

Committee: Development Committee	Date: 12 October 2005	Classification: Unrestricted	Report Number: DC021/056	Agenda Item Number: 5.2
Report of: Director of Development and Renewal Case Officer: Nathan Te Pairi		Title: Town Planning Application Location: Site at Corner of Chandler Street & Meetinghouse Alley, London E1 Ward: St Katharines's and Wapping		

1. SUMMARY

1.1 Registration Details

Reference No: PA/05/01315

Date Received: 03/08/2005

Last Amended Date: 09/09/2005

1.2 Application Details

Existing Use:

Vacant.

Proposal:

Erection of a part four, two and single storey building to provide a class D1 pre-school facility on the ground floor with ancillary community training facilities above.

Applicant:

London Borough of Tower Hamlets

Ownership:

London Borough of Tower Hamlets

Historic Building:

No

Conservation Area:

No

2. RECOMMENDATION:

2.1 That the Development Committee **grant** planning permission subject to the conditions outlined in section 2.3.

2.2 That if the Committee resolve that planning permission be granted, that the application **be referred to the Secretary of State** pursuant to the Town and Country Planning Direction 1999, as a departure application involving the loss of public open space.

2.3 That the planning permission shall be subject to the following conditions.

1. Full Time.
2. Soundproofing of windows and boundary wall.
3. Contamination report to be submitted and approved before works commence.
4. Full details of the external finished to be submitted and approved before work commences.
5. A Travel Plan shall be submitted and approved before the building is occupied.
6. Hours of Construction.
7. Hours of Operation.

Informatives

1. The emergency fire exit and door on the eastern wall of the site shall only be used in case of emergency and for no other reason.
2. With regard to condition 6 above (Travel Plan) you are advised to discuss the scope of the report and mitigation measures with John Rymell from Council's Transport Department, Mulberry Place, London E14 2BE, 0207 364 6926.

3. BACKGROUND

Site Description

**LOCAL GOVERNMENT ACT 2000 (Section 97)
LIST OF BACKGROUND PAPERS USED IN THE DRAFTING OF THIS REPORT**

Brief Description of background paper:
Application case file, plans, UDP, PPG's.

Tick if copy supplied for register

Name and telephone no. of holder
Development Control 020 7364 5338

- 3.1 The subject site is located on the corner of Chandler Street and Meetinghouse Alley in Wapping, London, E1. The site covers 613m², is rectangular in shape and is vacant. To the north of the site is a four storey residential estate block and a public playground. To the east of the site is the former St Patrick's School that closed in 2002. The building is two storeys high and is separated from the subject site by Meetinghouse Alley. To the rear of the site is a well-landscaped open space covering 2264m² (approx). To the west of the site is a three storey building. At the ground floor is the Wapping Public Health Centre and residential units with a car park at ground floor level.
- 3.2 The general area is characterised by a mixture of low-rise buildings, none higher than four storeys and a small concentration of community buildings in an area that is best described as residential. The site is located close to good transportation links and a small shopping parade further south of the site at Wapping Shopping Parade. To the south west of the site is the north tip of the Wapping Pierhead Conservation Area.

Relevant History

- 3.3 The development is proposed to be one of the Sure Start Children's Centres, a new central Government initiative which will provide integrated services for children under 5 and their families. Children's Centres are being developed across the Borough and there are fifteen planned for the first phase (2004-2006). It is the Government's intention that by 2010 all children under five and their families will have access to children's centre services in their local area.
- 3.4 The subject site is designated as Temporary Open Space in the Adopted Unitary Development Plan and is owned by the London Borough of Tower Hamlets' Education Department. The site was envisaged to be developed by St Patrick's School, however the school has since closed and the site has remained vacant and neglected.
- 3.5 The subject site has been identified as the best possible location for this facility by the Education Department. Primarily because all the Children's Centre services can be provided from the one site and the site adjoins the Wapping Health Centre among other community facilities.

