



## DEVELOPMENT COMMITTEE

04/06/2020

Report of the Corporate Director of Place

Classification: Unrestricted

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### Application for Planning Permission

[click here for case file](#)

<b>Reference</b>	PA/19/02579
<b>Site</b>	Lamb Court, 69 Narrow Street, London E14
<b>Ward</b>	Limehouse
<b>Proposal</b>	The erection of a 4 storey building comprising one studio unit and two, 2 bedroomed self-contained flats, with a reception and concierge area on the ground floor.
<b>Summary Recommendation</b>	Grant planning permission subject to conditions
<b>Applicant</b>	Secure Reversions Ltd
<b>Architect/agent</b>	Silk Mews Architects Ltd
<b>Case Officer</b>	John Miller
<b>Key dates</b>	<ul style="list-style-type: none"><li>- Application registered as valid on 25/11/2019</li><li>- Amendments received on 17/02/2020</li><li>- Public consultation finished on 23/01/2020</li></ul>

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### EXECUTIVE SUMMARY

The applicant proposes the construction of a four storey building containing 3 self-contained flats and concierge facilities.

Officers have assessed the proposal against the provisions of the Development Plan and other material considerations and recommend approval of planning permission, subject to conditions.

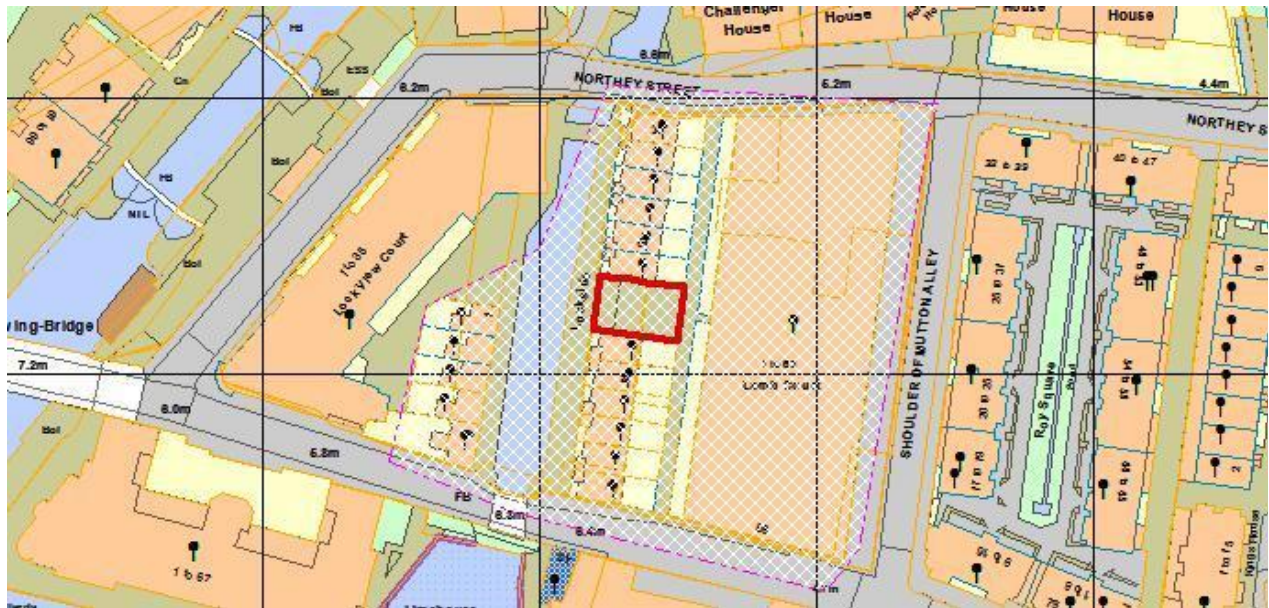
The proposal would provide additional homes in a sustainable location. The proposal would be acceptable in terms of its height, scale, design, appearance, and impact to the conservation area.

The scheme would result in no undue impacts to the residential amenities of the neighbouring occupiers and the quality of accommodation provided, along with the provision of external amenity space, would create a good standard of accommodation for the future occupiers of the site.

