

Committee: Development	Date: 27 th July 2011	Classification: Unrestricted	Agenda Item Number:
----------------------------------	--	--	----------------------------

Report of: Director of Development and Renewal	Title: Town Planning Application and Conservation Area Consent
Case Officer: Beth Eite	Ref No: PA/11/733 and PA/11/715
	Ward: Spitalfields and Banglatown

1. APPLICATION DETAILS

Location:	Christchurch Primary School, 47A Brick Lane, London, E1 6PU
Existing Use:	Primary School
Proposal:	Demolition of the existing youth centre and build a new nursery and community building in its place. A new primary school boundary wall is established with some landscape works to the community gardens and school playgrounds
Drawing Nos:	A005, A010, A011, A012, A015, A020, A051, A052, A1001, A1100, A1101, A1200, A1205, A1301, A1302, A1310, A1311, A1312, A1313, A1320
Documents:	Design and access statement, School statement of need, Historic environment assessment, Conservation Management Plan, Mechanical, electrical and public health report stage D by Pinnacle ESP, Structural engineering report by Heyne Tillett Steel, Consultation report, Arboricultural Tree report ref PS525 PA and Noise impact assessment and information provided by LUCIE Zalberg on 31st May.
Applicant:	Trustees of Christ Church Spitalfield C of E Primary School
Ownership:	Applicant
Historic Building:	Grade II Listed
Conservation Area:	Fournier Street/Brick Lane

2. SUMMARY OF MATERIAL PLANNING CONSIDERATIONS

The local planning authority has considered the particular circumstances of this application against the Council's approved planning policies contained in the Core Strategy 2010, London Borough of Tower Hamlets Unitary Development Plan, the Council's interim planning guidance (2007), the associated supplementary planning guidance, the London Plan and Government Planning Policy Guidance and has found that:

- 2.1 The proposal seeks to add a nursery classroom and community rooms to the school to provide additional education and community space. It is considered that the proposal is acceptable in land use terms and would be in accordance with policies 3A.18 and 3A.24 of the London Plan 2008 (Consolidated with Alterations since 2004)

and SP07 of the adopted Core Strategy 2010 which seeks to improve and expand existing primary and secondary schools.

- 2.2 The removal of the existing youth centre and erection of the proposed building is considered to enhance the setting of the grade I listed church and the Brick Lane and Fournier Street conservation area. The design, appearance and position of the proposed development would be acceptable and would not harm the significance of the designated heritage assets in accordance with Planning Policy Statement 5, policies DEV1 of the Unitary development plan 1998 policies CON1 and CON2 of the Interim Planning Guidance 2007 and SP10 of the Core Strategy Development Plan Document 2025 Adopted 2010.
- 2.3 The proposal results in the loss of 75sqm of open space, this space is not publicly accessible and is currently in an unusable state. The landscaping and design of the building would make more efficient and effective use of site and would allow for increased public access and usability of the site. This would outweigh the loss of the open space and the scheme would be acceptable in light of the requirements of policies EDU7 or OS7 of the Unitary Development Plan 1998, SP04 of the Core Strategy, policy 3D.11 and 3D.12 of the London Plan 2008 (Consolidated with Alterations since 2004) and policy SCF2 of the Interim Planning Guidance 2007.
- 2.4 The proposed extension is considered to be a sufficient distance away from any neighbouring residential properties to mitigate any direct impacts in terms of a loss of privacy, light or outlook. The increase in pupil numbers are not considered to have any significant impact upon the surrounding residents due to the nature of this busy location in accordance with policies DEV2 of the Unitary Development Plan 1998 and DEV1 of the Interim Planning Guidance 2007.

3. RECOMMENDATION

- 3.1 That the Committee resolve to **GRANT** planning permission and conservation area consent
- 3.2 That the Corporate Director Development & Renewal is delegated power to impose conditions [and informatives] on the planning permission to secure the following matters:

3.3 Conditions for full planning application

1. Time Limit – three years
2. Development to be carried out in accordance with the approved plans
3. Materials to be submitted for approval
4. Details of boundary treatments to be submitted for approval.
5. Management strategy outlining how community use will be facilitated
6. Travel Plan to be submitted
7. No deliveries or servicing to occur outside the hours of (7.30am – 8pm Monday to Friday, 8am – 1pm Saturday only)
8. Prior to occupation the cycle stands shall be installed.
9. Archaeological watching brief on the development when all excavation of footings or other below ground works take place
10. No construction or storing of materials within the root protection area of the trees.
11. Construction management plan
12. Construction Hours (8am – 6pm Monday to Friday, 8am – 1pm Saturday only)
13. Any other conditions(s) considered necessary by the Corporate Director Development & Renewal.

3.4 Informatives for full planning application

1. This planning application should be read in conjunction with conservation area consent PA/11/00733
2. Any other informatives(s) considered necessary by the Corporate Director Development & Renewal.

3.5 Conditions for Conservation Area consent

1. Time limit
2. Development to be carried out in accordance with the approved drawings
3. Contract for replacement scheme in place before demolition of the buildings occurs.
4. Any other conditions(s) considered necessary by the Corporate Director Development & Renewal.

3.6 Informatives for Conservation Area consent

1. This Conservation Area Consent should be read in conjunction with planning application PA/11/00715
2. Any other informatives(s) considered necessary by the Corporate Director Development & Renewal.

