

**Application for Planning Permission**[click here for case file](#)

Reference	PA/22/01289
Site	28-42 Tomlins Grove, London E3 4NX
Ward	Bromley North
Proposal	Construction of an additional storey to create five new residential apartments. Associated cycle and refuse store.

Summary Recommendation	Grant planning permission with conditions and planning obligations
Applicant	Eastbrook Group Ltd
Architect/agent	DLBP Ltd
Case Officer	Fran Haines
Key dates	- Application registered as valid on 07/07/2022 - Public consultation finished on 19/08/2022

EXECUTIVE SUMMARY

The proposed development comprises an additional storey to be built upon the existing block of flats at 28 – 42 Tomlins Grove. A total of 5 new homes will be delivered by the development as well as a monetary contribution towards affordable housing in the borough, which is consistent with policy for minor developments. The proposed residential accommodation for future occupiers is of high quality and is consistent with relevant planning policy in terms of internal living space.

The proposal presents a high-quality design which is in keeping with the scale and form of properties in the immediate surroundings. The development would provide a positive contribution to the local context and conservation area. There would be no unduly detrimental impacts upon the amenity of neighbouring building occupants in terms of loss of light, overshadowing, loss of privacy or increased sense of enclosure.

Transport matters, including parking, access and servicing are acceptable and it is not considered that there would be any significant detrimental impact upon the surrounding

highway network as a result of the development. The proposed flats would be car free, with residents of these flats not able to obtain a parking permit.



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- Planning Application Site Boundary
- Other Planning Applications
- Consultation Area
- Land Parcel Address Point
- Locally Listed Buildings
- Statutory Listed Buildings

Planning Applications Site Map PA/22/01289

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.



**London Borough
of Tower Hamlets**

Scale: 50m grid squares

Date: 28 November 2022

1. SITE AND SURROUNDINGS

- 1.1 The site comprises of a three-storey, stepped, brick built flatted development with a hipped roof, containing 30 residential units. The block was granted permission as part of a development which also included two sets of 5 houses to the north, in 1979. The site contains a communal rear garden which is accessible to existing residents, as well as car parking space located to the north which is accessed from Arnold Road.
- 1.2 The surrounding area is residential in character. The site lies within the Tomlin's Grove Conservation Area, which was designated in June 1969. The 19th century terrace of properties located opposite the site to the West on Tomlins Grove are Grade II listed. The terrace of properties to the east of the site on Campbell Road are also Grade II Listed. To the south, is a converted warehouse development at no.50 Arnold Road which is now used as self-contained flats. On the south side of Arnold Road lies a further terrace of Grade II listed properties. There are a number of mature trees and planting located along the front boundary, as well as street trees located on the pavement in front of the properties.
- 1.3 The site has a PTAL rating of 5, which is good levels of public transport connectivity. The site is located in the Green Grid Buffer and the northern section of the site is located within an area of poor air quality.

2. PROPOSAL

- 2.1 The proposal is to construct an additional storey to provide 5 new 2 bed, 4 person flats. The proposed flats will be accessed from existing core lobbies and staircases. The new flats will each be provided with an in-set rear terrace space.
- 2.2 The proposal would involve the construction of an additional storey to sit on top of the existing block. The new storey would be designed as a traditional mansard in form with a dual pitch and dormer windows to the front and rear elevations. The existing front and rear parapets of the building will be raised as part of the extension. The mansard roof will be finished in zinc, with the gable ends extended in a continuation of the existing brickwork. The existing fenestration of the building will remain unchanged.
- 2.3 The new flats are proposed to be car free. A new cycle and refuse store is proposed at the rear of the site. The cycle store will have a capacity for 12 cycle parking spaces (2 per new dwelling and 2 visitor spaces).

3. RELEVANT PLANNING HISTORY

Application site

- 3.1 PA/78/00621 – Erection of 10 Houses and 30 flats with ancillary car parking for 31 cars – Approved 03/04/1979. – This is the original consent for the block of flats subject to this application.
- 3.2 PA/19/02702 – 28B Tomlins Grove: Installation of replacement windows – Refused 30/01/2020.