The proposal would result in the loss of six existing category B maple trees on the site. As mitigation, 6 new trees would be provided to the rear of the proposed building. With the

introduction of native trees, shrub planting and the addition bird and bat boxes, proposal would provoke a net gain in biodiversity.

## SITE PLAN



### Legend:

Site boundary: red line

Consultation boundary: pink line

## **1. SITE AND SURROUNDINGS**

- 1.1 The site comprises a rectangular shaped piece of land, situated between numbers 12 and 14 Albert Mews. There are no buildings on the site and the land is used as an access way to Lamb Court to the east. The site is gated, allowing entry only for residents with a fob key. The site leads through to a car parking area within the Lamb Court development to the rear, with access to the Lamb Court flats themselves via an external stair case. There are 6 maple trees on site.
- 1.2 The surrounding area is predominantly residential in nature. To either side of the site lie the row of terraces on Albert Mews, which have pitched roofs and front bays at first floor with Juliette balconies.
- 1.3 The site sits within the Narrow Street Conservation Area. There are no listed or locally listed building within the immediate vicinity. The application site is located within flood zones 2 and 3 and an Archaeological Priority Area.

## **2. PROPOSAL**

- 2.1 The applicant requests permission for the erection of a 4 storey building (with the 4<sup>th</sup> storey being within the roof space), containing one studio unit and two, 2 bedroomed flats on the upper floors and a reception and concierge area on the ground floor.
- 2.2 The ground floor would comprise a lobby and concierge room, washroom, storage cupboard and an enclosed cycle store. Occupiers of the Lamb Court flats would enter the building from Albert Mews and walk through the lobby and into the Lamb Court parking area, with staircase to the flats. In this regard, the access route to Lamb Court would remain unchanged with the development in place, with the exception of the requirement to use the entrance doors as opposed to the gates, on Albert Mews.
- 2.3 The first and second floors would contain 2, two bedroom flats with balconies on the western elevation, fronting onto Albert Mews. The third floor would contain a studio unit with a balcony on the eastern elevation, fronting onto the central courtyard and Lamb Court.
- 2.4 The 6 maple trees lost to the development will be replaced by 6 new trees on the site.

## **3. RELEVANT PLANNING HISTORY**

- 3.1 PA/18/00074 - Erection of a 4 storey building comprising 1 x 1b unit and 2 x 2b units above the proposed Reception and Concierge Area on the ground floor. Refused 10/09/2018. Appealed under ref APP/E5900/W/19/3220899 – Dismissed 24/05/2019
- 3.2 The appeal was dismissed by reason of the unsympathetic appearance of the proposal and its subsequent impact on the special character of the Narrow Street Conservation Area

## **4. PUBLICITY AND ENGAGEMENT**

- 4.1 Following the receipt of the application, the Council notified 143 nearby owners/occupiers by post. Site notices were also erected nearby.
- 4.2 A total of 31 letters of objection were received.
- 4.3 The issues raised in the objection letters are as follows:

### Design and impact on the conservation area

- Rear roof addition not sympathetic to the conservation area

- Overall design not sympathetic to the conservation area

#### Fire Safety and Access

- Proposal would block a potential fire exit
- Pump appliance access and water supplies for the fire service have not been addressed
- The current site provides a right of way for residents of The Albert Mews
- The entrance arrangement would prevent those less able from entering

#### Biodiversity and Trees

- Loss of trees
- Impact on local wildlife
- Loss of open space

#### Amenity

- Impact on light to windows
- Overlooking
- Noise and disturbance from increased footfall
- Dust, noise and pollution during construction

#### Highways

- Increase demand on parking

#### Other

- Disingenuous information stating that residents support scheme
- Impacts to health and well being

## **5. CONSULTATION RESPONSES**

### **Internal**

#### Trees officer

- 5.1 No objection, given that the maple trees would be replaced and subject to a condition which secures this.

#### Biodiversity

- 5.2 No objection subject to conditions regarding nesting birds and biodiversity enhancements.

#### Highways

- 5.3 No objection subject to a permit free agreement. All cycle facilities are to be retained their permitted use only for the life of the development. Unrestricted access for residents of Lamb Court (as currently exists) must be maintained at all times

#### Waste

- 5.4 No objection – The proposed arrangement to use the existing waste provision for Lamb Court is considered acceptable. Concern is raised with regards to the trolleying distance.