The Proposal

- 3.6 The applicant proposes to construct a part four, two and single storey building to provide a class D1 pre-school facility on the ground floor with ancillary community training facilities above. The proposal would involve two outdoor play areas on the ground floor and 17 secured buggy stores located at the front of the building.
- 3.7 The proposed building would include day-care and early education, family support, outreach health services, access to training and development opportunities. The Children's Centre offers an enhanced model of delivering pre-school services that builds on the limited private local services. It is in no way intended to replace existing provisions, but seeks to increase opportunities for families with children under the age of 5 through the delivery of preventative and community outreach services.

4. PLANNING POLICY FRAMEWORK

- 4.1 The following Unitary Development Plan **proposals** are applicable to this application:

- (1) St. Patrick's School. Temp Open Space.
- (2) Flood Protection Areas

- 4.2 The following Unitary Development Plan **policies** are applicable to this application:

- DEV1 Design Requirements.
- DEV2 Environmental Requirements.
- DEV29 Proposals adjacent to conservation areas.
- DEV50 Noise generated from new developments.
- DEV55 Refuse and waste arising from new developments.
- ST32 Development is located where transport needs can be met.
- T15 New proposals and public transport.
- T16 Operational requirements of new developments.
- T17 Cycle Provision.
- OS4 Permission for other appropriate development in open spaces.

OS7 The loss of open space.
EDU3 Proposals for new education facilities.
EDU9 Proposals for new training facilities.
ST49 Encouragement of Social and Community Facilities.
SCF2 Residential Day Care facilities.

4.3 The following New Unitary Development Plan 1st Deposit Draft **proposals** are applicable to this application:

Not applicable

4.4 The following New Unitary Development Plan 1st Deposit Draft **policies** are applicable to this application:

UD1 Design and Scale.
UD2 Architectural Quality.
UD5 Safety and Security.
SP8 Social Facilities.
SF1 Social Facilities.
TRN8 Travel Plans.
TRN11 Bicycle Facilities.
ENV1 Amenity.
ENV26 Protection of Open Space.
ENV20 Flood Protection.

4.5 The following Community Plan **objectives** are applicable to this application:

1. A better place for excellent public services - improving public services for local people to make sure they represent good value for money and are provided in ways that meet local needs.
2. A better place for learning, achievement and leisure - raising educational aspirations, expectations and achievement, providing the widest range of arts and leisure opportunities for all and celebrating the cultural rich diversity of our communities.

Comments from the Chief Legal Officer.

4.6 The relevant policy framework against which the Committee is required to consider planning applications includes the adopted London Plan 2004, the Council's Community Plan, the adopted Unitary Development Plan (UDP) 1998, the Draft UDP and Interim Planning Guidance Notes.

4.7 Decisions must be taken in accordance with sections 54A and 70(2) of the Town and Country Planning Act 1990 and section 38(6) of the Planning and Compulsory Purchase Act 2004. Section 70(2) of the Town and Country Planning Act 1990 is particularly relevant, as it requires the Committee to have regard to the provisions of the Development Plan, so far as material to the application and any other material considerations.

4.8 Whilst the adopted UDP 1998 is the statutory development plan for the Borough, it will be replaced by a more up to date set of plan documents, which will make up the Local Development Framework (LDF). The emerging policies in the Draft UDP and the Interim Planning Guidance will inform the LDF and, as the replacement plan documents progress towards adoption, they will gain increasing status as a material consideration in the determination of planning applications.

4.9 The report takes account not only of the policies in statutory UDP 1998 but also the emerging plan which reflect more closely current Council and London-wide policy and guidance.

4.10 In accordance with Article 22 of the General Development Order 1995 members are invited to agree the recommendations set out above which have been made on the basis of the analysis of the scheme set out in this report. This analysis has been undertaken on the balance of the policies set out below and any other material considerations set out in the report.

5. CONSULTATION

5.1 The following were consulted regarding this application:

(1) **Environmental Health**

- A condition should be attached to the planning permission to ensure sufficient soundproofing be provided to mitigate against potential noise nuisance affecting the adjoining and neighbouring residential properties. This should include the party wall, glazing and vents adjoining 3-13 Chandler Street.
- The Contamination Officer has required the applicant to carry out a Desk Study Report documenting the history of the site and surrounding land. The report should identify potential contaminants of concern and an intrusive investigation to identify the nature and extent of any contamination at the site.

