



Reference

PA/20/01914

Site	Armoury House, 7 Gunmakers Lane, London, E3
Ward	Bow East
Proposal	Two storey extension above the existing building with three self-contained flats, cycle parking storages and new bins storage for new residences and associated landscaping work in the external areas.
Recommendation	Grant planning permission with conditions
Applicant	Avon Ground Rents Limited
Architect	Brooks Murray Architects
Case Officer	Katie Cooke
Key dates	<ul style="list-style-type: none">- Application registered as valid on 09/09/20- 1st round of public consultation finished on 15/10/20- A further round of consultation was carried out for a 2 weeks period, as a result of additional information provided and finished on 7/12/20
Key dates	Application validated 30/10/2019 First Public consultation 19/11/2019 Second Public Consultation 13/08/2020

1. BACKGROUND

- 1.1 This application for planning permission was considered by the Development Planning Committee on 14th January 2021. A copy of the original report is appended.
- 1.2 The application was deferred by Members to request the following:
- Justification of why a contribution for affordable housing has not been sought;
 - Details in terms of potential noise impacts from the proposed fifth floor roof terrace; and
 - A site visit be undertaken

2. CONSIDERATION OF THE COMMITTEE'S REASONS FOR DEFERAL

- 2.1 The following section of the report looks at each of the issues raised by committee members in more detail.

The lack of affordable housing contribution

- 2.2 Concerns were raised by Members as to why policy S.H1 of the Tower Hamlets Local Plan (2020), which relates to meeting local housing needs, has not been applied for this application

whereas it had been applied to agenda item 5.3 (planning application reference: PA/20/00034) of the Development Committee dated 14.01.21 which seeks to provide 9 new residential units.

2.3 As previously set out in paragraph 7.61 of the original committee report for agenda 5.2 (Armoury House application), of relevance is paragraph 2 a (ii) of policy S.H1 which requires the provision of affordable housing contributions on sites providing 2 to 9 new residential units.

2.4 The wording of this part of the policy is set out below:

“2. Development will be expected to contribute towards the creation of mixed and balanced communities that respond to local and strategic need. This will be achieved through:

a. setting an overall target for 50% of all new homes to be affordable, to be achieved through:

ii. requiring the provision of affordable housing contributions on sites providing 2 to 9 new residential units against a sliding-scale target (subject to viability)”

2.5 However, this part of the policy relies on a Planning Obligation SPD to be adopted, which is anticipated to be adopted by the of March 2021, and sets out how affordable housing contributions can be calculated and secured.

2.6 Supporting paragraph 9.21 of the Local Plan identifies that it is considered necessary and appropriate to seek financial contributions towards the provision of affordable housing from sites of less than 10 units. Financial contributions will be calculated using our preferred methodology as set out in the Planning Obligations Supplementary Planning Document and the associated small site contribution calculator.

2.7 Regarding the point at which officers should be applying this small sites policy, officers sought advice from the Council’s legal team have advised that whilst the draft SPD can be treated as a material consideration it is also reasonable to not apply the affordable housing financial contribution since the Planning Obligations SPD and associated calculator have not been adopted. Indeed this latter approach of not applying it is the approach that has been applied on all small minor housing application schemes to date. Following adoption of the Planning Obligation SPD this approach will necessarily change and the financial contribution will be sought.

2.8 Notwithstanding the above, it is noted that agenda item 5.3 (planning application reference: PA/20/00034) is an exception to this approach for the reasons set out in paragraphs 7.20-7.27 (of agenda 5.3) of the original committee report, dated 14.01.21. Namely the scheme for 114-150 Hackney Road (PA/20/00034) is a very unusual scheme in relation to Policy S.H1 and the practical application of the small sites affordable housing financial contribution in that the scheme is not a classified ‘minor’ application relating to 9 or less residential units (as this application is) but rather a major application. Indeed, a major application one that is also classified as ‘strategic’ for the purpose the Mayor of London Order (2008) and as such is referable to the greater London Authority. As it is a proposed development involving a total of more 15,000sqm of floorspace. Furthermore, that application involves the undertaking of a public benefit test, under paragraph 196 of NPPF, to which the affordable housing contribution (PA/20/00034) serves to enhance the public benefits of the scheme within this established planning policy framework.

