

Meeting of the

DEVELOPMENT COMMITTEE

Wednesday, 12 January 2011 at 7.00 p.m.

A G E N D A

VENUE

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

Members:	Deputies (if any):
Chair: Councillor Carli Harper-Penman Vice-Chair: Councillor Judith Gardiner	
Councillor Peter Golds Councillor Ann Jackson Councillor Mohammed Abdul Mukit MBE Councillor Kosru Uddin Councillor Stephanie Eaton	Councillor Tim Archer, (Designated Deputy representing Councillor Peter Golds) Councillor Shafiqul Haque, (Designated Deputy representing Councillors Carli Harper-Penman, Judith Gardiner, Ann Jackson, Mohammed Abdul Mukit, MBE and Kosru Uddin) Councillor Dr. Emma Jones, (Designated Deputy representing Councillor Peter Golds) Councillor Gloria Thienel, (Designated Deputy representing Councillor Peter Golds)
[Note: The quorum for this body is 3 Members].	

If you require any further information relating to this meeting, would like to request a large print, Braille or audio version of this document, or would like to discuss access arrangements or any other special requirements, please contact: Zoe Folley, Democratic Services, Tel: 020 7364 4877, E-mail: zoe.folley@towerhamlets.gov.uk

LONDON BOROUGH OF TOWER HAMLETS

DEVELOPMENT COMMITTEE

Wednesday, 12 January 2011

7.00 p.m.

1. APOLOGIES FOR ABSENCE

To receive any apologies for absence.

2. DECLARATIONS OF INTEREST

To note any declarations of interest made by Members, including those restricting Members from voting on the questions detailed in Section 106 of the Local Government Finance Act, 1992. See attached note from the Chief Executive.

3. UNRESTRICTED MINUTES

To confirm as a correct record of the proceedings the unrestricted minutes of the ordinary meeting of Development Committee held on 15th December 2010.

PAGE NUMBER	WARD(S) AFFECTED
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3 - 12

4. RECOMMENDATIONS

To RESOLVE that:

- 1) in the event of changes being made to recommendations by the Committee, the task of formalising the wording of those changes is delegated to the Corporate Director Development and Renewal along the broad lines indicated at the meeting; and
- 2) in the event of any changes being needed to the wording of the Committee's decision (such as to delete, vary or add conditions/informatives/planning obligations or reasons for approval/refusal) prior to the decision being issued, the Corporate Director Development and Renewal is delegated authority to do so, provided always that the Corporate Director does not exceed the substantive nature of the Committee's decision.

5. PROCEDURE FOR HEARING OBJECTIONS

To note the procedure for hearing objections at meetings of the Development Committee.

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Please note that the deadline for registering to speak at this meeting is

4pm Monday 10th January 2011.

6.	DEFERRED ITEMS	15 - 16	
7.	PLANNING APPLICATIONS FOR DECISION	17 - 18	
7 .1	Site at land adjacent to railway viaduct, Gill Street, E14	19 - 32	Limehouse;
8.	OTHER PLANNING MATTERS	33 - 34	
8 .1	Columbia Market Nursery School, Columbia Road, London, E2 7PG	35 - 42	Weavers;
8 .2	Langdon Park Secondary School, Byron Street, London E14 0RZ	43 - 48	East India & Lansbury;

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Agenda Item 2

DECLARATIONS OF INTERESTS - NOTE FROM THE CHIEF EXECUTIVE

This note is guidance only. Members should consult the Council's Code of Conduct for further details. Note: Only Members can decide if they have an interest therefore they must make their own decision. If in doubt as to the nature of an interest it is advisable to seek advice **prior** to attending at a meeting.

Declaration of interests for Members

Where Members have a personal interest in any business of the authority as described in paragraph 4 of the Council's Code of Conduct (contained in part 5 of the Council's Constitution) then s/he must disclose this personal interest as in accordance with paragraph 5 of the Code. Members must disclose the existence and nature of the interest at the start of the meeting and certainly no later than the commencement of the item or where the interest becomes apparent.

You have a **personal interest** in any business of your authority where it relates to or is likely to affect:

- (a) An interest that you must **register**
- (b) An interest that is not on the register, but where the well-being or financial position of you, members of your family, or people with whom you have a close association, is likely to be affected by the business of your authority more than it would affect the majority of inhabitants of the ward affected by the decision.

