



**Application for Planning Permission**

[click here for case file](#)

<b>Reference</b>	PA/19/02608
<b>Site</b>	Brunton Wharf Estate, Salmon Lane, London, E14
<b>Ward</b>	St Dunstons
<b>Proposal</b>	Construction of a part-four and part-nine storey building comprising 32 x Class C3 residential dwellings, hard and soft landscaping works, security enhancements, and the re-opening of an existing undercroft parking structure.
<b>Summary Recommendation</b>	Grant planning permission, subject to conditions and subject to a legal agreement
<b>Applicant</b>	London Borough of Tower Hamlets
<b>Architect</b>	Rivington Street Studio
<b>Case Officer</b>	Sally Fraser
<b>Key dates</b>	<ul style="list-style-type: none"><li>- Application registered as valid on 05/12/2019</li><li>- Letters sent to neighbours on 10/12/2019.</li><li>- Site Notice erected on 23/12/2019</li></ul>

---

**EXECUTIVE SUMMARY**

The application site comprises the Brunton Wharf estate. The site is bound by Salmon Lane to the north, Yorkshire Road to the West, the Regents Canal to the East and the Stephen Hawking School to the South.

The eastern edge of the site is located within the Regent's Canal Conservation area. The site does not contain any statutorily listed building, nor are there any within the vicinity of the site.

The site contains three residential buildings, of simple geometric form which, together, form a cohesive and visually aesthetic group. Anglia House is 16 stories high and Cambria House and Caledonia House are 4 stories high. The site contains some areas of pleasant green space. Other areas of hardstanding are unwelcoming and underused. There are 34 surface level car parking spaces on the site and an additional undercroft area, which was previously used for parking and is now used mainly for storage.

It is proposed to construct a residential building on the south west corner of the site, which is currently used as parking. The proposed building would comprise of 2 distinct blocks, of 9 and 4 stories high, with a design approach which continues the clarity and simple form of the existing buildings.

The scheme will deliver 100% affordable housing with 50% of the units to be offered at the London Affordable rent and the remaining 50% at the Tower Hamlets Living rent. The development forms part of the Council's housing delivery programme.

Site wide landscaping improvements are also proposed. The quantum of communal amenity space on the site would be increased and dedicated child play space introduced. New landscaping would include soft landscaped areas, significant tree planting, permeable paving and a new access ramp to the canal side garden

The proposed landuse is supported and would assist the Council in meeting its housing targets. In particular, the provision of 32 affordable dwellings would serve the needs of local residents.

The height and massing of the proposed new building would respond appropriately to the local context, with a strong architectural approach and robust material palette.

The proposed site wide landscaping works would enhance and expand upon the existing provision, for the benefit of existing and future residents. Proposed biodiversity enhancements are considered sufficient to meet policy requirements.

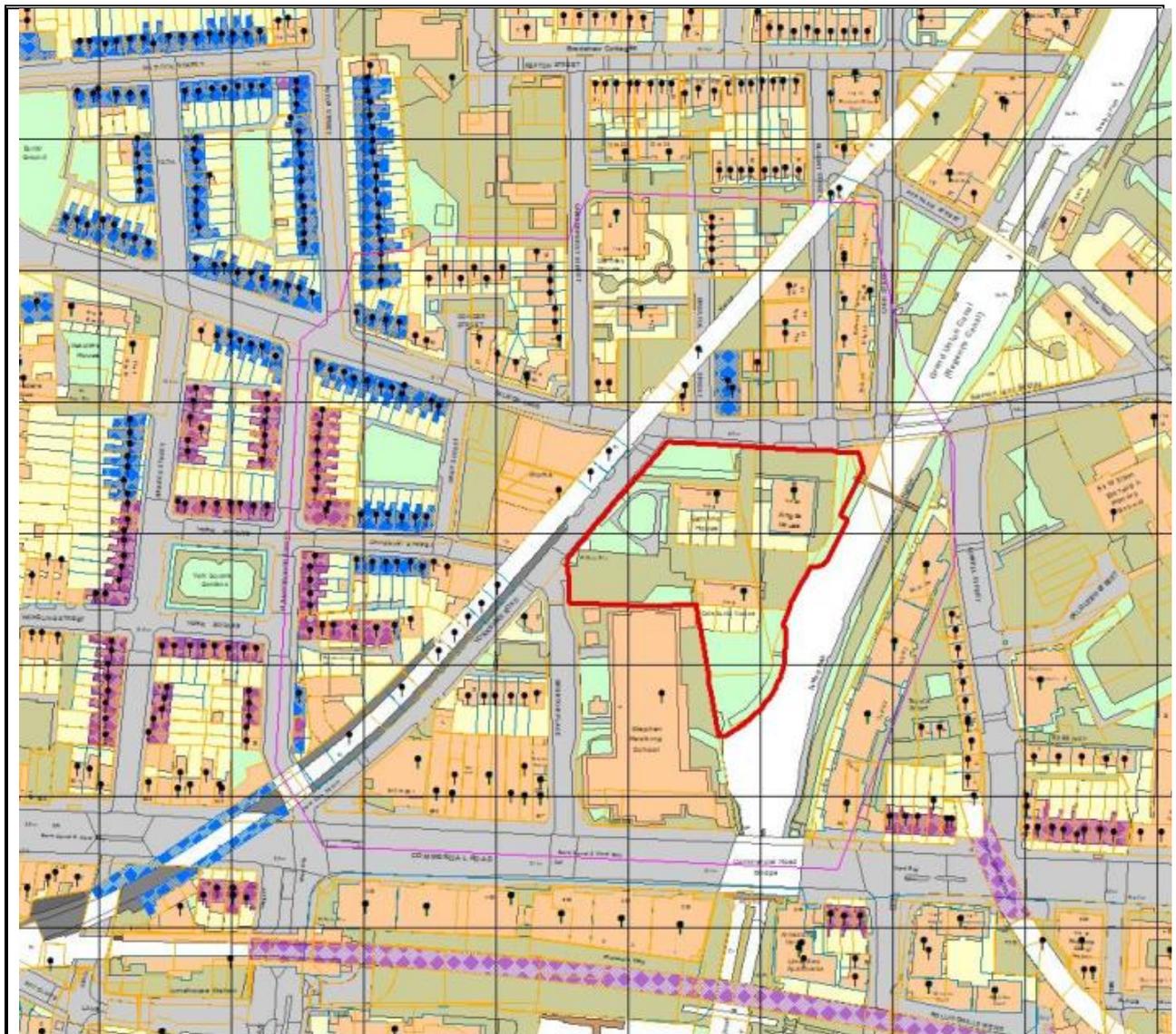
There would be no undue impacts on the residential amenities of the neighbouring occupiers, in relation to daylight, sunlight, overshadowing, outlook, or enclosure.

Parking and on- site servicing arrangements would minimise the impact on the surrounding road network during the operational phase of the development, subject to conditions and the submission of a Travel Plan. A strategy for minimising carbon dioxide emissions from the development is in compliance with policy requirements.

This application has been considered against the Council's approved planning policies contained in the London Borough of the Tower Hamlets Local Plan 2031 (January 2020) as well as the London Plan (2016), the National Planning Policy Framework and all other material considerations. Officers have also considered the application against the Draft London Plan (2019) as this carries substantial weight.

Officers recommend the proposed development be granted planning permission, subject to conditions and subject to a legal agreement.

**SITE PLAN:**



*Crown copyright and database rights 2018 Ordnance Survey, London Borough of Tower Hamlets 100019288*

<ul style="list-style-type: none"> <li> Planning Application Site Boundary</li> <li> Other Planning Applications</li> <li> Consultation Area</li> <li> Land Parcel Address Point</li> <li> Locally Listed Buildings</li> <li> Statutory Listed Buildings</li> </ul>	<p><b>Planning Applications Site Map PA/19/02608</b></p> <p>This site map displays the Planning Application Site Boundary and the extent of the area within which neighbouring occupiers / owners were consulted as part of the Planning Application Process</p>	 <p><b>TOWER HAMLETS</b></p> <p>London Borough of Tower Hamlets</p>
	<p>Scale : 50m grid squares</p>	<p>Date: 29</p>



