

Committee: Development	Date: 8 th October 2008	Classification: Unrestricted	Agenda Item Number:
Report of: Director of Development and Renewal		Title: Town Planning Application	
Case Officer: Marie Joseph		Ref No: PA/08/01580	
		Ward: Limehouse (February 2002 onwards)	

1. APPLICATION DETAILS

Location: 1-131 Carmine Wharf, 30 Copenhagen Place, London

Existing Use:

Proposal: Erection of a seven storey building to provide 883m² of floor space for B1 use on the ground and lower floors, with 35 residential units on upper floors with car parking and landscaping.

Drawing Nos/Documents:

Applicant: Henley Homes East

Ownership:

Historic Building:

Conservation Area:

1. APPLICATION DETAILS

Location: Block B, 1-131 Carmine Wharf, 30 Copenhagen Place

Existing Use:

Proposal: Erection of a seven storey building to provide 883 square metres of floorspace for B1 use on the ground and lower floors, with 35 residential units on upper floors with car parking and landscaping.

Drawing Nos:

Applicant: Henley Homes East, 103 Union Street, London Bridge, SE1 0AL

Owner: Henley Homes East, 103 Union Street, London Bridge, SE1 0AL

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 these applications against the Council's approved planning policies contained in the London Borough of Tower Hamlets Unitary Development Plan (UDP), the Council's Interim Planning Guidance (2007), associated supplementary planning guidance, the London Plan and Government Planning Policy Guidance and has found that:

1. The proposed development would have no adverse impacts upon neighbouring residential occupiers and their amenity and would therefore adhere to Saved Policies DEV2, DEV50, HSG13, HSG16 and T16 of the Unitary Development Plan (1998), Policies DEV1, DEV3, DEV10, HSG7 and HSG9 of the Interim Planning Guidance: core strategy and development control plan (October 2007) and Policy 3A.5 of the London Plan (February 2008) which seek to safeguard the amenity of residential occupiers of the borough, adequate amenity space for new developments, highways safety and inclusive design and choice of housing.

2. The proposed design, layout and materials of the development are considered to be acceptable and would have no adverse impacts upon neighbouring properties and the character and appearance of the area. For these reasons the proposal would adhere to Saved Policies DEV1, DEV12 and DEV7 of the Unitary Development Plan (1998) and Policies DEV2 and HSG2 of the Interim Planning Guidance: core strategy and development control plan (October 2007) and Policy 3A.7 of the London Plan (February 2008) which seek to ensure appropriate design, amenity space and quality of developments within the Borough.

3. The proposal provides an acceptable amount of affordable housing and mix of units overall. As such, the proposal is in line with policies 3A.1, 3A.2 and 3A.5 of the London Plan, policies HSG4 and HSG7 of the Council's Unitary Development Plan 1998 and policy HSG2 of the Council's Interim Planning Guidance (2007), which seek to ensure that new developments offer a range of housing choices.

3. RECOMMENDATION

3.1 That the Committee resolve to **GRANT** planning permission subject to:

A. The prior completion of a **legal agreement** to secure the following planning obligations:

i) A variation of the original Section 106 legal agreement entered into pursuant to PA/03/00154 signed on 8th September 2006 to provide a further 2 affordable units within Block B of the approved development in addition to the original 28.

Conditions

- 1) Time limit
- 2) Insulation measures
- 3) Car free Scheme
- 4) 5 additional cycle racks

Informatives

None

3.3 That, if by the 3rd November 2008 the legal agreement has not been completed, the Corporate Director Development & Renewal is delegated power to refuse planning permission.

4. PROPOSAL AND LOCATION DETAILS

Proposal

4.1 This application seeks permission for the erection of a seven storey building (Block B) to provide 883 square metres of B1 space on the ground and lower floors and 35 residential units on upper floors with associated car parking and landscaping.

Site and Surroundings

- 4.2 The site in question, Block B, forms part of a larger development consisting of a new mixed use development comprising 4 commercial/office units and 110 residential units with associated car parking and landscaping which was permitted on September 8th 2006 under planning reference PA/03/00154. The development has been completed. Other properties within the vicinity consist of 4 and 5 storey residential and commercial blocks.

