

Subject: 11 Burford Road, Stratford, E15 2ST reference 18/00293/FUL

Meeting date: 24 July 2018

Report to: Planning Decisions Committee

Report of: Russell Butchers – Senior Planning Development Manager

FOR DECISION

This report will be considered in public

1. EXECUTIVE SUMMARY

- 1.1. This report concerns an application that seeks planning permission for alterations and extensions to an existing commercial building located on Burford Road, Stratford. Permission is sought for demolition of the existing fourth floor of the building and the erection of a two-storey extension above (to create a six storey building), the installation of plant equipment and an acoustic screen at roof level, alterations to the ground floor of the building including removal of 12 car parking spaces, installation of a cycle parking area and a ground floor change of use from Class A1 (Shops) and A2 (Financial and Professional Services) to Class B1 (Business) with 94sqm of flexible Class B1 or Class A3 (Cafes and restaurants) floorspace and alterations to the ground floor façade. The alterations at ground floor level have previously been approved under planning application 17/00368/FUL.
- 1.2. The proposed development would result in the loss of 267sqm of Class A1 / A2 floorspace and the provision of additional 1,319 sqm of Class B1 floorspace and the 94sqm of flexible Class B1 or A3 (Café) floorspace, and this aspect of the development has previously been granted planning permission under reference 17/00368/FUL. Of the 1,319 sqm of additional Class B1 floorspace 815sqm is provided on the new fourth and fifth floors, with the remainder provided on the ground floor and through a 4sqm increase on the first, second and third floors.
- 1.3. The main issues relevant to this proposal are:
 - Land use
 - Heritage
 - Design and appearance
 - Neighbouring amenity
 - Transport
 - Inclusive design
 - Flooding
 - Sustainability, energy and biodiversity

- 1.4. The application site is located 140m outside of the Stratford Metropolitan Centre and the loss of the A1 and A2 units would not be resisted in this location. The intensification of the Class B1 use is also considered to be acceptable in this location and would provide additional workspace suitable for small and medium sized businesses.
- 1.5. The application site is located opposite the Stratford Workshops, which are a locally listed non-designated heritage asset. The application has been reviewed by PPDT's heritage consultants who have advised that there would be harm to the setting and significance of the heritage asset; albeit that the harm would be less than substantial.
- 1.6. Officers are satisfied with the form, massing and height of the proposed fifth and sixth floor extension and the impact that it would have on the host building and the streetscene. Although the resulting development would be taller than the locally listed Stratford Workshops (by between 2m and 3.5m), given its similar height (50cm taller) to the neighbouring residential block at 10 Burford Road, its height is considered to be appropriate to the character of Burford Road.
- 1.7. Objections have been received from 13 neighbouring residential occupiers relating to matters including design and appearance, impact upon the Stratford Workshops, loss of daylight and sunlight, overbearing impact, security, traffic impacts, noise, nuisance, and disturbance.
- 1.8. The application site has a Public Transport Accessibility Level (PTAL) of 6b, which is considered 'excellent', and 40 on-site cycle parking spaces are proposed. The proposal includes the loss of the 12 car parking spaces, which is acceptable in this location given its public transport connections and it is considered that the transport impacts of the development are acceptable.
- 1.9. The inclusive design, flooding, sustainability, energy and biodiversity impacts of the development have been assessed and these elements of the development are acceptable.
- 1.10. A legal agreement would be necessary for the development to secure a carbon offset contribution of £4963.60, the provision of Blue Badge parking space, the provision of eight short-stay cycle parking spaces within the public realm and a highways agreement to remove the dropped kerb and reinstate the footway.
- 1.11. On balance, it is considered that the public benefits associated with the provision of additional workspace that is suited to small to medium businesses would outweigh the less than substantial harm that has been identified to the Stratford Workshops. It is recommended that the application is approved subject to the conditions set out in part 13 of this report and the heads of terms set out in part 10.84 and 10.85 of the report.

2. RECOMMENDATIONS

- 2.1 **The Committee is asked to APPROVE the application for the reasons given in the report and grant planning permission subject to:**
 - a) **The conditions set out in this report; and**
 - b) **The satisfactory completion of a legal agreement under section 106 of the Town and Country Planning Act 1990 and other enabling powers to secure the planning obligations set out in the recommended heads of terms which are set out in this report.**

2.2 The Committee is asked to DELEGATE AUTHORITY to the Director of Planning Policy and Decisions to:

- a) Finalise the recommended conditions as set out in this report, including such refinements, amendments, additions and/or deletions as the Director of Planning Policy and Decisions considers necessary;**
- b) Finalise the recommended legal agreement under section 106 of the Town and Country Planning Act 1990 and other enabling powers as set out in this report, including refining, adding to, amending and/or deleting the obligations detailed in the heads of terms set out in this report as the Director of Planning Policy and Decisions considers reasonably necessary; and**
- c) Complete the section 106 agreement and issue the decision notice.**

