

Committee: Development	Date: 30 th July 2008	Classification: Unrestricted	Agenda Item No: 7.2
Report of: Corporate Director of Development and Renewal		Title: Planning Application for Decision	
Case Officer: Nasser Farooq		Ref No: PA/08/01080	
		Ward(s): St Dunstan's and Stepney.	

1. APPLICATION DETAILS

- Location:** Land at rear of 106-128 Aylward Street, London.
- Existing Use:** Vacant Land, previously used ancillary to 106 to 128 Aylward Street.
- Proposal:** Erection of an end of terrace 2 storey 3 bedroom dwelling house with wheelchair access to first and second floor levels and accommodation in the roof including a rear dormer.
- Drawing Nos:** 484/PL08/01, 484/PL08/02, 484/PL08/10A, 484/PL08/20A, 484/PL08/30 A, 9480/E/01A-01A,
- Applicant:** Gateway Housing Association.
- Owner:** BGVPHA
409 Mile End Road
London
E3 4PB
- Historic Building:** N/A
- Conservation Area:** N/A

2. SUMMARY OF MATERIAL PLANNING CONSIDERATIONS

- 2.1 The Local Planning Authority has considered the particular circumstances of this application against the Council's approved planning policies contained in the London Borough of Tower Hamlets Unitary Development Plan, the Council's Interim Planning Guidance (2007), associated supplementary planning guidance, the London Plan and Government Planning Policy Guidance and has found that:
- 2.2 a) The proposal is in line with the Mayor and Council's policy, as well as government guidance which seek to maximise the development potential of sites. As such, the development complies with policy 4B.3 of the London Plan and HSG1 of the Council's Interim Planning Guidance (2007) which seek to ensure that development proposals achieve the highest possible intensity of use compatible with the local context of the site.
- 2.3 b) The internal and external arrangements in relation to circulation, internal space standards, access to daylight and sunlight and external amenity space of the proposal is acceptable. As such, the scheme is in line with policies DEV1 and DEV2 of the Council's Unitary Development Plan 1998 and policies CP5, DEV1 and DEV2 of Council's Interim Planning Guidance (2007), which seek to provide an acceptable standard of

accommodation.

- 2.4 c) The building height, footprint, design (including materials), and layout is acceptable and in line with policies DEV1, and DEV2 of the Council's Unitary Development Plan 1998 and policies DEV1, DEV2 and DEV3 of the Council's Interim Planning Guidance (2007), which seek to ensure buildings are suitably designed and located.

RECOMMENDATION

3. That the Committee resolve to **GRANT** planning permission subject to:
- 3.1 That the Corporate Director Development & Renewal be delegated authority to impose conditions [and informatives] on the planning permission to secure the following matters:

Conditions

1. Permission valid for 3 years.
2. Details and samples of materials for all external elevations of the building
3. Archaeological investigation.
4. Investigation and remediation measures for land contamination (including water pollution potential).
5. Limit hours of construction to between 8.00 Hours to 18.00 Hours, Monday to Friday and 8.00 Hours to 13.00 Hours on Saturdays.
6. Hours of power/hammer driven piling/breaking out to between 10.00 Hours to 16.00 Hours, Monday to Friday.
7. Details of refuse arrangements to show storage to the front of the property
8. Removal of Permitted Development Rights
9. Any other planning condition(s) considered necessary by the Corporate Director Development & Renewal

Informatives

1. Section 278 (Highways) agreement required.
2. Any other informative(s) considered necessary by the Corporate Director Development & Renewal

4. PROPOSAL AND LOCATION DETAILS

Proposal

- 4.1 The proposal is for an erection of a 2 storey 3 bedroom, end of terrace house with wheelchair access to first and second floors and accommodation in the roof space.

Site and Surroundings

- 4.2 The application site is on the north side of Senrab Street, which is residential in character comprising rows of well preserved Victorian terraces. Numbers 31 to 71 (odd only) are located in the Albert Gardens Conservation Area. To the West of the site is a row of similar terraces in Dunelm Street, whilst to the North is a 4 storey residential block at 106-128 Aylward Street, which benefits from an extant permission described in paragraph 4.4 below
- 4.3 The application site is not located in the Albert Gardens Conservation Area, nor is the terrace

that adjoins it. However proposals currently exist to extend the Conservation Area to 1 Senrab Street this will be considered further in the report.