Surrounding Sites

- 3.3 PA/06/00378 – Site at North East Junction of Tomlins Grove and Arnold Grove (now known as 50 Arnold Road): Conversion of a redundant former electrical transformer house into 9no new residential units involving removing existing roof and replacement of roof, new windows in existing or new openings, new entrance and internal parts and general upgrade and refurbishment. – Approved 08/09/2006

4. PUBLICITY AND ENGAGEMENT

- 4.1 Upon validation of the application, the Council sent out consultation letters to 251 neighbouring owners and occupiers. An advert was posted in the press on 29/07/2022 and a site notice was displayed outside the site on 26/07/2022.
- 4.2 46 letters of objection have been received. The themes and issues raised in objection during this first round of consultation can be summarised as follows:

Construction related

- Noise and disturbance and highways issues during construction
- Structural damage to the building
- Difficulty working from home during construction
- Unclear how flats will be accessed during construction
- Construction will take longer due to logistical issues in the industry
- potential loss of trees during construction
- No plans submitted to show how they intend to relocate residents during construction
- Occupiers seek clarification regarding policies and procedures regarding apartment access, building access and security protocols, complaint procedures, dates and durations of power and water cuts
- Works will unsettle children and impact their ability to play safely in the garden
- Mental and physical health will suffer

Neighbouring amenity

- Loss of privacy to neighbouring occupiers
- The additional flats will block light into my garden
- Proposed cycle store and refuse will eat into our communal space.

Operational issues

- Pressure on existing traffic and parking
- My roof will be removed, exposing my ceiling to rainwater, frost, snow
- The roof contains water tank, heating, plumbing systems and electrical wiring. Replacing this will cause major disruption
- fire risk from introduction of gas into an all-electric
- Inadequate drainage as existing
- No plans to demonstrate how the attic space will be relocated
- No electric charging points or disabled parking provided

Design

- It will have an impact on the character of the neighbourhood
- Over development of the site
- Unacceptable visual impact, particularly on the historic terrace opposite
- Tomlins Grove CA guidelines (2007) states that mansard roofs or taller extensions should not be permitted
- The proposed glazing to the terraces will not match the rest of the property. In 2020, an application was refused at one of the flats for replacement windows

Other

- Value of flat will decline
- No consultation with existing residents or neighbours prior to the application
- Developer is seeking to increase personal revenue at the expense and inconvenience of residents
- no benefits to the community

- No disabled persons' access to the new flats
- The Financial Viability Assessment is incomplete and flawed
- The new dwellings will not be affordable
- The new cycle storage would only offer spaces to new residents, thus denying existing residents of a space in what is considered a communal area

4.3 Material planning considerations will be addressed in the main body of the report. Therefore, responses to a number of objections raised will be addressed in detail below.

4.4 The following comments are made in response to the objections which will not be addressed in the main body of the report:

- Details of how the construction phase will take place and the logistics surrounding the build will be detailed in a construction management and logistics plan which will be secured via planning condition. It should be noted that the construction phase is a short term impact and is therefore not a material planning consideration.
- Concerns regarding the value of flats declining is not a material planning consideration.
- A structural engineer would be appointed to oversee the build and ensure no damage is caused to the existing block of flats.
- There is no planning policy that requires the applicant to provide existing residents with new cycle and refuse storage. Therefore, officers cannot request this as part of the proposal. Permission from leaseholders regarding loss of communal space is not a material planning consideration.

5. CONSULTATION RESPONSES

5.1 Below is a summary of the consultation responses received from both external and internal consultees

Internal Responses

Environmental Health (noise)

5.2 No objections. Restrictions on construction activity times and construction logistics plan recommended by condition.

Environmental Health (pollution)

5.3 No objections. Construction Management Plan condition recommended to prevent dust nuisance and air pollution during construction as well as when the development is in use.

Biodiversity

5.4 The submitted preliminary bat roost survey found negligible potential for roosting bats, so there is no constraint to the development

5.5 The proposed 17 square metres of green roof on the cycle store, and planting on the balconies, could be sufficient to meet the requirements of Local Plan Policy D.ES3. To do so, the green roof would have to be a biodiverse roof, designed in line with best practice guidance published by Buglife, and not just a sedum roof. And the planting would have to include a good range of nectar-rich perennials and/or shrubs. Details should be secured via condition.

Arboriculture

5.6 The submitted AIA/AMS is suitable. The construction works will not have a detrimental impact on the trees within and outside of the development red line and the proposed facilitation works are acceptable.

5.7 As there are a number of TPO trees across the site, a tree works application will have to be submitted separate to the planning application seeking permission for the proposed pruning works.

- 5.8 Tree protection plan, Arboricultural method statement and Arboricultural impact statement required by condition.

Waste

- 5.9 Further details required regarding collection arrangements. Applicant should explore options for a bin store accessible by all occupiers of the block.

Transport and Highways

- 5.10 Further details of the cycle parking required.
- 5.11 The applicant is required to enter into a 'permit free' agreement. This site has an existing car park, and the proposal is required to be car-free. The applicant is required to provide details how this proposal will remain car free and what measures will be placed to ensure there is no access to the car park for parking.
- 5.12 A Construction Management Plan should be provided as a pre-commencement condition to ensure there is minimal impact to pedestrians, vehicles and to the public highway from the construction of this proposed development.