4. PROPOSAL AND LOCATION DETAILS

Proposal

- 4.1 The application seeks conservation area consent for the demolition of the existing youth centre which is located in a closed off area of garden between Christ Church gardens and Christchurch primary school. It is currently vacant and not accessible by the public. A new community centre and nursery building is proposed on the site.
- 4.2 The existing youth centre is 290sqm in area. This figure is inclusive of the storage hut which was recently demolished under conservation area consent reference PA/10/2377. The main youth centre building is 23m in width and an average of 10m in depth. To the northern end of the building there is a longer arm which extends along the side of Christchurch for a distance of 19m. At its closest point, the youth centre is 1m from the access to the Crypt of the church. The youth centre is 12m from the southern boundary with Fashion Street. This building was granted planning permission in 1969 and has remained in place since this time.
- 4.3 The new building would be positioned 4m from the southern boundary and 8m from the church, giving a more generous area between the crypt and the corner of the building than currently exists (5m at the closest point). The building would be of a contemporary design, 27m in width and up to 5m in height (2.5m in height at the eaves) with an asymmetrical roof. Coloured rooflights would be inserted into the roof to allow light through to the nursery classroom and hall beneath.
- 4.4 The edge of the new building would form the boundary between the publicly accessible Christchurch Gardens and the school. However as part of the licence agreement between the Council, the Rector of Christchurch and the school the new building and some of the school grounds including the tennis court must be open for 3 hours a day during the week for community use and 6 hours at weekends.

Site and Surroundings

- 4.5 The application site relates to Christchurch Primary School located on the western side of Brick Lane. Christchurch Primary School fronts Brick Lane and is a grade II listed building. The current building was erected in 1873/4 with later extensions at the rear, although there had been a school within the church yard since 1782 (positioned at the western end of the site fronting the former Red Lion Street).
- 4.6 The school currently provides education for children aged 3-11, with 21 places at the nursery and 163 children at the school. This is currently a low capacity for the school, in addition many of the classrooms fall below the standard set out in Building Bulletin 99 which is a government document providing guidance on current educational accommodation standards.
- 4.7 Currently the school boundary extends 6m past the boundary line of no. 2 Fournier Street. The area beyond this, which contains the youth centre and is currently not accessible to the public, was leased from the diocese to the community group who ran the facility. In 2009 the community group no longer required this site and a new lease agreement was set up to give 970sqm to create a larger publicly accessible garden fronting Commercial Street and 730sqm to extend the school boundary to provide the new nursery / community centre.
- 4.8 The site on which the school, youth centre and gardens are located was initially the church yard for Christ Church. This Grade I listed building was designed by Nicholas Hawksmoor as one of the 'Fifty new churches Act 1711' which sought to provide adequate, Anglican places of worship for the new populous suburbs. Construction work began in 1714 and was completed in 1729. Christ Church is said to be the most monumental of the Hawksmoor churches.
- 4.9 The site is also located within the Brick Lane and Fournier Street Conservation area.

Planning History

- 4.10 The following planning decisions are relevant to the application:

PA/68/661	The erection of a single storey building in connection with the use of part of the site as an adventure playground. Approved 10/2/1969
PA/03/00789	Alterations and refurbishment to a Grade II listed building – Approved 21/08/03
PA/03/01259	Construction of a veranda to south side of nursery (rear of school) Approved 1/12/03
PA/07/01562	Erection of a new environmental centre in existing courtyard. Alterations to external façade including new doors and windows to front elevation. Approved 8/8/07
PA/07/02950	Erection of a wooden building for use as an office and storage area for school staff. Approved 3/1/09
PA/08/02529	Construction of a single storey shelter play structure within the school playground. Approved 20/1/09.

PA/10/2377	Demolition of temporary building. Approved 27/1/2011
PA/10/1683 and 1684	Remodelling, restoration and extension to existing primary school including the provision of 6 classrooms, a full size main hall, full service kitchen, group rooms, meeting rooms, staff rooms and storage. Approved 18/11/2010

5. POLICY FRAMEWORK

- 5.1 For details of the status of relevant policies see the front sheet for “Planning Applications for Determination” agenda items. The following policies are relevant to the application:

Core Strategy Development Plan Document 2025 (adopted September 2010)

Policies	SP03	Creating healthy and liveable neighbourhoods
	SP04	Creating a green and blue grid
	SP07	Improving education and skills
	SP10	Creating distinct and durable places
	SP12	Delivering placemaking

Unitary Development Plan 1998 (as saved September 2007)

Policies	DEV1	Design requirements
	DEV2	Environmental Requirements
	DEV14	Tree Preservation Orders
	DEV37	Alteration of listed building
	DEV51	Soil tests
	EDU7	Loss of school play space
	OS7	Loss of open space

Interim Planning Guidance for the purposes of Development Control

Policies	DEV1	Amenity
	DEV2	Character and design
	DEV3	Accessible and inclusive design
	DEV16	Walking and cycling routes and facilities
	DEV22	Contaminated Land
	SCF2	School recreation space
	CON1	Listed buildings
	CON2	Conservation areas

Spatial Development Strategy for Greater London (London Plan)

	3A.17	Addressing the needs of London’s diverse population
	3A.18	Protection and enhancement of social infrastructure and community facilities
	3A.24	Education facilities
	3C.1	Integrating transport and development
	3C.2	Matching development to transport capacity
	3C.22	Improving conditions for cycling
	3D.11	Open Space
	3D.12	Open space strategies
	4B.1	Design principles for a compact city
	4B.5	Creating an inclusive environment
	4B.8	Respect local context and communities

Government Planning Policy Guidance/Statements

PPS 1	Sustainable development and climate change
PPS 5	Planning and the historic environment

Community Plan The following Community Plan objectives relate to the application:

- A better place for living safely
- A better place for living well
- A better place for learning, achievement and leisure
- A better place for excellent public services

6. CONSULTATION RESPONSE

6.1 The views of the Directorate of Development & Renewal are expressed in the MATERIAL PLANNING CONSIDERATIONS section below.

