

Committee: Development Committee	Date: 23 rd November 2016	Classification: Unrestricted	Agenda Item Number:
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Report of: Director of Development and Renewal	Title: Application for Planning Permission
Case Officer: Chris Stacey-Kinchin	Ref No: PA/15/03433
	Ward: Mile End

1. APPLICATION DETAILS

- Location:** Harley House and Campion House, Frances Wharf, London
- Existing Use:** Class C3 (Residential) at upper levels, Class A1 (Retail) at ground floor
- Proposal:** Roof extensions at 7th floor and 9th floor levels to provide 6 new residential units along with the reconfiguration of 1 existing unit

2. **BACKGROUND**

- 2.1 This application for planning permission was considered by the Development Committee on 28th September 2016. A copy of the original report is appended.
- 2.2 Members were minded to REFUSE planning permission on the following grounds:
- The density of the proposal given the failure to meet the special circumstances criteria in the London Plan density matrix, enabling applications to exceed the recommended density range.
 - Impact on the amenity of the existing residents in terms of loss of sunlight and daylight, noise, access to the building and disturbance during the construction phase.
 - Incremental development in view of the planning history of the site.
 - That the design of the proposal would undermine that of the main development.
- 2.3 In accordance with Development Procedural Rules, the application was **DEFERRED** to a later committee to enable officers to prepare a deferral report to provide wording for reasons for refusal and provide commentary on the detailed reasons for refusal on the application.

3. **IMPLICATIONS ARISING FROM A DECISION TO REFUSE THE APPLICATION**

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

- 3.3 The applicant could exercise their right to appeal to the Secretary of State against the Council's decision and lodge an application for costs. The appeal would be determined by an independent inspector appointed by the Secretary of State.

4. RECOMMENDATION

- 4.1 Officers' original recommendation as set out in the officers' report for Development Committee on 28th September 2016 to **GRANT** planning permission for the proposal remains unchanged.

- 4.2 However, if Members are minded to refuse planning permission for this scheme, then the proposed refusal reasons are as follows:

Reasons for Refusal:

Density

1. The proposed development by reason of its excessive density constitutes overdevelopment of the site, which is exhibited by the resulting inadequate access to sunlight and daylight for neighbouring residential properties. There is no exceptional circumstance to justify exceeding the advised density range for this development site. The development is contrary to the NPPF, policies 3.4 of the London Plan (MALP 2016), SP02 of the Core Strategy (2010) and the London Plan Housing SPG (2016).

Amenity

2. The proposed additional storeys at 7th and 9th floor levels, by reasons of their siting, form and mass would result in unacceptable sunlight and daylight failures to existing residential units and the construction of the development would result in an unacceptable level of noise, vibration and dust pollution for existing residents and building occupiers. The proposal is therefore contrary to Policy SP10 of the Adopted Core Strategy (2010) and Policy DM25 in the Managing Development Document (2013), along with the objectives set out in the National Planning Policy Framework (2012), which seek to ensure that development safeguards the amenity of surrounding existing and future residents and building occupants.

Incremental Development

3. The absence of a policy compliant affordable housing provision for this incremental development would fail to ensure the development contributes to the creation of socially balanced and inclusive communities. As a result the proposal is contrary to policy SP02 (3) which requires housing development to provide 35%-50% affordable housing on all sites providing a total of 10 or more residential units.

Design

4. The proposed additional storeys to the existing building at 7th and 9th floor levels, by reasons of its scale, bulk and appearance; and when considered in conjunction with the overall character of its immediate environs, would have a detrimental effect on the appearance and character of the surrounding area and the adjacent Limehouse Cut conservation area. The proposal is therefore

contrary to Policy SP10 of the Adopted Core Strategy (2010) and Policies DM24 and DM27 in the Managing Development Document (2013), along with the objectives set out in the National Planning Policy Framework (2012), which seek to ensure that development is appropriate in terms of design, is sensitive to and enhances the local character and its setting, and protects and enhances the borough's heritage assets.