Figure 1 : Aerial View of the Site

## **1. SITE AND SURROUNDINGS**

- 1.1 The application site is an irregularly shaped parcel of land, covering approximately 0.2 hectares. The site is bound by Salmon Lane to the north, Yorkshire Road to the west, Stephen Hawking School to the south and the Regents Canal to the east. To the south west of the site lies the residential block as 15 Brunton Place. The northern end of Brunton Place is closed off, with access only at its southern end.
- 1.2 The site comprises the Brunton Wharf Estate and contains three residential blocks – the 16 storey Anglia House; and Cambria House and Caledonia House, which are both 4 storeys high. There are a total of 82 residential flats on the site.
- 1.3 The existing buildings have architectural merit. Anglia House has a simple rectangular form, with concrete floorplates, punctuating balconies and a strong vertical emphasis. Caledonia House and Cambria House are similarly designed, with a simple rectangular form and a horizontal emphasis. Together, the buildings form an aesthetically distinctive and cohesive group. The principle material is dark brick with solid masonry strips and rendered banding.
- 1.4 Surrounding the buildings are areas of hard and soft landscaping. There is a grassed 'dog walking' area containing trees to the north west of the site and an area of hardstanding situated centrally within the site, which contains the refuse and cycle storage for Cambria House and Caledonia House. To the south east, there is 'Food Garden', which contains raised planters and a lower, grassed garden adjacent to the canal. These areas are accessed via a secured gate. Additionally, the ground floor units at Cambria House and Caledonia House have private gardens.
- 1.5 In terms of access and parking, there are 25 surface level car parking spaces for residents at the south west corner of the site, accessed off Yorkshire Road. At surface level to the north of Anglia House and accessed off Salmon Lane, lie 9 parking spaces. These spaces comprise 4 visitor parking spaces, 2 contractor bays, 2 disabled parking spaces and 1 loading bay. Also accessed off Salmon Lane is the vehicular entrance to an undercroft parking area which sits at the foot of Anglia House. This was historically used for parking but has become all but redundant and is now used partly for storage and is partly blocked off, creating an underused and unwelcome space.
- 1.6 The estate is permeable to pedestrians but suffers from poor legibility and a lack of definition between public, shared and private space. There is little in the way of natural surveillance and there is no formal child play space. Whilst there are areas of pleasant green space, other areas of hardstanding are unappealing, underused and cluttered with bin stores and cycle cages.
- 1.7 In terms of the built form surrounding the site, buildings range from 2 storey, historic terraced dwellings to high rise modern flatted developments. There are a mixture of residential, commercial and light industrial land uses in the vicinity. The Stephen Hawking School to the south comprises a large single storey building. An elevated railway line sits opposite the site on Yorkshire Road, with associated archways containing a number of different land uses.
- 1.8 The site has a PTAL rating of 5, which denotes very good transport accessibility. There is a commercial and transport hub some 250m to the south of the site on Commercial Road, with Limehouse station and the Limehouse Neighbourhood centre with its shops and services both in that area.
- 1.9 The eastern edge of the site is located within the Regents Canal Conservation Area. There are no statutorily listed buildings within proximity of the site, however to the north of the site on Salmon Lane is the Prince Regent Public House, which is included on Council's Local List of non-designated heritage assets.

## **2. PROPOSAL**

- 2.1 The application proposes the erection of a part 4, part 9 storey building containing 32 self-contained flats. The building would be located on the existing resident's car park, on the south west corner of the site.
- 2.2 The new homes would be 100% affordable in tenure. 50% of the new homes would be charged at London Affordable Rent levels and 50% at the Tower Hamlets Living Rent levels.
- 2.3 The proposed building would comprise of two conjoined 'blocks'. The northern block would reach a height of 4 storeys whilst the southern block would reach a height of 9 storeys. A shared podium lobby would link the two blocks.
- 2.4 The architectural approach would reflect the simple lines of the existing buildings on the site, with a materials palette comprising of red/ brown brick, pale coloured pre cast concrete for the horizontal elements and balcony facings and recessed doors and windows and metalwork in a dark natural hue.
- 2.5 A central internal circulation core in the taller southern block would provide access to all floors via stairs and two lifts. A cycle store and refuse store would be located at ground floor level in the northern block. These stores would serve the new dwellings as well as the existing dwellings at Cambria House and Caledonia House. These rationalised arrangements would negate the need for the existing cycle and refuse stores which sit within the sites central open space. This would serve to reduce surface level clutter and provide additional space for expanded landscaped areas.
- 2.6 Primary pedestrian access to the new building would be from Yorkshire Road, with access also through the wider site and into the shared amenity spaces.
- 2.7 The 24 residents parking spaces which currently occupy the site of the new building would be relocated to the undercroft car park beneath Anglia House. This undercroft area would be upgraded with additional security measures and acoustic treatment and would, as a result, be brought back into its intended use.
- 2.8 It is proposed to expand and enhance the shared amenity spaces on a site wide basis for the benefit of the existing and future residents, through the introduction of new hard and soft landscaping to the centre and perimeter of the site, child play spaces, tree planting and a ramped access to the canal side garden.
- 2.9 To facilitate safe and convenient access into the undercroft area, a new pavilion structure is proposed on the northern boundary of the site with Salmon Lane.

## **3. RELEVANT PLANNING HISTORY**

### Application Site:

- 3.1 Cambria House, Caledonia House and Anglia House – Various minor applications approved relating to tree removal, timber window replacement and refurbishment works.

### Neighbouring Sites:

- 3.3 PA/03/01209 (Stephen Hawking School): Erection of single storey front extensions to provide additional staff accommodation. Granted 15/10/2003

## **4. PUBLICITY AND ENGAGEMENT**

4.1 Upon validation of the application, the Council sent consultation letters to 496 neighbouring occupiers on 6<sup>th</sup> December 2019. An advert was posted in the press on 19<sup>th</sup> December 2019 and a Site Notice was erected outside the site on 23<sup>rd</sup> December 2019.

4.2 A total of 24 letters of objection were received. The themes and issues raised can be summarised as follows:

- Daylight/Sunlight and Overshadowing Impacts;
- Lack of meaningful consultation and community engagement;
- Excessive scale and height of the proposed building
- Impacts on privacy, overlooking and sense of enclosure;
- Loss of a view
- Overcrowding on the site, and impact on the wellbeing of the existing residents
- Pressure on green areas, bike sheds, allotment boxes, infrastructure and amenities
- Impacts during the construction phase of the development including heavy traffic and increased pollution;
- Increased noise and congestion
- Lack of parking
- Concern with the accuracy of the submitted red line boundary
- Lack of detail with regards to proposed improvements – including fob access, child play space, CCTV, cycle store security and planter rationalisation
- Concern with regards to on- street refuse collection on Yorkshire Road
- Concern regarding how surface level parking would be protected for residents
- New parking arrangements north of Anglia house would make resident ‘drop off’ difficult
- Lack of disabled access to undercroft parking area
- Concern with regards to the location of the play space adjacent to a main road

*Officer comment : A non material correction was made to the red line boundary since initial submission and now accurately depicts the application site. Other concerns will be addressed in the main body of the report)*

4.3 One letter of support was received, which outlined general support for the proposal and its contribution to the provision of new affordable homes.

## **5. CONSULTATION RESPONSES**

### **LBTH Transportation and Highways:**

5.1 No objections to the proposal subject to requiring conditions in relation to the provision of a car free agreement, parking management plan accessible parking, cycle facilities, travel plan, S278 Agreement, demolition and construction management plan.

### **LBTH Affordable Housing:**

- 5.2 No objections to the proposal. The proposal would deliver an 100% affordable rented housing scheme which is welcomed. The scheme would also be at the Borough's policy rental levels. The Council's unit mix policy is broadly met and is supported.

**LBTH Occupational Therapy:**

- 5.3 No objections to the proposal subject to modifications and further details to be submitted as part of condition requirements.

**LBTH Waste Policy and Development:**

- 5.4 No objections to the proposal subject to the latest British Standards being met. Condition to be included if approval is granted requiring a suitable waste strategy to be submitted and implemented.

**LBTH Environmental Health (Odour/Pollution):**

- 5.5 No objections to the proposal subject to conditions relating to the submission and implementation of a Construction Environmental Management Plan (CEMP).

**LBTH Environmental Health (Air Quality):**

- 5.6 No objections to the proposal subject to conditions being placed on consent relating to the mitigation of machinery, and the submission of an Air Quality Assessment and a Dust and Emissions Management Plan.

**LBTH Environmental Health (Noise/Vibration):**

- 5.7 No objection to the proposal subject to conditions requiring the internal layout of residential units to be in line with noise criteria and the submission of a suitable mitigation scheme.

**LBTH Environmental Health (Contaminated Land):**

- 5.8 No objections to the proposal subject to conditions relating to the submission of investigation and risk assessments for the site.

**LBTH Biodiversity:**

- 5.9 No objections to the proposal. Conditions required in relation to the provision of a minimum 3 bat boxes, the submission of biodiversity mitigation and enhancement and a method statement in relation to the eradication of Japanese Knotweed.

**LBTH Policy:**

- 5.9 No objections to the proposal. Clarification requested in relation to communal amenity space, child play space and overall height of the proposed building – these matters have since been addressed.

**LBTH Energy Efficiency:**

- 5.10 No objections to the proposal. Financial contribution of \$27,540 to be provided which would offset the residual emissions of the development.

**LBTH Enterprise & Employment:**

- 5.11 No objections to the proposal subject to the development including a 20% provision for local goods and services during construction as well as 20% provision for local construction phase workforce. A Financial contribution is also required with a figure of £10,092.00 to be provided for training and skills for local residents. A total of XX construction phase apprenticeships to be provided.

5.12 **LBTH Sustainable Urban Drainage/Flooding:**

No objections to the proposal subject to the conditional requirement of a SUDS scheme being provided and approved prior to superstructure works.

**Environment Agency:**

5.13 The Environment Agency advised that they would not be responding to the application.

**Canal and River Trust:**

5.14 The Regent's Canal is located to the south-east of the proposed development site. No objections to the proposal subject to conditions in relation to hard and soft landscaping detail, lighting and a Risk Assessment and Method Statement.

**Thames Water:**

5.16 No objections to the proposal.

**Metropolitan Police (Designing Out Crime):**

5.17 No comments received.

**Historic England (GLAAS)**

5.18 No objections to the proposal. No conditions are required.

**6. RELEVANT PLANNING POLICIES AND DOCUMENTS**

6.1 Planning decisions must be taken in accordance with relevant policies in the Development Plan, unless there are material considerations which indicate otherwise.