Where a personal interest is declared a Member may stay and take part in the debate and decision on that item.

What constitutes a prejudicial interest? - Please refer to paragraph 6 of the adopted Code of Conduct.

Your personal interest will also be a prejudicial interest in a matter if (a), (b) and either (c) or (d) below apply:-

- (a) A member of the public, who knows the relevant facts, would reasonably think that your personal interests are so significant that it is likely to prejudice your judgment of the public interests; AND
- (b) The matter does not fall within one of the exempt categories of decision listed in paragraph 6.2 of the Code; AND EITHER
- (c) The matter affects your financial position or the financial interest of a body with which you are associated; or
- (d) The matter relates to the determination of a licensing or regulatory application

The key points to remember if you have a prejudicial interest in a matter being discussed at a meeting:-

- i. You must declare that you have a prejudicial interest, and the nature of that interest, as soon as that interest becomes apparent to you; and
- ii. You must leave the room for the duration of consideration and decision on the item and not seek to influence the debate or decision unless (iv) below applies; and

- iii. You must not seek to improperly influence a decision in which you have a prejudicial interest.
- iv. If Members of the public are allowed to speak or make representations at the meeting, give evidence or answer questions about the matter, by statutory right or otherwise (e.g. planning or licensing committees), you can declare your prejudicial interest but make representations. However, you must immediately leave the room once you have finished your representations and answered questions (if any). You cannot remain in the meeting or in the public gallery during the debate or decision on the matter.

LONDON BOROUGH OF TOWER HAMLETS

MINUTES OF THE DEVELOPMENT COMMITTEE

HELD AT 7.00 P.M. ON WEDNESDAY, 15 DECEMBER 2010

COUNCIL CHAMBER, 1ST FLOOR, TOWN HALL, MULBERRY PLACE, 5 CLOVE CRESCENT, LONDON, E14 2BG

Members Present:

Councillor Judith Gardiner (Vice-Chair)
Councillor Ann Jackson
Councillor Stephanie Eaton
Councillor Mohammed Abdul Mukit MBE
Councillor Kosru Uddin

Other Councillors Present:

Councillor David Snowdon

Officers Present:

Owen Whalley – (Service Head Planning and Building Control, Development & Renewal)
Megan Nugent – (Legal Services Team Leader, Planning, Chief Executive's)
Ila Robertson – (Applications Manager Development and Renewal)
Zoe Folley – (Committee Officer, Democratic Services Chief Executive's)

1. APOLOGIES FOR ABSENCE

Apologies for absence were received from Councillor Carli Harper – Penman and Peter Golds .

2. DECLARATIONS OF INTEREST

Members declared interests in items on the agenda for the meeting as set out below:

Councillor	Item(s)	Type of interest	Reason
Mohammed Abdul Mukit	6.1	Personal	Ward Member

Ann Jackson	7.1	Personal	Had received representations from interested parties

3. UNRESTRICTED MINUTES

The Committee **RESOLVED**

That the unrestricted minutes of the meeting of the Committee held on 10 November 2010 be agreed as a correct record and signed by the Chair subject to the following action -

Item 7.3 Cutty Sark House, Urdine Road, London.

Democratic Services to confirm whether Councillor Oliur Rahman requested to speak on this item or another item.

4. RECOMMENDATIONS

The Committee **RESOLVED** that:

- 1) In the event of changes being made to recommendations by the Committee, the task of formalising the wording of those changes is delegated to the Corporate Director, Development and Renewal along the broad lines indicated at the meeting; and
- 2) In the event of any changes being needed to the wording of the Committee's decision (such as to delete, vary or add conditions/informatives/planning obligations or reasons for approval/refusal) prior to the decision being issued, the Corporate Director, Development and Renewal is delegated authority to do so, provided always that the Corporate Director does not exceed the substantive nature of the Committee's decision

5. PROCEDURE FOR HEARING OBJECTIONS

The Committee noted the procedure for hearing objections and those who had registered to speak at the meeting.