6.2 The following were consulted regarding the application:

Environmental Health (Noise & vibration)

6.3 The acoustic report and supplementary information provided by LUCIE Zalberg on 31st May confirm that there would not be any adverse noise impacts.

Highways

6.4 No information has been submitted detailing the trip generation associated with the existing and proposed nursery and community centres. Highways require this information in order to fully assess this application.

(Officer response: The application seeks to increase the capacity of the school back up to the level which it originally was i.e. a full one form entry. It is not considered that the trip generation associated with this and the community facility would be significant or detrimental to the free flow of traffic. However, as the school has no travel plan at present, one would be requested by condition as part of this application.)

6.5 Further information is also required detailing the existing and proposed number of parking spaces provided in the car park area accessed from Fournier Street.

(Officer response: This car park is used by the Church, not the school and is not included within the application boundary.)

6.6 It is not clear where the cycle parking facilities have been located or how many cycle parking spaces are to be provided.

(Officer response: 16 bicycle stands are proposed as part of the application in a store to the south of no. 2 Fournier Street.)

6.7 How will the proposed community centre be serviced?

(Officer response: The servicing would continue to occur from Fournier Street as per the existing arrangement.)

Transport for London

6.8 It is proposed to provide cycle parking for 16 bicycles, whilst this is welcomed bicycle parking should be provided at a rate of 1 per 10 staff or students and therefore 24 spaces should be provided.

(Officer response: This application seeks permission to increase the capacity of the school by 46 pupils and it is not considered reasonable to expect full provision for the school (which currently has no cycle parking) to be accommodated within this application.

Tree Officer

- 6.9 Providing the recommendations of the BS5837(2005) report are complied with, I have no objections to the works proceeding

English Heritage

- 6.10 This is an extremely sensitive site and the proposal has been subject to much discussion with the architects, representatives of the Diocesan Advisory Board and officers of the Borough. The form of the proposed structure has undergone substantial revisions throughout this process.
- 6.11 The existing 1970's flat roofed, single storey Youth Centre is a building of no architectural merit. Whilst it is surprisingly inconspicuous in views from Commercial Street towards Christ Church, it fails to respond in any positive way to the setting of the church. The northern 'wing' of the existing building encloses a long narrow space adjacent to the church. This space is dark and unattractive and the geometrical relationship between the north west corner of the Youth Club and the southern edge of the steps to the important south door of the church is spatially very uncomfortable.
- 6.12 English Heritage believes the proposed structure is more sympathetic to the setting of the church. The revised length of the northern flank is much shorter than is the case with the existing building and this would result in a less confined space adjacent to the church. The southern entrance steps would be given a more generous setting.
- 6.13 The proposed building, whilst incorporating a pitched roof, is kept low to the ground in order to limit its impact on views of the church and gardens, particularly in views looking east from Commercial Street. The glazed centre of the building is intended to allow views through it, along the axis of the former graveyard and the building is kept away from the southern boundary of the gardens to ensure views remain through to the rear of the site from Commercial Street. Earlier pre application proposals included metal railings designed to compliment the character of the gardens and we feel that the inclusion of the rural 'five bar gate' type motif and timber railings is inappropriate in this context. (**Officer response:** *It is considered that the details of the boundary treatments could be dealt with by condition*)
- 6.14 The form of the western side of the proposed structure was designed to negate the requirement for the existing security fence which crudely and intrusively separates Christ Church Gardens from the Community Gardens to the east. The removal of this fence would open up a wider area of improved open garden space for everyday public use. We are disappointed by the apparent lack of clarity with regard to the implementation of the carefully designed scheme by Latz and Partners for reconfiguring this enlarged open space. We feel that the proposed landscape would improve the setting of Christ Church.
- 6.15 We support the long term aim of opening up the gates at the rear (east end) of Christ Church, which form part of the listed building to facilitate public access to the school and to create a new and attractive route from Commercial Street to Fournier Street.
- 6.16 This proposal has aroused much passionate debate. There is a strong and arguably understandable desire to open up views of the south side of the church and reunite the subdivided spaces which formed parts of the original graveyard. However English Heritage feels that, compared with the present situation, the current proposal, particularly if coupled with the landscape scheme, has the potential to improve the setting of Christ Church and this part of the Brick Lane & Fournier Street

Conservation Area.

English Heritage (Archaeology)

- 6.17 The proposed development site is situated in an area where heritage assets of archaeological interest may be anticipated. Although the site retains a moderate potential for archaeological remains from the Roman period, the primary interest is in the extensive burial ground associated with Christchurch Spitalfields, which was in use from 1729 to 1859 and is anticipated to contain c. 67,000 burials. The burial ground is considered to be of high archaeological significance due to its size and the demographics of the population buried there.
- 6.18 The applicants have clearly put a great deal of thought into designing buildings that can be constructed with minimal ground disturbance which have a much reduced potential to impact upon human remains. This approach is sensitive to the buried historic environment, particularly in regards to the new nursery and community building, where the proposed raft foundation are intended to cause as little damage as possible.
- 6.19 Although much of the risk has been reduced, there is still the potential for the upper part of the burial sequence to be encountered at localised areas, such as the extension of the existing foundations for the new nursery building, the school extension and where services cannot follow existing routes. Landscaping arrangements may also have the potential to disturb archaeological deposits.
- 6.20 I do not consider that any further work need be undertaken prior to determination of this planning application but that the archaeological position should be reserved by attaching a condition to any consent granted under this application. This is in accordance with local policies and Policy HE 12.3 of PPS5.