6.2 The Development Plan documents relevant to the determination of this application comprise:

- The London Plan (March 2016)
- Tower Hamlets Local Plan 2031 (January 2020)

6.3 The key Development Plan policies relevant to the proposal are:

Land Use – LP3.3, LP3.8, LP3.9; TH S.H1, TH D.H7  
(housing)

Design – LP7.1, LP7.2, LP7.3, LP7.4, LP7.5, LP7.6; TH S.DH1, TH D.DH2  
(layout, townscape, appearance, public realm, safety)

Heritage – LP7.8; TH S.DH3, TH D.DH4  
(historic environment)

Housing – LP3.5; TH S.H1, TH D.H2, TH D.H3, TH D.H7  
(housing quality)

Amenity – LP7.6; TH D.DH8  
(privacy, outlook, daylight and sunlight, noise, construction impacts)

Transport – LP6.9, LP6.10, LP6.13; TH S.TR1, TH D.TR2, TH D.TR3, TH D.TR4  
(sustainable transport, highway safety and capacity, car and cycle parking, servicing)

Waste – LP5.17; TH D.MW3  
(*waste capacity and collection*)

Environment – LP5.2, LP5.3, LP5.18, LP7.14, LP7.15, LP7.19; TH S.ES1, TH D.ES2, TH D.ES3, TH D.ES5, TH D.ES7, TH D.ES8, TH D.ES9  
(*air quality, biodiversity, contaminated land, energy efficiency and sustainability, sustainable drainage*)

6.4 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.

6.5 The key emerging London Plan policies relevant to the determination of this application are:

Land Use – H1, H4, H16 (previously H18), E3  
(*housing*)

Design – D3, D4, D5, D8, D11  
(*layout, scale, public realm, safety*)

Heritage – HC1  
(*historic environment*)

Housing – H6, D6  
(*housing quality*)

Transport – T5, T6, T6.1, T7  
(*car and cycle parking, servicing*)

Environment  
(*air quality, biodiversity, energy efficiency and sustainability, sustainable drainage*)

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

- National Planning Policy Framework (2019)
- National Planning Practice Guidance (updated 2019)
- LP Affordable Housing and Viability SPG (2017)
- LP Draft New London Plan (2018)
- LBTH Planning Obligations SPD (2016)
- Regents Canal Conservation Area Character Appraisal and Management Guidelines (2007)
- Building Research Establishment (BRE) “Site layout planning for daylight and sunlight: a guide to good practice” (2011)
- British Standard EN 17037:2018 Daylight in buildings

## **7. PLANNING ASSESSMENT**

7.1 The key issues raised by the proposed development are:

- i. Land Use
- ii. Housing

- iii. Quality & Standard of Accommodation
- iv. Design
- v. Heritage
- vi. Neighbouring Amenity
- vii. Transport and Servicing
- viii. Environment
- ix. Infrastructure Impact
- x. Planning Benefits
- xi. Equalities and Human Rights

## **Land Use**

- 7.1 Delivering new housing is a key priority both locally and nationally. Through policy 3.3, the London Plan (2016) seeks to alleviate the current and projected housing shortage within London through provision of an annual average of 42,000 net new homes. Draft London Plan Policy H1 takes this further and sets out objectives to increase the supply of housing. It sets out a ten-year target of 66,000 new homes for London each year for at least 20 years.
- 7.2 Local Plan policy S.H1 seeks to achieve the housing target of 3,931 new homes per year across the borough. This will be achieved by ensuring that development does not undermine the supply of self-contained housing – in particularly family homes as well as providing affordable homes. Development is also expected to contribute towards the creation of mixed and balanced communities.
- 7.3 The application proposes the addition of 32 residential units and all new units would be provided as affordable housing, which is well supported at National, Regional and Local policy level. The building would be constructed on existing Council owned land within an existing Council housing estate.
- 7.4 The development would contribute to the Council's extensive housing objectives which are given great weight given the targets set by the Mayor of London in the Housing SPG (2016).
- 7.5 The subject site's location and good public transport accessibility has it well suited for an increase in residential density and the overall land use proposed is acceptable and in accordance with Development Plan policies.

## **Housing**

- 7.6 Policy 7.2 of the London Plan (2016), and policy S.SG2 of the Tower Hamlets Local Plan seek to ensure that developments are accessible, usable and permeable for all users and that a development can be used easily by as many people as possible without undue effort, separation or special treatment.
- 7.7 Policy S.H1 and D.H2 of the Tower Hamlets Local Plan provides guidance on the provision of affordable housing for developments on sites providing 10 or more new residential units. These policies seek a minimum 35% provision of affordable housing with a split of 70/30 between intermediate housing products and affordable rented units. These policies seek to address the Borough's Housing needs and in particular, affordable family housing. New housing should ensure communities are mixed, balanced and stable with the right range of housing products provided to meet locally assessed needs. Council's Local Plan contains the policy preferred unit and tenure mix for all new developments.

7.8 Policy D.H3 of the Tower Hamlets Local Plan sets out that at least 10% of residential units within a development must be built to housing standard M4 (3) 'wheelchair user dwellings' contained within part M of the building regulations. The remainder of units must be built to housing standard M4 (2) 'accessible and adaptable dwellings' of the standard. These requirements are reiterated within the Draft London Plan at Policy T5.

7.9 The application proposes the addition of 32 new residential dwellings, of which all would be provided as affordable.

7.10 The following table indicates the councils desired mix of dwelling sizes in the affordable rented tenure; and the mix of dwelling sizes this scheme proposes:

<b>Unit Type</b>	<b>Desired Affordable Rent</b>	<b>Proposed Affordable Rent</b>
1 bed	25%	<b>8 (25%)</b>
2 bed	30%	<b>9 (28%)</b>
3 bed	30%	<b>9 (28%)</b>
4 bed	15%	<b>6 (16%)</b>

7.11 As per the above table, there is broad compliance with the councils desired mix of unit sizes, with a slight under provision of 2 and 3 bed units and a slight over provision of 4 bed units.

7.12 The deviation from the preferred mix is not material in this instance, given the relatively small size of the scheme and the minor nature of the deviations. The Council's Housing Team have reviewed the proposal and have confirmed the appropriateness of the mix and their support for the development. The proposal would closely follow the LBTH requirement for the provision of 45% family sized units in the affordable rented tenure and in so doing, would provide much needed affordable rented housing for the Boroughs residents.

7.13 With regards to the breakdown of affordable products, the scheme would provide 50% of the units at London Affordable Rent levels and 50% of units at Tower Hamlets Living Rent levels, in line with the Council's Local Plan. This would ensure that an appropriate range of products are available to meet the ranging needs of the future occupiers.

7.14 Policy D.H2 states that there should not be an over-concentration of one type/tenure of housing in any one place. It is noted that the scheme only provides affordable rented dwellings. However, there are a wide variety of intermediate and market housing products available in the vicinity of the site. The number of affordable rented dwellings proposed here is relatively low, in the context of the urban area within which the site sits and the proposal would not undermine the councils aim to maintain mixed and balanced communities.

7.15 A total of 3 (approx. 10%) of the 32 residential units would be wheelchair accessible, in accordance with Part M 4(3) of the Building Regulations, which complies with policy requirements. Two of these units would be 3 or 4 bedroomed units, which addresses demands and needs. The remaining 29 units (approx. 90%) would be wheelchair adaptable, in accordance with Part M 4(2) of the Building Regulations.

**Standard of Residential Accommodation**

Planning Policy

- 7.16 Draft London Plan Policy D6 sets out that housing developments should be of high quality design and should provide adequately sized rooms with comfortable and functional layouts. This policy sets out that dwellings should maximise the provision of dual aspect dwellings, to provide sufficient daylight, sunlight, outlook and privacy. The London plan also contains minimum size requirements, in relation to internal areas and outdoor amenity areas.
- 7.17 London Plan policy 3.5 and Policy D.H3 of the THLP requires developments to be consistent with the London Plan requirements with regards to minimum floor to ceiling heights, minimum internal areas, the provision of outdoor amenity space, child play space and communal amenity space. These accessibility and amenity standards seek to ensure that an appropriate standard of living is provided for all future residents, and, specifically, to ensure the quality of affordable housing is not distinguishable from private housing.
- 7.18 The Government's Nationally Described Space Standards (2015) and the Mayor of London's Housing SPG (2016) provide detailed policy guidance on the minimum standards for residential developments.

#### Internal Space, Design Standards and Layout

- 7.19 The 32 residential units would be located on each of the proposed floors across each block. All units would be provided with outdoor private amenity space in the form of balconies or terraces, which would comply with relevant standards. A total of 29 of the 32 units would be double or triple aspect, including all units of two bedrooms and above. The 3, single-aspect units are one bedroom units, oriented east into the estate's shared central gardens. There are no north-facing single aspect units. The units would have good outlook from habitable room windows and good levels of privacy, given the buildings' location set away from the existing buildings on the site and given the absence of any offsite buildings in close proximity. The units have efficient layouts, with a functional arrangement of rooms.
- 7.20 Residential cores and lifts would be located within the southern block, with a shared lobby on the ground, first, second and third floors providing access to units located within the northern block. Residential access would be provided to the east and west of the ground floor shared lobby located between the two blocks. The core lobbies would be daylight at all levels.
- 7.21 Overall, the development would provide a good standard of internal accommodation for the future occupiers.