6. DEFERRED ITEMS

6.1 Site at 60 to 61 Squirres Street & 52 Florida Street, E2 6AJ

It was noted that Councillors Judith Gardiner and Stephanie Eaton were not able to vote on this item as they had not been in attendance when the application had been previously considered by the Committee.

Owen Whalley (Service Head Planning and Building Control Development and Renewal) introduced this item. It was explained that, at the last meeting, the Committee were minded to refuse the application due concerns around overdevelopment, loss of privacy, daylight and the car free agreement.

Consequently in accordance with the Constitution, the Committee resolved to defer the application pending a further Officer report detailing the implications of their decision.

The purpose of this item was to consider that further supplemental report and to finalise their decision.

Ila Robertson (Applications Manager, Development and Renewal) presented the report.

It was reported that Officers had examined the grounds for refusal and had concluded that the issues around the car free agreement could not form a valid reason as it concerned procedural issues. Concerns around processes and procedures could not form a valid reason for refusal.

However Officers felt that the remaining three grounds were valid and were recommending that the application be refused on these grounds.

In reply to questions, Officers confirmed that nothing had changed since the last meeting.

As a result on a vote of 3 for and 0 against, the Committee **RESOLVED**

That planning permission for the erection of 2 x 2 bed duplex residential units on the roof space of the existing four-storey flatted building be **REFUSED** for the following reasons:

1. The proposal by virtue of its height, scale and bulk would result in overdevelopment of the site and any of the problems that are typically associated with overdevelopment. As such, the proposal is therefore contrary to policies 3A.3 of the London Plan (2008); policies SP02 & SP10 of the adopted Core Strategy (2010); 'saved' policy DEV1 of the Council's Unitary Development Plan (1998) and policies DEV2 & HSG1 of the Council's Interim Planning Guidance (2007) which seeks to ensure developments are suitably located and provide an acceptable standard of accommodation.
2. The proposed development would result in unacceptable loss of daylight and sunlight to nearby residential properties and as such is contrary to policy SP10 of the adopted Core Strategy (2010); 'saved' policy DEV2 of the adopted Tower Hamlets Unitary Development Plan 1998 and policy DEV1 of Council's Interim Planning Guidance which seek to ensure that development does not have an adverse impact upon the amenity value to neighbouring properties.

3. The proposed development would result in undue overlooking and loss of privacy to nearby residential properties and as such is contrary to policy SP10 of the adopted Core Strategy (2010); 'saved' policy DEV2 of the adopted Tower Hamlets Unitary Development Plan 1998 and policy DEV1 of Council's Interim Planning Guidance which seek to ensure that development does not have an adverse impact upon the amenity value to neighbouring properties.

7. PLANNING APPLICATIONS FOR DECISION

7.1 Cutty Sark House, Undine Road, London

Update report tabled.

Owen Whalley (Service Head Planning and Building Control, Development and Renewal) introduced the report regarding the Cutty Sark House, Undine Road London.

Mr Whalley outlined the reasons why the application had been brought back to the Committee. It was reported that, since the last meeting, the Applicant had made some minor changes to the scheme.

As a result, it was necessary that the application be considered in its entirety afresh to fully consider the changes.

Whilst the Committee may take into account the previous decision, they were required to consider the application as new.

The Chair invited statements from persons who had previously registered to address the Committee.

Mr David Merson spoke in objection to the application.

He expressed concern that the update report had not been made available to the objectors beforehand.

He considered that the neighbouring wall had always been a material consideration which the Council should have taken into account.

He contested the assertion made by the Applicant that the changes were not significant and that the Applicant had acknowledge it would have an impact.

He also raised concerns that there had been no further consultation since the last application, which breached procedures.

He considered that any new application should be subject to consultation.

He also complained over insufficient notice. The Council were required to give residents adequate notice of the changes. However, some residents did not receive the notice until Monday this week, some not at all.

Mr Merson also raised concerns over the housing proposals, the adequacy of the Section 106 Agreement.

He also expressed concern over unauthorised parking on his companies land on Undine Road.

Mr Merson requested that the application be deferred to enable a proper report accurately explaining the issues to be prepared, and for a balanced fair decision to be made.

Mr Peter Fordham addressed the Committee in objection. He considered that the flat roof design was out of keeping with the surrounding area, including the Conservation Area.