7. LOCAL REPRESENTATION

- 7.1 A total of 137 neighbouring properties within the area shown on the map appended to this report were notified about the application and invited to comment. [The application has also been publicised in East End Life and on site.] The number of representations received from neighbours and local groups in response to notification and publicity of the application were as follows:

No of individual responses:	556	Objecting: 315 Of which:	Supporting: 242 Of which:
		<ul style="list-style-type: none">• 252 from residents outside the Borough.• 48 from residents within the Borough.• 15 with no address	<ul style="list-style-type: none">• 57 from residents outside the Borough• 176 from residents within the Borough• 9 with no address.
No petitions received	0		

- 7.2 The following local groups/societies made representations:

- The Spitalfields Historic Buildings Trust
- The Friends of Christchurch Spitalfields
- The Spitalfields Society

- Ancient Monuments Society.
- The Georgian Group

The following issues in objection were raised in representations that are material to the determination of the application, and they are addressed in the next section of this report:

- 7.3 The church was designed to be viewed from the south and from the west.
(Officer response: When the church was originally constructed there were buildings along Red Lion Street which ran in front of Christ church. These were demolished to make way for Commercial Street in 1845. Therefore at the time of construction and for 116 years after views towards the church from the south were restricted. This development would enhance the views of the church from the south and west from the current situation as the new building would be further away from the south side of the church than the current youth centre.)
- 7.4 When the temporary permission was granted for the building in 1969 the church was derelict and there were very serious reservations regarding the permission from Tower Hamlets, the Greater London Council, the Royal Fine Art Commission and the Diocese of London. The development should be viewed in the context of the upgraded church.
(Officer response: The decision notice for the 1969 youth centre did not relate to a temporary consent. There was no requirement to remove this structure after a certain time period. Whilst there were reservations regarding the installation of the youth centre, it was still approved and it is considered that the new building would be a significant improvement in design terms to the current structure.)
- 7.5 It is wrong to spend £1million on a facility where there is adequate space in the locality to provide the additional accommodation for the school and the community.
(Officer response: The new building would create enhanced facilities for the school and would facilitate better spaces for the community than can be provided within the existing school. It is not feasible to expect children to utilise space elsewhere in the area for their schooling as it would entail logistical problems in moving children and equipment. Encouraging investment in primary school schools is supported by Core Strategy policies.)
- 7.6 Extending the gardens will have a positive impact on the health and wellbeing of the wider community and should not be built over.
(Officer response: Whilst not included in the scope of this planning application, there are plans to extend the public gardens from its current size to beyond the fenced off area to the boundary with the new school building. This is a separate project being undertaken by the Council's parks department. There is a loss of 75sqm of open space but this is currently not publicly accessible open space.)
- 7.7 There is an abundance of community facilities in the local area, Spitalfields does not need another community centre.
(Officer response: It is accepted that there are a number of places where community groups can meet within the local area, however these do not provide the same quality of open space including the playground and tennis court that the school can provide. This scheme also provides additional facilities for the school in terms of an additional school hall and adequately sized nursery classroom.)
- 7.8 This proposal is contrary to the core principles of the Council's conservation strategy. The height, scale, massing, alignment and materials of the proposed development are alien to the Brick Lane and Fournier Street conservation area.

(Officer response: The core principles of the conservation strategy are to preserve or enhance the character and appearance of the conservation areas. It is considered that this scheme would enhance the locality by removing an unsightly building situated close to the grade I listed building and replacement with a high quality, contemporary building located further from the south side of the church.)

- 7.9 The school does not require the additional space as the previous application PA/10/1683 provided for the additional internal floor area for the school.

(Officer response: The extension provided under application PA/10/1683 did grant extra space for the school in that it allowed 6 of the classrooms and the hall to meet the requirements set out in Building Bulletin 99. If permission is not granted for the community and nursery classroom building, the school will again fall below the required standard as the nursery classroom will need to be placed inside the existing footprint of the building.)

- 7.10 The Ofsted report for the school does not identify that there is a need for additional space or facilities.

(Officer response: Whilst not directly a planning issue, Ofsted reports generally focus on the quality of teaching and the facilities available to pupils, rather than the standard of the buildings themselves. The school has been identified by the Local Education Authority as one that is significantly deficient in terms of its accommodation which was identified as a priority for the Primary Capital Programme.)

- 7.11 There are likely to be traffic problems arising from the entrance onto Fournier Street.

(Officer response: Servicing currently occurs from the Fournier Street access and it is not anticipated that this would increase significantly as part of this proposal. The total increase in pupil numbers is 46 (or 73 if taken together with application PA/10/11683). This is a busy location and any additional vehicular or pedestrian traffic would not be significant.)

- 7.12 It is possible that the school wish to take up all of the land to Commercial Street.

(Officer response: The application shows the boundary line of the school being moved westwards but not up to Commercial Street.)

- 7.13 There is no guarantee that the proposed building will remain as a facility for the community and will be absorbed into the school solely for their purposes.

(Officer response: This could be controlled by condition and is also included within the license agreement from the Rector of the church which grants the use of the land to the school but only on condition that it be open to the public for a certain amount of hours each day and at the weekends.)

- 7.14 The building should be sited along the southern boundary of the school, away from the church.

(Officer response: There are a number of windows along the southern boundary of the site which belong to properties on Fashion Street. Locating the building along this boundary would have significant impacts on the light possible into these windows. It would also require works to the existing playground of the school and reconfiguration of the tennis court and would likely lead to a reduction in the size of the ball court area. Finally, the new building proposes to utilise the foundations of the existing youth centre in order to reduce the level of disturbance to the burial ground beneath.)

- 7.15 The nursery is positioned quite far from the main school building which is regrettable.

(Officer response: The nursery is still within the grounds of the school and its location allows for a separate playground for the pupils. This situation is much preferable to utilising various community halls in the local area.)