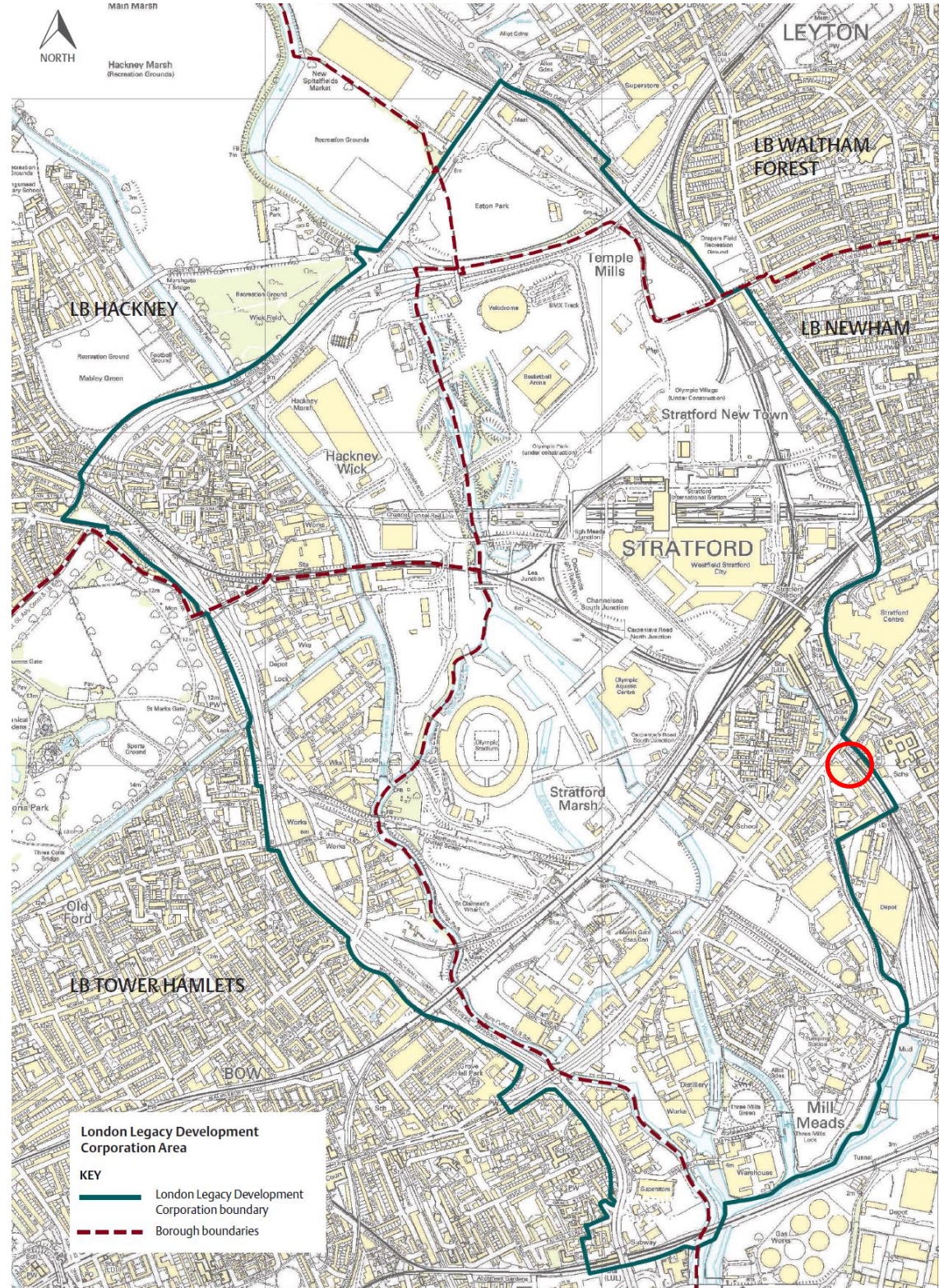
3. FINANCIAL IMPLICATIONS

3.1. None.

4. LEGAL IMPLICATIONS

4.1. None.

Site Plan



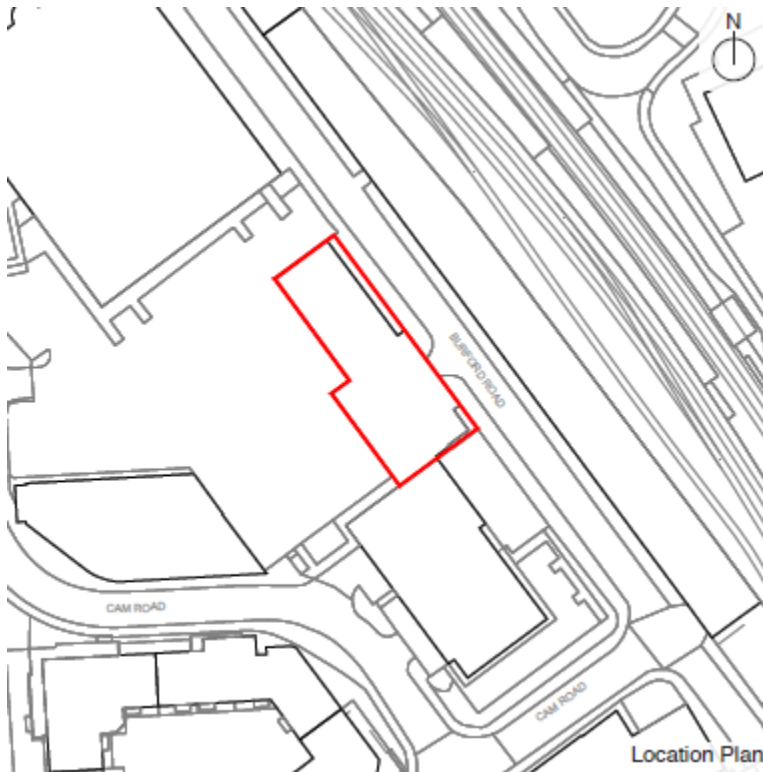
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Application: 18/00293/FUL
 Location: 11 Burford Road, Stratford, E15 2ST
 London Borough: Newham

Proposal: Demolition of the existing fourth floor of the building and the erection of a two-storey extension above (to create a six storey building), the installation of plant equipment and an acoustic screen at roof level, alterations to the ground floor of the building including removal of 12 car parking spaces, installation of a cycle parking area and a change of use from Class A1 (Shops) and A2 (Financial and Professional Services) to Class B1 (Business) with 94sqm of flexible Class B1 or Class A3 (Cafes and restaurants) floorspace and alterations to the ground floor façade.

Applicants: Artesian Property Partnership

Agent: Oliver Coleman, Rolfe Judd Planning Ltd



5. SITE & SURROUNDINGS

- 5.1. The application property is a part four-storey and part five-storey commercial building that is known as the Burford Business Centre. The building was completed in 2003 and is constructed of a grey engineering brick.
- 5.2. The building is on the western side of Burford Road, which is located off Stratford High Street within the London Borough of Newham. The application site has the highest PTAL rating of 6b, which is due to its proximity to Stratford High Street DLR Station (100m), Stratford Regional Station (450m) and Stratford High Street bus routes.
- 5.3. The ground floor of the property comprises 12 car parking spaces, plant and equipment rooms, a reception area and four Class A1/A2 retail units. The upper floors of the building provide Class B1a office floor space that is occupied by a number of different tenants that utilise some shared office facilities. The office unit sizes on the upper floors range between 25sqm and 137sqm.

- 5.4. The building is located 100m south of the Stratford St John's Conservation Area and is located on the opposite side of Burford Road (15m west) to the Stratford Workshops, which have been locally listed by the London Borough of Newham and are a non-designated heritage asset. Stratford Workshops is a commercial building owned by the London Borough of Newham that is made up of 100 affordable self-contained workshop units ranging between approximately 10sqm and 180sqm in size.
- 5.5. To the north of the site is the Gala Bingo building, which has a frontage to Stratford High Street. To the south is no. 10 Burford Road, which is a seven-storey residential development that was erected at the same time as the application site.
- 5.6. The site falls within Flood Zone 3 (high probability of flooding), but is within an area that benefits from flood defences.

6. RELEVANT PLANNING HISTORY

- 6.1. On 13 October 1999, the London Borough of Newham approved outline planning permission (ref 99/0725) for a wider mixed-use development of Class B1 (Business), Class B2 (General industrial) and live/work uses (sui generis).
- 6.2. On 20 December 2001, the London Borough of Newham approved a reserved matters application (ref 01/1597) submitted pursuant to application 99/0725 for the erection of three buildings, comprising 5457sqm of Class B1 floorspace, 130 live/work units, two Class A1-A3 retail units and 127 car parking spaces and associated landscaping.
- 6.3. On 19 October 2017, the Legacy Corporation approved a planning application (ref 17/00368/FUL) for alterations to the existing ground floor of 11 Burford Road, the removal of the car parking area, installation of a cycle parking area and a change of use from Class A1 (Shops) and A2 (Financial and professional services) to Class B1 (Business) with 94sqm of flexible Class B1 or A3 (Cafes and restaurants) floorspace, and other associated works. The proposed development included alterations to the ground floor façade, the installation of an additional door and window to the first-floor roof terrace, ventilation panels to the rear elevation. The development included the erection of an extension to the existing fourth floor, and the installation of plant equipment to the roof and a lift overrun. Works have commenced on this planning permission.
- 6.4. On 25 May 2018 the Legacy Corporation approved a non-material amendment to planning application 17/00368/FUL (NMA ref 18/00200/VAR) alterations to the ground floor facade, infill of the south-eastern corner of the building, reduction in flexible Class A3/B1 floorspace from 96sqm to 94sqm, the replacement of a window with a door to the first floor roof terrace, omission of a door to the first floor roof terrace and the omission of ventilation panels and railings to the rear elevation.
- 6.5. On 27 March 2018 the Legacy Corporation refused a planning application (ref 17/00552/FUL) for the demolition of the existing fourth floor and erection of a new fourth, fifth and sixth floors for Class B1 (Business) use and the installation of new plant equipment (including an acoustic screen) to the roof; alterations to the ground floor of the building, including removal of car parking, installation of cycle parking area and a change of use from Class A1(Shops) and A2 (Financial and professional services) to Class B1 with 96sqm of flexible Class B1 or A3 (Cafes and restaurants) floorspace and alterations to the ground floor façade. The reasons for refusing the application are set out below:
 1. *The proposed development, by reason of its excessive bulk, massing, height, scale and adverse appearance would fail to respond to the existing urban fabric and would have a detrimental impact upon the character and appearance of*

the streetscene and upon the host building. The development does not represent high quality design appropriate to its context and, does not enhance the site's architectural or built context, would fail to make a positive contribution to the character of Burford Road, and is therefore contrary to), policies 7.4 and 7.6 of The London Plan (2016) and policies SP3 and BN.1 of the Local Plan (2015).

- 2. The proposal would result in harm to the setting and significance of the non-designated heritage asset, albeit that it would be less than substantial harm. The bulk, scale, height massing and appearance of the proposed development would result in a building that would be obtrusive and out of character with its setting, adversely vying for prominence with, and would negatively affect the setting and significance of, the non-designated heritage asset at Stratford Workshops, including views from Bridge Road and the railway. The development would not conserve or enhance the setting of the heritage asset and in this case the harm is not outweighed by the other benefits of the development and is thereby contrary to policy 7.8 of The London Plan (2016) and policies SP.3, BN.1 and BN.16 of the Local Plan (2015).*
- 3. The proposed development would have a detrimental impact on the amenity of neighbouring uses by reason of its obtrusive and overbearing bulk, scale, mass and height which would adversely affect the outlook and amenity of occupants of 10 Burford Road, contrary to policy 7.6 of The London Plan (2016) and policy BN.1 of the Local Plan (2015).*
- 4. The bulk, scale, height and massing of the development would result in a degree of loss of daylight and sunlight to the Stratford Workshops, which would have a significant detrimental impact upon the quality of the workspaces, contrary to policy 7.6 of The London Plan (2016) and policy SP.3 and BN.1 of the Local Plan (2015).*

7. APPLICATION PROPOSAL

- 7.1. The proposed development seeks full planning permission for alterations and extensions to an existing commercial building located on Burford Road, Stratford. Permission is sought for demolition of the existing part length fourth floor of the building and the erection of a two-storey extension above (to create a six storey building), the installation of plant equipment and an acoustic screen at roof level, alterations to the ground floor of the building including removal of 12 car parking spaces, installation of a cycle parking area and a change of use from Class A1 (Shops) and A2 (Financial and Professional Services) to Class B1 (Business) with 94sqm of flexible Class B1 or Class A3 (Cafes and restaurants) floorspace and alterations to the ground floor façade.
- 7.2. The applicant states that their vision for the site is to “provide a modern co-working office space and business centre with dedicated desks and private offices hired for a fee and set timeframe.” The main facets of the proposed development are elaborated on below.

Ground Floor

- 7.3. At ground floor level it is proposed to convert the majority of the floorspace into Class B1 use, with the provision of 94sqm of flexible floorspace that could be used as a café or for Class B1 purposes. The revised ground floor layout would result in the loss of 12 car parking spaces and 267sqm of Class A1/A2 retail space. The proposed ground floor layout would consist of meeting rooms, 40 cycle parking spaces, bathroom and changing facilities, a reception area and plant and equipment rooms.