2.9 It should also importantly be noted that this approach is taken in the knowledge that if approved, the formal decision notice for item 5.3 is most likely to be issued following the adoption of the SPD, due to processes and procedures involved such as completion of s.106 agreements, or Stage II referral to the London Mayor. This is not the case for Item 5.2.

Noise Assessment

- 2.10 Concerns were raised by Members over a lack of a noise assessment in relation to the impacts on residents below the proposed development.
- 2.11 It should be noted that the site is currently in residential use and the use of the proposed extension will also be residential. Furthermore, the site is located within a residential area. As such, officers do not consider that a noise report would be necessary in this instance.
- 2.12 Additionally, the Council's noise officer had also been consulted regarding the proposed development and they raised no objection. They also noted that there are existing roof terraces within close proximity, as such, the proposals are considered in keeping with the area and do not consider any undue impacts as a result of the proposal.

Other

- 2.13 In response to comments made by Members that the proposed plans were not clear enough to understand the layout and distances, specifically in relation to the proposed fourth floor, the case officer requested the architect provide amended drawings.
- 2.14 Details shown in figures 1, 2, 3 and 4 were submitted to the Council on 21.01.21 and uploaded to the planning website. The new drawings which clarify the proposal include the dimension of the terraces and highlight the relationship with the existing roof terrace on Gate House.
- 2.15 The drawings have been included below for the ease of Member's review.