#### Communal Amenity Areas & Child Play Space

- 7.22 Local Plan Policy D.H3 requires the provision of a minimum 50sqm of communal amenity space for the first 10 units of a development and a further 1sqm provided for every additional unit. The proposed new building would provoke a minimum provision requirement of 72sqm of communal amenity space.
- 7.23 This Local Plan Policy also requires major developments to provide a minimum of 10sqm of high quality play space for each child, with the total child numbers to be calculated using the child yield calculator available on the Greater London Authority (GLA) website. The proposed new building would generate a child yield of 51, which requires a minimum 510sqm of play space.
- 7.24 It should be noted here that the new building would sit within the wider Brunton Wharf Estate and the scheme proposes site wide re- landscaping works. With the development in place, all community amenity space on the site would be accessible to all existing residents of the estate and the future residents of the new building. As such, the following paragraphs provide an assessment of the scheme in relation to the requirements of the new dwellings and an assessment on the acceptability of the new landscaping works for the existing residents of the Brunton Wharf estate.

- 7.25 The site currently provides approximately 2096sqm of communal amenity space for the existing 82 dwellings. This quantum far exceeds the figure of 122sqm that would be required, as a minimum, for a new build development of 82 dwellings.
- 7.26 The amenity space is made up of a canal side garden, food garden, a dog walking area and other areas of green space. The estate does not contain any existing formal children's play facilities.

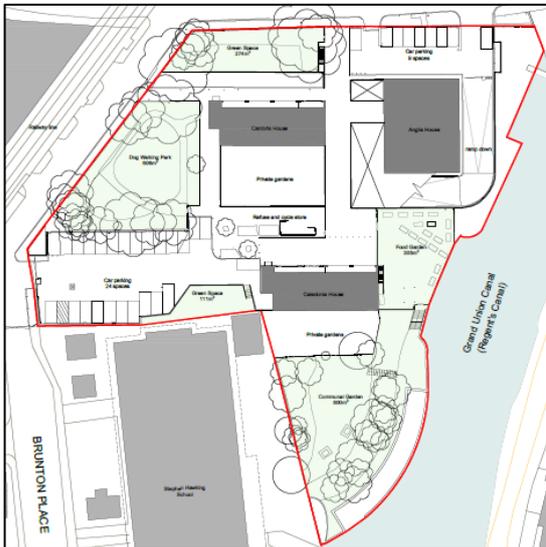


Figure 2 : Existing Shared Amenity Space



Figure 3 : Proposed Shared Amenity Space

- 7.27 The above slides show the communal amenity space provision on the site, as existing and as proposed.
- 7.28 The quantum of communal amenity space on the site as proposed and excluding child play space (which is proposed additionally and is discussed later), would be 2239sqm, which is an increase of 143sqm on the existing provision. This increase exceeds by a fair margin, the minimum communal space requirement provoked by the new dwellings. And, given that the new dwellings would be more than adequately provided for, the existing dwellings would be provided with slightly more communal amenity space than they currently have.
- 7.29 This increased quantum, notwithstanding that there would be a new building on the site, would be achieved primarily through the rationalisation of the sites central open space, by removing the existing bin and cycle stores and creating a new landscaped area which would extend north to include the central walkway. Landscaping works in this area would include permeable paving, the introduction of new pathways, tree planting and the addition of verdant planters to the walkway. In addition, the grassed area to the north of the site would be extended southwards to include an existing area of hardstanding and new planting would be introduced to the north of Anglia House, to soften the frontage with Salmon Lane. The communal space adjacent to the canal would be retained.
- 7.30 Full details of the proposed materials, landscape features and their location would be required by condition, to ensure that the quality of the landscaping follows through to the construction phase of the development and to ensure that the landscaping is maintained throughout the life of the development.
- 7.31 Turning now to the issue of child play space, to meet policy requirements in relation to the new building and to enhance play facilities for the whole site, the scheme proposes two formal child play space areas. One area would be located to the north of the new building covering 283sqm whilst another area would be located to the east of the development covering 227sqm. The total provision would equate to 510sqm, which is the minimum required by

policy, albeit the spaces would be shared with the existing residents. This provision would be in addition to the proposed 2239sqm of communal amenity space.

- 7.32 The play spaces would be conveniently located on the site, with good natural surveillance and level access. Additional details submitted by the applicant indicates that the play spaces will contain varied environments with formal play equipment and areas of natural play features. Full details, including detailed drawings, of the type, quantity and location of all proposed play equipment, lighting, benches, furniture and other hard and soft landscaping features will be requested by condition.
- 7.33 In conclusion, it is considered that the proposed landscaping scheme and child play space, in terms of its quantity and quality of provision, would provide improved and enhanced provision for the existing residents of the Brunton Wharf Estate. The proposed provision would meet and exceed the requirements provoked by the new dwellings.

#### Internal Daylight and Sunlight

- 7.34 The applicant has submitted an internal Daylight and Sunlight Assessment which relates to the recently published British Standard (BS EN 17037:2018 Daylight in buildings'. The Standard provides guidance on daylight requirements for new developments. The guidance recommends units achieve a minimum Median Daylight Factor (MDF) of 1.4% or more for kitchens, 1.1% for living rooms and 0.7% for bedrooms.
- 7.35 The report includes results for rooms located on the ground and first floor of the proposed building as rooms on higher floors would be less obstructed by neighbouring dwellings. Results also include rooms located on the fourth floor as this would include units and windows located in the taller southern building.
- 7.36 Of the 40 rooms assessed across the 3 floors, 2 rooms would not comply with the target MDF. An assessment for all rooms across the building was also carried out, based on the results of the three floors. The overall pass rate across the building would be 95%. There would be 3 LKD rooms and 3 KD rooms that would not comply.
- 7.37 In relation to Sunlight the British Standard (BS EN 17037) gives minimum, medium and high recommended levels for sunlight exposure. This is measured via the duration received to a point on the inside of a window on a selected date between February 1st and March 21st.
- 7.38 The sunlight assessment assumes a cloudless sky and therefore represents a maximum possible amount of sunlight. The assessment is undertaken using the calculation of sun position based on the geometrical equations in the Standard. The minimum sunlight target for sunlight exposure is 1.5 hours, the medium target is 3 hours and the high target is 4 hours.
- 7.39 Similar to the daylight assessment, the submitted sunlight assessment includes results for rooms located on the ground, first and fourth floors of the development. All flats on the three floors would have a habitable room which would receive the recommended minimum amount of sunlight. Other floors across the development would therefore be expected to also achieve this minimum requirement. There would also be appropriate general compliance with the medium and high targets.
- 7.40 The submitted results demonstrate that the daylight and sunlight received to the habitable rooms in the new building would comply, in the vast majority of cases, with the relevant standards. There would be marginal shortfalls in daylight targets to a minority of windows, however such results can be expected of a development in an urban area and the new building would provide, in the round and taking into account other standard of accommodation considerations, a high standard of accommodation for future occupiers.

#### Design and Appearance

## Planning Policy

- 7.41 Development Plan policies require high-quality designed schemes that reflect local context and character and provide attractive, safe and accessible places that safeguard and where possible enhance the setting of heritage assets.
- 7.42 Chapter 7 of the London Plan sets out a range of policies seeking to ensure high quality living spaces. More specifically, policy 7.6 of the London Plan sets out that architecture should make a positive contribution to a coherent public realm, streetscape and wider cityscape. The highest quality materials and design should be incorporated.
- 7.43 Chapter 3 of the Draft London Plan similarly sets out policies and guidance on delivering London's growth through the designing of buildings.
- 7.44 Policy S.DH1 of the Local Plan (2020) requires developments to meet the highest standards of design, layout and construction which respects and positively responds to its context, townscape, landscape and public realm at different spatial scales. Developments should be of an appropriate scale, height, mass, bulk and form in its site and context.
- 7.45 Policy D.DH2 of the Local Plan (2020) requires development to contribute to improving and enhancing connectivity, permeability and legibility across the borough. Developments should optimise active frontages towards public streets and spaces, provide clear definition of building frontage and massing and allow connection and continuity of pedestrian desire lines at a human scale.

## Assessment

- 7.46 The existing estate contains three residential blocks, with distinctive red/ brown brick facades with concrete banding and balconies – ranging in height between 4 and 16 storeys. Together, the 3 buildings form a cohesive and visually aesthetic group. Landscaping around the buildings is spacious and there is significant scope for improvements to increase the use of the space. The image below shows the existing buildings on the site and the central open area.



Figure 4 : Existing Buildings within the Estate



- 7.47 The proposed new building would comprise of two linked blocks. The northern block would be 4 stories high and the southern block would be 9 stories high. The northern block would be balanced appropriately against the southern block and the building is, overall, well proportioned. The southern block would effectively mediate between the 16 storey Anglia House and the lower, 4 storey blocks at Cambria House and Caledonia House.
- 7.48 The image below is a CGI of the new building, looking north along Yorkshire Road. The proposed north/ south orientation of the building would provide greater definition to the Yorkshire Road frontage. The building would be set back from this frontage to create an open feel on the boundary and its elevations would be punctuated by concrete balconies, to provide interest and variation to its form. The building would, overall, sit well within the Yorkshire Road street scene.