- 7.4. Alterations to the ground floor façade are proposed, including a new main entrance, a new glazed façade, a metal louvered entrance to the refuse store and a dedicated cyclist entrance. The southern front corner of the building is currently set back from the building line and it is proposed that this is infilled as part of the development.
- 7.5. The application states that the existing cross over would be levelled to match the existing pavement, and a Blue Badge parking space would be installed on the public highway, outside of the application site boundary. The proposed highways works would require the approval of the London Borough of Newham as the highways authority.
- 7.6. Officers note that the ground floor works to the building were approved under planning permission 17/00368/FUL (as amended by 18/00200/VAR) and are currently being constructed.

Upper Floors

- 7.7. At the first to third floors, internal alterations are proposed to improve the quality of the office accommodation. Additional doors are proposed to the existing first floor terrace at the rear elevation and an additional lift core located centrally within the building would result in an increase of 4sqm of floorspace at the existing first to third floor levels.
- 7.8. It is proposed to demolish the existing part-length fourth floor, and to erect a new two-storey extension for Class B1 floorspace. The proposed extensions would create an additional 172sqm of floorspace at fourth floor level and 644sqm at fifth floor. At roof level a 1.8m high acoustic screen is proposed to house the air-conditioning condenser units. The height of the proposed extension, from the top of the existing fourth floor to the top of the proposed acoustic screen, would be 2.3m to the top of the fifth floor and 4.1m to the top of the acoustic screen.
- 7.9. The south-western corner of the building is proposed to be set in at fifth and sixth floor levels by between 3.3m and 6m to reduce the impact upon the residential block at 10 Burford Road. The area of flat roof would be a green biodiverse roof that would be accessible for maintenance purposes only and would not be accessible to occupants of the buildings.
- 7.10. The front elevation of the proposed fourth floor would be constructed of glazed panels and the fifth floor would be glazed panels with aluminium cladding. The fifth floor, which would be set back from the main façade, would include sliding doors and a glass balustrade. The rear (west facing) elevation and northern elevation would include a mixture of windows and painted rendered walls.

8. POLICIES AND GUIDANCE

National Planning Policy

8.1. National Planning Policy Framework

- 8.2. The policies in the NPPF are material considerations in the determination of applications. The NPPF states that due weight should be given to relevant local plan policies according to their degree of consistency with the NPPF. The principle of sustainable development permeates the NPPF. The Framework makes clear growth and addressing barriers to investment. The NPPF should be read in conjunction with the Planning Practice Guidance, a web-based resource for all users of the planning system. This describes the importance of good design and how this can be achieved through planning decisions.

8.3. The following sections of the NPPF are relevant to this development:

Section 1 – Building a strong, competitive economy

Section 4 – Promoting sustainable transport

Section 7 – Requiring Good Design

Section 10 – Meeting the challenge of climate change, flooding and coastal change

Section 12 – Conserving and enhancing the historic environment

Regional Planning Policy

8.4. The Draft London Plan (December 2017)

The Mayor of London published for the purpose of public consultation a draft new London Plan on 29th November 2017. The policies in the draft new London Plan currently have only very limited material weight when making planning decisions. That weight will increase once the new Plan is submitted for its Examination in Public. This report may make reference to policies within the new London Plan where they are directly relevant to the assessment of the application proposal. However, the relevant development plan policies remain those within the current London Plan (March 2016) and the LLDC Local Plan (July 2015).

8.5. The London Plan (March 2016)

Policy 2.13	Opportunity Areas and Intensification Areas
Policy 4.1	Developing London's economy
Policy 4.2	Offices
Policy 5.2	Minimising carbon dioxide emissions
Policy 5.3	Sustainable design and construction
Policy 5.4A	Electricity and gas supply
Policy 5.6	Decentralised energy networks in development proposals
Policy 5.7	Renewable energy
Policy 5.9	Overheating and cooling
Policy 5.10	Urban greening
Policy 5.11	Green roofs and development site environs
Policy 5.12	Flood risk management
Policy 5.13	Sustainable drainage
Policy 5.15	Water use and supplies
Policy 5.18	Construction, excavation and demolition waste
Policy 6.3	Assessing effects of development on transport capacity
Policy 6.9	Cycling
Policy 6.10	Walking
Policy 6.13	Parking
Policy 7.2	An inclusive environment
Policy 7.3	Designing out crime
Policy 7.4	Local character
Policy 7.5	Public realm
Policy 7.6	Architecture
Policy 7.8	Heritage assets and archaeology
Policy 7.14	Improving air quality
Policy 7.19	Biodiversity and access to nature

Local Planning Policy

8.6. LLDC Local Plan (July 2015)

Policy SD.1	Sustainable development
Policy SP.1	Building a strong and diverse economy
Policy B.1	Location and maintenance of employment uses
Policy B.2	Thriving town, neighbourhood and local centres
Policy B.4	Providing low-cost and managed workspace
Policy B.5	Increasing local access to jobs, skills and employment training
Policy SP.3	Integrating the built and natural environment
Policy BN.1	Responding to place
Policy BN.3	Maximising biodiversity
Policy BN.5	Requiring inclusive design
Policy BN.11	Reducing noise and improving air quality
Policy BN.16	Conserving or enhancing heritage assets
Policy T.4	Managing development and its transport impacts
Policy T.7	Transport assessments and travel plans
Policy T.8	Parking and parking standards in new development
Policy T.9	Providing for pedestrians and cyclists
Policy SP.5	A sustainable and healthy place to live and work
Policy S.1	Health and wellbeing
Policy S.2	Energy in new development
Policy S.4	Sustainable design and construction
Policy S.5	Water supply and waste water disposal
Policy S.6	Waste reduction
Policy S.7	Overheating and urban greening
Policy S.8	Flood risk and sustainable drainage measures

9. CONSULTATION

- 9.1. Consultation letters were sent to statutory and non-statutory consultees on 4 June 2018.
- 9.2. A site notice was placed at the site and a press notice was published in the Newham Recorder on 13 June 2018.
- 9.3. On 4 June 2018 notification letters were sent to 196 neighbouring properties in the immediate vicinity of the application site, including both residential and commercial properties.

Representations from members of the public

- 9.4. Letters of objection were received from 13 neighbouring properties, all within the residential development at 10 Burford Road. These objections are summarised below:
 - Loss of daylight and sunlight; (Assessed at part 10.40 to 10.49 of this report);
 - Loss of privacy (Assessed at part 10.51 to 10.53 of this report);
 - Loss of outlook and overbearing impact (Assessed at part 10.54 to 10.56 of this report);
 - Concerns over security (Assessed at part 10.50 of this report);
 - Fumes and odour from proposed ventilation ducts (Assessed at part 10.57 to 10.58 of this report);

- Noise nuisance from proposed plant equipment (Assessed at part 10.59 of this report);
- Nuisance during construction phase (Assessed at part 10.60 of this report);
- The development would harm the appearance of the Stratford Workshops (Assessed at part 10.10 to 10.23 of this report);
- Concerns over design quality and that the development would have a detrimental impact upon the streetscene and character of the neighbourhood (Assessed at part 10.24 to 10.36 of this report);
- Nuisance from proposed café, including litter, noise and odour (Assessed at part 10.59 of this report); and
- Increased traffic and car parking stress; (Assessed at part 10.62 to 10.67 of this report).

Representations from statutory and non-statutory consultees

- 9.5. The parties consulted are listed below. Those that provided a response are shown in **bold**.

Transport for London

Docklands Light Railway

Environment Agency

London Borough of Newham (Planning)

London Borough of Newham (Environmental Health)

London Borough of Newham (Flooding)

London Borough of Newham (Highways)

LLDC Design

LLDC Inclusive Design

PPDT Technical Consultants (Arup)

PPDT Transport Consultants (Ch2M)

PPDT Heritage Consultants (MOLA)

Transport for London (TfL)

- 9.6. TfL advised that they support the proposal to remove the car parking and activate the ground floor with business and café use. The draft London Plan would require 53 long-stay and eight short-stay cycle parking spaces for a 3981sqm of Class B1 floor space development, and the proposal for forty cycle parking spaces falls short of this. Removal of the existing crossover should be secured through a s278 agreement with Newham Council.
- 9.7. Officers' comment: The draft London Plan currently carries very little weight and the current London Plan requirement would be for 44 cycle parking spaces for an entirely new building of 3,981sqm. However, this application proposes 1,319sqm of additional floorspace for which the requirement would be 15 long-stay spaces and the proposal for 40 is in excess of this. If planning permission were to be approved then it would be a requirement that the applicant enters into an agreement with the Highways Authority to remove the crossover and reinstate the footpath and provide eight short-stay cycle parking spaces within the public realm (subject to agreement with the highways authority).

Environment Agency (EA)

- 9.8. The EA advised that they have no objection to the proposed development. The site is within Flood Zone 3, however benefits from the Thames Tidal flood defence. Safe means of refuge would be available on the upper floors of the development in the event of a flood.

London Borough of Newham (Planning)

- 9.9. The London Borough of Newham advised that they are supportive of the principle of increased employment floorspace and the associated number of jobs that would be created.