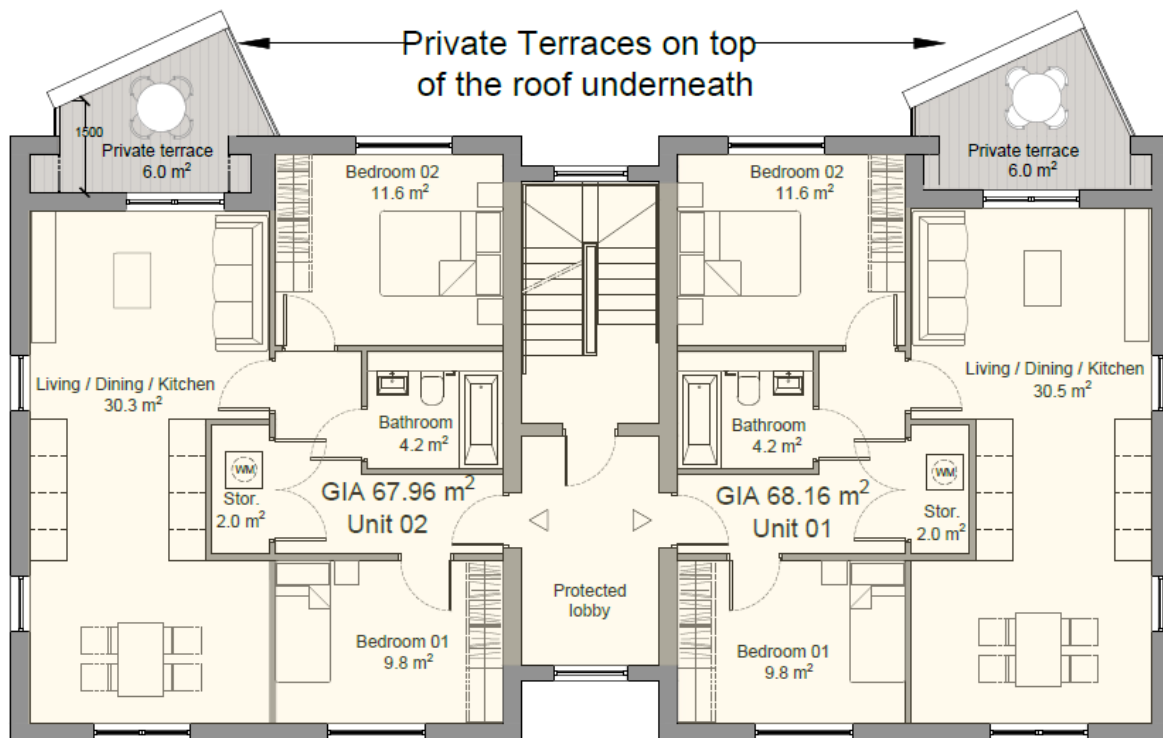


Figure 1: Proposed third floor plan

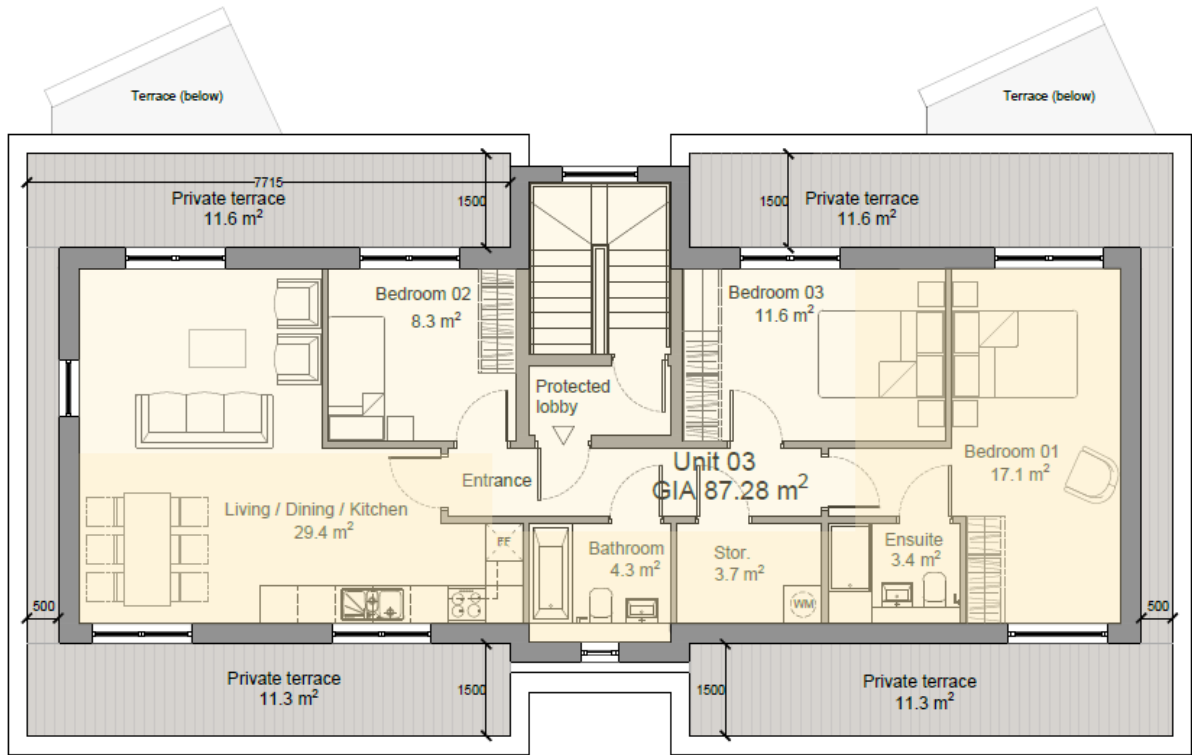


Figure 2: Proposed fourth floor plan

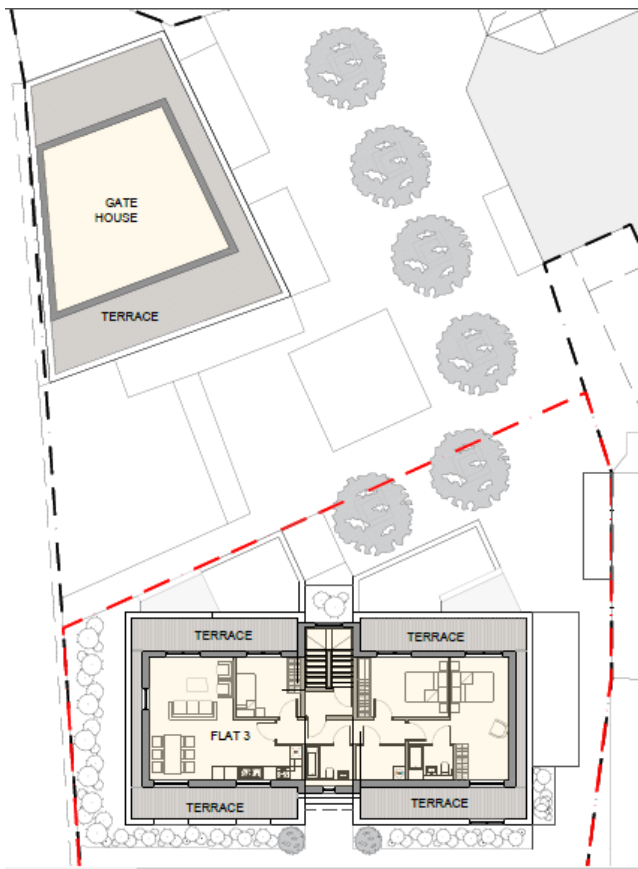


Figure 3: Proposed fourth floor in context

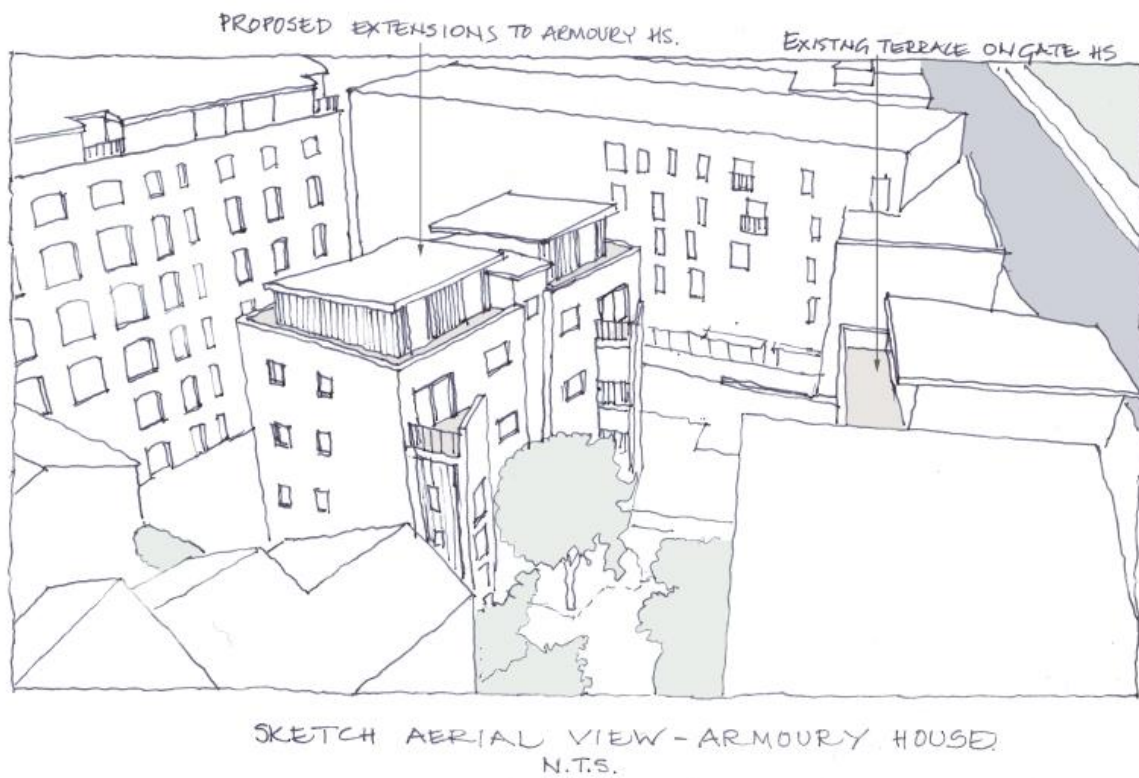


Figure 4: 3D Sketch of Site and surrounding buildings

3. RECOMMENDATION

- 3.1 The issues raised at the previous committee meeting have been considered and are addressed in this report. In light of further consideration and clarification, officers would retain original recommendation to GRANT planning permission, subject to the conditions outlined in the original report