He also raised concerns over the following matters:

- Density does not comply with policy.
- Overshadowing.
- Lack of parking spaces given number of family units. This would lead to a competition for spaces between new/existing residents.
- No children's play area.
- Impact on Mudchute Farm which was only 80 metres away.
- Distance between the façade and the wall. As a result there would be a loss of defensible space.
- Proximity of western block to gas site.

He requested that the Council should work with the community and formulate some more suitable proposals in view the concerns.

Councillor David Snowdon also spoke as an objector. He considered that he was speaking on behalf of local residents. Whilst they were not objecting to development on this site in principle, they wanted the best possible housing scheme on the site. He expressed concern over low quality design, and the proposed distance between the windows of the scheme and the wall which was inadequate. There would be poor outlooks from these windows. He also contested the arguments around loss of funding, should this application not be agreed now. He requested that the consideration of the application be adjourned to enable the Applicant to prepare a much better scheme for this site.

Peter Exton (Applicant's Agent) spoke in favour of the application. He reported that the revised application contained no real sufficient changes, merely minor internal changes to mitigate the impact of the wall. That the scheme would provide high quality affordable housing with no adverse impacts. It fully complied with planning policy.

Ms Ila Robertson (Applications Manager, Development and Renewal) presented the detailed report and the update report. She reported that the scheme was initially presented to the last meeting where the scheme was considered acceptability on planning grounds and complied with policy.

At the last meeting, the Committee noted the position with the unauthorised wall, and that as a result of this status, it should be disregarded. Following enforcement action, the wall now bounded the entire site concerned therefore it may constitute permitted development and therefore was a material change since Committee albeit a minor one. To mitigate the impact of this wall, the Applicant had made some minor changes to the internal layout of the scheme to protect the amenity of future residents. In essence the main change was the reduction in units from 26 to 25 in total.

In terms of the concerns over the Section 106 agreement, it was reported that the assessment process complied with government guidance and legislation. Officers also addressed the concerns over illegal parking and reported that there was provision for a children's play space and this would be controlled by condition. It was also reported that the site was not designated as open space by the Development Plan.

In relation the gasworks, National Grid had been consulted on this matter and had not raised any concerns.

The scheme had been redesigned to ensure all rooms received sufficient daylight.

In conclusion, Officers considered that the scheme accorded with policy, that there would be no adverse impacts and would provide much needed affordable housing in the area.

In response to the presentation, the Committee sought clarity as to following matters -

- Consultation requirements.
- The social housing element.
- Height of the buildings on Undine Road.
- Concerns over the report.

In reply Officers outlined the scope of the consultation for the previous scheme.

Officers also explained the consultation requirements for this further application as set out in the Statement of Community Involvement.

The guidance stated that, where there would be no new impacts, a further round of consultation was not necessary. Therefore given that all of the changes were only minor internal changes with no new impacts, a further round of consultation was not necessary.

In relation to the notification, all of the relevant procedures in the Constitution were followed. The Officers report was robust and had been approved by Legal Services.

In addition Officers also clarified the height of the buildings on Urdine Road as set out on the circulated maps. Officers considered that the height and bulk of the building was acceptable and in keeping with area.

The scheme fully complied with BRE guidance.

The Committee also noted the timescale for the funding.

On a unanimous vote the Committee **RESOLVED**

1. That planning permission for the demolition of existing building and erection of two buildings (1 x 4-storey and 1 x 5-storey) to provide 26 residential units and associated landscaping be **GRANTED** subject to:

A. The prior completion of a **legal agreement** to secure the following planning obligations:

- a) Twenty-five units (100% of the development) is secured as affordable housing, with a tenure split of 64% social rent to 36% intermediate in terms of habitable rooms.
- b) A contribution of £148,300 towards mitigating the demand for local primary school places.
- c) A contribution of £ 6,136 towards library facilities in the borough.
- d) A contribution of £27,622 towards leisure facilities in the borough.
- e) A contribution of £47,342 towards mitigating the demand for local open space.
- f) 100% of development to be car free.
- g) Any other planning obligation(s) considered necessary by the Corporate Director of Development & Renewal.