(2) **Education Development Team**

No objections, the introduction of Sure Start programmes are welcomed in the Borough.

(3) **Head of Highways Development**

No objection to the proposed development in principle. The applicant should provide a travel plan, which is a standard requirement for any school that is proposed in the Borough.

(4) **Cleansing Officer**

No comments received

(5) **Strategic Social Services**

No comments received.

(6) **Environment and Culture**

- The site will not result in a significant loss of any valuable open space and is not part of any Council Open Space Strategy.
- The development is a London Borough of Tower Hamlets' initiative and the nearby open spaces are well maintained. As such the Parks Department do not object to the proposal and additional support community facilities where there is a local need.

5.2 Responses from neighbours were as follows:

No. Responses: 20 In Favour: 0 Against: 2 Petition: 1

5.3 Letters of objection to this application have been received. One of the letters contained 18 signatures in opposition to the proposal. There are two other independent letters of objection, bringing the total to 20 Objections.

5.4 The areas of concerns are as follows:

1. The proposed development is taller than the buildings next to it.
2. It will block out the light to most of the properties facing south or west.
3. There will be a considerable loss of privacy to all properties above the Wapping Health Centre.
4. If the proposed classrooms are used outside normal office hours we are concerned about the noise nuisance considering the close proximity to our homes.
5. A major development of this kind generates pollution, dust noise and disturbance on a large scale. As many of us are disabled or elderly we oppose the application on the grounds that it will make our lives intolerable.
6. There are already adequate and under-utilised educational facilities in the same proximity. Namely St Peter's School in Reardon Street and the Old Fire Station in Watts Street.
7. Additional noise from the playground facilities combined with this proposal will be too much.
8. Such a facility would make life a nuisance for everyone living in the area.
9. Additional traffic effects arising from the development, including air pollution.
10. Loss of light to residential properties above the Health Centre.
11. The front elevation of the proposed children's centre should be pitched to match the front elevation of the health centre.
12. Residents shouldn't be disturbed after normal school hours.

6 **ANALYSIS**

6.1 The issues raised in this report are as follows:

- (i) Loss of Temporary Open Space and replacement with the pre-school and education facility.
- (ii) Bulk, Scale and Design.
- (iii) Residential Amenity.
- (iv) Transportation.
- (v) Crime Prevention.
- (vi) Contamination.

Land Use

- 6.2 The proposal is for a pre-school facility on the ground floor with ancillary community training facilities above which enjoys a D1 class use under the Use Classes Order 1987. The Adopted Unitary Development Plan 1998 designates the subject site as, 'Temporary Open Space', which was originally reserved for the future development of St Patrick's School.
- 6.3 As previously noted, the site has remained undeveloped and St Patrick's School is now closed. London Borough of Tower Hamlets' Education Department, the land owner, have expressed no interest to develop the school any further and have opted to locate this 'Sure Start' facility at the site.
- 6.4 Policy OS7 of the Adopted Unitary Development Plan which echoes Government guidance PPG17, states that permission will not normally be given for development that results in the loss of open space having significant amenity value. In the exceptional circumstance where development would be permitted, the local authority should weigh any benefits being offered to the community against the loss of open space that would occur.
- 6.5 It is recognised that the Borough is deficient in terms of public open space. However the site is derelict and overgrown and is not being used for open space purposes at present or historically. Furthermore, it is considered that there is a sufficient supply of open space in the immediate vicinity.
- 6.6 Moreover, it is considered that the proposed pre-school and community education centre would be a significant benefit to the community and address a local need. In this case, the provision of an essential community facility would outweigh the potential development of a vacant site with no amenity value for open space purposes. The outdoor play areas inside the proposed facility are considered complementary to the existing open space to the rear and would be a secure local play facility for pre-school youth.
- 6.7 The development site will not result in a significant loss of any valuable open space and is not part of any Council Open Space Strategy. Furthermore, as the development is a London Borough of Tower Hamlets' initiative and the nearby open spaces are well maintained, Environment and Culture do not object to the proposal and support the provision of additional community facilities.
- 6.8 Overall, the loss of temporary open space is acceptable for the following reasons:
- The site is vacant and its intended use (for St Patrick's School) is no longer required.
 - The replacement use will seek to address a shortage of public pre-school facilities and education services in the Wapping Area.
 - There is an ample amount of well-maintained open space in the immediate area.
 - The site is vacant and it does not represent any significant amenity value.
 - There are no proposals outlined in the 1st Deposit draft Unitary Development Plan 2016 for the site.