Figure 5 : CGI of the proposed building, looking North along Yorkshire Road



- 7.54 Hard and soft landscaping, as discussed in more detail in the previous section, would be expanded and enhanced across the site, including large areas of plantings with a mix of native trees and plants. A biodiverse roof treatment on the new building would attenuate run off. The soft landscaping strategy would be in keeping with the Council's Biodiversity Strategy.
- 7.55 As originally submitted, the proposal included fob- access security gates along the northern perimeter of the built form of the site. These gates would have served to prevent public access to the internal parts of the site and the undercroft. The council does not support proposals to create private, gated communities. Such proposals cut off convenient, traffic free pedestrian routes and change the character of estates to one which is less accessible for residents, visitors and wider community. Following a recent discussion with the applicant's agent in this regard, the gates no longer form part of the proposal and the estate would remain publicly accessible.
- 7.56 It is understood that residents are concerned with regards to antisocial behaviour in and around the development and that the intention of the gates was to reduce this.
- 7.57 THLP Policy D.DH2 is supportive of approaches to sitewide design that helps improve safety and the perception of safety, including activating frontages, reducing clutter, softening landscaping and designing out concealment points. Many of these design features have been incorporated into the landscaping scheme proposed here and, if implemented, should improve safety and the perception of safety in and around the estate.
- 7.58 Policy D.DH2 explicitly asks developments to improve permeability and resists the creation of gated communities, as a solution to antisocial behaviour, for reasons of inclusion and accessibility.
- 7.59 The CGI below shows the proposed landscaping to the central open area of the site.



Figure 7 : CGI of Proposed Development - Looking West across the landscaped areas

- 7.60 The submitted approach, with removed gates, is supported and would ensure a high quality design response that would create attractive areas of public open space. The further development of the finalised landscaped design will be required as part of further planning conditions.

### Conclusion

- 7.61 In terms of overall design, the development is well considered, appropriately detailed and would provide a building of suitable mass and scale for the site's location.
- 7.62 The suite of materials and design of the building would provide suitable reference to the past history of the surrounding area, whilst also ensuring a high quality, modern approach. The design of the building effectively meets Development Plan policy considerations and would make a positive contribution in the surrounds.

### Heritage

- 7.63 Development Plan policies require development affecting heritage assets and their settings to conserve their significance by being sympathetic to their form, scale, materials and architectural detail. Local Plan Policy S.DH3 requires development to protect and enhance the borough's conservation areas including their setting.
- 7.64 The eastern edge of the site lies within the Regents Canal conservation area, which includes the canal itself. The impact of the proposed development on its special character and setting, follows.
- 7.65 The Conservation area development policies and guidance are contained within the Regents Canal Conservation Area Character Appraisal and Management Guidelines. This document seeks to maintain a positive relationship between the buildings adjacent to the canal and seeks to ensure that the height and location of new buildings are carefully considered.
- 7.66 The proposed new building would be sited on the opposite side of the site to the conservation area. Given its modest scale in relation to surrounding buildings and the distance between the building and the canal, there would be no harm to the character or appearance of the Conservation Area with the development in place. The canal side amenity space would remain grassed and no built form is proposed in this area. There would be no harm to the openness or character of the conservation area, as a result of the landscaping works.
- 7.67 There are no listed buildings within the immediate vicinity of the site and consequently no impact on the setting of any listed buildings, with the development in place. There is a locally listed building on the north side of Salmon Lane. No significant development is proposed on this frontage and there would be no impact on its significance, with the development in place.
- 7.68 The proposed development would not harm the character or appearance of the Regents Canal Conservation area. The design approach pursued as part of the development is well considered and effectively responds to the significance of the conservation area.

### Neighbouring Amenity

- 7.69 Development Plan policies seek to protect neighbour amenity in terms of privacy, noise and disturbance, daylight and sunlight, outlook and enclosure.

### Daylight, Sunlight, Outlook and Enclosure

- 7.70 Guidance relating to daylight and sunlight is contained in the Building Research Establishment (BRE) handbook 'Site Layout Planning for Daylight and Sunlight' (2011).

- 7.71 A number of residential properties surround the proposed new building. These properties were tested for daylight, sunlight and overshadowing impacts and the results submitted by the applicant in support of the application. The results have been independently reviewed on behalf of the Council by Delva Patman Radler.
- 7.72 For calculating daylight to neighbouring residential properties, the primary assessment is the vertical sky component (VSC) method of assessment together with the no sky line (NSL) assessment where internal room layouts are known or can reasonably be assumed. These tests measure to what extent existing windows retain the quantum daylight they currently receive.
- 7.73 BRE guidance in relation to VSC tests the amount of daylight striking the face of a window. The VSC of a window with the development in place should be at least 27%, or should not be reduced by more than 20% of its former value, to ensure sufficient light is still reaching the window. VSC is a metric that determines the amount of light falling on a particular point, in this case, on the centre point of the window. The calculations for VSC do not take into account window size, room dimensions or the properties of the window itself.
- 7.74 The NSL calculation takes into account the distribution of daylight within the room, and again, figures should not exhibit, with the development in place, a reduction beyond 20% of the former value. NSL assesses where daylight falls within the room at the working plane (850mm above floor level in houses), Daylight distribution assessment is only recommended by the BRE Report where room layouts are known.
- 7.75 The technical analysis within the applicant's report demonstrates that 8 residential properties were tested. These properties include Anglia House, Cambria House, Caledonia House, 15 Brunton Place, 3-13 Brunton Place, 79 Salmon Lane, the Prince Regent (upper floors), Stephen Hawking School. A summary of results for each assessed property follows below.
- 7.76 There is no definitive categorisation for impacts that exceed BRE guidelines, however the following 'significance' criteria banding is used here, when summarising the overall daylight and sunlight effects to the surrounding properties;
- Negligible; 0-20% loss against existing
  - Minor adverse; 20-30% loss against existing
  - Moderate adverse; 30-40% loss against existing
  - Major adverse; >40% loss against existing
- 7.77 The following plan shows the location of the new building shaded blue and the tested properties, numbered 1 to 8. Tested windows at those properties are indicated by a green line (except for Cambria House – notwithstanding the indication of the plan, the windows tested were on the southern elevation of this block).



Figure 2 Neighbouring Developments Assessed

### *Anglia House*

- 7.78 Anglia House is number '1', on the plan above. It is a 16 storey block of flats located with the Brunton Wharf estate, on the north east corner of the site. Internal layout plans for Anglia House were obtained from the Council's Public Planning Register were incorporated into the submitted model.
- 7.79 The tested windows were on the western elevation, at ground, first, second and third floors. Windows at higher levels would be less affected.
- 7.80 The submitted results indicate that 1 window out of the 19 (5%) windows tested for VSC, would not meet the BRE guidelines. That window is sited at first floor level and sits directly underneath a balcony. It would have a VSC with the development in place of 77%. This is only marginally below the recommended 80%.
- 7.81 An additional 'without balconies' assessment was carried out, which tests light that would be received to a window, if a balcony above that window were to be removed. The results were within BRE guidance. This demonstrates that the existence of balcony is a contributing factor to the loss of daylight. In addition, no other windows serving that flat would be adversely affected in terms of VSC and, in addition, daylight distribution results to that room and all tested rooms at Anglia House, would be compliant with BRE guidelines.
- 7.82 In relation to sunlight, all relevant rooms within Anglia House would be compliant with APSH targets.
- 7.83 In addition, given the distance of the proposed new building from the west facing windows at Anglia House, there would be no undue loss of outlook from those windows, nor would there be any undue sense of enclosure as experienced by the occupiers, with the development in place.
- 7.84 Overall, it is considered that there would be no adverse impact on light, outlook or enclosure, to the occupiers of Anglia House, with the development in place.

### *Cambria House*

- 7.85 The Cambria House is number '2' on the above plan, and the south facing windows were tested.
- 7.86 All of the 24 habitable windows tested would comply with BRE guidance in relation to VSC. In relation to sunlight, all relevant rooms within the Cambria House Development would be compliant with APSH targets.
- 7.87 With regards to outlook and enclosure, the proposed new 4 storey block would sit, at its closest point, some 13m from the westerly most point of the southern façade at Cambria House. But it would sit at an oblique angle, to the south west, so there would be no built form directly facing their south facing windows. Likewise, the development would be visible from their private gardens, but it would be some distance away to the west and would not appear overbearing. Overall, there would be no undue loss of outlook from the south facing windows at Cambria House, nor would there be any undue sense of enclosure, with the development in place.
- 7.88 There would be no adverse impact on light, outlook or enclosure to Cambria House.

### *Caledonia House*

- 7.89 Caledonia House is number 3 on the plan. Its north facing windows were tested.
- 7.90 All of the 16 habitable windows tested would comply with BRE guidance in relation to VSC.
- 7.91 The building does not contain any windows within 90 degrees of due south and as such, have not been assessed for sunlight impacts.
- 7.92 The proposed building would sit some distance to the west of Caledonia House and there would be no built form directly facing their north facing windows or gardens. There would, as such, be no undue loss of outlook from those windows, nor would there be any undue sense of enclosure from their homes or gardens, with the development in place.
- 7.93 There would be no adverse impact on light, outlook or enclosure to Caledonia House, with the development in place.