London Borough of Newham (Flooding)

- 9.10. LB Newham have objected to the proposed development on flooding grounds due to the Flood Risk Assessment providing insufficient information on surface water flood risk or a satisfactory drainage strategy. To overcome their objection, LB Newham have requested that a sustainable drainage condition is imposed should the application be approved.
- 9.11. Officers' comment: If planning permission were to be approved, officers would recommend including a condition as suggested by LB Newham.

LLDC Design

- 9.12. LLDC Design have advised that they are comfortable with the form, massing and height of the fifth and sixth floor extension proposed by the application. Although the building would be taller than the Stratford Workshops, the proposed extension would be similar in height to the neighbouring building at 10 Burford Road and is considered to be appropriate to the character of Burford Road.
- 9.13. Design officers raised concern about whether the cycle parking configuration would be suitable for the proposed two-tier stacking system. Concern was also raised that an accessible WC has not been provided on each floor, the lack of detail provided for the proposed fins, the use of Corten steel at the ground floor and proposed window arrangements.
- 9.14. Officers' comment: The applicant has amended the cycle parking layout to ensure that it would work for the proposed stacking system and the plans have been amended to include an accessible WC on each floor. Further details on the appearance of the fins has been provided, although a condition is proposed to secure materials samples for the fins. The applicant has advised that the window arrangements to the rear elevation are to enable units to be partitioned, ensuring their flexible use.

PPDT Technical Consultants (Arup)

- 9.15. Arup were instructed to review the Daylight and Sunlight Report, Energy and Sustainability Report, Flood Risk Assessment, Noise Report and Ventilation Report submitted in support of the application. Arup have confirmed that the findings of the daylight and sunlight assessment are acceptable and have requested conditions in relation to flooding, ventilation, BREEAM certification and future connection to the district energy network.
- 9.16. Officers' comment: If planning permission were to be approved, officers would recommend including the conditions suggested by Arup, with the exception of the district energy network connection. The view of officers is that such a condition is not commensurate with the scale of development proposed (i.e. an extension to an existing building) and therefore does not meet the test of reasonableness.

9.17. PPDT Transport Consultants (Ch2M)

- 9.18. Ch2M reviewed the Transport Statement and recommended that a Travel Plan Statement is secured through a planning condition.
- 9.19. Officers' comment: If planning permission were to be approved, officers would recommend including a condition as suggested by Ch2M.

PPDT Heritage Consultants (MOLA)

- 9.20. MOLA advised that although the applicant has reduced the bulk of the building from the scheme that was refused under reference 17/00552/FUL, the proposed building would still vie for prominence with the Stratford Workshops. The proposed design would exceed the height of the workshops, which would be particularly evident from views south and north. MOLA have advised that the location of the AC condenser enclosure would add bulk to the building.
- 9.21. MOLA have advised that the proposal would result in a minor adverse impact which would lead to 'less than substantial' harm on the locally listed Stratford Workshops which would need to be outweighed by any public benefits for the development to be acceptable.
- 9.22. MOLA have advised that the proposed development would have minimal impact upon the setting of the Stratford St John's Conservation Area and the heritage listed terraces on the High Street. These terraces are primarily viewed and appreciated from the High Street and no key views in CA would be affected by the proposed development.
- 9.23. Officers' comment: Heritage is further explored at part 10.10 to 10.23 of this report. The applicant has revised the plans and set in the AC condenser enclosure by 1.5m further from the edge of the building to reduce its bulk and visibility.

10. ASSESSMENT OF PLANNING ISSUES

10.1. The main issues relevant to this application are:

- Land use
- Heritage
- Design and appearance
- Neighbouring amenity
- Transport
- Inclusive Design
- Flooding
- Sustainability, energy and biodiversity

Land use

- 10.2. The application site is known as the Burford Business Centre, and offers predominantly Class B1 commercial floorspace to small-to-medium sized businesses with a typical office size being 40sqm but ranging up to 137sqm.
- 10.3. The existing ground floor of the site contains 12 car parking spaces, 267sqm of Class A1/A2 commercial floorspace split between four units, a reception area, as well as rooms that house plant and equipment.

- 10.4. Policy 4.2 of The London Plan advises that local planning authorities should encourage renewal and modernisation of existing office stock and support the redevelopment of office provision. The application site is not within any of the employment clusters identified in policy B.1 of the LLDC Local Plan. Policy B.1 advises that development outside of the clusters should maintain or re-provide employment level densities within Class B1 and should not undermine the designated employment clusters.
- 10.5. The application site is not in a town centre location and the Class A1/A2 uses are not protected by the policies of the Local Plan. Given the site's proximity to other retail uses on Stratford High Street as well as Westfield and the Stratford Centre, the loss of the A1/A2 units would not result in any significant loss of shopping choice for local residents. The conversion of the A1/A2 units to B1 floorspace has the potential to increase employment levels at the site and the provision of the café use could bring vitality to the street scene. Therefore, the loss of the Class A1/A2 units and the change of use of the ground floor to Class B1, with 94sqm sqm of flexible space for a possible café (Class A3), is acceptable in land use terms. It is also noted that the loss of the A1/A2 units has already been approved under planning permission reference 17/00368/FUL.
- 10.6. Policy B.1 of the LLDC Local Plan advises that office uses should be located within town centres and that an impact assessment should be provided where office accommodation over 2,500sqm is proposed outside of the Stratford Metropolitan Centre boundary. Policy B.2 advises that one of the functions of the Stratford Metropolitan Centre is the provision of 'Grade A, B1 office space'.
- 10.7. The application site is located approximately 140m outside of the Stratford Metropolitan Centre. Notwithstanding this, the principle of an office building in this location is already established and given the proximity to the Metropolitan Centre and access to public transport, the location is considered to appropriate for an extended office use.
- 10.8. The existing building provides 2,665sqm of Class B1 floorspace and it is proposed to increase this with an additional 1,319sqm. As the existing development already provides more than 2,500sqm of B1 office floorspace, and less than 2,500sqm of additional floorspace is proposed, it is not considered necessary for the applicant to justify the land use through an impact assessment. Notwithstanding this, Officers are satisfied that the proposed increase in Class B1 floorspace at the site would not have a detrimental impact upon the Metropolitan Centre, and would not undermine the designated employment clusters, as it would represent a modest quantum of floorspace when considered in the context of the Stratford City Outline Planning Permission, where 450,000sqm of office space has been approved.
- 10.9. Officers are satisfied that the proposed land use of the development, and the loss of the Class A1/A2 uses, is acceptable in principle (and already has planning permission under reference 17/00368/FUL) and meets the requirements of Local Plan policies B.1 and B.2.

Heritage

- 10.10. The application site is not located within a conservation area, but is located 100m south of the Stratford St John's Conservation Area. The application site is located opposite the Stratford Workshops, which have been locally listed by Newham Council and are a non-designated heritage asset.
- 10.11. With respect to the Stratford St John's Conservation Area (the CA), the proposed extension would be visible from the edge of the CA at the northern end of Bridge Road and would be in the background of views from the conservation area across the railway line to the Stratford Workshops. PPDT's heritage consultants have advised that the proposed development would have a minimal impact upon the

setting of the CA and that no key views of the CA would be affected as the heritage listed terraces are primarily viewed from the High Street and would not be affected by the proposed development. Officers are therefore satisfied that the proposed development would have a minimal impact upon the setting of the CA and would not affect any key views and that the development is consistent with paragraph 132 of the NPPF.

- 10.12. Paragraph 135 of the NPPF advises that the effect of an application on the significance of a non-designated heritage asset should be taken into account in determining a planning application. In weighing applications that affect directly or indirectly non-designated heritage assets, the NPPF advises that a balanced judgement will be required having regard to the scale of any harm to the significance of the heritage asset.
- 10.13. Policy 7.8 of The London Plan advises that development affecting heritage assets and their settings should conserve their significance by being sympathetic to their form, scale, materials and architectural detail.
- 10.14. Policy BN.1 of the LLDC Local Plan states that developments should respect the heritage value of existing typologies and enhance the historic setting within which development is proposed. Policy BN.16 advises that proposals will be considered acceptable where they conserve or enhance heritage assets and their setting.
- 10.15. PPDT's heritage consultants (MOLA) have reviewed the application and raised concerns about the potential impact of the development upon the Stratford Workshops. Stratford Workshops opened in 1847 and built carriages and locomotives for the Great Eastern Railway and later the London & North Eastern Railway. Stratford Workshops are a distinctive building in the area and are prominently located alongside the train line. The Workshops are considered to have architectural and historic interest, as well as townscape quality and group value.
- 10.16. MOLA have advised that the development, by way of its additional height and bulk, would vie for prominence with the Stratford Workshops. The proposed extension would exceed the height of the Workshops and this would be particularly visible from the approach to Burford Road and from the north. MOLA have advised that this would result in 'less than substantial' harm on the setting and significance of the heritage asset.
- 10.17. The Stratford Workshops range in height between approximately 19.5m (4 storeys) and then drop down to two-storeys with a height of between 9.5m to the top of the second storey and 12.5m to the top of the V-shaped roofline. The existing (application) building at Burford Road responds to this context with a building height of between 14.5m and 17.5m that corresponds with the drop in height of the Stratford Workshops.
- 10.18. The proposed development would result in a building height of 21.5m to the top of the sixth storey and 23m to the top of the acoustic screen and is therefore between 2m and 3.5m taller than the Stratford Workshops. The proposed development would be visible in the backdrop of the heritage asset, including in key views from the rail line and Bridge Road, which has been identified as important by MOLA.
- 10.19. The applicant has submitted a Heritage Statement which concludes that the proposed development would preserve and enhance perceptions of the Stratford Workshops without adversely affecting its historic interest. The report cites that the modern design, new active frontage and the improved quality of the workspace would be wholly beneficial and ensure the long-term future use and viability of the building whilst providing an appropriate level of legibility and reflecting the area's industrial past.

