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| Committee: Development Committee | Date: 16 th December 2015 | Classification: Unrestricted | Agenda Item Number: |
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| Report of: Director of Development and Renewal | Title: Application for Planning Permission |
| Case Officer: Kirsty Flevill | Ref No: PA/15/01601 |
| | Ward: Bow East |

1. APPLICATION DETAILS

Location: Vic Johnson House Centre, 74 Armagh Road, London, E3 2HT

Existing Use: Sheltered housing accommodation

Proposal: Part demolition, part refurbishment, part new build (extension) to total 60 age restricted apartments (over 55s) sheltered housing scheme, including new communal areas (lounge, function room, hair salon and managers office), and associated landscape gardens. The proposed use remains as existing. The scheme is on part 2, part 3 and part 4 storeys.

2. **BACKGROUND**

2.1 This application for planning permission was considered by the Development Committee on 25th November 2015. A copy of the original report is appended.

2.2 Members were minded to REFUSE planning permission on the following grounds:

- Loss of amenity space in view of proposed increase in units and the loss of the communal lounge that would not be replaced like for like
- Overdevelopment of the site.
- Bulk and size of the proposal that would be out of character with the surrounding area.
- Impact on the amenity of the existing residents of the development in terms of noise and disruption during the construction phase.

2.3 In accordance with Development Procedural Rules, the application was **DEFERRED** to the next committee to enable officers to prepare a deferral report to provide wording for reasons for refusal and providing commentary on the detailed reasons for refusal on the application.

3. **SUMMARY OF ISSUES RAISED**

3.1 Loss of amenity space in view of proposed increase in units and the loss of the communal lounge that would not be replaced like for like.

Communal Amenity Space

- 3.2 In the existing situation, the communal amenity space wraps around the site and encompasses less useable spaces to the east of the site at the rear of the warden's lodge. The projecting communal lounge which is hexagonal in plan form projects out into the space. The amenity space also includes a number of pathways around the site. The existing communal amenity space measures approximately 1,028 sqm. Figure one below shows the extent of the available existing communal amenity space surrounding the site.



Figure one – existing communal amenity space

- 3.3 The proposed communal amenity space would measure 961.7 sqm and will all be useable space. The proposed communal amenity space is 67sqm smaller in size; but the plans submitted for approval show that it would provide an enhanced quality and that is designed specifically for the occupants of the sheltered accommodation. .
- 3.4 There is no Local Plan policy requirement for the minimum size of communal area for class C2 uses, such as sheltered housing. However if the Council's general needs residential standards were applied in accordance with policy DM3 of the Managing Development Document (2013), the existing 32 units would require 72 sqm and the total of 60 units in the proposed development would require 100 sqm of communal amenity space.
- 3.5 In conclusion there would be a good standard of outdoor landscaped amenity space in terms of both quality and quantity. There would be no conflict with the development plan policies or any other adopted guidance. Whilst the Committee made their concerns clear in this respect, the officer advice is that a reason for refusal based on loss of amenity space or insufficient amenity space would be difficult to defend at appeal.

Loss of indoor communal lounge

- 3.6 The communal lounge is located to the south of the site and is arranged in a hexagonal arrangement. The existing communal lounge measures 87.5sqm in size.
- 3.7 The existing residents' lounge would be demolished and the proposed lounge would located to the south of the site and will be arranged in a rectangular shape. It would be integrated into the main body of the building and adjacent to the new main entrance. The proposed lounge and general sitting area would measures 72 sq.m and have level access on to an outdoor terrace. There would also be a resident's snug that measures 26.7 sqm. making the total indoor communal space for residents 98.7 sqm. The proposals also include a hair salon, and a guest bedroom with ensuite for visitors. Therefore, the proposal provides enhanced indoor communal space in terms of both size and quality.
- 3.8 There are no adopted minimum standards for indoor space in sheltered housing. Given both the quality and quantity of space would increase and the range of facilities would be commensurate with accommodation of this type and size, officers advice is that this reason would also be difficult to defend at an appeal.



Figure three- proposed communal lounge area & Snug to the south of the site

Overdevelopment of the site

- 3.9 Members raised concerns about potential overdevelopment of the site, taking account of the increase in the number of units from 32 to 60.
- 3.10 In considering general needs residential accommodation, the capacity of a site to absorb a particular level of development can be assessed in quantitative terms against the London Plan density matrix (policy 3.4 of the London Plan 2015) and the associated Density Matrix as set out in the London Plan Table 3.2, which links density to public transport accessibility.

- 3.11 Capacity can also be assessed in qualitative terms by looking at typical symptoms or characteristics of over-development, such as:
- Inadequate access to sunlight and daylight for proposed or neighbouring homes;
 - Sub-standard dwellings (size);
 - Insufficient open space (private, communal and/or publicly accessible);
 - Unacceptable sense of enclosure or loss of outlook for neighbouring occupiers;
 - Unacceptable increase in traffic generation;
 - Detrimental impacts on local social and physical infrastructure; and
 - Detrimental impacts on visual amenity, views, character of surrounding area.
- 3.12 As detailed in the main committee report, the proposal does not exhibit any overdevelopment symptoms outlined above. The London Plan density policies do not apply to specific needs housing, but could be used as a benchmark to assess the capacity of the site in quantitative terms to accommodate the proposal.
- 3.13 The site has a PTAL rating of 2 and is in an 'urban' setting. Table 3.2 of the London Plan (2015) sets a density range of 200-450hr/ha. The application site would have a density of 397 hr/ha.
- 3.14 In conclusion there are no demonstrable characteristics of over-development in either quantitative or qualitative terms, officers' advice is that his reason would be difficult to defend at an appeal.

