

DEVELOPMENT COMMITTEE

Thursday, 3 September 2015 at 7.00 p.m.

Council Chamber, 1st Floor, Town Hall, Mulberry Place, 5 Clove
Crescent, London, E14 2BG

UPDATE REPORT

This meeting is open to the public to attend.

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Agenda Item 7

LONDON BOROUGH OF TOWER HAMLETS

DEVELOPMENT COMMITTEE

3rd September 2015

UPDATE REPORT OF HEAD OF PLANNING AND BUILDING CONTROL

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Agenda item no	Reference no	Location	Proposal / Title
6.1	PA/15/01337	47 Brierly Gardens, London E2 0TF	The proposed works are for a new 4.6m x 4.1m single storey rear extension which facilitates the provision of two new single bedrooms, alongside a reconfigured living/dining/kitchen.
6.2	PA/15/01832	55 Brierly Gardens, London E2 0TF	Erection of rear extension and demolition of existing ramp to be replaced with a new ramped
6.3	PA/15/00701	80 Back Church Lane, London, E1 1LX	<p>Demolition of existing three-storey educational building and erection of a six-storey building comprising educational use (Use Class D1) at basement level and part ground floor level, with 59 residential units (27no. one-bedroom, 23no. two-bedroom, 8no. three-bedroom and 1no. four-bedroom) at ground to fifth floor level.</p> <p>Application for Variation of Condition 2 (approved plans) to planning permission reference PA/14/00215, dated 13/05/2014, for a minor material amendment to the approved scheme.</p>
6.4	PA/15/01470	Site at north east of Blackwall Tunnel Northern Approach and Twelvetrees Crescent, Twelvetrees Crescent, London E3	Provision of a new 300 place Arts and Music Academy for 16-19 year olds. The facility will include recording studios, performance spaces, classrooms, a café and other associated facilities. The proposal also includes a comprehensive landscaping scheme, bin storage, a substation, two disabled parking bays and cycle parking.

UPDATE REPORT

Agenda Item number:	6.1
Reference number:	PA/15/01337
Location:	47 Briery Gardens, London E2 0TF
Proposal:	The proposed works are for a new 4.6m x 4.1m single storey rear extension which facilitates the provision of two new single bedrooms, alongside a reconfigured living/dining/kitchen.

1.0 APPLICATION DETAILS

Proposal

1.1 The proposal description has been updated to read as follows:

"The proposed works are for a new 4.6m x 4.1m single storey rear extension which facilitates the provision of two new single bedrooms, alongside a reconfigured living/dining/kitchen."

Drawings and Documents

1.2 The list of Drawings and Documents report in paragraph 1 are superseded as follows:

PL130; PL131; PL132 Rev. A; PL133 Rev. B; PL134 Rev. B; PL 135 Rev. B; Roof Plan; 45 Degree Elevations and Sections; Design and Access Statement.

2.0 CONSULTATION

Since publication of the Officer report an number of additional representations have been received

2.1 In total of 6 letters of representation and 1 petition containing 58 signatories in objection. However, 3 of the representations of the written objections also signed the petition.

2.2 The following additional points of objection have been raised:

2.3 The proposed extensions will set precedence within the estate causing a change in the appearance of Briery Gardens.

[Officer Comment: The proposal will be assessed with respect to material planning considerations and overall impacts in terms of its design and impacts on amenity. Should there be future planning applications, due planning process assessing the proposal as above will be undertaken.

2.4 Lack of inclusive consultation undertaken by Tower Hamlets Homes.

[Officer Comment: This consultation was undertaken independent of this planning application. Public consultation as part of the planning application has been undertaken by Council.]

2.5 Private lease owners are likely to benefit more from the scheme than overcrowded or vulnerably tenants.

[Officer Comment: This is not a material planning consideration.]

2.6 The submitted design and access statement is misleading.

[Officer Comment: The discrepancies within the submitted design and access statement highlighted by the representees do not have any implications on the material planning considerations of the proposal.]

2.7 Loss of light.

[Officer Comment: This has been addressed in the material planning considerations section of the officer report under 'amenity'.]

2.8 Loss of privacy and security.

[Officer Comment: This has been addressed in the material planning considerations section of the officer report under 'design' and 'amenity'.]

2.9 Increased crime in the surrounding area.

[Officer Comment: Relevant security design measures in accordance with secure by design standards will be secured via condition.]

2.10 Cost of structural /maintenance considerations.

[Officer Comment: Financial arrangements are not normally considered as material planning considerations. However, maintenance of the proposal will need to be negotiated with Tower Hamlets Homes.]

2.11 Adverse appearance and design of the proposed extensions.

[Officer Comment: This is addressed under the material planning consideration section of the report under 'design'.]

2.12 Adverse appearance and design of the proposed extensions.

[Officer Comment: This is addressed under the material planning consideration section of the report under 'design'.]