Planning History

- 4.3 The following planning decisions are relevant to the application:

- PA/03/00154 Demolition of existing storage warehouses and construction of a new mixed use development comprising 4 commercial/office units and 110 residential units with associated car parking and landscaping, Permitted 8th September 2006.
- PA/07/00977 Demolition of existing storage warehouses and construction of a new mixed use development comprising 4 commercial/office units and 115 residential units with associated car parking and landscaping.
(Amendment the development granted consent under planning permission ref. PA/03/154 dated 2nd September 2006, relating to the infilling of the north-eastern corner of block C as approved to provide a caretaker's office at lower ground level and 5no. 1-bed flats on upper 5 floors, together with incidental external alterations to block C), Appeal Dismissed February 11th 2008.

5. POLICY FRAMEWORK

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

Unitary Development Plan 1998 (as saved September 2007)

Policies:	DEV1	Character and Design
	DEV2	Amenity
	DEV4	Planning Obligations
	DEV12	Landscaping
	EMP1	Promoting employment growth
	HSG6	Access over commercial premises
	HSG7	Dwelling mix and type
	HSG13	Internal space standards
	HSG16	Amenity Space
	T16	Traffic impacts of new developments

Interim Planning Guidance for the purposes of Development Control

Policies:	DEV1	Amenity
	DEV2	Design

Spatial Development Strategy for Greater London (London Plan)

Policies:	3A.1	Increasing London's supply of housing
	3A.2	Borough Housing Targets
	3A.5	Housing choice
	3A.6	Quality of new housing provision
	3A.7	Large residential developments
	3A.8	Definition of affordable housing

7.4 No local groups or societies have made representations:

8. MATERIAL PLANNING CONSIDERATIONS

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

1. Planning History
2. Land Use
3. Design
4. Amenity
5. Highways
6. Other

Planning History

8.2 This application follows permission for 110 units and 4 commercial units which was approved in September 2006. The development was split into 5 separate blocks (A, B,C,D, and E), and constructed in phases, Block B being one of the last to be constructed. An application for "Amendments during the course of construction" was submitted in March 2007 for an additional 5 units to be added onto Block B. It was officers opinion that there is no legislative provision for such an application and therefore a new application for the entire Block B was required. This position was supported by the Planning Inspectorate when the application was appealed for non-determination and was subsequently dismissed in February 2008.

8.3 This application now seeks retrospective permission for the whole of Block B, including the amendments which consists of 4 commercial units to be split up into 8 commercial units over lower ground and ground floors and the addition of five residential units which would comprise of 5 x 1 bed, 2 of which have been allocated for affordable housing.

Land Use

8.4 Given the extant permission under reference PA/03/00154 which has been implemented on site, the principle of the proposal has been established. The layout of the 30 residential units in Block B approved under this permission will remain the same as will car parking and associated landscaping.

Design

8.5 Block B is six storeys in height with a seventh floor which is slightly recessed from the parapet wall. The additional five flats match the existing building and would be located on the northern elevation of the property. They each consist of one bedroom units and benefit from balconies on the northern elevation of the property. It is considered that the addition of the 5 x 1 bed flats would fit in comfortably within the existing design of the building and would infill an existing recess on the north east corner of the building measuring 8.8 metres by 6.8 metres.

8.6 The proposed facing materials of terracotta, cream render, metal windows and balconies are identical to that previously approved on Block B.

8.7 The proposed commercial element as opposed to being four B1 duplex units is now proposed to consist of eight separate units, four of which would be arranged over the lower ground floor with access to the rear, and the remaining four would be at ground floor with access from the front of the property. It is considered that the alteration of the units would have no material impacts upon the development as no additional parking spaces have been

proposed and no floor space lost. Therefore the new layout would be acceptable and would adhere to Saved Policy EMP1 of the Unitary Development Plan (1998) which seeks to promote employment growth within the Borough.

- 8.8 Given the above, it is considered that the proposed materials and design would be in keeping with the existing building its surroundings and the larger development site as a whole and would therefore adhere to Saved Policy DEV1 of the Unitary Development Plan (1998) and Policy DEV2 of the Interim Planning Guidance (October 2007) which seek to ensure appropriate design within new developments in the Borough.
- 8.9 The proposal was forwarded to the Council's policy and urban design teams for comment and no adverse comments were received in relation to the scheme.