Design and Conservation

- 5.13 The drawings provided have demonstrated that the building will still be subservient in height to the listed terraces opposite and would therefore not be overly dominant within the conservation area. The proposed roof extension is in keeping with the scale of the host building.
- 5.14 The design of the mansard is traditional, simple and in keeping with character of the conservation area and will not detract from the historic context. The Tomlin's Grove Conservation Area Appraisal and Management Guidelines identifies the views along the street as being important as they highlight the repetition and rhythm of the continuous terrace housing, the extension to the roof would not impact upon the appreciation of these views given that the building is set back from the street.
- 5.15 Access would be through existing circulation cores and would be dual aspect. The additional cycle and bin storage required for this proposal will be to the rear of the building and will result in a loss of amenity space to residents which is concerning.

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 2021
 - Tower Hamlets Local Plan 2031
- 6.3 The key development plan policies relevant to the proposal are:

Land Use – (residential)

London Plan - H1
Local Plan – S.H1

Design and heritage (layout, townscape, appearance, massing, heritage)

London Plan - D1, D3, D4, D5, HC1
Local Plan - S.DH1, D.DH2, S.DH3

Affordable Housing (small sites contribution)

London Plan - D6, D7, H4, H10

Local Plan - S.H1, D.H2, D.H3

Neighbouring Amenity (privacy, outlook, daylight and sunlight, noise, construction impacts)

London Plan – D3, D6

Local Plan - D.DH8

Transport (sustainable transport, highway safety, car and cycle parking, servicing)

London Plan - T2, T4, T5, T6, T6.1, T7

Local Plan - S.TR1, D.TR2, D.TR3, D.TR4

Environment (energy efficiency, noise, waste)

London Plan – D14, SI 1, SI 3

Local Plan - S.ES1, D.ES2, D.ES3, D.ES9, D.MW3

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

- National Planning Policy Framework (2021)
- National Planning Practice Guidance (as updated)
- LBTH Reuse, Recycle and Waste SPD (2021)
- Central Area Good Growth SPD (2021)
- LBTH Planning Obligations SPD (2021)
- LBTH Community Infrastructure Levy (CIL) Charging Schedule (2020)
- LBTH Development Viability SPD (2017)
- LP Housing SPG (updated 2017)
- LP Affordable Housing and Viability SPG (2017)
- Building Research Establishment's Site Layout for Daylight and Sunlight: A Guide to Good Practice (2022)
- Tomlins Grove Conservation Area Character Appraisal and Management Guidelines (2007)
- Planning (Listed Building and Conservation Areas) Act 1990

7. PLANNING ASSESSMENT

7.1 The key issues raised by the proposed development are:

- i. Design and Heritage
- ii. Standard of Accommodation
- iii. Affordable Housing
- iv. Neighbour Amenity
- v. Transport
- vi. Environment

Housing

Housing Supply

7.2 London Plan Policy H1 sets Tower Hamlets a housing completion target of 34,730 units between 2019/20 and 2028/29. The proposed development would result in an additional 5 homes, which would make a small but welcome contribution towards meeting this target and is strongly supported.

Housing mix

- 7.3 Policy H10 of the London Plan promotes the provision of a range of unit mix and sizes having regard to robust local evidence of need where available, to deliver mixed and inclusive neighbourhoods.
- 7.4 At the local level, policy S.H1(2) of the Tower Hamlets Local Plan states that 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 amongst other things, requiring a mix of unit sizes (including larger family homes) and tenures to meet local need on all sites providing new housing. Locally specific targets (based on the Council's most up to date Strategic Housing Market Assessment, 2017) for unit mix and sizes are set out in part 3 of policy D.H2 of the Local Plan.
- 7.5 The scheme would comprise of 100% 2 bed market units. Due to the nature of the development, extending upwards within the existing site footprint, the site is constrained in terms of the layout that can be provided and consequently the dwelling sizes. Whilst the proposed housing mix is not policy compliant, for a minor application, officers consider the proposed mix to be acceptable on balance. In addition, all of the new flats would be the larger, 2 bed 4 person units. The development would contribute to much needed housing in the borough.