## **External**

### London Fire and Emergency Planning Authority

- 5.5 No comment. Concern was previously raised with regards to pump appliance access and water supply. The proposal should conform with the requirements of part B5 of approved document B.

*Officer note: This will be addressed in the main body of the report.*

### Canal and River Trust

- 5.6 No objection

### Environment Agency

- 5.7 No objection subject to the proposal being carried out in accordance with the measures detailed in the submitted flood risk assessment including evacuation measures, finished floor levels and flood resilience.

### Port of London Authority

- 5.8 No objection

### Historic England Archaeology

- 5.9 No Objection subject to securing a written scheme of investigation by condition.

## **6. RELEVANT PLANNING POLICIES AND DOCUMENTS**

- 6.1 Legislation requires that decisions on planning applications must be taken in accordance with the Development Plan unless there are material considerations that indicate otherwise.

- 6.2 In this case the Development Plan comprises:

- The London Plan 2016 (LP)
- Tower Hamlets Local Plan 2031 Managing Growth and Sharing the Benefits (2020)

- 6.3 The key development plan policies relevant to the proposal are:

Housing S.H1, D.H2, D.H3  
(unit mix, housing quality)

Design S.DH1, S.DH2, S.G1, D.DH2  
(layout, massing, materials, public realm)

Amenity S.DH1, D.DH8  
(privacy, outlook, daylight and sunlight, construction impacts)

Transport D.MW3, D.TR2, D.TR3, D.TR4, S.TR1  
(sustainable transport, highway safety, car and cycle parking, waste, servicing)

Environment D.ES3

(urban greening & biodiversity)

6.4 Other policy and guidance documents relevant to the proposal are:

- National Planning Policy Framework (2019)
- National Planning Practice Guidance (updated 2019)
- LP Housing SPG (updated 2017)
- The Narrow Street Conservation Area Character Appraisal

### **Emerging Policy**

6.5 The new London Plan is currently in draft form. The weight carried by most emerging policies is substantial. Some policies are subject to Secretary of State Directions made on 13/03/2020 and these policies have only limited or moderate weight. The statutory presumption still applies to the London Plan 2016 up until the moment that the new plan is adopted.

Relevant draft London Plan policies:

- D4 – Delivering good design
- D6 – Housing standards
- HC1 – Heritage

## **7. PLANNING ASSESSMENT**

7.1 The key issues raised by the proposed development are:

- i. Land Use
- ii. Housing
- iii. Design
- iv. Heritage
- v. Neighbour Amenity
- vi. Transport
- vii. Environment

### **Land Use**

7.2 London Plan Policy 3.3 seeks to ensure the pressing need for more homes in London is recognised by increasing the supply of housing. Policy 3.8 seeks to ensure that new developments offer a range of housing choices, in terms of the mix of housing sizes and types, taking account of the housing requirements of different groups.

7.3 The proposal seeks planning permission the construction of a 4 storey building to provide 1 studio and 2, 2 bedroom flats.

- 7.4 The proposal would support and contribute to the council's strategic aims in respect of the provision of housing to meet local need.
- 7.5 Concern has been raised with regards to the current use of the land, which appears to be 'open space'. Whilst the site contains no buildings and is verdant in appearance, it is not designated within the Development Plan as any form of open space.
- 7.6 In light of this and with reference to the above policies which seek to maximise the provision of housing, it is considered that the proposal is acceptable in landuse terms

## Housing

### Mix of unit sizes

- 7.7 Pursuant to Policy 3.8 of the London Plan, new residential development should offer genuine housing choice, in particular a range of housing size and type. LBTH Policy D.DH2 seeks to secure a mixture of small and large housing. Specific guidance is provided on particular housing types and is based on the Council's most up to date Strategic Housing Market Assessment (2017).
- 7.8 The application proposes 3 residential units – 2, 2 bedroom flats and 1 studio flat. Given the small size of the scheme which precludes the provision of an entirely policy compliant scheme and given that the proposal provides 2 bedroomed units, for which there is the most need, the mix is supported.