2 That the Corporate Director Development & Renewal is delegated power to negotiate the legal agreement indicated above and that, if within 6-weeks of the date of this committee (26th January 2010) the legal agreement has not been completed, the Corporate Director Development & Renewal is delegated power to refuse planning permission.

3 That the Corporate Director Development & Renewal is delegated power to impose conditions and informatives on the planning permission to secure the following matters:

4 **Conditions**

1. Three year time limit
2. Consent granted in accordance with Schedule of Drawings

3. Samples / pallet board of all external facing materials (including reveals and timber cladding) and typical details to be approved prior to commencement of works
4. Obscure glazing to all windows proposed within east flank elevation of western block.
5. Detail of landscaping scheme to include hard and soft landscaping, child play space, any gates, walls, fences and a Landscape Maintenance and Management Plan to be submitted, approved and implemented prior to occupation
6. Green and brown roofs to be implemented in accordance with plans
7. Details of cycle parking.
8. Construction Management Plan to be submitted, approved by the LPA and implemented prior to commencement
9. All residential accommodation to be completed to lifetimes homes standards plus at least 10% wheelchair accessible
10. Disabled parking bay to be designed and constructed in accordance with the standards described in the Department for Transport 'Inclusive Mobility' guidance.
11. All units shall have heat and domestic hot water supplied by Air Source Pumps.
12. Renewables shall be implemented in line with the Sustainability Report
13. Development shall achieve level 4 of the Code for Sustainable Homes
14. Development to be completed in accordance with submitted Flood Risk Assessment
15. Site investigation shall be carried out prior to commencement of development
16. If contamination is encountered at the site, development must cease and the contamination dealt with
17. Piling or other penetrative foundation designs must be approved by the LPA prior to commencement of development
18. Bat survey to be carried out prior to commencement of development and any re-siting of bat nest to take prior to commencement?
19. Hours of construction (08.00 until 17.00 Monday to Friday; 09.00 until 13:00 Saturday. No work on Sundays or Bank Holidays)
20. Schedule of Highway Works to be completed prior to occupation
21. Details of noise transmission/attenuation measures prior to commencement
22. Any other planning condition(s) considered necessary by the Corporate Director Development & Renewal

5 **Informatives**

1. Section 106 required
2. Section 278 required
3. Wheel cleaning facilities during construction
4. Any other informative(s) considered necessary by the Corporate Director Development & Renewal

The meeting ended at 8.00 p.m.

Chair,
Development Committee

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Agenda Item 5

DEVELOPMENT COMMITTEE STRATEGIC DEVELOPMENT COMMITTEE

PROCEDURES FOR HEARING OBJECTIONS AT COMMITTEE MEETINGS

- 6.1 Where a planning application is reported on the "Planning Applications for Decision" part of the agenda, individuals and organisations which have expressed views on the application will be sent a letter that notifies them that the application will be considered by Committee. The letter will explain the provisions regarding public speaking. The letter will be posted by 1st class post at least five clear working days prior to the meeting.
- 6.2 When a planning application is reported to Committee for determination the provision for the applicant/supporters of the application and objectors to address the Committee on any planning issues raised by the application, will be in accordance with the public speaking procedure adopted by the relevant Committee from time to time.
- 6.3 All requests from members of the public to address a Committee in support of, or objection to, a particular application must be made to the Committee Clerk by 4:00pm one clear working day prior to the day of the meeting. It is recommended that email or telephone is used for this purpose. This communication must provide the name and contact details of the intended speaker and whether they wish to speak in support of or in objection to the application. Requests to address a Committee will not be accepted prior to the publication of the agenda.
- 6.4 Any Committee or non-Committee Member who wishes to address the Committee on an item on the agenda shall also give notice of their intention to speak in support of or in objection to the application, to the Committee Clerk by no later than 4:00pm one clear working day prior to the day of the meeting.
- 6.5 For objectors, the allocation of slots will be on a first come, first served basis.
- 6.6 For supporters, the allocation of slots will be at the discretion of the applicant.
- 6.7 After 4:00pm one clear working day prior to the day of the meeting the Committee Clerk will advise the applicant of the number of objectors wishing to speak and the length of his/her speaking slot. This slot can be used for supporters or other persons that the applicant wishes to present the application to the Committee.
- 6.8 Where a planning application has been recommended for approval by officers and the applicant or his/her supporter has requested to speak but there are no objectors or Members registered to speak, then the applicant or their supporter(s) will not be expected to address the Committee.
- 6.9 Where a planning application has been recommended for refusal by officers and the applicant or his/her supporter has requested to speak but there are no objectors or Members registered to speak, then the applicant and his/her supporter(s) can address the Committee for up to three minutes.
- 6.10 The order of public speaking shall be as stated in Rule 5.3.
- 6.11 Public speaking shall comprise verbal presentation only. The distribution of additional material or information to Members of the Committee is not permitted.
- 6.12 Following the completion of a speaker's address to the Committee, that speaker shall take no further part in the proceedings of the meeting unless directed by the Chair of the Committee.
- 6.13 Following the completion of all the speakers' addresses to the Committee, at the discretion of and through the Chair, Committee Members may ask questions of a speaker on points of clarification only.
- 6.14 In the interests of natural justice or in exceptional circumstances, at the discretion of the Chair, the procedures in Rule 5.3 and in this Rule may be varied. The reasons for any such variation shall be recorded in the minutes.
- 6.15 Speakers and other members of the public may leave the meeting after the item in which they are interested has been determined.