Affordable housing

- 7.6 Local Plan Policies S.H1 and D.H2 require new development with 2-9 new units to help address the affordable housing need through a financial contribution. The applicants submitted a financial viability review which was scrutinised by Tower Hamlets Viability team. It was concluded that a total financial contribution of £215,456 can be provided by the applicants, which will be secured through a legal agreement. This contribution will go towards providing affordable housing within the borough.
- 7.7 The Small Sites Topic paper (2017) provides additional evidence as to the need and deliverability of affordable housing contributions from housing schemes which seek affordable housing contributions from housing schemes which deliver less than 10 units. The policy is considered necessary due to the local housing context as Tower Hamlets has a high housing need, a high housing target and a high need for affordable housing. The contribution obtained by this development would be used to provide affordable housing within the borough as part of the council's affordable housing delivery programme.
- 7.8 The small sites calculator was developed to work out the financial contribution required by each development. The calculator uses the bedroom number, floor area, market value and ward the site is in to determine the total contribution required. The small sites calculator provided with this development required a total contribution of £220,189.89. The submitted financial viability report provided with the application was scrutinised by Tower Hamlets Viability team, with the conclusion that the maximum viable amount that could be provided was £215,456.

Standard of Accommodation

- 7.9 London Plan policy D6 sets out the minimum internal space standards for new dwellings. This policy also requires the maximisation of dual aspect dwellings and the provision of sufficient daylight and sunlight to new dwellings. In line with Policy D.H3 of the Local Plan and Policy D6 of the London Plan all housing development should have adequate provision of internal space and external amenity space to provide an acceptable living environment.

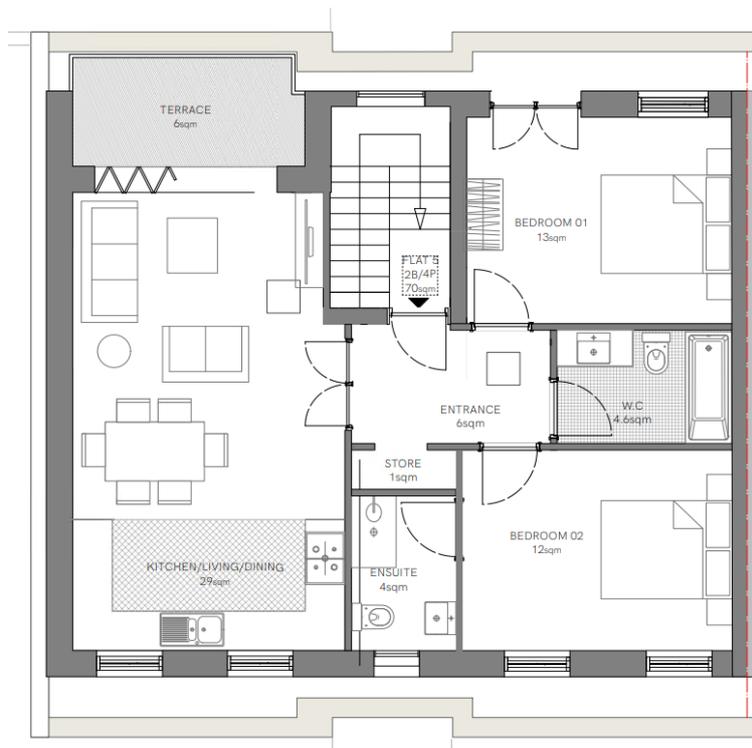


Figure 1: Proposed typical unit layout

- 7.10 All 5 flats meet the London Plan internal space standards, proposing 70sqm of internal floor space for each 2 bed, 4 person flat. The section plans indicates a floor to ceiling height ranging from 2.7 metres to 2.2 metres. London Plan standards require a minimum ceiling height of 2.5 metres for at least 75% of the GIA so that new housing is of adequate quality, especially in terms of daylight penetration, ventilation and cooling, and sense of space. Whilst there is a portion of the flats which would be below 2.5m ceiling height, the flats maintain good quality accommodation and outlook, therefore this minor shortfall is considered acceptable.
- 7.11 Private amenity space requirements are determined by the predicted number of occupants of a dwelling. Local Plan Policy D.H3 sets out that a minimum of 5sqm is required for 1-2 person dwellings with an extra 1sqm provided for each additional occupant. The plans indicate that each flat will have access to a private balcony of 6sqm, which is 1sqm short of the Local Plan requirements for the occupancy levels proposed. Due to the constraints of the footprint of the existing building, it is evident that larger balconies cannot be proposed. The new dwellings are considered to be of good quality accommodation as a whole, and the slight shortfall in amenity space is considered to be acceptable on balance.
- 7.12 Policy D.H3 requires at least 10% of dwellings to be wheelchair accessible. No wheelchair accessible homes are proposed as part of this development. Parameters of the existing building would not allow for lifts to be installed. Whilst unfortunate, officers recognise the constraints and accept that wheelchair units would not be possible at this site.