### Quality of Residential Accommodation

- 7.9 GLA's Housing SPG aims to ensure that housing is "*fit for purpose in the long term, comfortable, safe, accessible, environmentally sustainable and spacious enough to accommodate the changing needs of occupants throughout their lifetime*". The document provides advice on a number of aspects including the design of open space, approaches to dwellings, circulation spaces, internal space standards and layouts, the need for sufficient privacy and dual aspect units.
- 7.10 All proposed dwellings accord with required internal space standards and external amenity space standards, as set out in the tables below:

Dwelling Type	GIA (m <sup>2</sup> ) Required	GIA Provided	Built in Storage (m <sup>2</sup> )	Built-in Storage Provided
1b Studio /2p	37	37.02	1.5	3.00
2b/3p	61	64.87	2	4.60

Table showing floorspace/internal requirements

Dwelling Type	Amenity (m <sup>2</sup> ) Required	Amenity Provided
1b/2p	5	5.63m <sup>2</sup>
2b/3p	7	7.01m <sup>2</sup>

Table showing amenity space requirements

- 7.11 The 2 bedroomed units would be dual aspect accommodation with good levels of light, outlook and through ventilation. The studio flat in the roofspace would be single aspect, by reason of the design restrictions associated with the sites conservation area location. The flat would,

however, contain a large west facing window with balcony space and overall would provide a good standard of accommodation for the future occupiers.

- 7.12 The proposed development would provide a good standard of internal and external accommodation in line with policy requirements.

### **Design/Heritage**

- 7.13 Development Plan policies requires that schemes are of high quality design that reflects local context and character and provides attractive, safe and accessible places that safeguard and where possible enhance the setting of heritage assets.
- 7.14 Local Plan policy S.DH3 requires that developments in conservation areas preserve the elements that contribute to their special character.
- 7.15 The proposed building would be 4 storeys high, with the top floor being within the roofspace. The ridge height of the building would match the ridge height of the host terrace and the front and rear building lines of the proposal would be consistent with the building lines of the adjoining terraces. The form of the proposed dwelling, with hipped roof and brick facades, would reflect the character of the host terrace. It is considered that the scale, height and mass of the building would be in keeping with the scale and appearance of the surrounding built form.
- 7.16 When compared to the previously refused scheme which was subsequently dismissed at appeal, the current proposal has been redesigned to take into account the comments made by both Members and the Planning Inspector. The most significant change is the removal the eastern/front dormer window. In relation to the front dormer the Inspector stated that it would 'disrupt the uncomplicated and plain roofscapes along both sides of Albert Mews. Furthermore, it would give the building an overly bulky appearance and fail to appear subservient to the terraces even though it would be set down from one of the adjacent properties.'
- 7.17 Officers agree that the removal of the front facing dormer window has reduced the impact of the development on the Conservation Area to an acceptable level. The rear dormer is to be retained but this element of the proposal does not front onto a public highway. Glimpsed public views of it would be afforded from Narrow Street and Northey Street, but it is not considered that the proposal would appear harmful in these views. The proposed building would now sit comfortably within the host terrace and would appear as a continuation of the existing buildings, which is supported. The window size and arrangement aligns with the pattern of windows within the wider terrace.
- 7.18 Overall the proposal is considered to be well designed and utilises high quality robust and traditional materials which are appropriate within the existing urban fabric of the Conservation Area. The submission has undergone a number of additional design changes since the previously refused scheme, which further address concerns of bulk and design. These include:
- The reduction in size of the rear dormer
  - Front balconies have been centred within the façade
  - The front glazed doors have been reduced in width
  - Planters either side of the front entrance are now unobstructed by balconies above
  - The concierge area has been reduced in size and is now located to the right of the entrance
  - A ramp has been incorporated into the reception area to provide inclusive access to the WC



- 7.19 The proposal has also been amended since submission to remove the rooflights from the front elevation of the building, as these are not typical the host terrace nor the wider Conservation Area.
- 7.20 With the cited improvements outlined above, officers consider that the proposal would be in keeping with the appearance of the street. In addition, the proposal would preserve the special character of the Narrow Street conservation area, in compliance with Local Plan policies and section 72 of the Planning (Listed Building and Conservation Area) Act 1990. In addition, the proposal would not harm the significance of the designated asset, in compliance with the relevant paras of the NPPF.