- 7.16 The on-going operational costs of the development will be a burden to the school.
(Officer response: *This is not considered to be a material planning consideration and is a matter for consideration by the Local Education Authority and the school.*)
- 7.17 The materials that are proposed do not sit well with the Portland Stone of Christ Church.
(Officer response: *The details of the materials are yet to be resolved and would be done so by condition. The brick work proposed for the elevation has taken its cue from the surrounding walls within the churchyard, rather than the stone of the church.*)
- 7.18 The size and height of the building is too large and it will intrude on the views of the church from the south and restrict the use of the crypt and the church.
(Officer response: *The views and access to the church would be improved in relation to the existing situation. The size and height of the building are as small as possible in order to provide sufficient floor area for the required accommodation.*)
- 7.19 The walls that surround the rectory garden should be preserved.
(Officer response: *There is no proposal to alter the rectory wall.*)
- 7.20 The development will lead to a loss of light to the ground floor windows of no. 11-29 Fashion Street.
(Officer response: *There are a number of windows which are located in the rear wall of 11-29 Fashion Street which are positioned on the boundary with the application site. These windows do not serve residential accommodation and as such limited weight can be given to the consideration of a loss of light to no. 11-29. However, the proposed building would be located 4.5m from these windows and would be 2.5m in height at its closest point so the loss of light would be minimal.*)
- 7.22 There may be significant noise and disturbance to the properties along Fashion Street.
(Officer response: *A noise report has been submitted as part of the application and has been reviewed by the environmental health team and found to be acceptable. The scheme would not therefore cause significant noise and disturbance.*)
- 7.23 The development will block views towards Christ Church from Fashion Street.
(Officer response: *At present the views from the properties on Fashion Street are limited to the storage hut (recently demolished) and youth centre and it is not considered that the replacement with the new building would be detrimental to the views from Fashion Street.*)
- 7.24 The crypt could be used for a community centre which would be much cheaper than the current proposal.
(Officer response: *The building provides for a community hall and also a nursery classroom which could not be accommodated within the crypt.*)
- 7.25 The community can already use the existing school hall. The tennis courts can already be used by the community but it is not easy to book and the school make it difficult to use, only be available at restricted times.
(Officer response: *The community facilities would be enhanced by this proposal which is encouraged under policy SP03 of the Core Strategy which seeks to maximise social and community facilities.*)
- 7.26 The Conservation Management Plan is wholly inadequate to assess this application.
(Officer response: *The conservation management plan is considered to be*

acceptable to determine this application.)

- 7.27 The area between the garden railings and the barn doors will become a receptacle for rubbish

(Officer response: *This area is included within the site boundary of the school and it is expected that maintenance issues, including the clearing up of refuse, would be the responsibility of the school.)*

- 7.28 The space between the south side of the church and the building is too narrow and peters out into a dead end and creates an out-of site alleyway which will contribute to anti-social behaviour.

(Officer response: *The area between the new building and the church is significantly wider than the current space between the youth centre. There is no 'dead-end' as the pathway continues round to the Fournier Street access at the rear of the church.)*

- 7.29 The solid boundary wall to the west creates a barrier between east and west.

(Officer response: *There is a need for security to the school, hence the height of the boundary wall. The large glass doors do however allow views through from the gardens to the school site, therefore breaking down the barriers between the east facing school at present and the west facing Christchurch gardens.)*

- 7.30 Concerns over the disruption caused by the construction.

(Officer response: *Any impacts from the construction would be temporary in nature. Given the size of the proposal, the condition restricting the hours of construction and the construction management plan it is considered that the impacts upon amenity would not be significant)*

- 7.31 Opening up the area at the rear of the church may create a place where people can congregate which leads to anti social behaviour.

(Officer response: *The main entrance to the school is via Brick Lane, when the scheme to open up the western end of the park and community gardens is taken forward by the parks department the area around the church is also anticipated to be opened up to allow access both to the community building and between Fournier Street through to Christ Church gardens, thereby increasing permeability and reducing anti-social behaviour. The gates would still be locked at night when the majority of anti-social behaviour occurs.)*

- 7.32 There should be conditions governing the hours of deliveries and servicing.

(Officer response: *This would be the case.)*

- 7.33 The following matters were raised in support:

- The school is a focal point for the local community and is in need of extra space.
- The works involve the demolition of an unused eyesore and replacement with a building which will benefit the school, church and community.
- The new building is sympathetic to its surrounding.
- The new building will open the school up to Commercial Street, ending the barrier between West and East.
- The building will provide security and supervision to the park which suffers from anti-social behaviour at present.
- The works would lead to a significant improvement in the quality of the teaching environment
- The community centre will allow parents to learn English.
- The centre will allow access to extra curricular activities

- The proposal respects the heritage of the site.
- There is no evidence of any funding being available for any alternatives to this proposal.
- The building is excellently designed.
- The proposal would make deliveries easier to the site and would also improve safety.
- The school has worked hard to increase their role within the local community and this application will provide the facilities to take this work further.
- The architect has created a generous opening between the hall and the garden which will encourage a relationship between the school, garden and church.

8. MATERIAL PLANNING CONSIDERATIONS

8.1 The main planning issues raised by the application that the committee must consider are:

1. Principle of the Land Use.
2. Impact on the listed building and conservation area
3. Design and Layout of the Development.
4. Impact on the amenity of adjoining occupiers and the surrounding area
5. Highways
6. Trees

Principle of the land use

Expansion of the school

8.2 Currently the school is operating at a capacity lower than the standard one form entry and the number of children attending the school has fallen over time for a number of reasons, including the general lack of facilities and space within the school. This application, along with the application for the extension to the courtyard (approved in 2010) seeks to provide sufficient space for the school to operate as a full, one form entry school. The school currently provides community facilities in the way of a toy library, family learning room and use of the school hall.