Loss of shared amenity space

- 7.13 The proposed cycle and refuse store would mean the existing residents would lose approximately 24.3sqm of their existing shared green amenity space. Whilst not an ideal situation, officers recognise that there are limited options for these facilities to be located. The proposed location would ensure that all existing parking spaces can be retained, and the storage does not interfere with vehicle movements.
- 7.14 The loss of amenity space is considered to be minor and approximately 160sqm of shared green space will remain for residents to use. In the context of current policy standards (Local Plan Policy D.H3 part 5 c), for developments with 10 or more residential units, the minimum communal amenity space should be 50 square metres for the first 10 units, plus a further one square metre for every additional unit thereafter. Therefore, considering a total of 35 units at

the site, including the proposed, 75sqm of amenity space would be required to meet policy standards. With the proposed refuse and cycle store in place, properties at the site would still be provided with more than double the policy requirement of communal amenity space. Furthermore, it should be noted that the proposed new units would have access to their own private balconies. It is considered that the loss of amenity space would not have a detrimental impact on the amenities of existing occupiers as a large amount of green space would still remain.

Design & Heritage

- 7.15 Policy S.DH1 of the Local Plan (2020) seeks to ensure development meets the highest standards of design and layout. Development should positively respond to its context by demonstrating appropriate scale, height, mass, bulk and form. Section 72 of the Planning (Listed Buildings and Conservation Areas) Act 1990 requires the decision maker to pay special attention to the desirability of preserving or enhancing the character and appearance of the conservation area. Section 66 requires the LPA to have special regard to the desirability of preserving the setting of listed buildings.
- 7.16 Policies S.DH1 and S.DH3 of the Local Plan (2020) seek to conserve and enhance heritage assets. Local Plan Policy S.DH3 states that significant weight will be given to the protection of the boroughs conservation areas. Development should represent good urban design, and ensure that architectural language, design of details and elements complements the immediate surroundings. Policy S.DH3 states that proposals within the setting of a listed building will only be permitted where:
- a. they safeguard the significance of the heritage asset, including its setting, character, fabric or identity
 - b. they are appropriate in terms of design, height, scale, form, detailing and materials in their local context
- 7.17 The Tomlins Grove conservation area is geographically small, and the site sits at its centre. The conservation guidance states that ‘the conservation area presents a uniform scale of 3 stories, differentiated by its roof profiles and features. The consistent parapet line is essential to its character.’

Townscape, Massing and Heights

- 7.18 The NPPF (2021) states that planning policies and decisions should promote effective use of land in meeting the need for homes. Decisions should support opportunities to use the airspace above existing residential and commercial premises for new homes. In particular, they should allow upward extensions where the development would be consistent with the prevailing height and form of neighbouring properties and the overall street scene, is well designed (including complying with any local design policies and standards) and can maintain safe access and egress for occupiers.
- 7.19 The existing building has a maximum pitch height of approximately 10.1 metres above ground level. The proposed additional storey would result in the building having a maximum height of approximately 11.7 metres above ground level. Therefore, the change from a hipped roof to a mansard does not result in a significant increase in height of the building. It is considered that the design of the additional storey does not add significant massing to the block of flats, and the Grade II listed terrace adjacent to the site would still remain as the dominant feature along Tomlins Grove, with the application site appearing subservient.
- 7.20 Officers were content with the design and appearance of the additional storey in the context of the heritage assets. The design of the mansard is considered to be traditional, simple and in keeping with the character of the conservation area and will not detract from its historic context.

- 7.21 The mansard extension will be set behind the front elevation by approximately 0.9 metres. This further ensures that the extension is of a subservient design. The Tomlin's Grove Conservation Area Appraisal and Management Guidelines identifies the views along the street as being important as they highlight the repetition and rhythm of the continuous terrace housing. It is considered that the extension to the roof would not impact upon the appreciation of these views given that the building is set back from the street.