Planning History

- 4.4 Under Planning reference PA/07/3199 permission was granted by committee on the 12th March 2008 for the “Demolition of existing three storey residential block. Erection of 4-storey residential building with accommodation in roofspace (comprising 12x3 bed, 2x2bed and 7x1 bed) and associated works for 100% affordable housing (Total= 21 residential units) at 106 - 126 Aylward Street.
- 4.5 The original proposals for this site included a dwelling house (Block B) located at the application site. Following members concerns relating to the design of block B the proposal was deferred at the original committee so that an alternative design could be achieved which would better complement the Victorian terraces at Senrab Street. This proposal seeks to address those concerns.

5. POLICY FRAMEWORK

- 5.1 For details of the status of relevant policies see the front sheet for “Planning Applications for Decision” agenda items. The following policies are relevant to the application:

5.2 Unitary Development Plan (UDP)(as saved September 2007)

Policies:	DEV1	Design Requirements
	DEV2	Environmental Requirements
	HSG13	Internal Standards for Residential Developments
	HSG16	Amenity Space
	T16	Impact of Traffic

5.3 Interim Planning Guidance for the purposes of Development Control (IPG)(Oct 2007)

Core Strategies	CP1	Creating Sustainable Communities
	CP3	Sustainable Environment
	CP4	Good Design
	CP19	New Housing Provision
	CP25	Housing Amenity Space
	CP46	Accessible and Inclusive Environments

Policies:	DEV1	Amenity
	DEV2	Character & Design
	DEV5	Sustainable Design
	DEV11	Air Pollution and Air Quality
	DEV15	Waste and Recyclables Storage
	DEV19	Parking for Motor Vehicle
	HSG7	Housing Amenity Space

5.4 Supplementary Planning Guidance/Documents

Designing Out Crime
Residential Space
Landscape Requirements

5.5 Spatial Development Strategy for Greater London (London Plan)

4B.1	Design Principles for a compact city
4B.2	Promoting world class architecture and design
4B.3	Maximising the potential of sites
4B.6	Sustainable Design and construction
4B.7	Respect Local context and communities

5.6 Government Planning Policy Guidance/Statements

PPS1	Delivering Sustainable Development
PPG3	Housing

5.7 Community Plan: The following Community Plan Objectives relate to the application.

- A better place for living safely
- A better place for living well
- A better place for creating and sharing prosperity

6. CONSULTATION RESPONSE

6.1 The views of officers within the Directorate of Development and Renewal are expressed in the MATERIAL PLANNING CONSIDERATIONS section below. The following were consulted regarding the application:

LBTH Highways

- 6.2 The subject site is shown to be in an area with a PTAL accessibility rating of 5. The site is therefore considered to have a very good level of accessibility to local public transport links. The site is adjacent to very good local bus facilities and the application is suitable to be deemed car free development.
- 6.3 A section 106 car free agreement should be entered into with the applicant in order to restrict future residents from applying for parking permits.
- 6.4 Cycle facilities are inadequate; 1 cycle space per unit should be provided within the curtilage of the site in accordance with the LDF (Officers note- this would be conditioned in any decision notice)
- 6.5 Servicing arrangements and refuse collection are not satisfactory as officers consider that refuse should be collected from the front of the property. (Officers note): Details of refuse storage will be conditioned to meet these requirements.
- 6.6 The site requires works to areas of public highway this would include the removal of any existing crossovers and accesses into the site and their reinstatement to the existing kerb level.
- 6.7 The development authorised by this permission shall not commence until the Council (as local planning authority and the highway authority) has approved in writing the scheme of highway improvements necessary to serve this development. (Officers Note: this will be in the form of a legal agreement)

7. LOCAL REPRESENTATION

7.1 A total of 18 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 on site. The number of representations received from neighbours and local groups in response to notification and publicity of the application were as follows:

No of individual responses: 2 Objecting: 2 Supporting: 0
No of petitions received: 0

7.2 The following issues were raised in representations that are material to the determination of the application, and they are addressed in the next section of this report:

- Location of the development being inappropriate for a dwelling house and not in keeping with the street.
- Impact on adjoining properties in terms of noise and pollution problems.
- Car parking - the addition of a disabled parking space is not considered acceptable

7.3 The following procedural issues were raised in representations, and are addressed below:

Description of the location (OFFICER COMMENT: The site does not have an allocated address point. It is considered that the site has been accurately described.

8.0 MATERIAL PLANNING CONSIDERATIONS

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

Land Use/Density
Design/height
Car parking

Land Use

8.2 The subject site is unallocated on the UDP proposals map (1998). The site was previously a residential garden for 106 to 128 Aylward Street. It was not part of the final approved scheme (planning reference PA/07/3199) and is currently not in use. Surrounding uses are predominantly residential and include a mix of densities.