2.13 'Materials to match' the existing does not guarantee this outcome based on similar sites within borough comprising of similar rear extensions

[Officer Comment: Amended condition to include 'material samples' has been implemented to ensure that the proposed brick match the existing.]

2.14 Clarification is required for what is considered to be useable garden space.

[Officer Comment: The submitted figures have been calculated as net garden space excluding space taken by ramp and gaps between fence-line.]

2.15 The proposed flat roof design will require frequent maintenance works.

[Officer Comment: Maintenance works will be undertaken by Tower Hamlets Homes and is therefore not considered as material planning considered in this instance.]

2.16 Inadequate consultation undertaken by Council.

[Officer Comment: public consultation for this application has been undertaken in accordance with the Town and Country Planning Act requirements.]

3.0 CLARIFICATIONS

3.1 Paragraph 4.5. This describes the proposed works. The reported proposed extension height of 2.4m refers to the internal height of the extension excluding the height (300mm) of the proposed flat roof. The total external height of the proposed extension is 2.7m.

4.0 RECOMMENDATION

4.1 Officers' original recommendation to **GRANT** planning permission remains unchanged with amended conditions as follows

Compliance

- a) Three year time limit
- b) Development to be built in accordance with approved plans
- c) Access to roof for the purposes of maintenance and repair only
- d) Roof light to be secure by design certified (PAS24)

Prior to commencement

- e) Bricks samples

UPDATE REPORT

Agenda Item number:	6.2
Reference number:	PA/15/01832
Location:	55 Brierly Gardens, London E2 0TF
Proposal:	Erection of rear extension and demolition of existing ramp to be replaced with a new ramped

1.0 AMENDMENTS TO COMMITTEE REPORT

Drawings and Documents:

- 3.2 The list of Drawings and Documents report in paragraph 1 are superseded as further revised drawings have been received. The following drawings and documents are 'current' and are considered for the purposes of this application:

Location Plan, PL 220, PL 222, PL 223, Roof Plan; 45 Degree Elevations and Sections; Design and Access Statement.

2.0 CONSULTATION

Since publication of the Officer report a number of additional representations have been received.

- 2.1 Paragraphs 2.3 and 5.12. It is reported that the application has received a total of 6 letters of representation and 1 petition containing 35 signatories in objection. However, 3 of the representations of the written objections also signed the petition.

- 2.2 The following additional points of objection have been raised:

- 2.3 The proposed extensions will set precedence within the estate causing a change in the appearance of Brierly Gardens.

[Officer Comment: The proposal will be assessed with respect to material planning considerations and overall impacts in terms of its design and impacts on amenity. Should there be future planning applications, due planning process assessing the proposal as above will be undertaken.]

- 2.4 Lack of inclusive consultation undertaken by Tower Hamlets Homes.

[Officer Comment: This consultation was undertaken independent of this planning application. Public consultation as part of the planning application has been undertaken by Council.]

- 2.5 Private lease owners are likely to benefit more from the scheme than overcrowded or vulnerably tenants.

[Officer Comment: This is not a material planning consideration.]

- 2.6 The submitted design and access statement is misleading.

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[Officer Comment: Amended condition to include 'material samples' has been implemented to ensure that the proposed brick match the existing.]

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2.15 The proposed flat roof design will require frequent maintenance works.

[Officer Comment: Maintenance works will be undertaken by Tower Hamlets Homes and is therefore not considered as material planning considered in this instance.]

2.16 Inadequate consultation undertaken by Council.

[Officer Comment: public consultation for this application has been undertaken in accordance with the Town and Country Planning Act requirements.]

UPDATE REPORT

Agenda Item number:	6.3
Reference number:	PA/15/00701
Location:	80 Back Church Lane, London, E1 1LX
Proposal:	<p>Demolition of existing three-storey educational building and erection of a six-storey building comprising educational use (Use Class D1) at basement level and part ground floor level, with 59 residential units (27no. one-bedroom, 23no. two-bedroom, 8no. three-bedroom and 1no. four-bedroom) at ground to fifth floor level.</p> <p>Application for Variation of Condition 2 (approved plans) to planning permission reference PA/14/00215, dated 13/05/2014, for a minor material amendment to the approved scheme.</p>

1.0 CURRENT ENFORCEMENT CASE

- 1.1 An enforcement complaint was received on 22nd July 2015 from a local resident stating that hammer driven piling has regularly been undertaken before 10am on Monday to Fridays and on Saturdays, which would be in breach of Condition 4 of the planning permission (PA/14/00215). The resident also questioned whether the development was being carried out in accordance with the Construction Environmental Management Plan (CEMP) as required by Condition 8 of the planning permission (PA/14/00215).
- 1.2 The issues raised by this resident were put to the applicant who responded confirming that no breach of this condition had taken place, and that they were taking every measure to ensure that the site works are being undertaken considerately and with sensitivity to the local neighbourhood. The applicant also subsequently sent a letter to local residents to reassure them that the works are being undertaken in line with an approved CEMP, and that the site was registered with the Considerate Constructors Scheme (CCS) who are making regular visits to the site.
- 1.3 In light of the above no further action has been taken by the Council's enforcement team.