Figure 2: Proposed front elevation

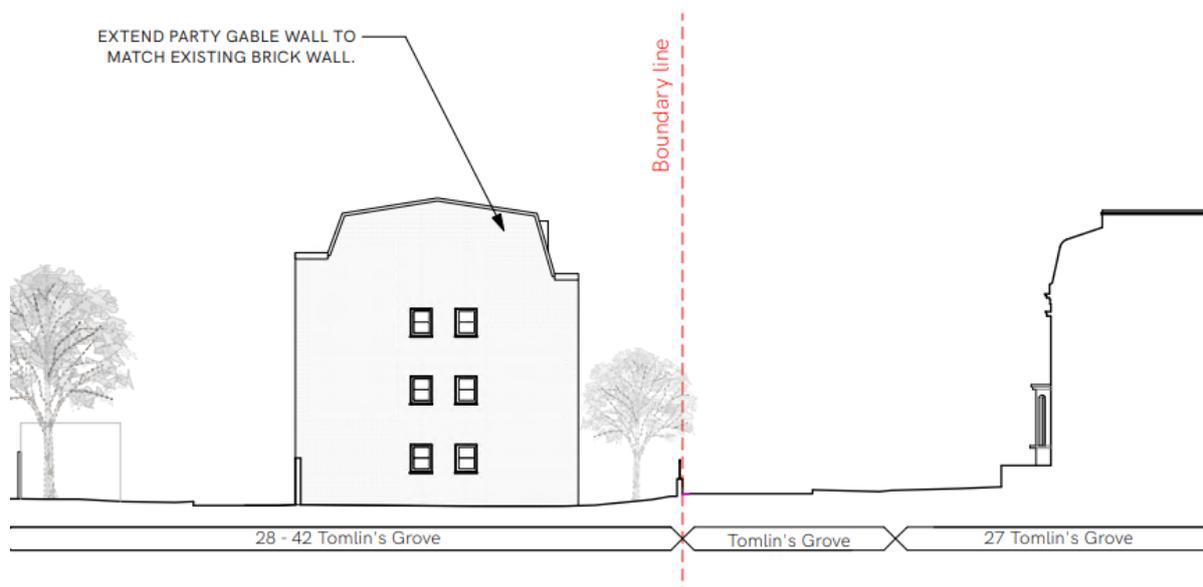


Figure 3: Proposed north elevation showing the relationship with the adjacent terrace on Tomlins Grove

Appearance & Materials

- 7.22 The proposed additional storey has been carefully designed to incorporate architectural features of the surrounding area, whilst also appearing as a subordinate addition to the existing block. The additional storey would be a mansard roof design which is in keeping with the roofscape design of the surrounding setting. The mansard roof would largely reflect that of the roof form of the Grade II listed terrace located adjacent to the application site.
- 7.23 The mansard extension includes dormer windows which are proposed in the Tomlins Grove elevation. These will be of a similar size and design to that of the fenestration in the existing building front elevation, therefore in keeping with the style and proportions of the existing building.
- 7.24 It is acknowledged that the proposed fenestration in the rear elevation does not align or match the existing rear elevation fenestration, however, this will not be visible in the street scene of Tomlin's Grove. There will be glimpsed views of the rear fenestration when looking towards the rear of the building from Arnold Road. These views will be in the background and are not considered to have a harmful impact on the street scene of Arnold Road. Due to this, it is considered that the proposed rear windows will not have a detrimental impact on the character

and appearance of the property and surrounding conservation area because it will not be overly visible in the street scene

- 7.25 The mansard roof extension will be constructed in zinc cladding, which is considered to be of an acceptable material, which will also ensure the extension appears as a subordinate addition. The gable walls and front and rear parapets will be a continuation of the existing brickwork in the side elevations, allowing the upward extension to blend well with the existing property. The proposed dormer windows will be timber framed, slim profile double glazed units to be in keeping with the fenestration of the rest of the property.
- 7.26 The proposed new storey is considered to be of a high quality design which reflects the characteristics of the conservation area. Overall, it is concluded that the development will not harm the character and appearance of the conservation area or the setting of the listed buildings.



Figure 4: CGI of the proposed street scene

Neighbouring residential amenity

- 7.27 Policy D.DH8 of the Local Plan requires new developments to protect and where possible enhance or increase the extent of the amenity of new and existing buildings and their occupants, as well as the amenity of the surrounding public realm. To this end development should maintain good levels of privacy and outlook, avoid unreasonable levels of overlooking, not result in any material deterioration of sunlight and daylight conditions of surrounding development. Development should also ensure that there are no unacceptable levels of overshadowing to surrounding open space, private outdoor space and not create unacceptable levels of artificial light, odour, noise, fume or dust pollution during the construction and life of the development.

Privacy & Outlook

- 7.28 Policy D.DH8 of the Local Plan sets out that development must maintain good levels of privacy and avoiding an unreasonable level of overlooking. This policy sets a guide of an approximate distance of 18 metres between directly facing habitable room windows as being appropriate to maintain privacy and overlooking levels to an acceptable degree. However, this figure will be applied as a guideline depending upon the design and layout of the development.
- 7.29 As the mansard extension is located above the existing flats, the development would not result in a loss of light, outlook or privacy for existing occupiers of the block. The new flats would share the same stair core as the existing residents and there will not be any new openings which would affect the existing block.

- 7.30 There will be a distance of approximately 18m between the proposed mansard front windows and the front windows of the adjacent Grade II listed terrace. As outlined above, this distance is considered acceptable in policy to ensure development avoids any unreasonable overlooking. The mansard extension is of a sitting and design that would ensure the development would not result in any detrimental loss of light or outlook to the adjacent terrace.
- 7.31 The mansard extension would be located more than 20m, at its closest point, to the nearest rear windows of the terrace along Campbell Road located behind the application site. Given the significant distance, the mansard extension would not result in any detrimental overlooking into the Campbell Road terrace rear windows. Further, the distance is sufficient to ensure there will not be any detrimental loss of light or outlook.
- 7.32 The proposed extension would result in some loss of light to a small side window at 50 Arnold Road, which is located to the South of the application site. As the affected window is not a principal window to living space, the loss of light is considered to be acceptable in this instance.