8.3 In accordance with polices 3A.1 and 3A.2 of the London Plan, the Mayor is seeking the maximum provision of additional housing in London. Housing targets (December 2006) identified in Policy CP19 of the Interim Planning Guidance (2007) indicate that Tower Hamlets is aiming to provide 31,500 new homes between 2007 to 2016, subject to the provision of adequate social and physical infrastructure and contributions to sustainable communities

8.4 The site is considered to be an appropriate location to meet this demand given the high accessibility attributed to this area. The immediate vicinity is also predominantly residential. No objection is raised to the ongoing use of the site for residential purposes.

Design

8.5 The height of the proposal is the same as the adjoining terrace and the internal layout of the is logical as it allows for access to all rooms from a central hallway, and benefits from

appropriately positioned windows to allow for adequate access to daylight and sunlight.

- 8.6 The materials are proposed to match those of the existing terrace however these are conditioned as insufficient detail is provided on plan. The fenestration matches the existing terrace in respect of rhythm and detailing. This is a view shared by the Councils Design and Conservation Officer. Thus the principle to respect the character of the terrace along the street by using similar proportions, materials is considered acceptable.
- 8.7 It is considered that the proposal maximises the development potential of the site without adversely affecting adjoining properties. Therefore it is proposed to remove permitted development rights to ensure that no extensions are added without the approval of the local planning authority.
- 8.8 The proposed rear dormer is considered to be acceptable in terms of scale and design. The dormer would be set in from each flank boundary and the eaves level by 0.5m which allows it to sit comfortably on the roof and not appear top heavy or over dominant. It is considered that the dormer window would appear as a subordinate addition and subject to a condition on materials would not detract from the character and appearance of the proposed house.
- 8.9 The design is considered appropriate in the locality and considered to comply with policy DEV1 of Tower Hamlets Unitary Development Plan (1998). The scheme is therefore considered to be acceptable.

Accessibility and Inclusive Design

- 8.10 Policy HSG8 of the UDP requires the Council to negotiate some provision of dwellings to wheelchair standards and a substantial provision of dwellings to mobility standards. Policy HSG9 of the IPG requires all new residential development to meet the Lifetime Homes Standards. This unit is to be built to lifetime homes standard and is wheelchair accessible. This is in accordance with Council Policy.

Amenity

Sunlight/ Daylight

- 8.11 DEV1 of the IPG requires development to protect, and where possible improve the amenity of surrounding building occupants and policy 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.
- 8.12 Policy DEV1 of the IPG states 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.
- 8.13 A Daylight and Sunlight report which assesses the impact on the daylight, sunlight and overshadowing implications of the development upon itself and on neighbouring residential properties, was submitted for previous application PA/07/3199 which included the size, mass and layout of Block B (which is the same location as this application). In that report the Council was satisfied that the proposal would not result in a significant loss of sunlight/ daylight to warrant refusal. This view remains unchanged.

Sense of Enclosure/ Loss of Outlook

- 8.14 Given the position of the proposal, the development would not create any unacceptable sense of enclosure or loss of outlook to habitable rooms adjacent to the site.

Amenity Space

- 8.15 A private garden of approximately 60m² is proposed for the dwelling in accordance with policy HSG7 of the IPG 2007 Core Strategy document:

Highways

Access

- 8.16 The Site is located within an area of good public transport accessibility. The Site is located within walking distance of Limehouse DLR and C2C Stations. The site is also located a short walking distance from Commercial Road where there is a good bus service.

Parking

- 8.17 In accordance with Policy CP40 the Council seeks to minimise the use of cars in areas of high public transport and as a result recommends a condition to prevent parking permits being issued to the new residents of the development.
- 8.18 The applicant is requesting an off street disabled parking bay. This is considered acceptable in order for any occupiers with a disabled parking badge to be able to park on the highway. It is not seen as an increase in the number of cars as an occupier of a disabled badge would be able to park on the highway regardless of a car free agreement, it is merely allocating a space.
- 8.19 In terms of bicycle provision, the development proposes 0 residential bicycles. This is not in-line with the IPG and any planning permission will be conditioned to ensure that the minimum standard of 1 cycle space is met.