- For each planning application up to two objectors can address the Committee for up to three minutes each. The applicant or his/her supporter can address the Committee for an equivalent time to that allocated for objectors.
- For each planning application where one or more Members have registered to speak in objection to the application, the applicant or his/her supporter can address the Committee for an additional three minutes.

Agenda Item 6

Committee: Development	Date: 12 th January 2011	Classification: Unrestricted	Agenda Item No: 6
Report of: Corporate Director of Development and Renewal		Title: Deferred items	
Originating Officer: Owen Whalley		Ref No: See reports attached for each item	
		Ward(s): See reports attached for each item	

1. INTRODUCTION

- 1.1 This report is submitted to advise the Committee of planning applications that have been considered at previous meetings and currently stand deferred.
- 1.2 There are currently no items that have been deferred.

2. RECOMMENDATION

- 2.1 That the Committee note the position relating to deferred items.

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

Brief Description of background papers:	Tick if copy supplied for register	Name and telephone no. of holder:
Application, plans, adopted UDP. draft LDF and London Plan	✓	Eileen McGrath (020) 7364 5321

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Agenda Item 7

Committee: Development	Date: 12 th January 2011	Classification: Unrestricted	Agenda Item No: 7
Report of: Corporate Director Development and Renewal		Title: Planning Applications for Decision	
Originating Officer: Owen Whalley		Ref No: See reports attached for each item	
		Ward(s): See reports attached for each item	

1. INTRODUCTION

- 1.1 In this part of the agenda are reports on planning applications for determination by the Committee. Although the reports are ordered by application number, the Chair may reorder the agenda on the night. If you wish to be present for a particular application you need to be at the meeting from the beginning.
- 1.2 The following information and advice applies to all those reports.

2. FURTHER INFORMATION

- 2.1 Members are informed that all letters of representation and petitions received in relation to the items on this part of the agenda are available for inspection at the meeting.
- 2.2 Members are informed that any further letters of representation, petitions or other matters received since the publication of this part of the agenda, concerning items on it, will be reported to the Committee in an Addendum Update Report.

3. ADVICE OF ASSISTANT CHIEF EXECUTIVE (LEGAL SERVICES)

- 3.1 The relevant policy framework against which the Committee is required to consider planning applications comprises the development plan and other material policy documents. The development plan is:
 - the adopted Tower Hamlets Unitary Development Plan (UDP)1998 as saved September 2007
 - the London Plan 2008 (Consolidated with alterations since 2004)
- 3.2 Other material policy documents include the Council's Community Plan, "Core Strategy LDF" (Submission Version) Interim Planning Guidance (adopted by Cabinet in October 2007 for Development Control purposes) Planning Guidance Notes and government planning policy set out in Planning Policy Guidance & Planning Policy Statements.
- 3.3 Decisions must be taken in accordance with section 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 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. Section 38(6) of the Planning and Compulsory Purchase Act 2004 requires the Committee to make its determination in accordance with the Development Plan unless material planning considerations support a different decision being taken.