Construction Impact, Noise & Vibration

- 7.33 The Council's Environmental Health officers have reviewed the application. No objections were raised subject to a condition which restricts the working hours of the construction activities.
- 7.34 Demolition and construction activities are likely to cause additional noise and disturbance to the surrounding area and to neighbouring occupiers, including additional traffic generation and dust. Details for minimising these impacts would be provided via condition for the submission of Construction Management and Logistics Plan.

Transport

- 7.35 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.

Car Parking

- 7.36 Tower Hamlets Local Plan policy D.TR3 requires all residential developments to be permit free and that all parking associated with the development should be provided off-street.
- 7.37 The proposal supports sustainable transport objectives and would be a car free development, in line with local plan policy, and this will be secured through a legal agreement.

Cycle Parking and Facilities

- 7.38 The cycle parking will be provided in a new secure cycle store located to the rear of the site. This will contain 12 Sheffield cycle parking spaces, comprising 6 stands (2 per dwelling and 2 visitor parking spaces). The cycle storage has been designed in line with the London Cycle Design Standards and is considered to be of a good standard.

Demolition and Construction

- 7.39 The construction period will cause some level of disruption to the surrounding road network. The applicant would be required to provide a Construction Management Plan as part of a pre-commencement condition, to ensure there is minimal impact to pedestrians, vehicles and the public highway from the construction of the development.

Environment

Waste

- 7.40 Policy D.MW3 of the Local Plan (2020) requires adequate refuse and recycling storage alongside and combined with appropriate management and collection arrangements.

- 7.41 Refuse storage is proposed within the same structure as the cycle storage. 1 x 660L communal bin for residual waste and 1 x 660L communal bin for refuse is proposed for the 5 new units. These exceed the requirements for the housing mix proposed.
- 7.42 The proposed bin store will adjoin the existing bin store. The collection of bins will be from the access point on Arnold Road to the rear of the site, which is the same arrangement as existing.

Biodiversity

- 7.43 London Plan policy G6 and Tower Hamlets Local Plan D.ES3 require developments to protect and enhance biodiversity. Policy D.ES3 requires major development to deliver net gains in biodiversity that contribute to objectives in the Local Biodiversity Action Plan. Policy G5 of the London Plan requires that major development proposals contribute to the greening of London by including urban greening as a fundamental element of site and building design.
- 7.44 A Preliminary Bat roost survey was provided during the application process, which found there were no findings of bats on site and there was negligible potential for roosting bats.
- 7.45 The development seeks to enhance biodiversity at the site by proposing a green roof to the new cycle/refuse store, as well as planting to the rear balconies. Full details of the biodiversity enhancements will be secured via condition.

Human Rights & Equalities

- 7.46 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.
- 7.47 There will be short term impacts of the construction which are acknowledged, but given their short term implications, these are not considered to raise any human rights or equalities implications. The development does provide a number of benefits such as delivering much needed housing in the borough as well as a monetary contribution towards the delivery of affordable housing in the borough.
- 7.48 The proposed development would not result in adverse impacts upon equality or social cohesion.

8. RECOMMENDATION

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

8.2 Financial obligations

- £215,456 small sites contribution to Affordable Housing in the borough

8.3 Non-financial obligations:

- Car Free agreement

- 8.4 That the Corporate Director of Place is delegated the power to negotiate the legal agreement. If within three months of the resolution the legal agreement has not been completed, the Corporate Director for Place is delegated power to refuse planning permission.

- 8.5 That the Corporate Director of Place is delegated the power to impose conditions and informatives to address the following matters:

8.6 Planning Conditions

Compliance

1. 3 years deadline for commencement of development.
2. Development in accordance with approved plans.
3. Refuse storage
4. Cycle storage
5. 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.