- 10.20. PPDT's heritage consultants have advised that the proposed additional height would result in a building which is larger in scale than the heritage asset, and one that would vie for prominence within the streetscape. MOLA advise that this would amount to harm to the significance and setting of the asset, albeit that the harm would be less than substantial. In accordance with paragraph 135 of the NPPF, MOLA have advised that a balanced judgement will need to be made on the acceptability of the proposal as a whole, weighing the benefits of the proposed development with the harm to the non-designated asset and its wider setting.
- 10.21. The height of the proposed building would be of similar height (50cm higher) to the neighbouring residential building at 10 Burford Road, although the AC acoustic screen at the northern end of the building would be approximately 1.5m higher than 10 Burford Road. In the context of the wider development within this part of Stratford, the height of the proposed extension is not considered to be excessive and is consistent with the prevailing height with Burford Road. Whilst the extended floors would be visible from views to the north (i.e. from Bridge Road), this would only be above the three-storey part of the Stratford Workshops and the proposed extension would not be visible above four-storey element of the building.
- 10.22. The proposed development would provide a public benefit in terms of increased office floorspace that is suited to small and medium enterprises, for which there is demand in the local area. Whilst a significant quantum of Class B1 floorspace has been approved and is being developed within Stratford City, that floorspace is generally single-occupier floorspace, and is not targeted at small to medium sized businesses. The additional 816sqm of modern office floorspace that would be provided at the extended fourth and fifth floors has the potential to provide up to an additional 130 desk spaces (as shown on the submitted floorplans). The applicant has estimated that the proposed development would generate 90 additional full-time equivalent jobs.
- 10.23. Whilst officers accept the advice from MOLA that there would be less than substantial harm to the non-designated heritage asset, the harm is not considered to be sufficient to justify refusal of the planning application. On balance, and in accordance with part 135 of the NPPF, officers consider the public benefit of the additional modern office space that is suitable for small to medium enterprises outweighs the less than substantial harm that has been identified to the non-designated heritage asset.

Design and appearance

- 10.24. London Plan policy 7.4 advises that buildings should provide a high-quality design response that has regard to the pattern and grain of existing spaces and streets in orientation, scale, proportion and mass. Policy 7.6 advises that buildings should be of the highest quality and be of a proportion, composition, scale and orientation that enhances, activates and appropriately defines the public realm. Building should comprise details and materials that complement the local architectural character.
- 10.25. LLDC Local Plan policy BN.1 advises that developments will be considered acceptable where they respond to place in accordance with the following principles:
- Relate well to the area's defining natural and man-made landscape features;
 - Respect existing typologies within the urban fabric, including those of heritage value; and
 - Enhance the architectural and historic setting within which the development is proposed.

- 10.26. Officers note that the ground floor and first floor alterations of the proposed development have already been granted planning permission under reference 17/00368/FUL (as amended by 18/00200/VAR).
- 10.27. In approving the reserved matters application for the development in 2001 the London Borough of Newham planning officer advised in their officers' report that:
"Buildings 2a (the bic building) and 3 have been designed to reflect the nearby Stratford Workshops in terms of verticality and fenestration and the use of sympathetic materials on these buildings (blue engineering bricks on 2a and grey terracotta cladding on 3) and the heights correspond to the Stratford Workshops as required by the initial brief." (Officer comment: Building 2a is the application site, and Building 3 is 10 Burford Road).
- 10.28. It is clear from the above statement that the design intent for the existing development was for the heights to largely correspond with the Stratford Workshops, with the Stratford Workshops being approximately 2m higher (the heights of the existing buildings are discussed in more detail at paragraph 10.18 and 10.19 above). Consideration must be given as to whether it is now acceptable for the height of the development to exceed that of the Stratford Workshops and it is necessary to assess the resultant impact upon the streetscape.
- 10.29. The prevailing height of the buildings in Burford Road is generally four storeys commercial, or six storeys residential with a seventh floor setback. The proposed development would result in a six-storey building that would be similar (50cm higher) to the height of the residential building at Burford Road, with the exception of the AC enclosure which is 1.8m above the top of the building. The top floor of the building would be set back, which would help to reduce the bulk of the building from the Burford Road streetscene.
- 10.30. Whilst the proposed building would differ from the initial design intent outlined in the 2001 London Borough of Newham report, Stratford has undergone significant change during this time and the proposed development needs to be considered in the context of the modern Stratford environment.
- 10.31. Part 12.5 of the Local Plan sets out that the prevailing building height within Stratford is 30m (with the exception of sites on Stratford High Street, for which the height is 27m), and the proposed building at 21.5 (23m to the top of the AC enclosure) is comfortably within this. Within the Burford Road context, the building would be similar in height to number 10 Burford Road, which has a height of 21m to the top of the seventh floor and 22.8m to the top of the lift overrun.
- 10.32. Officers are satisfied that the proposed increase in height is consistent with policies 7.4 and 7.6 of The London Plan as the increased bulk and massing of the building is of a scale that is proportionate and contextually appropriate to the Burford Road streetscape and to the modern Stratford environment.
- 10.33. The proposed development is considered to be consistent with policy BN.1 of the LLDC Local Plan as the extended building would respect the urban fabric of Burford Road.
- 10.34. The existing fourth floor does not extend along the entire length of the building, and the proposed development therefore essentially involves a part single storey part two storey extension, with the existing fifth storey proposed to be demolished and rebuilt. The proposed extension thus represents an increase in height of 2.3m above the existing maximum height of the building (increasing to 4.1m to the top of the AC enclosure), which is not considered to be excessive or out of character with the surrounding streetscape.
- 10.35. The application has been reviewed by LLDC Design officers who have advised that the massing and height of the building is acceptable and is appropriate to the

character of Burford Road and that the overall approach to materials and architectural expression is acceptable.

- 10.36. Comments made by the Design officer relating to accessible toilets, the cycle store layout, the proposed fins and materials have been addressed by the applicant and revised plans have been submitted.

Neighbouring amenity

- 10.37. London Plan policy 7.6 advises that buildings and structures should not cause unacceptable harm to the amenity of surrounding land and buildings, particularly residential buildings, in relation to privacy, and overshadowing.
- 10.38. Policy BN.1 of the LLDC Local Plan advises that developments should minimise impact upon proposed and existing development by preventing overshadowing and an unacceptable loss of daylight, sunlight and privacy. Policy BN.11 advises that developments should minimise the effect of noise on amenity.
- 10.39. Letters of objection have been received from 13 occupants from the neighbouring residential block to the south at 10 Burford Road. The neighbouring amenity issues raised include loss of daylight and sunlight, loss of privacy and increased overlooking, reduced security, construction impacts, noise, nuisance and disturbance. As well as assessing residential amenity, officers also consider it to be necessary to assess the impact of the development upon the commercial development known as the Stratford Workshops with regard to daylight and sunlight.

Daylight and sunlight

- 10.40. Objections have been received by neighbouring occupiers in relation to the impact of the development upon daylight, sunlight and overshadowing. The applicant has submitted a daylight and sunlight report (DSR) for the proposed development that assesses the impact upon the residential properties at 10 Burford Road and upon the Stratford Workshops.
- 10.41. The report has considered the impact upon the vertical sky component (VSC) and the no-sky line (NSL). VSC is a 'spot' measure of the daylight reaching the mid-point of a window from an overcast sky. It represents the amount of visible sky that can be seen from that reference point, from over and around an obstruction in front of the window. BRE guidance advises that if the VSC is greater than 27% then enough skylight should still be reaching the window of the existing building. An assessment of daylight distribution has also been included, which is an assessment of light penetration into a room where the layouts are known. With respect to daylight reduction, it should be noted that BRE guidelines state that a 20% reduction is the threshold for a materially noticeable change.
- 10.42. NSL is a measure of the distribution of diffuse daylight within a room. The NSL simply follows the division between those parts of a room that can receive some direct skylight from those that cannot.
- 10.43. With respect to daylight, the DSR has assessed the impact upon 17 sensitive windows serving 17 habitable rooms at 10 Burford Road that could be potentially affected by the proposed development. The DSR has concluded that all 17 would accord with the BRE guidelines for VSC and NSL. In terms of sunlight, the report concludes that there would be no material alteration in sunlight to any potentially affected windows or rooms at 10 Burford Road. Accordingly, officers are satisfied that there would not be any undue impact upon daylight or sunlight to the residential properties at 10 Burford Road and that the proposed development is acceptable in this regard. The DSR has been reviewed by PPDT's technical consultants who have confirmed that its findings are acceptable.