### *15 Brunton Place*

- 7.94 15 Brunton Place is number 4, on the plan. It is a low rise block of flats located to the south-west of the proposed building. Layout plans for the approved scheme obtained from the Council's Public Planning Register have been used and incorporated into the submitted model.
- 7.95 The submitted results show that 2 out of the 8 (25%) windows tested for VSC would not meet the BRE guidelines. The 2 windows in questions would see VSCs with the development in place of 26.9% and 26.3%, which are marginally below the target 27%. These marginal losses cannot be considered to be material, nor to lead to a noticeable loss of daylight to the affected rooms. The building does not contain any windows within 90 degrees of due south and as such, have not been assessed for sunlight impacts.
- 7.96 The proposed new building would sit some 15m north east of 15 Brunton Place. Again, there would be no proposed built form which would directly face any windows at that property. Given this, and given the separation distance, it is considered that there would be no undue outlook or enclosure issues for the occupiers of that property, with the development in place.
- 7.97 The development would not adversely affect the occupiers of 15 Brunton Place, in terms of light, outlook or enclosure.

### *3-13 Brunton Place*

- 7.98 3-13 Brunton Place is a terrace of residential properties located to the south of 15 Brunton Terrace.. Layout plans for the approved scheme obtained from the Council's Public Planning Register have been used and incorporated into the submitted model. All of the 15 habitable windows tested would comply with BRE guidance in relation to VSC.
- 7.99 The building does not contain any windows within 90 degrees of due south and as such, have not been assessed for sunlight impacts.
- 7.100 Given the distance of this building to the proposed development, there would be no adverse impacts in terms of light, outlook or enclosure, with the development in place.

*79 Salmon Lane*

- 7.101 The Development at 79 Salmon Lane is located to the north of the Proposed Development. All (3) of the habitable windows tested would comply with BRE guidance in relation to VSC.
- 7.102 In relation to sunlight, all relevant rooms within 79 Salmon Lane would be compliant with APSH targets.
- 7.103 Given the distance of this building to the proposed development, there would be no adverse impacts on outlook or enclosure, with the development in place.

*8 The Prince Regent (upper floors)*

- 7.104 The Prince Regent is located to the north of the proposed development. Whilst the site is occupied by a Public House, Council records indicate that residential accommodation is present. Layout plans for the approved scheme obtained from the Council's Public Planning Register have been used and incorporated into the submitted model.
- 7.105 All (4) of the habitable windows tested would comply with BRE guidance in relation to VSC. In relation to sunlight, all relevant rooms within 79 Salmon Lane would be compliant with APSH targets.
- 7.106 Given the distance of this building to the proposed development, there would be no adverse impacts on outlook or enclosure, with the development in place.

*Stephen Hawking School*

- 7.107 The Stephen Hawking School is located to the south of the Proposed Development. Layout plans for the approved scheme obtained from the Council's Public Planning Register have been used and incorporated into the submitted model. Whilst not residential premises, the school being an educational use is considered particularly sensitive and as such, the nearest windows on each floor have been analysed.
- 7.108 2 west facing windows were tested and results have demonstrated that each would comply with BRE guidance in relation to VSC. In relation to daylight distribution (NSL), submitted results demonstrate that BRE targets would be met.

*No Sky-Line Results*

- 7.109 As can be referenced from the assessment above, daylight distribution tests were only carried out for windows within Anglia House and the Stephen Hawking School, as floor layout information for other buildings were not available for assessment. Council's external consultant has considered daylight impacts in the absence of NSL results and has advised that given the orientation and distance of windows in relation to the proposed scheme, the proposal would be compliant with the BRE guidelines.

*Conclusions*

- 7.110 In summary, in relation to daylight, sunlight, outlook and enclosure, daylight and sunlight results demonstrate that there would be only minor discrepancies to a small minority of windows tested. The submitted assessment demonstrates that the proposed development has been appropriately designed.
- 7.111 When taken in the context of the transgressions from BRE guidance, the wider benefits of the proposed development and the existing site conditions, it is considered that the proposed development would not materially impact on daylighting or sunlighting conditions to surrounding properties, nor would there be any impacts on enclosure or outlook.

#### Overshadowing

- 7.112 In relation to the potential overshadowing of gardens and open spaces, BRE guidance sets out that at least half of an existing area should receive at least two hours of sunlight on the 21<sup>st</sup> March.
- 7.113 Three amenity areas were tested, which required testing by reason of their proximity to the proposed new building. These include the proposed play spaces to the east and north of the proposed building and the proposed biodiverse roof.
- 7.114 The submitted results demonstrate that, each area would receive 2 hours of sunlight on 21<sup>st</sup> March over 90% of their area, which far exceeds the BRE target.

#### Privacy

- 7.115 Local Plan policy D.DH8 seeks to maintain good levels of privacy and to avoid an unreasonable level of overlooking. A distance of 18 metres is promoted between windows of habitable rooms to ensure sufficient privacy from overlooking between habitable rooms of adjacent residential properties and private amenity areas.
- 7.116 In terms of neighbouring residential interfaces, Caledonia House and Cambria House are located within 18 metres of the proposed development to the east. Both of these buildings do not contain any west-facing windows and as such, there would be no overlooking concerns to existing habitable room windows. There would be an element of overlooking from east facing windows in the new 4 storey block, to the rear gardens of Cambria House. The distance between these gardens and the windows and balconies at the new development would be a minimum of 9m, but the new building sits due west of the gardens, which reduces the perception of overlooking. Any impact in this regard is similar to the impact in relation to Anglia House to the east, and not uncommon in an urban area.
- 7.117 In light of the constraints of the site and existing site conditions, it is considered that the design of the proposed building would not result in unacceptable levels of overlooking and would not unacceptably impact on neighbouring privacy.

#### Noise and Vibration

- 7.118 The application is supported by a Noise Assessment. The assessment highlights that external noise levels are high, towards a significant observable effect level, particularly from train and traffic noise. Council's Environmental Health (Noise) team has reviewed the assessment and has no objections subject to the submission of a satisfactory mitigation scheme.
- 7.119 Concern has been raised by neighbouring occupiers with regards to potential noise impacts from the undercroft parking area, to adjacent dwellings. A condition is recommended which would require details of sound travel reduction from the undercroft area, which would certainly be more intensively used with the development in place, to mitigate any noise impacts. Any

such mitigation would be required to be in place prior to first use of the undercroft parking area.

### Construction Impacts

- 7.120 Demolition and construction activities are likely to cause noise and disturbance, additional traffic generation and dust. In accordance with relevant Development Plan policies, a number of conditions are recommended to reduce these impacts to acceptable levels. These will control working hours and require the approval and implementation of Construction Environmental Management and Logistics Plan. The details so submitted and approved, would be required to be implemented in full for the life of the construction phase of the development.

### Summary

- 7.121 Overall, the proposed development would not have an unacceptable adverse impact on the surrounding area in terms of daylight or sunlight conditions. The potential for overlooking has been addressed and sufficient distances and measures have been incorporated into the development. Overall there would be compliance with policy D.DH8 which seeks to protect the amenity of existing buildings and their occupants.

### Transport

- 7.122 Development Plan policies promote sustainable modes of travel and seek to limit car parking and car use to essential user needs. These policies also seek to secure safe and appropriate servicing arrangements to ensure developments are managed effectively and efficiently.

### Car Parking

- 1.123 In as far as the development pertains to the occupants of the proposed new dwellings, the development would be car free, unless under the Permit Transfer Scheme (PTS) which relates to existing parking permits.. The future occupants would be restricted, as is standard for new developments and as required by policy, from obtaining parking permits. This is with the exception of 3 disabled parking bays, which would be located on the Yorkshire Road frontage. As the development pertains to the existing occupiers of the Brunton Wharf estate, the on site parking arrangements would be altered, with the development in place.
- 1.124 There are 34 car parking spaces currently, on the existing site. 25 of these are located to the south-west of the site, in the proposed building's location, whilst a further 9 front onto Salmon Lane.

	Current	Proposed
Resident	25	25
Accessible / Disabled	2	6
Visitor	3	6
Contractor	2	1
Loading	2	4*

\*Including a 2 vehicle loading bay on Yorkshire Road

Figure 8 Existing and Proposed Car Parking

- 7.125 With the development in place, the 25 existing spaces on the site of the proposed building would be reprovided in the undercroft area. An additional 6 visitor bays would be provided in the undercroft area. 6 parking bays would be provided fronting Salmon Lane. These would comprise 3 disabled parking bays, 2 loading bays and 1 contractor bay. With regards to the undercroft parking, it is noted that access would be via stairs only. The possibility of installing a lift was explored by the applicant, however it was concluded that given the constraints of the existing building and the layout of the undercroft area, it was not possible to do so. Whilst this is unfortunate and will limit access to the basement for some residents, it is noted that the scheme proposes 3 disabled parking bays at surface level, which would provide accessible and convenient blue badge parking. In addition, there is no policy requirement to reprovide the existing parking space. In the circumstances and given the constraints of the site, these arrangements
- 7.126 Council's Highways and Transportation team have reviewed the arrangements, in conjunction with the submitted Transport Statement and raised no objections.