Therefore the loss of open space is considered acceptable and the proposal complies with Policy OS7. However, the proposal represents a technical 'loss of open space' and has to be treated as a departure from the Adopted Plan. As such, if the Committee agrees to recommend the proposal for approval, the application must be forwarded to the Secretary of State with this report setting out the justification for the loss of open space.

- 6.9 Policies SCF6 and SCF2 of the Adopted Unitary Development Plan state that permission will normally be granted for residential care and community support services where:
- The facility would be located in a residential area.
 - The facility would not result in an unacceptable disturbance to adjacent residential occupiers.
 - The site is close to shops and other essential services.
 - The site is located close to public transport facilities.

- 6.10 The site is located in a predominantly residential area. The pre-school facility would operate only during the hours of 8.00am to 6.00pm and would not result in an unacceptable level of disturbance to the adjacent residential occupiers (see paragraphs 6.21-6.24). Wapping shopping parade is only a three-minute walk away and the proposed building would adjoin the health centre. As previously discussed, the subject site has good transportation links.
- 6.11 Policy EDU3 of the Adopted Unitary Development Plan states that permission for new school facilities will normally be granted where the proposal would be located on a site easily accessible by public transport and it would not result in a loss of employment, residential and open space. The site is located only 5 minutes' walk from the Wapping Underground Station and 150m from the nearest bus service. The site itself is vacant and therefore would not result in a loss of residential or employment space and the loss of open space has been justified in paragraph 6.8 of this report. Therefore the development is considered to comply with policy EDU3.
- 6.12 Overall the change of use to a pre-school with ancillary educational uses is considered acceptable in land use terms and therefore the proposed development complies with policies OS7, EDU3 SCF6 and SCF2.

Bulk Scale and Design

- 6.13 Council's Urban Design Officer supports the design proposed. Overall, it is considered that the design would be appropriate to the surrounding area in terms of proposed bulk, scale, design and materials of the building.
- 6.14 The scheme reflects the design, bulk and scale of the existing building at 3-13 Chandler Street in the design of the front elevation of the proposed building. The applicant proposes to use similar materials to that of 3-13 Chandler Street in the proposed building. These materials would be conditioned and would need to be submitted to and approved by the Local Planning Authority before any works commence on site.
- 6.15 The applicant has proposed a four storey square tower on the north-west corner of the site that will step down slightly to take into account the roof line of the buildings on the former St Patrick's School site. The tower-like structure would contain the main stairwell and would appear in a series of pastel colours similar to the front elevation of the building where the buggy stores would be located. The introduction of the colourful entrance to the building would be a welcome addition to the character of the streetscape.
- 6.16 To the rear, the building steps down to two storeys and has been set back from the eastern boundary to avoid a significant loss of natural light or sense of enclosure to the residential units located at 3-13 Chandler Street. The remainder of the proposed building would be single storey and would extend toward the rear of the property.
- 6.17 The proposed building would be adjacent to the Wapping Pierhead Conservation Area. The applicant has however proposed a design that is considered to be appropriate and will not have any detrimental effect on the character of the adjoining Conservation Area. As previously mentioned, this planning permission would be conditioned to ensure the materials are in keeping with those of the surrounding area. Therefore the proposal would comply with policy DEV29.
- 6.18 The proposed building would provide a secondary means of escape in accordance with building regulations and the Access Officer has no objections to the proposal. Therefore the proposal is considered to be consistent with policy DEV1(4).
- 6.19 Overall, the design is considered to be an excellent design for a community facility. The proposed building would not project above the predominant roofline of 3-13 Chandler Street. The proposed building would be a welcome addition to the character of the area and, moreover, the proposed building would be sympathetic in terms of scale and bulk. Therefore the proposal would comply with policies DEV1 and DEV2.