Pre-commencement

The inclusion of the following pre-commencement conditions has been agreed in principle with the applicants, subject to detailed wording

6. Construction Management and Logistics Plan
7. Details of materials
8. Biodiversity Enhancements
9. Tree protection plan
10. Arboricultural method statement
11. Arboricultural impact statement

8.7 Informatives

1. Permission is subject to legal agreement
2. CIL liable

APPENDIX 1

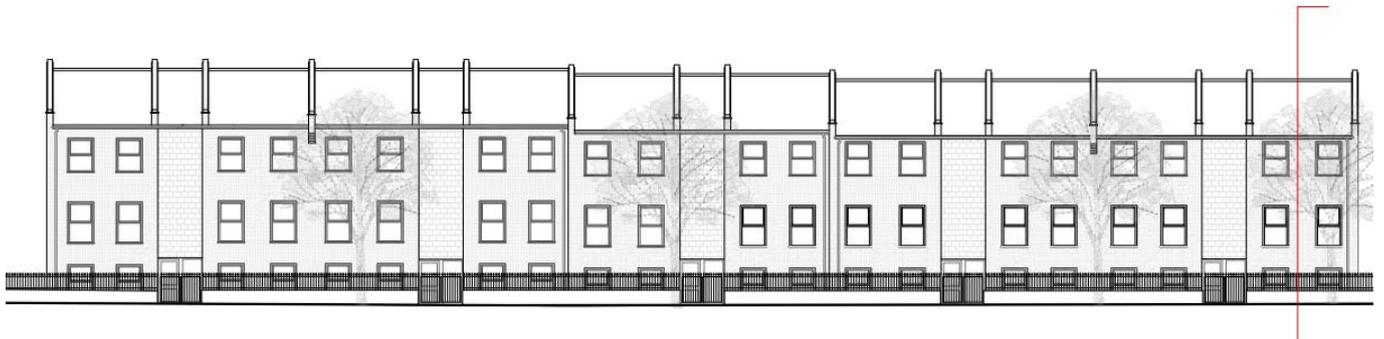
LIST OF APPLICATION PLANS AND DRAWINGS FOR APPROVAL

PL/1250 – Site Location Plan
738-EX-101-A – Existing Site Plan
738-EX-102-A – Existing Typical Floor Plan
738-EX-200-A – Existing Section
738-EX-300 – Existing Front Elevation
738-EX-301 – Existing Rear Elevation
738-EX-302 – Existing North Elevation
738-EX-303 – Existing South Elevation
738-PL-101-A – Proposed Site Plan
738-PL-102-A – Proposed Cycle & Refuse Store
738-PL-105 – A – Proposed Typical Unit
738-PL-200-B – Proposed Section
738-PL-302 – Proposed North Elevation
738-PL-303 – Proposed South Elevation
738-PL-103-B – Proposed 3rd Floor Plan
738-PL-104-B – Proposed Roof Plan
738-PL-300 – Proposed Front Elevation
738-PL-301 – Proposed Rear Elevation

Planning Statement (July 2022) – prepared by DLBP
Design Statement (June 2022) – prepared by GPAD
Tree Survey (May 2022) – prepared by Chartwell Tree Consultants Ltd
Draft Arboricultural Method Statement (May 2022) – prepared by Chartwell Tree Consultants Ltd
Air Quality Assessment (May 2022) – prepared by Southwest Environmental Limited
Heritage and Townscape Assessment (July 2022) – prepared by iceni
Utilities Statement (June 2022) – prepared by FHP ESS)

APPENDIX 2

SELECTION OF APPLICATION PLANS AND IMAGES

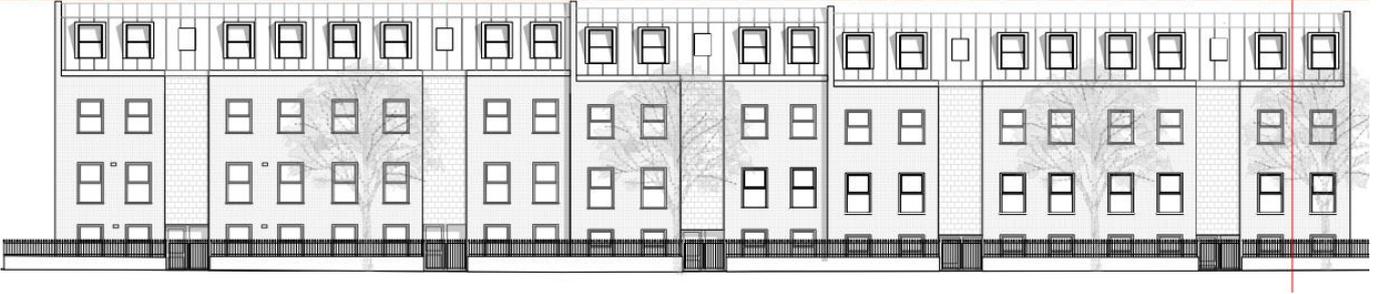


Existing Front Elevation



Existing Rear Elevation

Ridgeheight below Union
Apartments (50 Arnold Road)



Proposed Front Elevation



Proposed Rear Elevation



Proposed Third Floor Plan



Proposed - Street Scene visualisation



Proposed – rear visualisation

APPENDIX 3: EXISTING SITE PHOTOS