2.0 RECOMMENDATION

- 2.1 Officers' original recommendation to **GRANT** planning permission remains unchanged.

Agenda Item number:	6.4
Reference number:	PA/15/01470
Location:	Site at north east of Blackwall Tunnel Northern Approach and Twelvetrees Crescent, Twelvetrees Crescent, London E3.
Proposal:	Provision of a new 300 place Arts and Music Academy for 16-19 year olds. The facility will include recording studios, performance spaces, classrooms, a café and other associated facilities. The proposal also includes a comprehensive landscaping scheme, bin storage, a substation, two disabled parking bays and cycle parking.

1.0 APPLICATION DETAILS

Drawings and Documents

1.1 The list of Drawings and Documents report in paragraph 1 to include:

- Contamination Report (extent of the contamination and the measures to be taken to avoid risk) (Ref: 1267,GI,RS/GI&RMS/JD,PD/18-08-15/V1 dated August 2015)

2.0 CONSULTATION

2.1 The following additional representations have been received:

LBTH Children and Adult Resources

"ELAM is a free school proposed and funded by the DfE. The LA has no involvement in the decision to open the school, its operation or in the development of the proposals for the new building.

ELAM will contribute to the overall supply of post-16 places in the local area with the majority of students expected to be from Tower Hamlets and Newham.

The school offers a specialist music curriculum and so is not expected to be a specific competitor with other existing local 6th form provision.

The proposed building will enhance the environment around Bow School including improving the environment for pedestrian access to the school by staff and students."

(OFFICER COMMENT: noted)

LBTH Energy and Sustainability

"Following the submission of the additional information it is appreciated that the site is subject to a number of environmental impacts, most notably air quality and noise. Therefore the ability to meet policy requirements for carbon reduction (DM29) is constrained and it is recommended that any shortfall be met through the Carbon Offsetting Mechanism as set out in the adopted Planning Obligations SPD.

Based on the submitted proposals the shortfall in CO2 emission reductions would be ~17 tonnes CO2 per annum. This equates to a Carbon offset payment of £31,181 which should be secured with payment upon commencement on site.

In relation to the securing the energy proposals it is recommended that a Condition be applied for the developer to submit a detailed energy assessment prior to commencement of the site setting out how the 10% reduction will be delivered. It is also recommended that a post completion Condition be applied for final calculations, with building control sign off included, be submitted to demonstrate that the scheme has been built out to the required specification to meet the 10% reduction in CO2 emissions.

In relation to BREEAM I have still not received any justification for the targeting of BREEAM Very Good instead of the Policy requirement for BREEAM Excellent. Due to the tight time scales this could be dealt with via a Condition which requires the BREEAM pre-assessment prior to commencement and Final certificates post completion

(OFFICER COMMENT: a financial contribution and amended conditions are recommended as set out below in this Update Report)

2.4 LBTH Environmental Health – Contaminated Land

"...no objection to the current proposals detailed in the Report with Reference Number: 1267,GI,RS/GI&RMS/JD,PD/18-08-15/V1 dated August 2015 as considerable level of work has been done to characterise the site. We can omit part 1 or the condition and have just part 2 on.

Gas protection measures proposed is acceptable.

..agree with the proposals detailed within section 7 (Proposed Remediation works) of the report regarding soils and ground gas – however, I would recommend a "residential without plant uptake" remedial target levels for soils as against the proposed commercial land use scenario. This is to ensure the site is cleaned up to levels that will reduce the potential for the soils on site to pose an ongoing source to other sensitive environmental receptors.

We would also like an opportunity to review the detailed RMS document once this becomes available."

(OFFICER COMMENT: list of documents to be approved updated and amended conditions are recommended as set out below in this Update Report)

3.0 CLARIFICATIONS

3.1 The site has a PTAL of 4-5 (amend paragraphs 4.5, 8.110, & 8.125)

4.0 RECOMMENDATION

4.1 Officers' original recommendation to **GRANT** planning permission remains unchanged subject to:

- 4.2 The prior completion of a legal agreement to secure the following planning obligations:
- a) A contribution of £31,181 towards carbon offsetting
- And the following amendments to the stated conditions and informatives:
- 4.3 Remove the following pre-commencement condition:
- Condition 16 – Ground Contamination (investigation and remediation)
 - Condition 19 – Thames Water (any work involving new foundations, underpinning, piling or basement requires approval)
- 4.4 Add the following prior to above ground works construction conditions:
- BREEAM pre-assessment
- 4.5 Add the following prior to occupation condition:
- Ground Contamination (verification report, and copy of detailed remediation strategy)
- 4.6 Add the following within 6 months of occupation condition:
- Final calculation of CO2 savings achieved
 - Final BREEAM certificates
- 4.7 Add the following informative:
- Thames Water approval required for any work involving new foundations, underpinning, piling or basement