### **Neighbour Amenity**

- 7.21 Development Plan policies seek to protect neighbour amenity, safeguarding privacy and the peaceful enjoyment of ones dwelling and ensuring acceptable daylight and sunlight conditions.

#### Privacy, Outlook, Daylight & Sunlight

- 7.22 The rear elevation of the proposed building would sit approximately 22m away from the nearest facing habitable room windows at Lamb Court. The front elevation of the building would sit approximately 18m away from number 1 Albert Mews. These separation distances will ensure that there will be no undue overlooking or loss of privacy to the occupiers of either the existing properties or the proposed dwellings, with the development in place.
- 7.23 Concern has been raised regarding potential overlooking from the front balconies into neighbouring windows. This would be addressed through the incorporation of screening to the sides of the balconies, which will be obscure glazed and secured by condition.
- 7.24 The proposed building would not project significantly beyond the existing building lines of the properties adjoining the site on Albert Mews and there would as such be no undue loss of light to, or outlook from, the windows of these properties with the development in place. Given the separation distances between the proposal and the dwellings to the west and east, there would be no undue loss of light to, or outlook from, these windows, nor would there be any undue sense of enclosure, as experienced from the homes or gardens of surrounding properties.
- 7.25 The proposed development is considered to be acceptable with regards to impact on neighbouring amenity. .

#### Noise & Vibration

- 7.26 Concern has been raised with regards to a possible increase in noise, by reason of the intensified use of the site for residential purposes. It is noted that this is an urban residential area and it is considered that the addition of 3 new homes would not lead to any undue increase in footfall or disturbance in the area. The proposed balconies are small and would provide the future occupiers with policy compliant outdoor space. Any noise emanating from these balconies cannot be anticipated to exceed normal domestic levels.

#### Construction Impacts

- 7.27 Demolition and construction activities are likely to cause some noise and disturbance to nearby residents, including matters of additional traffic generation and dust. In accordance with relevant Development Plan policies and for the peaceful enjoyment of neighbouring dwellings, a number of conditions are recommended to minimise these impacts. These would control working hours and require the approval and implementation of Construction Management Plan.

## **Transport and Pedestrian Movement around the Site**

- 7.28 Development Plan policies promote sustainable modes of travel and limit car parking to essential user needs. They also seek to secure safe and appropriate servicing.
- 7.29 In line with council policy to promote car free developments, the applicant is required to enter into a legal agreement, which would prevent future occupiers of the proposed dwellings from obtaining on-street parking permits.
- 7.30 Five new safe and secure cycle parking spaces will be provided and located at the rear of the new reception area. A condition will be imposed requiring all cycle facilities to be retained and maintained for the use of the future residents for the life of the development.
- 7.31 In relation to pedestrian access to Lamb Court via Albert Mews with the development in place, as previously noted, the travel route would remain as existing. It is proposed that a full time manager will oversee the reception area during normal working hours and will provide access to Lamb Court residents. Out of normal working hours, residents of Lamb Court will be able to enter via a security code as per the existing arrangement. The appeal Inspector confirmed that access arrangements could be secured through a suitably worded condition. Such a condition will be added to any consent of planning permission.
- 7.32 It is proposed that the new dwellings would utilise the existing communal refuse and recycling storage facilities provided for the residents of Lamb Court. The bin stores are located at undercroft level and would be accessed via the rear yard.
- 7.33 Whilst some concern was raised from the Council's waste officer surrounding the trolleying distance, the arrangements are considered acceptable given the constrained nature of the site.

## **Environment**

### Landscaping & Biodiversity

- 7.34 Six Category B trees within the proposed development site will be removed to facilitate the proposed development. The Planning Inspector determined that this loss was mitigated appropriately through the proposed biodiversity enhancements. To mitigate the loss of the field maple trees from the site, a number of replacement heavy standard maple trees will be provided on the site post-development. Further details of the replacement trees will be secured via condition. Whilst it is acknowledged that the proposed trees will not be publically visible and therefore will not hold the same level of amenity value as the existing trees, additional planting will be undertaken on the publically visible western side of the building, including shrubs and herbaceous plants which will further add to the soft landscaping of the site and contribute to the verdant character of the conservation area.
- 7.35 The following additional biodiversity enhancement measures have been proposed:
- The addition of native tree and shrub planting
  - The addition of at least three bat boxes,
  - Three bird boxes
- 7.36 Tree and biodiversity officers have raised no objections and the above measures will be secured by condition.
- 7.37 The proposed development is considered to be acceptable in terms of biodiversity.