Residential Amenity

- 6.20 The proposed facility comprises two parts. The pre-school on the ground floor that would operate between 8.00am and 6.00pm, Monday to Friday and between 10.00am and 5.00pm on Saturdays. The second part is an education unit that would be open from 8.00am to 10.00pm and would be

located on the front elevation of the building.

- 6.21 The applicant has proposed two outdoor play areas on the ground floor as part of the pre-school and would be operated during normal working hours. This potential increase in noise is considered to be tolerable in this urban area and is not considered to have a significant effect on the amenity of the adjoining residents living at 3-13 Chandler Street. There would be 3.2m high wall between outdoor play areas and 3-13 Chandler Street.
- 6.22 Councils' Environmental Health Officer has recommended that a condition should be attached to the planning permission to ensure sufficient soundproofing would be provided to mitigate against potential noise nuisance affecting the adjoining and neighbouring residential properties. This should include the party wall, glazing and vents to the classrooms that adjoin the residential properties at 3-13 Chandler Street. Therefore the development is considered to comply with policy DEV2.
- 6.23 There would not be any windows on the eastern elevation of the proposed building. The only windows at the rear of the development would face toward the south and therefore, it is considered that there would no direct overlooking or a loss of privacy to the residential units at 3-13 Chandler Street. The proposed building has also been set back on the boundary at first storey level to avoid any unacceptable level of enclosure to residential units at 3-13 Chandler Street.
- 6.24 It is considered that the proposed development would not result in an unacceptable loss of light, sense of enclosure or result in overlooking to the adjoining residential units at 3-13 Chandler Street. Therefore the proposal complies with policy DEV2.

Transportation

- 6.25 The subject site would be served by the no.100 bus service and the Wapping Underground Station. As such, the proposed development would have good transportation links and not be located further than 400m from a public transport stop.
- 6.26 Council's Transport Engineer has raised no fundamental objection to the proposed development. The applicant should provide a Travel Plan, which is a standard requirement for any education facility proposed in the Borough. The Travel Plan would assess the capacity of the local street network, taking into account the local safety issues and would aim to reduce the overall use of private vehicles and encourage public transportation. The Travel Plan would be attached as a condition to the planning permission. Therefore the development complies with policies T15 and T16 by means of condition.
- 6.27 The proposal would make provision for cycle facilities and provide 17 buggy stores at the front of the building. Adjoining the site is Wapping's Public Health Service and as such, the proposed facility would support the Borough's public transport policies and initiatives to locate community facilities in close proximity to each other. The proposal would therefore comply with policies T17 and ST32.

Crime Prevention

- 6.28 The minor issues arising from the original submission were resolved in the first series of revisions. After discussions with the Crime Safety Officer, the agent has proposed a secure external buggy store on the front elevation of the building and increased the boundary fence to 3.2m high. Therefore the proposal is in accordance with policy DEV1(5).