8.3 In order to create a school which can provide for a full one form entry and maintain these community facilities additional floorspace is required. Policies 3A.18 and 3A.24 of the London Plan 2008 (Consolidated with Alterations since 2004) (London Plan) seek to provide appropriate and improved community and educational facilities, including schools, within easy reach by walking and public transport for the population that use them. Policy SP07 of the Core Strategy (CS) also seeks to deliver the policy requirements of the London Plan. These policies also seek to increase the provision, both to deal with increased population and to meet existing deficiencies in order to achieve the best schools and facilities to support education excellence.

Provision of community facilities

8.4 The provision of community facilities is encouraged within the Core Strategy. Policy SP03 seeks to create healthy and liveable neighbourhoods and this will be achieved in part by providing high-quality social and community facilities. Opportunities for community facilities should be maximised as part of new developments and they should be located in accessible locations for local people to use.

- 8.5 This development proposes to upgrade the facilities which are currently offered by the school, these include the provision of a toy library, a family learning centre (which provides advice for parents and language classes for those whom English is not their first language) and use of the hall for meetings / recreation. The improved hall within the school would also be open to members of the public, as would the tennis court.
- 8.6 A management regime would be requested by condition to ensure that the facilities proposed would be open and accessible to members of the local community and not just for use by the school.
- 8.7 The existing building on the site (approved in 1969) provided a facility aimed at young people, providing a recreational space for those aged 8 to 25. This use ceased approximately two years ago. This application seeks to provide additional space for the school and re-provide community facilities on the site.
- 8.8 Concern has been raised by a number of objectors regarding the lack of need for community facilities within Spitalfields. Whilst it is noted that there are a number of halls / meeting rooms in the area that are available to rent, they do not have the same association with the school. The parents of children who attend the family learning classes are likely to be less inclined to visit other places as there will not be the same link to the school. The quality of the community space provided needs to be a consideration, not just the quantity of spaces available.
- 8.9 There is an existing community facility on the site of the proposed building and the additional provision of social and community uses are encouraged through the Council's Core Strategy. It is therefore considered that the development accords with planning policy.
- 8.10 It is considered that the proposal would provide improved educational accommodation for the existing school in accordance with the aforementioned policies and is therefore acceptable in principle.

Loss of open space

- 8.11 The existing youth centre and storage hut have a combined floor area of 290sqm. The proposed building would have a floor area of 365sqm, therefore leading to a reduction of 75sqm of open space. Improving the quality of the teaching spaces and expanding existing educational facilities is encouraged within the London Plan, however additional internal floorspace for a school should not be at the expense of outdoor recreation space. This is outlined in policies EDU7 of the Unitary Development Plan (UDP) and SCF2 of the Interim Planning Guidance (IPG) which states that applications will not normally be granted for proposals which lead to a loss of play space or sports facilities.
- 8.12 Furthermore, policy OS7 within the UDP and SP04 of the Core Strategy states that planning permission would not normally be granted for any development which results in the loss of any public or private open space. Despite this policy requirement it is considered that in this instance the development would be acceptable. The area around the youth centre and storage hut is overgrown and unusable by the school or by the community, it is currently closed off from Christ Church Gardens by a boundary fence. The proposed development would bring this area back into active use creating a more usable internal and external area for the school and members of the community wishing to use this resource.
- 8.13 The London Plan (policy 3D.12) states that where appropriate public access to

privately owned spaces should be provided on sites which are no longer required for their original purpose. It is considered that this development would fall within this policy criteria as the new building would allow the use of the community gardens which is currently inaccessible to the public. This would increase the amenity value of the site for the local community in comparison to the existing situation.

- 8.14 It should also be noted that there would be no loss of public open space, under this proposal Christ church gardens would remain at 960sqm. There is a separate agreement between Christ Church and the Council's park department to open up the community gardens, up to the line of the new school building which would increase the public open space by an additional 970sqm. There is £50,000 of s106 funding from the Bishops Square development to undertake these works and there is the intention to open up the gardens and re-landscape following the determination of the planning application for the community centre.
- 8.15 Concern has been raised about the school increasing their boundary westward and taking over areas which should be opened up the public as garden space. Whilst the school boundary has been altered, this is not at the expense of the public open space as the whole site is owned by the Trustees of Christchurch. When the youth centre surrendered their lease of the central area of the site the church agreed to lease some of this area to the school for their new nursery and community building and to allow the area up to this building from the west to be added to Christ Church gardens for general recreational use by the public.
- 8.16 Taking all of the above into account it is considered that the principle of the use is acceptable and in accordance with planning policies.

Impact on the listed building and conservation area

- 8.17 The existing youth centre is considered to be an unsympathetic addition to the gardens and there is no objection to its removal. The new building is considered to enhance the setting of the Grade I listed Christ Church as it would provide a more generous space around the church and allow more views of the south elevation of the church.
- 8.18 A number of objectors have stated that there should be no building located within the grounds of Christ church and that it was intended to be viewed from the south and west. The site has been in flux since the erection of the church in 1729 and should be viewed in this context. Until 1845 there were buildings located along the front of the church yard blocking all views of the south side of the church from all but the rear of these properties. Following the demolition of these properties on Red Lion Street for the construction of Commercial Street, the site was opened up and views through to the south side of the church were possible.
- 8.19 Whilst it is acknowledged that the existing youth centre could have been designed as a more sympathetic building to its setting, the structure has remained in place for approximately 40 years and is now an established feature. To remove the building and not provide a replacement is unrealistic. It would be possible for the school (under the new license agreement) to utilise the existing building for their purposes without constructing the new building but it would mean the existing poor quality building would remain, being detrimental to the setting of the listed building and providing substandard accommodation for the school and community.
- 8.20 Important to note is also the history of the school, whilst not as significant a heritage asset as the Grade I listed church, it is nevertheless an integral part of the locality and

conservation area. The school has existed on this site since 1782 (constructed in its current location in 1873/4) and forms an important part of the community. Its continued survival and improvement is encouraged in accordance with conservation principles.