Amenity

- 8.10 This application proposes 5 x 1 bedroom units in addition to the already permitted 26 x 2 bedroom units and 4 x 1 bedroom units. In regard to HSG13 (Residential Space) it is considered that there is an adequate provision of internal residential space. The minimum space standards set out in The London Borough of Tower Hamlets Supplementary Planning Guidance Note Residential Space (1998) are met by all applicable rooms. Furthermore, it is considered that an acceptable proportion of the units and the internal lift would meet lifetime homes standard and therefore would adhere to Policy HSG9 of the Interim Planning Guidance which seeks to ensure accessible homes within new developments in the Borough.
- 8.11 Windows in all elevations of the main building are already in existence and have been previously approved under PA/03/00154. Therefore, it is considered that the introduction of the 5 additional units and their windows/balconies would have no impact on neighbouring amenity beyond that which currently exists. Similarly, the windows in the northern and eastern elevations of the property would have no further impacts upon overlooking and loss of privacy than currently exists.
- 8.12 This application proposes amenity space to the units in the form of balconies each measuring 9 square metres. Given the rear landscaped communal courtyard to the rear of the block and the additional landscaping communal areas within the development as a whole it is considered that the proposed amenity space is acceptable and would adhere to Saved Policies DEV2, DEV12 and HSG13 of the Council's Unitary Development Plan (1998) and Policies DEV1, and HSG7 of the Interim Planning Guidance (October 2007) which seeks to ensure an acceptable amount of amenity space for new developments within the borough.
- 8.13 A refuse store facility has already been implemented for the development under reference PA/03/00154 and it is considered, by the Council's highways department to be sufficient to serve the additional units.
- 8.14 The Council's environmental health officer has raised concerns in relation to noise and vibration at the site from the commercial uses to the residential units. However, this matter has already been addressed in relation to the approved 30 units by the extant permission. With regards to the additional 5 units, a condition has been imposed to ensure that sufficient insulation is provided between the ground floor unit and commercial unit. Thus, the proposal is in accordance with saved Policies DEV2 and DEV50 of the Council's Unitary Development Plan (1998) and Policies DEV1 and DEV10 of the Interim Planning Guidance (October 2007) which seek to safeguard the amenities of existing and future occupiers of the borough.
- 8.15 The Council's environmental health officer has raised concerns in relation to a daylight/sunlight report not having been submitted by the applicant in order to meet the

current BRE guidelines in terms of amenities for the proposed habitable rooms. Again, in relation to the 30 units, this matter has already been addressed by the extant permission. The position and orientation of the additional 5 units does not result in any loss of daylight or sunlight to surrounding properties, and the proposal is therefore in accordance with saved Policy DEV2 Council's Unitary Development Plan 1998 and DEV1 of the Interim Planning Guidance (October 2007) which seek to safeguard the amenities of the occupiers of the borough.

Highways

- 8.16 The council's highways officer has no objections to the proposed scheme subject to a section 106 car-free agreement. This will be secured by a Grampian condition requiring details of scheme to prevent the occupiers from applying for a car parking permit.
- 8.17 Similarly, the Council's highways department has expressed a requirement for 5 additional cycle spaces due to the addition of 5 residential units. There is ample space on the site to provide an additional 5 cycle spaces and this will be secured by condition.

Affordable Housing

- 8.18 In total, the approved Block B provides 30 flats comprising of 6 x 1 bed and 24 x 2 beds. Within this mix 28 larger units were allocated for affordable housing across the whole development site. This application provides for 2 of the 5 additional flats to be allocated to that total providing a total contribution of 30 (40%) affordable housing units across the larger development site. It is considered by the Council's housing team that the proposal provides an acceptable level of affordable housing and is in line with policies 3A.7 and 3A.8 of the London Plan, policy HSG7 of the Council's Unitary Development Plan (1998) and policies CP22, HSG2 and HSG3 of the Council's Interim Planning Guidance (2007), which seek to ensure that new developments offer a range of housing choices.