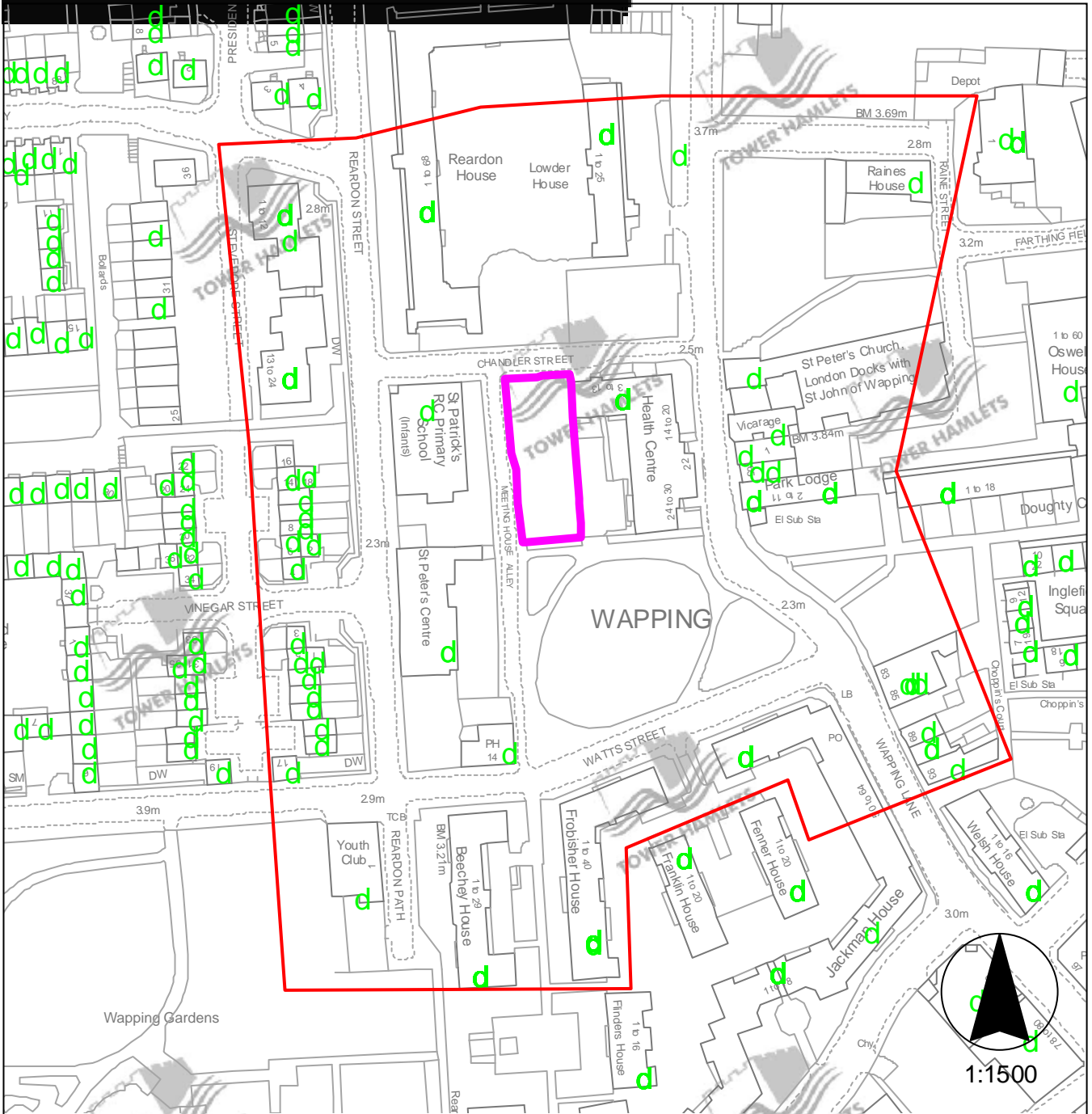
Contamination

- 6.29 The site was previously occupied by a canvas sack & rope manufacturer and consequently the site may contain elevated levels of contaminants within the substrate. The planning permission would therefore be conditioned to ensure the applicant carries out a 'Contamination Desk Study Report', documenting the history of the site and surrounding land, in order to accord with policy DEV51.

7. SUMMARY

- 7.1 The proposal is considered acceptable in land use and design terms for the provision of a new community and pre-school facility. Furthermore, it would not have an unacceptable adverse impact on surrounding residential amenity. Hence, the proposal is recommended for approval for the reasons outlined above.

Site Map



Legend

- Planning Application Site Boundary
- Consultation Area
- d Land Parcel Address

This Site Map displays the Planning Application Site Boundary and the neighbouring Occupiers / Owners who were consulted as part of the Planning Application process. The Site Map was reproduced from the Ordnance Survey mapping with the permission of Her Majesty's Stationery Office © Crown Copyright. London Borough of Tower Hamlets LA086568

SITE AT CORNER OF CHANDLER STREET & MEETINGHOUSE ALLEY, LONDON, E1