- 8.21 This development should be considered in light of the requirements in PPS 5 'Planning and the historic environment'. When considering developments attention should be paid to the nature, extent and level of significance of the heritage asset. The new building would be constructed close to a grade I listed church, falls within the curtilage of a grade II listed school and is located within a conservation area. As such it is considered that the building would be located within the setting of significant heritage assets.
- 8.22 The application is supported by the Council's conservation team and is broadly supported by English Heritage. Concern was raised regarding the 5-bar gate shown at the entrance to the community centre from Christ church gardens. A condition would be added to this permission to allow for further consideration of this boundary treatment.
- 8.23 There should be a presumption in favour of the conservation of designated heritage assets and the more significant the designated heritage asset, the greater the presumption in favour of its conservation should be. Where there would be harm to or loss of significance the local authority should refuse consent unless it can be demonstrated that it is necessary in order to deliver substantial public benefits that outweigh that harm or loss.
- 8.24 In this case it is not considered that there would be any damage or loss of significance to any of the above mentioned designated heritage assets by the removal of the existing youth centre and replacement with a high quality building which would enhance the current situation.

Design and Layout of the Development.

- 8.25 Policy SP10 of the Core Strategy requires new developments to promote high quality design, be sustainable, accessible and attractive and well integrated into their surroundings.
- 8.26 The new building would be contemporary in its appearance and does not attempt to create a pastiche of the historic buildings on the site. It has been designed to at a lower level to ensure it does not compete with the significance of Christ Church. It is between 2.5m and 5m in height in comparison to the existing building which is 3m in height overall.
- 8.27 The building would be constructed on a timber frame with brick walls and metal sheeting on the roof. The exact materials are yet to be determined though a choice of aluminium, copper and zinc has been suggested by the applicant. The brick would match the boundary wall to the Rectory and would therefore be in keeping with the character and appearance of the locality.
- 8.28 The large glass doors to the front and rear elevation of the building give it a light-weight appearance and allow views through from both the school and the community gardens.
- 8.29 The building, whilst relatively large in footprint, is low in height and positioned further away from the church than the current building. It is considered that the design

principles that have been applied are appropriate and would provide a high quality building that is in accordance with the Councils policies on character and design.

Inclusive Access

- 8.30 Policy DEV1 of the UDP also identifies the need to provide adequate access for disabled people, with policy DEV3 of the IPG going further and stating that new buildings are required to incorporate inclusive design principles, ensuring they can be safely, comfortably and easily accessed by as many people as possible without undue effort, separation or special treatment. This application seeks to provide a fully accessible building that is all on one level which would be suitable for use by disabled pupils, teachers and members of the public.
- 8.31 Overall, it is considered that the design and layout of the proposal is acceptable and conforms to design policies DEV1 of the UDP, DEV2, DEV3, CON1 and CON2 of the IPG and policy SP10 of the Core Strategy.

Impact on the amenity of adjoining occupiers and the surrounding area

- 8.32 Policy DEV2 of the UDP and DEV1 of the IPG seek to ensure that all new developments protect the amenity of residential occupiers within the surrounding area. There should be no significant loss of daylight or sunlight, no significant loss of outlook or loss of privacy, nor should any development create unacceptable levels of noise, vibration, artificial light, odour, fume or dust pollution throughout the lifetime of the development.
- 8.33 The neighbouring properties which are closest to the proposed development are no. 2 Fournier Street to the north and 11-29 Fashion Street to the south. The proposed building would be 14m away from the boundary wall of 2 Fournier Street and the impact from this would not be significant, given the height of the building. A second building is proposed adjacent to the boundary with no. 2 Fournier Street which would be a store for bicycles, bins and maintenance equipment. This however, would be no higher than the boundary wall of this property and would therefore have no significant impact upon the amenities of the occupants of this property.
- 8.34 To the south of the site at no. 11-29 Fashion Street there are a number of windows which are positioned directly along the boundary with the application site. These do not serve residential properties and therefore the impact of the building needs to be considered in light of this. The proposed building would be located 4.5m from, and to the north of these windows and would be 2.5m in height at its closest point. Therefore the loss of light would not be significant.
- 8.35 In terms of outlook, at present the views from the properties on Fashion Street are limited to the storage hut (recently demolished) and the youth centre. It is not considered that the replacement with the new building would be detrimental to the views from Fashion Street properties
- 8.36 The noise report has provided information to demonstrate that there would be no significant noise and disturbance from the use of the building and conditions would restrict the hours of construction. The construction management plan also seeks to alleviate the impacts of the construction of the development on the occupants of the surrounding properties.
- 8.37 Overall, subject to conditions it is not considered that there would be any significant impact from the proposed works on the amenity of local residents or the surrounding

area.

Highways

- 8.38 The application seeks to provide sufficient space to allow the school to expand to a full capacity single form entry. This is how the school should be operating and would represent an increase of 73 pupils, this figure is a result of the combination of the proposed application and the approved application for the extension to the school.
- 8.39 The majority of pupils and parents walk to the school so there is considered to be an insignificant increase in the number of trips generated by the increase in capacity. Having said this, the school does not have a travel plan at present in order to co-ordinate sustainable methods of transport. As part of this application it is considered appropriate to request a travel plan by condition in order to ensure that sustainable transportation methods are continued to be encouraged by the school.
- 8.40 The servicing would take place from the same access on Fournier Street and it is not anticipated that there would be any significant increase in servicing requirements as part of this scheme.
- 8.41 The scheme proposes 16 cycle parking spaces in a store at the Fournier Street entrance. Whilst this does not provide sufficient space for 10 percent of the total pupils and staff, it provides for significantly more than 10 percent of the proposed increase in staff and pupils. This level of provision is considered to be acceptable and a condition requiring the cycle stands to be installed prior to occupation of the new building would be included.