- 10.44. The impact upon the Stratford Workshops needs to be considered in the context of the building being in commercial use as well as that BRE guidelines are intended to be used flexibly and should be viewed in the context of specific site constraints such as the dense urban environment of the application site.
- 10.45. The submitted DSR assesses the impact of the development upon the Stratford Workshops. Although the Stratford Workshops are in commercial use, BRE guidance advises that the 'guidelines may also be applied to any existing non-domestic building where the occupants have a reasonable expectation of daylight'. Officers consider that as the building includes small workshops and some offices, that its occupants would have a reasonable expectation of daylight.
- 10.46. In terms of daylight, the report has highlighted that of the 64 windows assessed, 59 would meet the VSC daylight criteria. The five windows that would fall below the recommended criteria would experience 'minor' alterations in VSC of between 20% and 21.5%, which are only just above the 20% allowed for by the BRE guidelines.
- 10.47. Furthermore, these five windows serve three rooms, of which two would fully comply with the NSL criteria and retain in excess of 95% daylight distribution across their room areas, indicating that they would remain adequately lit.
- 10.48. With respect to daylight, the DSR indicates that 48 of the 63 (76%) relevant windows assessed would meet the BRE guidelines for annual and winter sunlight. Whilst this would not be considered ideal for a residential building, for a building wholly in commercial use these results are considered to be acceptable.
- 10.49. Officers note that a reduction in daylight and sunlight to the Stratford Works was a reason for refusing the previous application at this site. However, in that application only 21 of the 64 windows tested passed the VSC criteria (compared to 59 of 64 in this application) and 31 of 63 windows (49%) passed the annual and winter sunlight criteria. The reduced height of the building in this application has therefore significantly improved the daylight and sunlight results to the Stratford Workshops to a level that the results are now considered to officers to be acceptable.

Security

- 10.50. Objections have been received that the proposed door that would provide access to the proposed green roof above the fourth floor at the southern end of the building would pose a security risk. The applicant has confirmed that this door is for maintenance purposes and would only be accessible by building security and management staff. The door would not be an escape or emergency door and would be locked at all times (with the exception of any maintenance that is taking place). Officers are satisfied that the security concerns could be overcome by a condition requiring that the door can only be accessed by security or maintenance personnel.

Loss of privacy

- 10.51. Concern has been raised by neighbouring occupiers that the proposed development would result in a loss of privacy and increased overlooking. The south facing elevation of the sixth floor would not contain any windows and there are no overlooking or privacy concerns in that regard.
- 10.52. New windows are proposed to the southern elevation, which could have views from workspace towards existing terraces, though they would be oblique; and there would not be any direct overlooking to any habitable rooms. To reduce any potential overlooking, the applicant proposes to install projecting fins to these fifth and sixth floor windows and officers are satisfied that this would restrict any overlooking. A planning condition is proposed to ensure that the fins are installed prior to occupation of the extension.

- 10.53. To prevent the potential for the proposed green roof area to be used as an amenity space that would result in overlooking to neighbouring residential properties, a planning condition is proposed to restrict the use of this area to maintenance purposes only and specifying that it is not to be used as an amenity space.

Overbearing impact and outlook

- 10.54. Objections have been received that the proposed development would be overbearing and would result in a loss of outlook. Whilst private views are not a material planning consideration, loss of outlook can occur where development would have an adverse overbearing effect that would result in an unduly oppressive living environment.
- 10.55. To reduce the impact upon residents of 10 Burford Road the sixth floor of the proposed extension has been set in from the southern boundary by between approximately 6m (to the main southern elevation) and 3.5m (to the lift core). This means that the distance from the edge of the living room window of the sixth floor flat to the edge of the proposed extended fifth floor is between 8.5m and 10.8m. The proposed flat green roof would also help to soften the appearance of the proposed development.
- 10.56. Officers consider this separation between the two buildings to be acceptable, particularly as the two buildings would be similar in height and it is concluded that the development would not unacceptably affect outlook or be overbearing to residents.

Fumes, noise and odour

- 10.57. The proposed development includes the provision of ventilation and smoke extraction vents at roof level. The applicant has submitted a ventilation statement that indicates that these vents are associated with the proposed toilet facilities and sixth floor kitchen. The ventilation statement advises that these vents and exhausts would be designed and located to minimise any detrimental odour impacts upon neighbouring properties and officers are satisfied that the proposed development would not result in a fume or odour nuisance.
- 10.58. The application proposes to locate air-conditioning condensers at rooftop level, and these would be housed within a louvered acoustic screen. The AC condensers would be located at the northern end of the roof, 41 metres to the nearest residential windows and 25 metres to the nearest windows at the Stratford Workshops. The applicant has submitted an acoustic assessment that concludes that the noise emissions from the proposed roof plant would not have a detrimental impact upon the occupants of the Stratford Workshops or upon the nearest residential occupiers. Officers agree with this assessment and a condition is recommended to restrict noise levels emitted from any plant or equipment.

Nuisance from proposed café use

- 10.59. Objections have been received that the proposed café use would result in additional nuisance in terms of noise, odour and litter. The proposed café use would not include any primary cooking facilities and therefore no extraction units are proposed. A café use is not generally considered to be a noisy activity. The applicant has advised that the café management would be responsible for clearing any litter in the immediate vicinity of the site. Waste and recycling for the café use would be the same facilities used for the wider development. Officers are satisfied that the proposed café use would not result in any undue nuisance.

Impacts during construction process

- 10.60. Objections have been received regarding the construction impacts of the development upon nearby residents. Whilst there is the potential for there to be

noise and disturbance to neighbouring occupiers during the construction process, this would not amount to a reason to withhold planning permission as these impacts would be temporary. Also, a construction management plan is proposed to be secured through a planning condition.

Neighbouring amenity summary

- 10.61. In light of the above assessment, officers are satisfied that the potential neighbouring amenity impacts of the development could be mitigated by planning conditions and that the proposal is consistent with policy 7.6 of The London Plan and policy BN.1 of the Local Plan.

Transport

Loss of car parking spaces

- 10.62. Policy T.3 of the LLDC Local Plan advises that new development should ensure that impacts upon public transport and the highway network be minimised and that developments should have no or minimum levels of car parking. Policy T.8 states that car parking should be a low level that is appropriate to its location.
- 10.63. The application site has excellent public transport accessibility, being located 100m from Stratford High Street DLR station and 450m from Stratford Regional Station and the site has the highest possible PTAL rating of 6b, which is considered 'excellent'. The site is also well connected to five bus routes that run along Stratford High Street and Burford Road links in to the cycle superhighway.
- 10.64. The proposed development would see the loss of 12 off street car parking spaces, with the spaces being converted into additional commercial floorspace. Because of the site's 'excellent' connections to public transport the loss of these car parking spaces is acceptable. Officers note that the loss of car parking is supported by TfL and is consistent with Local Plan policies.
- 10.65. On-street car parking is available on Burford Road, although a permit is required between 10am and 12 noon Monday to Friday. Temporary parking for a two-hour period is also available on the public highway immediately outside of the site between 6am and 10pm. Officers are satisfied that the loss of car parking is acceptable in this location and would encourage sustainable modes of travel. Car parking is available within the public highway should it be required, and occupants could apply to the Highway Authority for a business parking permit.
- 10.66. The ground floor plan indicates that a Blue Badge parking space is proposed outside of the entrance to the building. As this space is outside of the red-lined application site, this would need to be agreed with the Highway Authority. The provision of a Blue Badge space and reinstatement of the footpath are proposed to be included within the legal agreement for the development.
- 10.67. Objections were received from neighbouring occupiers that the loss of car parking spaces would result in additional traffic and car parking stress. Given the excellent public transport connections it is not anticipated that occupants would drive to the site. It is also noted that the application site is within a Controlled Parking Zone and a permit would be required from Newham Council to park in the surrounding streets during restricted hours.

Cycle parking

- 10.68. Policy T.9 of the LLDC Local Plan states that parking provision for cyclists should exceed London Plan standards. Cycle parking should be in a safe and secure location and work place cycle facilities should include adequate levels of showering and changing facilities.

- 10.69. The proposed development would provide 1,319sqm of additional Class B1 floorspace. When assessed against the cycle parking standards contained within table 6.3 The London Plan, which requires one long-stay cycle parking space per 90sqm of Class B1a floorspace, and one short-stay space per 500sqm; this would equate to the need for 15 long-stay and eight short-stay cycling parking spaces. If the existing and proposed floorspace (total 4,078sqm) are assessed together then the requirement would be for 45 long-stay and eight short-stay cycle parking spaces.
- 10.70. Officers note that the existing development does not provide any dedicated cycle parking spaces and that this application proposes a dedicated secure cycle store for 40 cycle parking spaces at ground level, as well as changing, showering and storage facilities and this exceeds the requirement for the additional floorspace that is proposed. Given that the existing development does not provide any cycle parking, officers are satisfied that the proposal for 40 spaces is acceptable and represents a significant improvement on the existing situation.
- 10.71. The submitted Travel Plan states that the cycle store would be for use by tenants and visitors, with visitors to the site given access via the reception. Given the nature of the use and the potential for short-stay visits by cycle couriers or visitors to the site officers consider it important that the proposal include short stay cycle parking within the public realm. The London Plan requirement for the site as a whole would be for eight short-stay cycle parking spaces and the applicant has agreed for this to be included within the heads of terms for the legal agreement, should permission be approved.