LOCAL GOVERNMENT ACT 2000 (Section 97)
LIST OF BACKGROUND PAPERS USED IN THE DRAFTING OF THE REPORTS UNDER ITEM 7

Brief Description of background papers:	Tick if copy supplied for register:	Name and telephone no. of holder:
Application, plans, adopted UDP, Interim Planning Guidance and London Plan	✓	Eileen McGrath (020) 7364 5321

- 3.4 Under Section 66 of the Planning (Listed Buildings and Conservation Areas) Act 1990, in considering whether to grant planning permission for development which affects listed buildings or their settings, the local planning authority must have special regard to the desirability of preserving the building or its setting or any features of architectural or historic interest it possesses.
- 3.5 Under Section 72 of the Planning (Listed Buildings and Conservation Areas) Act 1990, in considering whether to grant planning permission for development which affects a conservation area, the local planning authority must pay special attention to the desirability of preserving or enhancing the character or appearance of the conservation area.
- 3.6 Whilst the adopted UDP 1998 (AS SAVED) is the statutory development plan for the borough (along with the London Plan), it will be replaced by a more up to date set of plan documents which will make up the Local Development Framework. As the replacement plan documents progress towards adoption, they will gain increasing status as a material consideration in the determination of planning applications.
- 3.7 The reports take account not only of the policies in the statutory UDP 1998 but also the emerging plan and its more up-to-date evidence base, which reflect more closely current Council and London-wide policy and guidance.
- 3.8 In accordance with Article 22 of the General Development Procedure Order 1995, Members are invited to agree the recommendations set out in the reports, which have been made on the basis of the analysis of the scheme set out in each report. This analysis has been undertaken on the balance of the policies and any other material considerations set out in the individual reports.

4. PUBLIC SPEAKING

- 4.1 The Council's constitution allows for public speaking on these items in accordance with the rules set out in the constitution and the Committee's procedures. These are set out at Agenda Item 5.

5. RECOMMENDATION

- 5.1 The Committee to take any decisions recommended in the attached reports.

Agenda Item 7.1

Committee: Development	Date: 12 th January 2011	Classification: Unrestricted	Agenda Item No: 7.1
Report of: Corporate Director of Development and Renewal Case Officer: Daniel Buffa		Title: Planning Application for Decision Ref No: PA/10/01826 Ward(s): Limehouse	

1. APPLICATION DETAILS

Location:	Site at land adjacent to railway viaduct, Gill Street, E14
Existing Use:	Community centre
Proposal:	Construction of a new mosque and community centre
Drawing No's:	AQQ/74-01/L1; AQQ/74-01/L2; AQQ/74-02a/L3; AQQ/74/02b/L1; AQQ/74-02b/L2; and Site location plan.
Supporting docs:	Design and Access Statement, by AQQ Ltd; Addendum to original Design and Access Statement, by AQQ Ltd; Email from AQQ dated 19 th October 2010 regarding access; GroundSure Review, dated Jan 7, 2010; and Flood Risk Assessment, by ambiental, dated July 2010.
Applicant:	Limehouse Bangladeshi Cultural Association
Owner:	London Borough of Tower Hamlets
Historic Building:	N/A
Conservation Area:	N/A

2. SUMMARY OF MATERIAL PLANNING CONSIDERATIONS

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

- The proposal would continue to provide a local community facility at the site and as such complies with policies 3A.18 of the London Plan (Consolidated with

Alterations since 2004), policy SP03 of the adopted Core Strategy (2010) and policy SCF1 of the Interim Planning Guidance (2007), which seek to protect community facilities.

- The proposal would have no detrimental impact upon the amenity of neighbours in terms increased noise and disturbance and vehicular activity in the locality, and as such accords with policy SP10 of the adopted Core Strategy (2010), saved policy DEV2 of the Council's adopted Unitary Development Plan (1998) and policy DEV1 of the Council's Interim Planning Guidance (2007), which seek to ensure development does not have an adverse impact on neighbouring amenity.
- Transport matters, including parking, access and servicing, are acceptable and accord with policy 3C.23 of the London Plan (Consolidated with Alterations since 2004), policy SP09 of the adopted Core Strategy (2010), saved policies T16 and T18 of the Council's Unitary Development Plan (1998) and policies DEV18 and DEV19 of the Council's Interim Planning Guidance (2007), which seek to ensure developments minimise parking and promote sustainable transport options.