Trees

- 8.42 There are a number of protected trees on the site. The closest tree to the proposed building is a London Plane tree. The arboricultural report that has been submitted with the application has assessed the quality of this tree as 'high' and therefore ensuring the protection of this tree is important to the character and appearance of the site.
- 8.43 The report recommends that protective fencing be erected around the trees on site to ensure that they are not damaged by the construction works. This also prevents the storage of materials within the root protection area of the trees.
- 8.44 The proposed community building would be located outside of the root protection area of the trees. In order to ensure there is no disturbance to the potential burial remains underneath the structure a method of construction is proposed which involves minimal disruption to the ground. This also assists in protection of any tree roots which are outside of the root protection area.

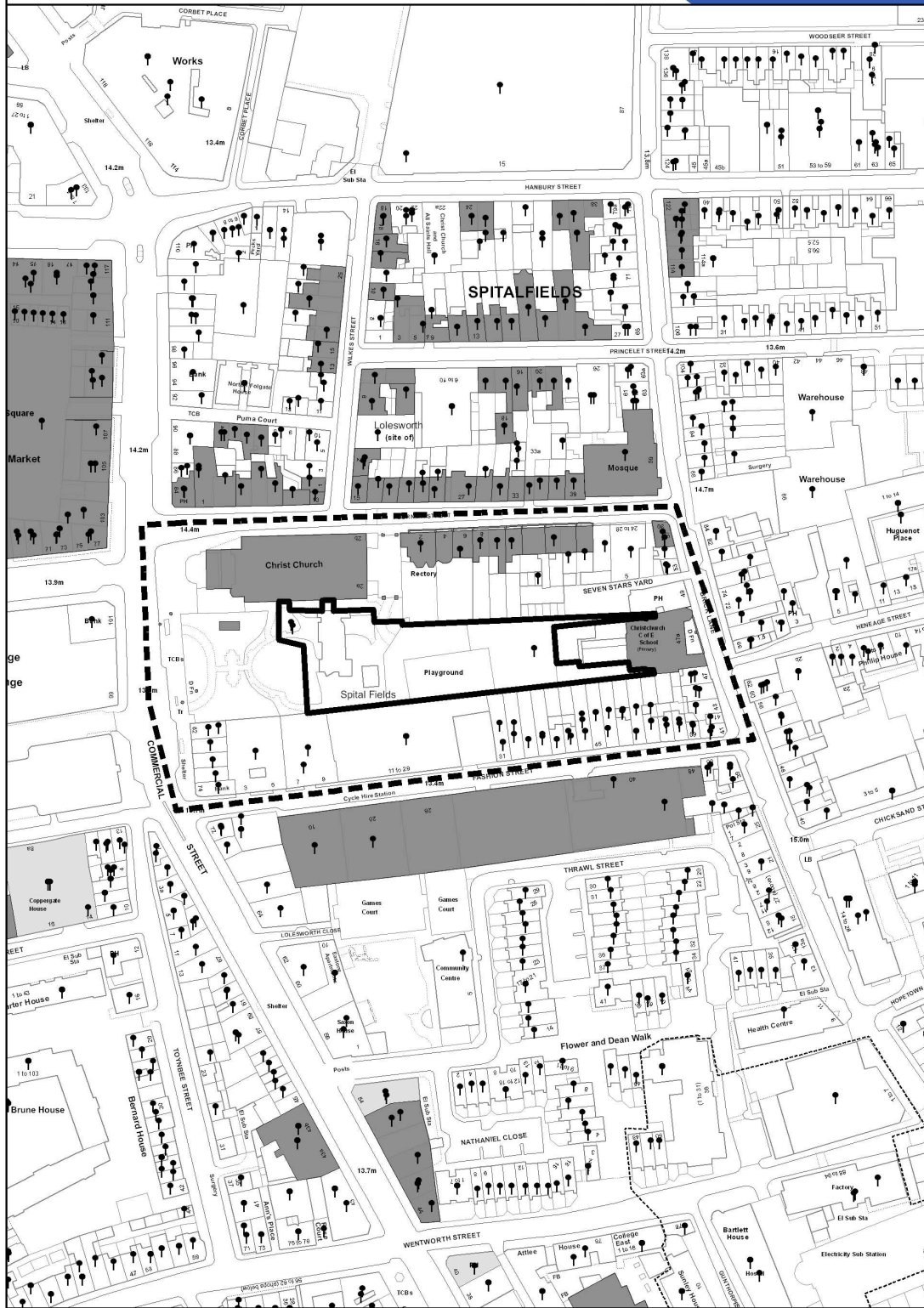
Other Planning Issues

- 8.45 English Heritage in conjunction with comments from the Council's conservation officer have directed that listed building consent is not required for this proposal as neither the building to be demolished nor the replacement building are attached to either of the listed buildings on site. This committee report therefore covers the conservation area consent application and the full planning application and the Listed Building Consent submitted has been returned to the applicant.

Conclusions

9.0 All other relevant policies and considerations have been taken into account. Planning permission should be granted for the reasons set out in the SUMMARY OF MATERIAL PLANNING CONSIDERATIONS and the details of the decision are set out in the RECOMMENDATION at the beginning of this report.

Planning Application Site Map



Planning Application Site Boundary	Locally Listed Buildings	Land Parcel Address	
Consultation Area	Statutory Listed Buildings	0 30 m	

This Site Map displays the Planning Application Site Boundary and the neighbouring Occupiers / Owners who were consulted as part of the Planning Application process.