includes 157 flats and comprises a part 11, part 12 storey building at Craig Tower (approximately 35.8 metres tall) and a lower 6 storey building at Werner Court, with a communal open space for residents in a courtyard between the blocks.
- 2.4 The lower element of the application proposals facing the Limehouse Cut Canal would be similar in height to Werner Court. The taller 14 storey element would be two storeys or 5.7 metres taller than Craig Tower.

- 2.5 The face to face distance between opposing windows and balconies across the canal would be 26.5 metres.

### **3. DAYLIGHT**

- 3.1 The applicant has provided further information that summarises the assessments carried out to support the application, on properties at Craig Tower and Werner Court.

#### Werner Court

- 3.2 Sixty windows within Werner Court overlooking the site have been tested. 33% of those windows do not currently achieve the recommended minimum level of daylight based on the Vertical Sky Component (VSC) analysis. VSC tests the amount of light enjoyed on the face of the window at its mid-point.
- 3.3 If the development were built, 40 of the windows tested would experience a reduction in their current VSC of greater than 20% and of these 11 would experience a reduction of more than 40%. The greatest level of reduction would be 50.2%. The most significant effects are to windows on the ground to 4th floor levels of the building.
- 3.4 As the internal layout of Werner Court is known, in accordance with the BRE Guidelines and BS8206, it is appropriate to consider the Average Daylight Factor (ADF) each room will enjoy. This analysis takes into account the size of the window or windows serving the room, the size of the room and its use. The results show that all rooms will achieve the recommended minimum ADF, with some exceeding this by over 100%.
- 3.5 In terms of daylight distribution within each room, analysis shows that all except two rooms, will have a significant portion of the room (greater than 80%) in front of the No Sky Line contour. The two rooms that do not achieve the above, both are within 0.8 times the existing and are over 70%, therefore in accordance with the BRE Guidelines, the reduction should not be noticeable.
- 3.6 The update note confirms the applicants analysis that whilst there would be reductions in the Vertical Sky Component, the daylight enjoyed by the habitable rooms facing the site would remain good and well distributed.
- 3.7 The applicant's position is consistent with the Council's technical consultant's review (April 2015) which concludes that for Werner Court, "whilst the reduction in VSC is going to be noticeable, the sky visibility in the rooms will remain at a good level and the ADF results show that the rooms will remain adequately lit and in many cases well lit."

#### Craig Tower

- 3.8 Forty five windows to Craig Tower that look out over the site have been tested. Even with the current open outlook, none of the windows achieve the recommended minimum VSC. As a result, any development on the site will have a disproportionate effect on the daylight these windows will enjoy, based on a VSC analysis. 28 of the 45 windows would experience a reduction in VSC of more than 20% and 6 of these more than 40%. The greatest loss is 52%. The windows experiencing the most significant reductions (i.e. more than 20%) serve flats on the ground to 7th floor levels of the building.
- 3.9 The VSC analysis does not take into consideration the large windows serving flats in this property. Hence an Average Daylight Factor (ADF) analysis in accordance with the BRE Guidelines and BS8206 is considered more appropriate. This analysis demonstrates that the recommended minimum ADF is exceeded by more than 100% in all cases. In some instances the ADF is as much as 400% above the recommended minimum for a living room.

- 3.10 Whilst all rooms within Craig Tower may have a noticeable reduction in their daylight, due to the under developed nature of the application site, they will still enjoy a very good levels of daylight.
- 3.11 In relation to daylight distribution, the analysis demonstrates that all rooms will have a significant portion of their area (over 80%) in front of the No Sky Line. This again demonstrates that the rooms within Craig Tower will enjoy a good level of daylight.
- 3.12 The applicant's conclusion is consistent with a review carried out by the Council's technical consultant (April 2015) which says "the ADF results for this property are very high and the rooms will be left with a very well lit internal environment."

#### **4. SUNLIGHT**

- 4.1 Annual probable sunlight hours (APSH) is a measure of sunlight that a given window may expect over a year period. The BRE guidance recognises that sunlight is less important than daylight in the amenity of a room and is heavily influenced by orientation, for example north facing windows may receive sunlight on only a handful of occasions in a year and windows facing eastwards or westwards will only receive sunlight for some of the day. Therefore, BRE guidance states that only windows with an orientation within 90 degrees of south need be assessed.
- 4.2 The windows in Craig Tower and Werner Court looking toward the application site face south east. In determining a material impact, BRE guidance recommends that the APSH received at a given window in the proposed case should be at least 25% of the total available, including at least 5% in winter. Where the proposed values fall short of these and the loss from existing is greater than 4%, then the proposed values should not be less than 0.8 times their previous value in each period.

##### Werner Court

- 4.3 The applicant's assessment shows that all windows analysed will achieve or exceed the recommended minimum levels of sunlight throughout the year and during the winter months.
- 4.4 The Council's technical consultant agrees with these findings.

##### Craig Tower

- 4.5 The applicants assessment shows that all except nine windows out of forty-three tested will achieve the BRE Guidelines in relation to total sunlight hours enjoyed through the year and during the winter months.
- 4.6 Closer interrogation of the results shows that the most severe effects are on sunlight to windows at levels one to six of Craig Tower, where 31% of the windows would experience significant percentage reductions greater than 20% in in two cases up to 100%.
- 4.7 The Council's technical consultant agrees that the losses are significant but are in part due to the projecting balconies above the windows limiting direct sunlight when the sun is highest in the sky, during summer months. The balconies themselves would enjoy good levels of sunlight.
- 4.8 All windows to Craig Tower would exceed the BRE minimum throughout the winter months.

## **RECOMMENDATION**

- 3.13 The additional information has been considered in the context of the relevant Development Plan policies and the officer recommendation to **GRANT** planning permission remains unchanged.