#### Servicing and Deliveries

- 7.127 Development Plan policies require adequate refuse and recycling storage alongside and combined with appropriate management and collection arrangements.
- 7.128 As amended, on-site servicing for the new dwellings would be provided, accessed off Yorkshire Road. The proposed servicing area would be located on the western edge of the site. Entry and exit would be possible in forward gear and a swept path has been provided, based on an 11m refuse truck. The service area would not interfere with any designated amenity space or soft landscaped area and would provide safe servicing which would not prevent the free flow of traffic on the highway. Refuse collection for the new development and for Cambria House and Caledonia House would be carried out here. Refuse collection arrangements for Anglia House would remain as existing, from Salmon Lane.
- 7.129 The number of servicing vehicle movements is not expected to be increased as refuse collection for the new residential block will occur at the same time as for the existing buildings within the estate.
- 7.130 There is no objection to the proposed arrangements, as amended, subject to a condition requiring the submission of a Delivery, Servicing and Waste Management Plan and further details required by the Council's Waste Team. In addition, details regarding the surfacing and demarcation for the service area would be required, for the purpose of pedestrian safety on site.

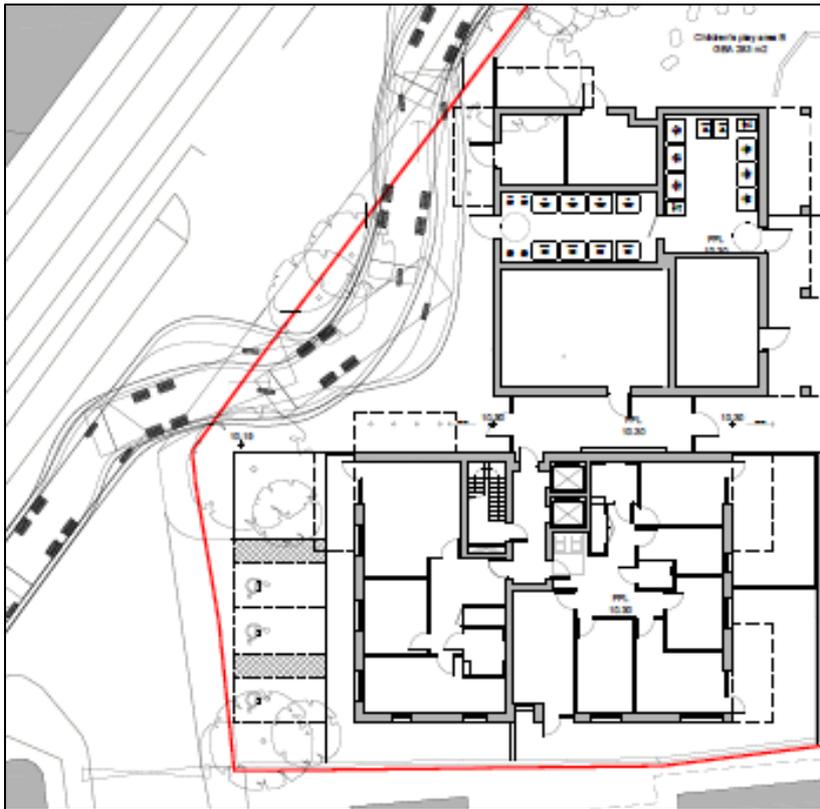


Figure 9 - Proposed Ground Floor Layout - Servicing Arrangements

#### Cycle Parking

- 7.131 The proposed new dwellings would generate a minimum requirement of 56 cycle spaces, to be provided in line with the up to date requirements of the Draft London Plan.
- 7.132 These spaces would be located within a dedicated storage area, on the ground floor of the northern block of the building. This would be accessible through the eastern and western entrance of the lobby. A separate storage area would be provided also within the northern block of the proposed building which would provide cycle store spaces for residents within the wider estate.
- 7.133 The proposed arrangement is acceptable and full detail on the cycle store arrangements will be secured as a condition requirement.

#### Trip generation

- 7.134 The submitted Transport Assessment considered the total trip generation for the development.
- 7.135 The assessment concluded that the proposed development has the potential to generate approximately 20 two-way trips during a typical weekday morning (AM Peak times between 08:00 and 09:00) and 27 during a typical weekday afternoon (PM Peak times between 15:00-16:00). The majority of these trips 79% would be made sustainability without the use of a car.
- 7.136 There is no objection to the trip generation details submitted as part of the development and the site and surrounding infrastructure network would sustain the net increase in trips.

#### Travel Planning

- 7.137 The applicant has submitted a preliminary Travel Plan. No objections were raised to this element by the Council's highways officer. A full travel plan would be secured by condition, to finalise its contents and to ensure implementation through to the operational phase of the development.

#### Demolition and Construction Traffic

- 7.138 Should the application be approved, the impact on the road network from demolition and construction traffic would be controlled by way of conditions requiring the submission and approval of Demolition and Construction Management Plans. The Demolition and Construction Management Plan will need to consider the impact on pedestrians, cyclists and vehicles as well as fully considering the impact on other developments in close proximity.

### **Environment**

#### Energy Efficiency

- 7.139 At a national level, the National Planning Policy Framework sets out that planning plays a key role in delivering reductions to greenhouse gas emissions, minimising vulnerability and providing resilience to climate change. The NPPF also notes that planning supports the delivery of renewable and low carbon energy and associated infrastructure. At a strategic level, the climate change policies as set out in Chapter 5 of the London Plan 2015 and the Tower Hamlets Local Plan (D.ES7) collectively require developments to make the fullest contribution to the mitigation and adaptation to climate change and to minimise carbon dioxide emissions.
- 7.140 The London Plan (2016) sets out the Mayor's energy hierarchy which is to:
- Use Less Energy (Be Lean);
  - Supply Energy Efficiently (Be Clean); and
  - Use Renewable Energy (Be Green)
- 7.141 Policy D.ES7 includes the requirement for non-residential developments to be zero carbon with a minimum of 45% reduction in regulated carbon dioxide with the remainder to be offset with cash payment in lieu.
- 7.142 The submitted Energy Statement prepared by Scott White and Hookins (May 2020) sets out how the applicant has sought to meet the CO<sub>2</sub> emission reduction policy requirements through energy efficiency measures, efficient services and renewable energy generation technologies.
- 7.143 The on-site CO<sub>2</sub> emission reduction is anticipated to be 73% against the building regulation baseline. It is recommended that the delivery of the CO<sub>2</sub> emission reductions is secured via Condition.
- 7.144 A financial payment of £27,540 is required to offset the residual CO<sub>2</sub> emissions to 100%. In light of this, the proposal complies with policy D.ES7.

#### Air Quality

- 7.145 Development Plan policies require major developments to be accompanied by assessments which demonstrates that the proposed uses are acceptable and show how development would prevent or reduce air pollution.
- 7.146 The application is accompanied by an Air Quality Assessment. The assessment concludes that the air quality impact from the development will be acceptable. This has been reviewed by

Council's Air Quality team where no objection was raised. Conditions would be necessary to limit the impact on local air quality as a result of the construction phase of the development. These conditions will monitor and control any site dust generated whilst also ensuring construction plant and machinery is carried out in accordance with guidelines.

### Biodiversity

- 7.147 Policy D.ES3 requires development to provide net gains in biodiversity which contribute to the Local Biodiversity Action Plan (LBAP). The application site is adjacent to the Regents canal, which is part of a Site of Importance for Nature Conservation.
- 7.148 The submitted Ecological Assessment has identified a number of key findings, opportunities and improvements possible for the site. The site itself has not been identified as having existing significant biodiversity value, however its importance given its proximity to the Regents Canal is noted. Council's Biodiversity Officer has reviewed the proposal and is satisfied that subject to conditions, the proposal would be acceptable from a biodiversity standpoint.
- 7.149 Biodiversity landscape measures included within the proposal include a net increase in green space, a biodiverse green roof, native trees, bat and swift nest boxes, terraces and bug houses. The aforementioned measures are welcomed and would contribute well to the Council's Biodiversity Action Plan objectives.
- 7.150 Further enhancements and net gains on the site would be possible through conditions which would require the provision of a biodiversity mitigation and enhancement strategy and further information regarding the control of Japanese Knotweed and planting details. These details will be assessed at condition stage.

### Flood Risk & Drainage

- 7.151 Development Plan policies seek to manage flood risk and encourage the use of Sustainable Urban Drainage. The application site is located within Flood Zone 1. The application is supported by a Sustainable Urban Drainage Strategy.
- 7.152 Council's Sustainable Urban Drainage Officer reviewed the submitted documents and had no objections. Flooding risk and the urban drainage impacts of the development are acceptable and would be secured via condition.

### Land Contamination

- 7.153 The application has been reviewed by the Council's Environmental Health Land Contamination officer and subject to standard conditions, the proposals are considered to be acceptable from a land contamination perspective and any contamination that is identified can be satisfactorily dealt with.

### Infrastructure Impact

- 7.154 The development would be liable for Tower Hamlets CIL of £9,177.70 and Mayor of London CIL of £17,134 however given that the scheme is 100% affordable, the applicant would be liable for CIL relief.