Inclusive design

- 10.72. Policy BN.5 of the LLDC Local Plan states that non-residential proposals will be acceptable where they respond to the needs of all users and provide an accessible and inclusive environment.
- 10.73. The proposed ground floor of the development would have a level threshold and the lift would provide step free access to the upper floors. An accessible shower and two accessible toilets are also proposed at ground floor level.
- 10.74. The upper floors of the development currently indicate that each floor would provide a unisex accessible WC and the applicant and officers are satisfied that the development is consistent with policy BN.5 of the Local Plan.

Flooding

- 10.75. The application site is located within Flood Zone 3 but is within an area that benefits from flood defences. The applicant has submitted a flood risk assessment that concludes that the risk from any flood event is low and can be overcome by mitigation measures in the event of a flood.
- 10.76. It is noted that the Flood Risk Assessment has been reviewed by the Environment Agency, who have not raised an objection to the proposed development. The London Borough of Newham have advised that insufficient surface water drainage information has been submitted and they have suggested a condition requiring the submission of a drainage strategy for the site. Officers are satisfied that if planning permission were to be granted that the concerns raised by LB Newham could be satisfactorily controlled by a planning condition.
- 10.77. PPDT's technical consultants have also reviewed the FRA and are satisfied with its content. If permission were to be granted, a condition would be imposed requiring the submission of a 'Safe access and egress strategy'. Subject to this, officers are satisfied that the development would not pose any unacceptable flooding risks and consider that the proposal is consistent with policy S.8 of the LLDC Local Plan.

Sustainability, Energy and Biodiversity

- 10.78. Policy S.4 of the LLDC Local Plan requires proposals for development to demonstrate that they achieve the highest levels standards of sustainable design and construction. The policy advises that non-domestic space will be required to demonstrate that it is capable of achieving a minimum of BREEAM 2011 'Very Good' rating.
- 10.79. The applicant has submitted an Energy and Sustainability Statement that advises that the proposal is consistent with the relevant policies from 5.2 to 5.9 of The London Plan. The Statement advises that the development is not proposing to accommodate any on-site renewables, though a carbon off-set contribution of £4,953.60 would be made through the legal agreement to bring the emissions to below the Target Emission Rate.
- 10.80. The application proposes a high efficiency variable refrigerant flow heat pump system that would serve the retained floors and would result in reduced carbon dioxide emissions and comply with the requirements for consequential improvements to carbon dioxide emissions.
- 10.81. The Energy and Sustainability Statement also advises that a BREAAAM pre-assessment has been completed that indicates that the development would achieve a 'Very Good' rating. Further details for the BREEAM assessment are proposed to be secured by planning condition, and this would include both the refurbished floors and the proposed extension.
- 10.82. Policy BN.3 of the LLDC Local Plan requires developments to maximise opportunities to protect and enhance biodiversity and that developments provide a net gain in the extent of habitat suitable for species to thrive. The proposed development would enhance the existing biodiversity through the provision of a first floor planted terrace and a green roof on the area of flat roof above the fourth floor.
- 10.83. In light of the above assessment, it is considered that the proposed development would satisfy the energy, sustainability and biodiversity policies of The London Plan and the LLDC Local Plan.

Heads of Terms

- 10.84. Policy 8.2 of The London Plan advises that planning obligations should be secured to address strategic and local priorities. This is supported by the LLDC Planning Obligations SPD which sets out the approach that LLDC will take in relation to s106 agreements.
- 10.85. It is considered that the following matters should be secured through a legal agreement.
- Carbon off-set contribution of £4953.60;
 - Blue Badge parking space provision;
 - Provision of eight short-stay cycle parking spaces within the public realm;
 - Highways agreement to reinstate the footway and remove the crossover and dropped kerb.

11. HUMAN RIGHTS & EQUALITIES IMPLICATIONS

- 11.1. Members should take account of the provisions of the Human Rights Act 1998 as they relate to the application and the conflicting interests of the Applicants and any third party opposing the application in reaching their decisions. The provisions of the Human Rights Act 1998 have been taken into account in the processing of the

application and the preparation of this report. In particular, Article 6 (1), of the European Convention on Human Rights in relation civil rights and a fair hearing; Article 8 of the ECHR in relation to the right to respect for private and family life and Article 1 Protocol 1 of the ECHR in relation to the protection of property have all been taken into account

11.2. In addition, the Equality Act 2010 provides protection from discrimination in respect of certain protected characteristics namely: age, disability, gender reassignment, pregnancy and maternity, race, religion, or beliefs and sex and sexual orientation. It places the Local Planning Authority under a legal duty to have due regard to the advancement of equality in the exercise of its powers including planning powers. Officers have taken this into account in the assessment of the application and Members must be mindful of this duty inter alia when determining all planning applications. In particular Members must pay due regard to the need to:

- Eliminate discrimination, harassment, victimisation and any other conduct that is prohibited by or under the Equality Act;
- Advance equality of opportunity between persons who share a relevant protected characteristic and persons who do not share it; and
- Foster good relations between persons who share a relevant protected characteristic and persons who do not share it.

11.3. Officers are satisfied that the application material and Officers' assessment has taken into account these issues.

12. CONCLUSION

12.1. The proposed alterations to the ground and first floors to third floors of the building are considered to be acceptable and are consistent with the development that was approved under reference 17/00368/FUL (as varied by 18/00200/VAR).

12.2. The proposal to demolish the existing fourth floor of the building and to erect a two-storey extension to create a six-storey building would result in a building that is consistent with the prevailing height of Burford Road and that is very similar in height to the neighbouring building at 10 Burford Road. Officers are satisfied with the bulk, massing, height, scale and appearance of the proposed building and that it would not detract from the character and appearance of the Burford Road streetscene.

12.3. PPDT's heritage consultants (MOLA) have identified that the proposal would have minimal impact upon the setting of the conservation area and that no key views of the conservation area would be affected and the proposal satisfies paragraph 132 of the NPPF. MOLA have also identified that the proposal would have a minor adverse impact, that would be less than substantial harm to the setting and significance of the Stratford Workshops, which are a non-designated heritage asset. Paragraph 135 of the NPPF advises that where there is an effect upon the significance of a non-designated heritage asset that a balanced judgement will be required having regard to the scale of any harm and the significance of the heritage asset.

12.4. The benefits of the proposal have been considered, including the provision of additional Class B1 workspace that would be suitable to small and medium sized businesses. It is the view of officers that the level of less than significant harm caused to the Stratford Workshops is not sufficient to justify the refusal of planning permission, particularly as the building would be similar in scale and height to the neighbouring building at 10 Burford Road. On balance, it is considered that the

public benefit of the additional business floorspace outweighs the less than substantial harm that would be caused to the Stratford Workshops.

- 12.5. The daylight and sunlight impacts of the development upon the Stratford Workshops have been assessed and officers are satisfied that the minor alterations are to an acceptable level that would not have a material impact upon those commercial workspaces.
- 12.6. Officers have assessed the impact of the proposed development upon the neighbouring residential development at 10 Burford Road and are of the view that there would not be any unacceptable harm caused to the residential amenity of those occupants. Any potential issues can be addressed through suitably worded planning conditions and the proposal is considered to be acceptable in this regard.
- 12.7. The application has been assessed against the reasons for refusing the previous application (reference 17/00552/FUL), which related to the massing and appearance of the building, the impact upon the Stratford Workshops, the impact upon neighbouring amenity and a significant reduction of daylight and sunlight to the Stratford Workshops. Officers are satisfied that the current scheme has overcome those reasons for refusal, as outlined in the report above. Accordingly, it is recommended that the application be approved, subject to the conditions set out below and the heads of terms for the legal agreement set out at parts 10.84 and 10.85 of this report.

13. PLANNING CONDITIONS

Conditions:

1. The development hereby permitted (hereinafter referred to as the "Development") shall be commenced (meaning initiated as defined in section 56(4) of the Town and Country Planning Act 1990, hereinafter referred to as "Commenced") before the expiration of three years from the date of this permission.

Reason: In accordance with Section 91 of the Town and Country Planning Act 1990 (as amended).

2. The development shall be carried out in accordance with the following details and plan numbers:

[To be inserted]

and the description of the development contained in the application and any other plans, drawings, documents, details, schemes or strategies which may have been approved by the Local Planning Authority pursuant to this condition.

Reason: To ensure that the development is undertaken in accordance with the approved drawings.

Acoustic Screen

3. The fourth and fifth floors of the development hereby permitted shall not be occupied until an acoustic screen for the air conditioning units has been first installed.. The acoustic screen shall thereafter be permanently retained and maintained.

Reason: To protect the amenity of nearby residential occupiers.

External Materials

4. The external materials used in the carrying out of this permission shall match the original external materials in type, colour, dimensions, and in the case of brickwork, bond and coursing and pointing.

Reason: To ensure that the new works blend in with the existing building, in the interest of visual amenity..

Aluminium Louvres

5. The fourth and fifth floors of the development hereby permitted shall not be occupied until the aluminium louvers for the air conditioning condenser acoustic enclosure have been provided as powdercoated, in a colour to match the fifth floor window frames. The aluminium louvers shall thereafter be retained and maintained.