Scale and bulk of proposal

- 3.15 The building heights in the local area range from one to six storeys. The tallest is two blocks directly to the west and north-west of the site on the opposite side of Armagh Road (Nos. 81-127 and Nos. 129-223) which are six storeys in height. These are to the west of Armagh Road (immediately opposite to the application site) as shown in figure four below and have a large plot coverage extending up to the private parking area at the front of the site.



Figure four – six storey buildings opposite the site on the west side of Armagh Road (image from google maps, 2015)

- 3.16 The buildings immediately to the north of the site are two storeys in height but are separated from the site by 18 metres at the junction of Armagh Road and the private road. The dwellings to the north within Annie Bessant Close will achieve a 31 metre separation distance with the proposed extended element to the east.
- 3.17 To the east of the site, the dwellings range from 2 – 3 storeys in height.
- 3.18 As noted in the main committee report, the building frontage will increase in scale and height and this is most apparent on the Armagh Road frontage which increases from 1 storey to a 4 storey flat roof building. Whilst the bulk of the frontage facing Armagh Road will increase, it will not be an inappropriate form of development given the surrounding context which is a range of heights similar to the proposal.
- 3.19 The frontage will also be stepped away from the streetscene with private amenity space separating the two. This will ensure that the proposal is less visually prominent within the streetscene.
- 3.20 As noted in the committee report, the eastern end of the building would also be redeveloped, with the existing warden's house being demolished and replaced with a three storey extension to the main building. This would extend the main building right up to the boundary with the adjacent play area and will be at the same height as per the existing main building.
- 3.21 Officers consider the scale and bulk of the proposal to be appropriate in the surrounding streetscene, would sit comfortably within the site and would comply with Local Plan policies in respect of scale, height, design and appearance.

Impact on existing Vic Johnson House residents

- 3.22 This matter has been detailed in the update report. The applicant has given firm commitment to providing mitigation measures to ensure existing residents are protected during the construction phase. Gateway has previously undertaken similar works at sheltered accommodation sites such as that at Edith Ramsay House which was undertaken successfully.
- 3.23 These measures go beyond those normally required for construction management plans, but would be appropriate in this case due to the fact that some residents will remain at Vic Johnson house during the course of the construction works. Officers are satisfied that the measures could be secured by planning condition, would meet the relevant NPPF (2012) tests for the use of planning conditions and would be enforceable. It would not be reasonable for the planning authority to refuse planning permission for reasons that could be adequately controlled using conditions or obligations. Consequently officers' advice is that this reason would be difficult to defend at appeal.

4. IMPLICATIONS ARISING FROM A DECISION TO REFUSE THE APPLICATION

- 4.1 In the event that the Committee resolves to refuse the application, the following options could be exercised by the applicant.
- 4.2 The applicant could approach the Council for further pre-application advice on an amended proposal and thereafter submit new applications.

- 4.3 The applicant could exercise their right to appeal to the Secretary of State against the Council's decisions. The appeals would be determined by an independent inspector appointed by the Secretary of State.
- 4.4 Section 3 of this report sets out the officer assessment of the low likelihood of success in defending the reason for refusal. However if the Committee do resolve that the application should be refused on grounds relating to loss of communal amenity space, communal lounge, overdevelopment of the site, bulk and size of the proposal and impact on existing Vic Johnson House residents, officers will seek to defend the Council's position.

5. RECOMMENDATION

- 5.1 Officers' original recommendation as set out in the officers' report for Development Committee on 25th November 2015 to **GRANT** planning permission for the proposal remains unchanged.
- 5.2 However, if Members are minded to refuse planning permission for this scheme, then the proposed refusal reasons are as follows:

Reasons for Refusal:

1. *The proposed development, by way of the design, scale and bulk would appear as a visually incongruous and bulky building within the surrounding streetscene and would harm the visual amenity of the local area. The development would be contrary to policy DM24 of the Managing Development Document (2013), SP10 of the Core Strategy (2010) and policies 7.1, 7.4 and 7.6 of the London Plan (2015).*
2. *The proposed development by reason of its excessive scale and bulk results in the overdevelopment of the site and this leads to an inappropriate loss of a proportion of the communal amenity space and a pro-rata loss of indoor communal lounge space. This would lead to an unsatisfactory form of development which is contrary to policies DM4 and DM5 of the Managing Development (2013), SP02 of the Core Strategy (2015) and policies 3.1, 3.4 and 3.5 of the London Plan (2015)*
3. *The proposed development has not adequately addressed how the construction phase would not lead to substantial impact on the health and welfare of the existing residents. The development would therefore be contrary to SP10 of the Core Strategy (2010) and DM25 of the Managing Development Document (2013) which seek to protect amenity for future and existing residents.*