Other

- 8.19 The following conditions of planning permission reference PA/03/00154 have been discharged/ in the process of being discharged:

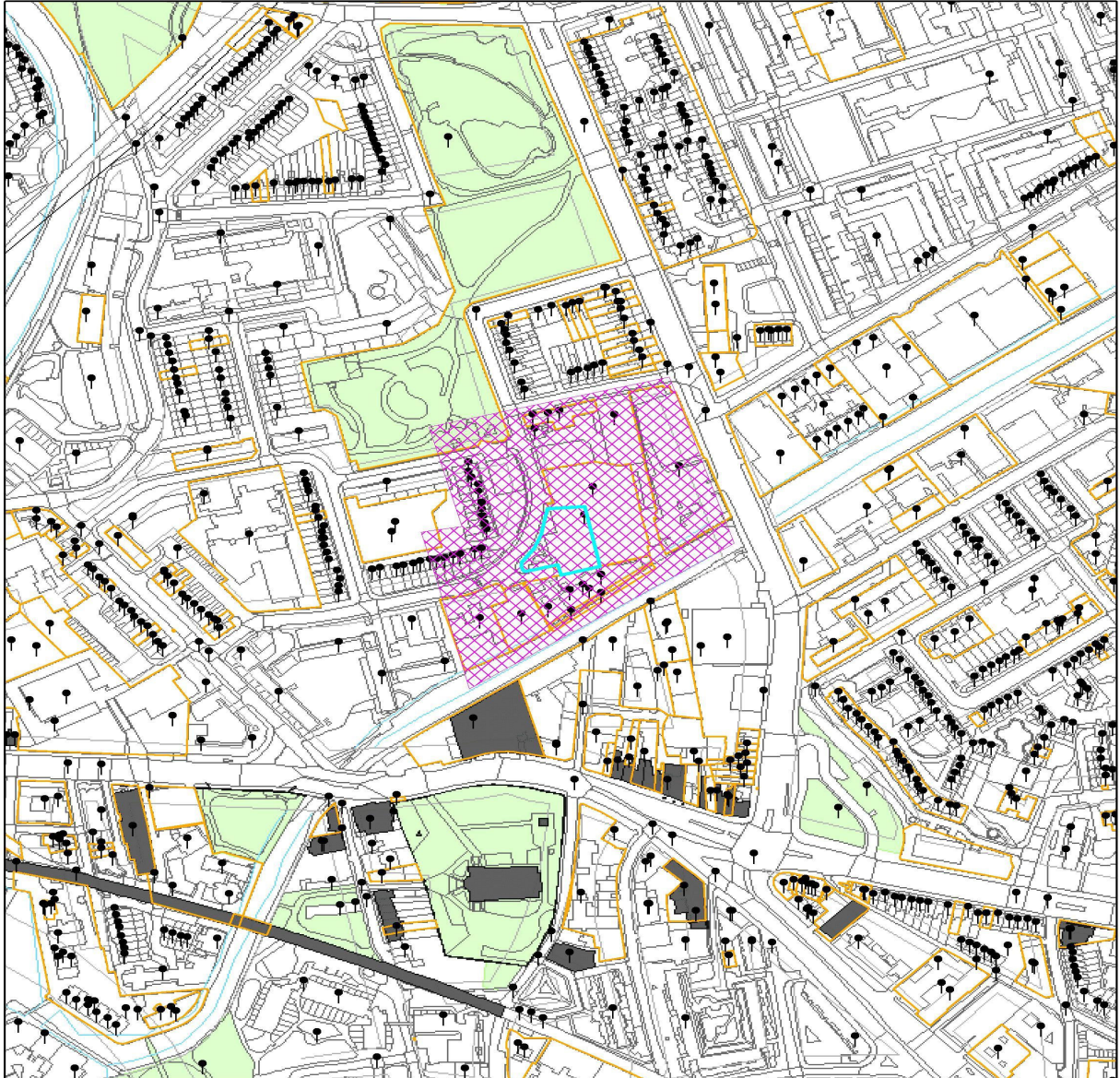
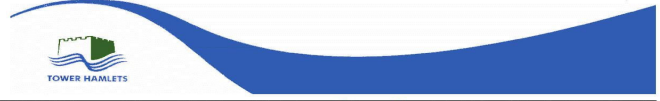
- 2a –facing materials.
- 2b – treatment of open land.
- 2c – walls, fences and railings.
- 2d –noise remediation.
- 2e – lighting.
- 8- surface water drainage.

Therefore, given the completion of the development it is considered that conditions relating to these issues would not be required on this application.

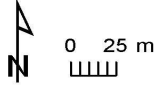
9 CONCLUSIONS

- 9.1 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