Reason: To ensure that the new works blend in with the existing building in the interest of the visual amenity.

6. The fourth and fifth floor levels of the development hereby permitted shall not be occupied until the projecting fins to the rear elevation shown have been installed. The projecting fins shall thereafter be permanently retained.

Reason: To ensure that there is no unacceptable overlooking to neighbouring occupants.

Flood Risk Assessment

7. The development hereby permitted shall be carried out, and thereafter retained, in accordance with the approved Flood Risk Assessment prepared by RJ Fillingham Associated Ltd with project reference number 17-041 FRA dated August 2017.

Reason: To ensure the development is designed safely in reference to flood risk.

8. Prior to occupation of the development, the applicant shall provide a detailed Flood Emergency Plan in line with the recommendations in the FRA and R&D Technical Report FD2320/TR2.

Reason: To ensure the development has an plan in place for a flooding emergency.

Surface Water Drainage

9. No works relating to the development hereby permitted at roof level (with the exception of the demolition of the existing fifth floor) shall be commenced until the following information has been submitted to, and approved in writing by, the Local Planning Authority (in consultation with the Lead Local Flooding Authority):
 - i. a surface water drainage scheme for the site, based on sustainable drainage principles and an assessment of the hydrological and hydro-geological context of the development;
 - ii. details of how the proposed surface water drainage scheme will be maintained; and

- iii. a drainage scheme nominating the ownership, management and maintenance arrangements.

The submitted drainage strategy shall demonstrate the surface water run-off generated up to and including the 100 years plus Climate Change critical storm period will not exceed the run-off from the undeveloped site following the corresponding rainfall event.

Proposed 'brownfield' redevelopments classed as major development are required to reduce post development runoff rates for events up to and including the 1 in 100 year return period, with an allowance for climate change (i.e. additional 40%), to not more than three times the calculated greenfield rate (calculated in accordance with loH124). It is recommended that a SuDS treatment train is utilised to assist in this reduction

A completed 'Newham Surface Water Drainage Pro-forma for new Developments form' shall be completed with required detail and submitted for approval by the Local Planning Authority in consultation with the Lead Local Flooding Authority.

The development shall only be implemented in accordance with the details approved above.

Reason: To safeguard the public from surface water flood risk, protect the environment and respond to climate change. With regard to policy S.8 of the Local Plan; Policy 5.3, 5.12, 5.13, 5.14 of The London Plan and paragraphs 103 and 109 of NPPF.

Drainage – Verification Report

10. The development hereby permitted shall not be occupied until a verification report stating what works were undertaken, and that the drainage scheme was completed in accordance with the approved drainage strategy, have been submitted to and approved in writing by the Local Planning Authority.

Reason: To safeguard the public from surface water flood risk, protect the environment and respond to climate change. With regard to policy S.8 of the Local Plan; Policy 5.3, 5.12, 5.13, 5.14 of The London Plan and paragraphs 103 and 109 of NPPF.

Travel Plan Statement

11.
 - a) Before the development hereby permitted is first occupied, the applicant shall submit in writing and obtain the written approval of the Local Planning Authority to a Travel Plan Statement setting out the proposed measures to be taken to encourage the use of modes of transport other than the car by all users of the building, including staff and visitors.
 - b) At the start of the second year of operation of the approved Travel Plan Statement a detailed survey showing the methods of transport used by all those users of the building to and from the site and how this compares with the proposed measures and any additional measures to be taken to encourage the use of public transport, walking and cycling to the site shall be submitted to and approved in writing by the Local Planning Authority and the development shall not be carried out otherwise in accordance with any such approval given.

Reason: In order to encourage sustainable means of travel.

Noise

12. Noise emitted by all building services plant and vents shall not exceed a level 10dBA below the existing lowest LA90(10min) background noise level at any time when the plant is operating, and where the source is tonal it shall not exceed a level 15dBA below. The noise emitted shall be measured or predicted at 1.0m from the facade of the nearest residential premises or at 1.2m above any adjacent residential garden, terrace, balcony or patio. The plant shall be serviced regularly in accordance with the manufacturer's instructions and as necessary to ensure that the requirements of the condition are maintained. If at any time the plant is determined by the local planning authority to be failing to comply with this condition, it shall be switched off upon written instruction from the local planning authority and not used again until it is able to comply.

Reason: To prevent any significant disturbance to residents of nearby properties.

Green Roof

13. The development hereby permitted shall not proceed beyond superstructure level until a detailed drawing, full specifications and a detailed management and maintenance plan of the green roof with a substrate depth of no less than 80mm, not including the vegetative mat have been submitted to, and approved in writing by the local planning authority. The development shall not be carried out otherwise than in accordance with the details thus approved and shall be fully implemented before the premises are first occupied.

Reason: To promote biodiversity at the site and to assist in reducing surface water run-off.

The green roof area shall not be used as an amenity space or sitting out area at any time and shall only be accessed for maintenance purposes only. With the exception of access for maintenance purposes, the door to the green roof shall be kept locked at all times and shall be accessible by building management or maintenance staff only. Tenants and/or occupants of the building shall not be provided access to the green roof at any time.

Reason: To prevent unauthorised access to the green roof and in the interests of security and privacy.

Cycle Storage

14. The fourth and fifth floor levels of the development hereby approved shall not be occupied until the cycle storage facilities as shown on drawing 1343-01-001A have been provided; and thereafter such facilities shall be retained and the space used for no other purpose.

Reason: To ensure that satisfactory safe and secure bicycle parking is provided and retained for the benefit of the users and occupiers of the building.

BREEAM

15. The demolition of the existing fourth floor shall not commence until an interim BREEAM certificate has been provided to the Local Planning Authority demonstrating that the existing building and the roof level extension hereby permitted

have been registered with the BRE and have achieved an interim BREEAM rating(s) of Very Good or above.

Within three months of practical completion of the existing building's refurbishment and the roof level extension, a final BREEAM certificate shall be provided to the Local Planning Authority demonstrating that a final BREEAM rating(s) of Very Good or above have been achieved for the refurbishment and the roof level extension.

Reason: To ensure that high standards of sustainability are achieved and in accordance with policies 5.2, 5.3, 5.4A, 5.6, 5.7 and 5.9 of The London Plan and policies S.2 and S.3 of the Local Plan.

Construction Management Plan

16. The demolition of the existing fourth floor shall not commence until a construction management plan (CMP), has been submitted to and approved in writing by the Local Planning Authority. The Construction Management Plan shall be in accordance with all relevant legislation in force and substantially in accordance with all policy adopted and best practice guidance published at the time of submission. The CMP shall include as a minimum the following information:

- The arrangements for liaison with the relevant highway authorities;
- The arrangements for the temporary or permanent relocation of bus stops (if required);
- The parking of vehicles of site operatives and visitors;
- The loading and unloading of plant and materials including a construction logistics plan;
- The storage of plant and materials use in constructing the development;
- The erection and maintenance of security hoardings;
- Measures to control the emission of dust and dirt during construction;
- A scheme for recycling and disposing of waste resulting from demolition and construction work;
- Dealing with complaints and community liaison;
- Attendance as necessary at the LLDC Construction Co-ordination Group
- Details of routes and access for construction traffic. Including lorry holding areas; and
- Guidance on membership of the Fleet Operator Recognition Scheme and implementation of vehicle safety measures and driver training including cycle awareness and an on road cycle module.

The development shall be carried out in accordance with the approved details.

Reason: To ensure that the construction of the development uses best practicable means to minimise adverse environmental impacts.

Ventilation

17. Prior to the occupation of the development, full details of any and all mechanical systems including but not limited to heating, cooling, controls, fire systems, means of escape, ventilation/extraction or other associated plant equipment, shall be submitted to and approved in writing by the Local Planning Authority. The submitted details shall include full calculations, heating, cooling & ventilation. Equipment data

sheets & specifications of all filtration, deodorising systems, noise output and termination points, along with full details of the routing of the mechanical ventilation and the passive provision of associated ducting including scaled plans. Particular attention shall be given to the potential high-level discharge of kitchen extract air and the discharge of toxic or odoriferous extract air where a high level of discharge is usually essential. Reference shall be had to Guidance on the Control of Odour and Noise from Commercial Kitchen Exhaust Systems published by DEFRA. The development shall only be carried out in accordance with the approved details. The approved details shall be implemented prior to the first use of the building by the general public and shall thereafter be permanently maintained to the satisfaction of the Local Planning Authority.

Reason: To protect the amenity of neighbours and the safety of future building occupants.

Informatives:

1. The applicant is advised that the works to the highway to provide the Blue Badge parking space require the approval of the London Borough of Newham as the local highway authority. Please contact the London Borough of Newham on 0208 430 2000 or enquiries@newham.gov.uk.

Appendices:

- Appendix 1 – Existing Front Elevation
- Appendix 2 – Existing Rear Elevation
- Appendix 3 – Existing North Elevation
- Appendix 4 – Existing South Elevation
- Appendix 5 – Proposed Front Elevation
- Appendix 6 – Proposed Rear Elevation
- Appendix 7 – Proposed South Elevation
- Appendix 8 – Proposed North Elevation
- Appendix 9 – Façade design
- Appendix 10 – Site photograph looking south
- Appendix 11 – Site photograph looking north