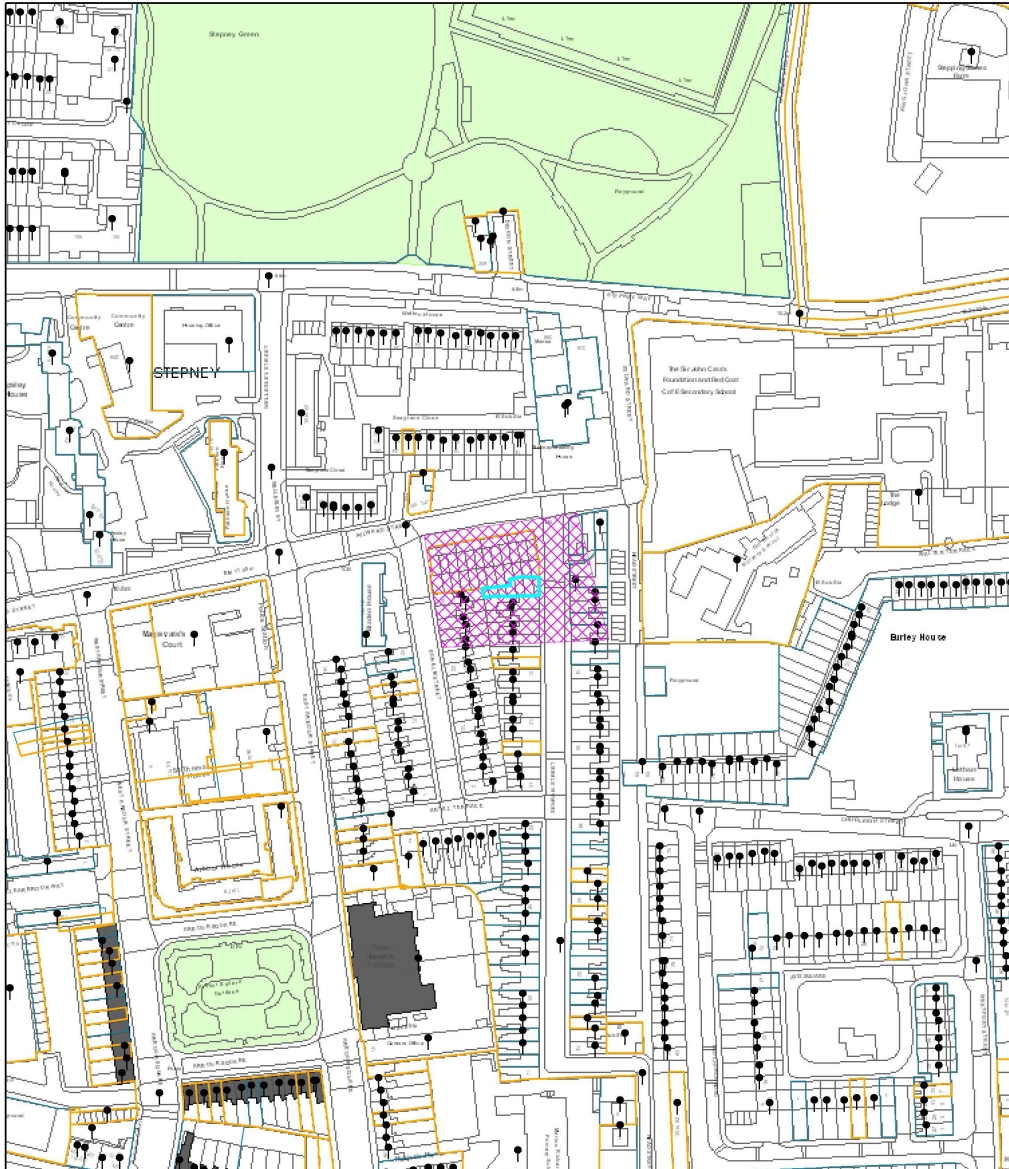
Servicing and Refuse Provisions


- 8.20 Provision for the storage of refuse for the residential use has been provided for via an enclosed lockable area at the rear of the dwelling.

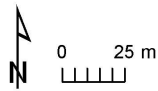
Conclusions

- 8.21 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



-  Planning Application Site Boundary
-  Other Planning Applications
-  Consultation Area
-  Land Parcel Address Point



This Site Map displays the Planning Application Site Boundary and the neighbouring Occupiers / Owners who were consulted as part of the Planning Application process. The Site Map was reproduced from the Ordnance Survey mapping with the permission of Her Majesty's Stationary Office (c) Crown Copyright. London Borough of Tower Hamlets LA086568