### Flood risk

- 7.38 The site is located within Flood Zone 3 and is protected to a very high standard by the Thames Tidal flood defences up to a 1 in 1000 (0.1%) chance in any year.
- 7.39 In addition, measures set out in the flood risk assessment regarding evacuation measures, finished floor levels and flood resilience measures are considered sufficient. The Environment agency has reviewed the submitted documents and raises no objection.

### Other Matters

- 7.40 Whilst the London Fire department did not comment on this application, they previously requested that the location of the dry risers conform to the latest approved Building Regulations Document B. This is a building regulations issue and will be secured and assessed outside of planning.
- 7.41 In addition to this, the applicant has committed to a sprinkler system will be incorporated into the scheme during its construction in accordance with BS 9251:2014 (or BS EN 12845).
- 7.42 In terms of accessibility, the ground floor area is now served by a ramp so that wheelchair users and those less able can safely enter and exit the site.

### Human Rights & Equalities

- 7.43 The proposal does not raise any unique human rights or equalities implications. The balance between individual rights and the wider public interest has been carefully considered and officers consider it to be acceptable.
- 7.44 The proposed development would not result in adverse impacts upon equality or social cohesion.

## **8. RECOMMENDATION**

- 8.1 Conditional planning permission is GRANTED subject to below conditions.

### **8.2 Planning Conditions**

#### Compliance

1. 3 years deadline for commencement of development.
2. Development in accordance with approved plans.
3. Restrictions on demolition and construction activities:
  - a. All works in accordance with Tower Hamlets Code of Construction Practice;
  - b. Standard hours of construction and demolition;
  - c. Air quality standards for construction machinery;
  - d. Ground-borne vibration limits; and
  - e. Noise pollution limits.
4. Delivery and retention of waste storage facilities.
5. Delivery and retention of cycle storage facilities.
6. Noise insulation standards for new residential units.
7. Delivery and retention of obscure glazing to balconies
8. 24 Hour ground access for Lamb Court Residents

### Pre-commencement

9. Construction Environmental Management Plan:
  - a. Site manager's contact details and complain procedure;
  - b. Dust and dirt control measures
  - c. Measures to maintain the site in tidy condition, disposal of waste
  - d. Recycling/disposition of waste from demolition and excavation
  - e. Safe ingress and egress for construction vehicles;
  - f. Parking of vehicles for site operatives and visitors;
  - g. Location and size of site offices, welfare and toilet facilities;
  - h. Erection and maintenance of security hoardings;
  - i. Measures to ensure that pedestrian and cycle access past the site is safe and not unduly obstructed; and
  - j. Measures to minimise risks to pedestrians and cyclists, including but not restricted to accreditation of the Fleet Operator Recognition Scheme (FORS) and use of banksmen for supervision of vehicular ingress and egress
10. Details of external facing materials and architectural detailing.
11. Archaeology Written Scheme of Investigation (in consultation with Historic England).
12. Full arboricultural and tree protection plan
13. Details of biodiversity enhancements including details of additional trees

### Prior to occupation

14. 'Car Free' on-street parking permit restrictions (bar Blue Badge holders and Permit Transfer Scheme)

## **8.3 Informatives**

1. Permission subject to legal agreement.
2. Development is CIL liable.
3. Written schemes of Investigation will need to be prepared and implemented by a suitably qualified professionally accredited archaeological practice in accordance with Historic England's Guidelines for Archaeological Projects in Greater London.