## **8. HUMAN RIGHTS AND EQUALITIES**

- 8.1 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.
- 8.2 The proposal does not raise any unique human rights or equality implications. The balance between individual rights and the wider public interest has been carefully considered and is acceptable.
- 8.3 The provision of residential units, within the development meets inclusive access standards and 10% of units would be wheelchair accessible. These design standards offer significant improvements in accessibility and would benefit future residents or visitors with disabilities or mobility difficulties, and other groups such as parents with children or the elderly. The proposed affordable housing would be of particular benefit to the groups that are socioeconomically disadvantaged.
- 8.4 The proposed development would not result in adverse impacts upon equality and social cohesion.

## **9 RECOMMENDATION**

- 9.1 That **conditional planning permission is GRANTED** subject to the prior completion of a legal agreement to secure the following planning obligations:

### **9.2 Financial Obligations**

- a. £10,092 towards construction phase employment skills training
- b. £121,683.89 towards end-user phase employment skills training
- c. £125,460 Carbon offsetting obligation

### **9.3 Non-Financial Contributions**

1. 100% Affordable housing
  - 16 units Tower Hamlets Living Rent
  - 16 units London Affordable Rent
  - Details and implementation of London Affordable Rent/Tower Hamlets Living Rent 'wheelchair accessible' dwellings (to M4 (3)(2)(b) standard)
2. Access to employment
  - 20% of goods, services and construction force phase workforce to be secured locally
  - 2 construction phase apprenticeships
3. Transport matters:
  - Car Free development
4. Compliance with Considerate Constructors Scheme

## **10. 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
  - e. Noise pollution limits.
4. External Lighting

#### Pre-commencement

- 5. Piling
- 6. Energy and efficiency standards
- 7. Air quality emission standards for boilers & CHP
- 8. Contaminated Land
- 9. Eradication of Japanese Knotweed
- 10. Provision of an Air Quality and Dust Management Plan
- 11. Construction Environmental Management Plan and Construction Logistics Plan
- 12. Noise Mitigation Scheme

#### Pre- Superstructure Works

- 13. Details of hard and soft landscaping of all public realm and open spaces including details relating to play equipment, street furniture and lighting, wind mitigation measures, biodiversity mitigation and enhancements
- 14. Play space details
- 15. Shopfront and Residential Entrance Details
- 16. SUDS
- 17. Details of external facing materials and architectural detailing
- 18. Biodiversity Mitigation and Enhancements
- 19. Details of cycle parking
- 20. Secure By Design Standards

#### Pre-occupation

- 21. Disabled Car Parking and Parking Management Plan
- 22. Delivery, Servicing and Waste Management Plan
- 23. Details of 10% Accessible Rooms
- 24. Secure by Design Accreditation

## **Appendix 1 – List of drawings and documents**

### **Drawings:**

- BRW\_RSS\_00\_00\_DR\_0501 D03
- BRW\_RSS\_00\_XX\_DR\_1001 D01
- BRW\_RSS\_00\_XX\_DR\_1002 D01
- BRW\_RSS\_00\_XX\_DR\_1003 D01
- BRW\_RSS\_00\_XX\_DR\_1004 D01
- BRW\_RSS\_00\_00\_DR\_1051 D01
- BRW\_RSS\_00\_00\_DR\_1200 D04
- BRW\_RSS\_00\_00\_DR\_1201 D10
- BRW\_RSS\_00\_00\_DR\_1202 D08
- BRW\_RSS\_00\_00\_DR\_1203 D05
- BRW\_RSS\_00\_00\_DR\_1210 D08
- BRW\_RSS\_00\_00\_DR\_1211 D04
- BRW\_RSS\_00\_00\_DR\_1212 D01
- BRW\_RSS\_00\_00\_DR\_1213 D01
- BRW\_RSS\_00\_00\_DR\_1214 D02
- BRW\_RSS\_00\_00\_DR\_1219 D03
- BRW\_RSS\_XX\_XX\_DR\_1301 D01
- BRW\_RSS\_XX\_XX\_DR\_1301 D02
- BRW\_RSS\_XX\_XX\_DR\_1401 D04
- BRW\_RSS\_XX\_XX\_DR\_1402 D05
- BRW\_RSS\_XX\_XX\_DR\_1403 D05
- BRW\_RSS\_XX\_XX\_DR\_1404 D04
- BRW\_RSS\_XX\_XX\_VS\_8001 D01
- BRW\_RSS\_XX\_XX\_DR\_8002 D01
- BRW\_RSS\_XX\_00\_DR\_8003 D01
- BRW\_RSS\_00\_00\_DR\_1230 D01
- BRW\_RSS\_00\_00\_DR\_1231 D01
- BRW\_RSS\_00\_00\_DR\_1250 D02
- BRW\_RSS\_ZZ\_ZZ\_DR\_1410 D01
- BRW\_RSS\_ZZ\_ZZ\_DR\_1430 D01
- BRW\_RSS\_ZZ\_ZZ\_DR\_1431 D01
- BRW\_RSS\_XX\_XX\_DR\_7001 D01
- BRW\_RSS\_XX\_XX\_DR\_7002 D01
- BRW\_RSS\_XX\_XX\_DR\_7003 D01
- BRW\_RSS\_XX\_XX\_DR\_7004 D01

### **Documents:**

- Design & Access Statement – Rivington Street Studio (November 2019)
- Planning Statement – Rivington Street Studio (December 2019)
- Air Quality Assessment – agb Environmental (December 2019)
- Foul Sewerage and Utilities Assessment – Scott White and Hookins (November 2019)
- Environmental Noise Survey and Acoustic Design Statement Report – Hann Tucker Associates (October 2019)
- Construction Management Plan – Southdownssafety (November 2019)
- Arboricultural Impact Assessment – agb Environmental (September 2019)
- Sustainability and Energy Statement – Scott White and Hookins (May 2020)
- 
- Transport Statement – Cottee Transport Planning (December 2019)
- Train Induced Noise and Vibration Assessment Report (Hann Tucker Associates (October 2019)
- Statement of Community Involvement – Rivington Street Studio – November 2019
- Ecological Impact Assessment – agb Environmental (April 2019)
- Phase 1 Geoenvironmental Desk Study – agb Environmental (April 2019)
- SUDS Report – Scott White and Hookins (December 2019)
- Daylight and Sunlight Assessment (Internal and External) – BRE (December 2019)

**Appendix 2 – Selected Plans and Elevations**



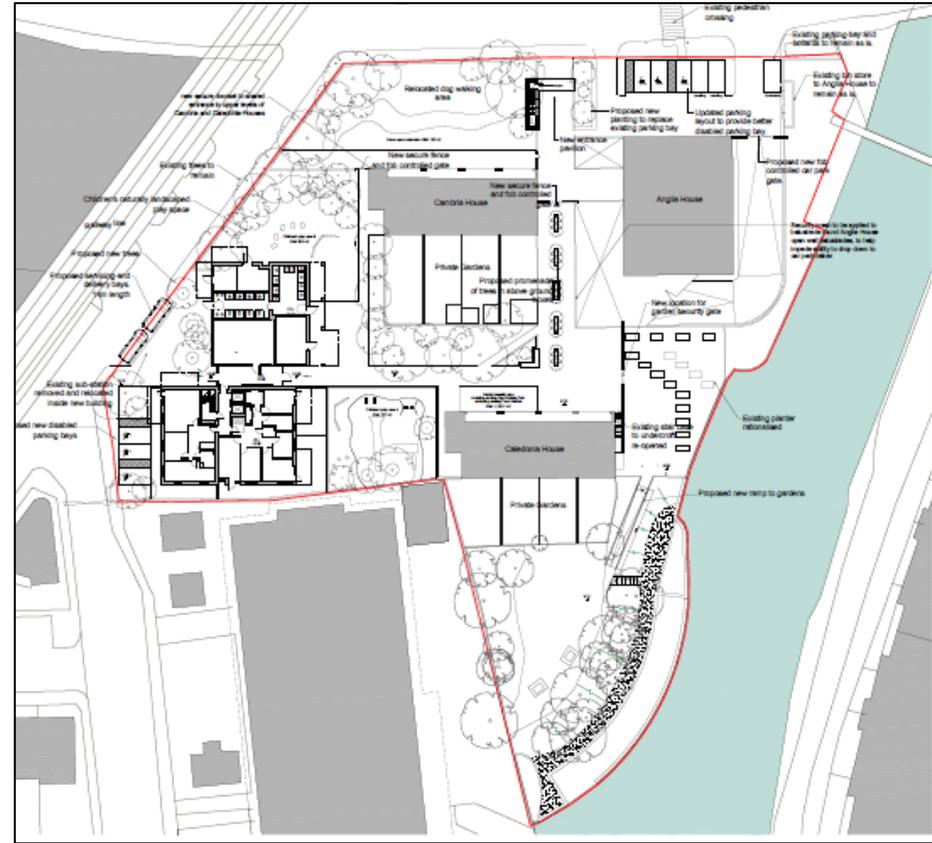
Photograph of the existing car park off Yorkshire Road – Site of the new building



Photograph looking east, into the site, showing the 3 existing building and the western car park



Existing Site Plan



Proposed Site Plan – showing location of new building



CGI of the new residential building – looking north along Yorkshire Road



Proposed Eastern elevation, with Anglia House and Cambria House behind



Proposed Eastern elevation – with outline of Anglia House and Cambria House in the background



Proposed new Pavilion at the Northern end of the site



Proposed amenity space



Proposed new landscaping in the central part of the site, looking west



Proposed Aerial View, from the north west



Site Notice