## **APPENDIX 1**

### **Drawings**

#### Documents and Reports

Design and Access statement; Flood Risk assessment QFRA 794; Planning and Heritage Statement; Pre-determination investigation report: Archaeological monitoring of geotechnical trial pits; Historic environment assessment

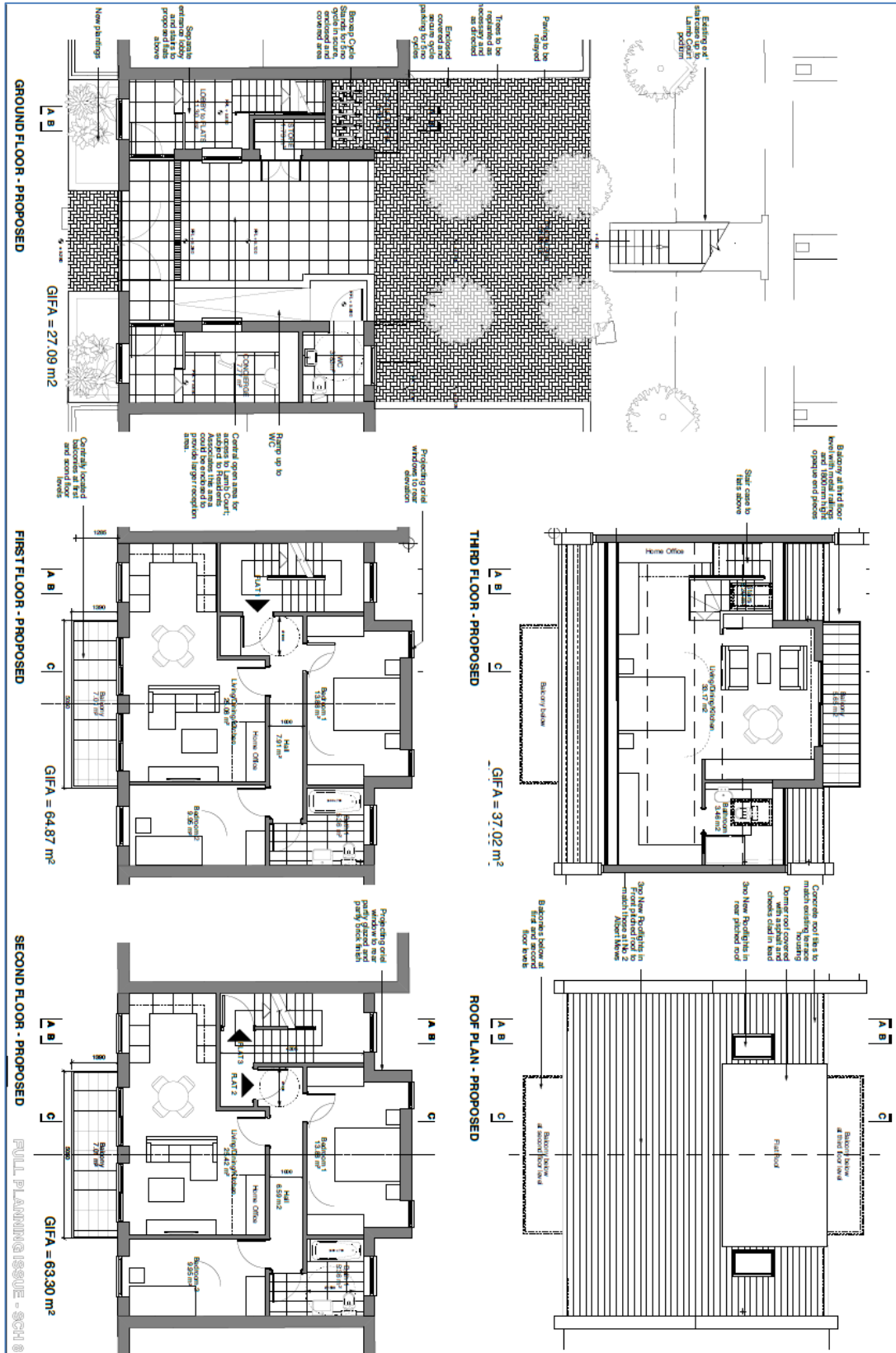
#### Plans and Drawings

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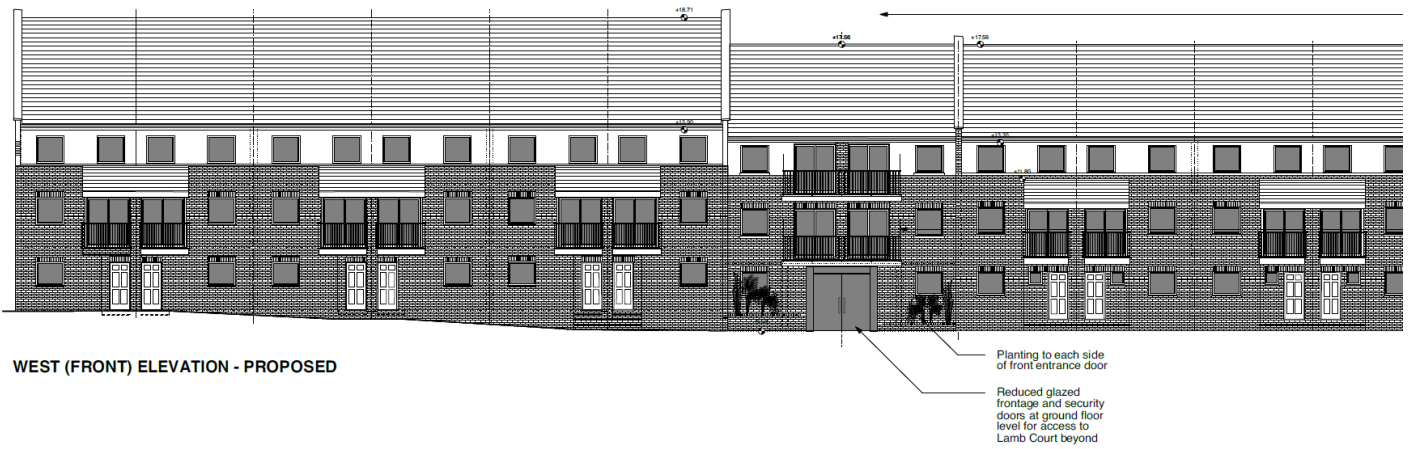
# APPENDIX 2

## Selection of plans and images

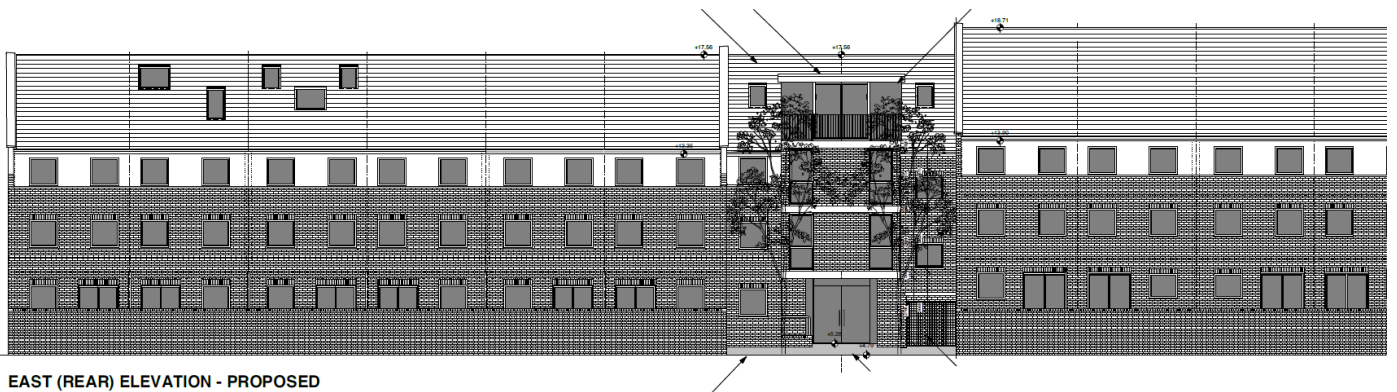
Figure 1 – Proposed floor plans



**Figure 5 – Proposed front elevation**



**Figure 6 – Proposed rear elevation**



**Figure 7 – CGI s**



**LOOKING SOUTH ALONG ALBERT MEWS**



**LOOKING NORTH ALONG ALBERT MEWS**





**LOOKING EAST ACROSS LOCK TO FRONT ELEVATION**



**LOOKING NORTH WEST FROM PODIUM OF LAMB COURT**