3. RECOMMENDATION

3.1 That the Committee resolve to **GRANT** planning permission subject to:

3.3 That the Corporate Director Development & Renewal is delegated power to impose conditions [and informatives] on the planning permission to secure the following matters:

3.4 Conditions

1. Three year time limit
2. Consent granted in accordance with Schedule of Drawings
3. Prior to commencement, details to be submitted of proposed:
 - External materials
 - Green roof
4. Arboricultural report and tree protection plan/measures
5. Landscaping plan
6. Travel Plan
7. Details of cycle storage
8. Scheme of Highway improvements necessitated by development
9. Detail of Highway Works to be completed through S278 agreement
10. Management Plan demonstrating how facility will be available for other community users
11. Ground contamination study
12. Hours of construction (08.00 until 17.00 Monday to Friday; 08.00 until 13:00 Saturday. No work on Sundays or Bank Holidays)
13. No amplified call to prayer
14. Hours of use: 08.00 – 22.00 on any day, except that prayer meetings only may take place outside these hours at times of the year when sunrise and sunset are earlier or later than this. The premises shall never be used earlier than 04.30 or later than 23.30.
15. Doors and windows fixed shut when the premises in use before 08.00 and after

22.00.

16. Development to be completed in accordance with submitted Flood Risk Assessment

3.5 Informatives

1. Section 278 required

4. PROPOSAL AND LOCATION DETAILS

Proposal

- 4.1 This application involves the erection of an irregular shaped building to house a Mosque and community centre. The building is effectively comprised of two separate chambers, linked by an entrance lobby. The building would measure a maximum of 24.5m in width and 14.3m in depth. The building is single storey in height, but for the mihrab tower to the east of the site. The mihrab tower is 7.2m high. The building would be externally finished with white rendered masonry.
- 4.2 At present the Limehouse Bangladeshi Cultural Association operate from three arches in the adjacent viaduct. Their intention is to relinquish the lease on the arches over a period of time and move into this new proposed facility.

Site and Surroundings

- 4.3 The site is an irregular shaped area of grassed open space to the south of the Docklands Light Railway (DLR) line between Westferry and Limehouse stations. The site is bounded to the north by railway arches, to the west by Gill Street, to the east by Trinidad Street and to the south by an access road to Trinidad House.
- 4.4 The site is part occupied by two portacabins, which are used as a community centre. There is a cluster of mature lime trees to the west of the site, along the boundary with Gill Street, and a single lime tree towards the middle of the site. There are currently additional portacabins on the site, which are being used in association with renovation works being undertaken on surrounding residential properties.

Planning History

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

PA/10/01051 Construction of new single storey Mosque and Community Centre.
Refused 15.07.2010 due to an inadequate flood risk assessment for the proposal.

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 (adopted 2010)

Policies: SP03 Creating Healthy and Liveable Neighbourhoods

SP04	Creating a green and blue grid
SP09	Creating attractive and safe streets and spaces
SP10	Creating distinct and durable places

Unitary Development Plan 1998 (as saved September 2007 & retained September 2010)

Policies:	DEV1	Design requirements
	DEV2	Environmental requirements
	DEV15	Replacement/retention of mature trees
	SCF8	Encouraging shared use
	U2	Development in areas at risk of flooding
	T16	Traffic priorities for new development
	T18	Pedestrians and the road network

Interim Planning Guidance for the purposes of Development Control

Policies	DEV1	Amenity
	DEV2	Character and Design
	DEV3	Accessibility and Inclusive Design
	DEV13	Landscaping and Tree Preservation
	DEV16	Cycle parking and facilities
	DEV18	Travel Plans
	DEV19	Parking for motor vehicles
	DEV21	Flood Risk Management
	SCF1	Social and Community Facilities

Spatial Development Strategy for Greater London (London Plan)

	4B.1	Design principles for a compact city
	4B.3	Enhancing the Quality of the Public Realm
	4B.5	Creating an Inclusive Environment
	4B.6	Sustainable Design and Construction
	3A.18	Protection and enhancement of social infrastructure and community facilities
	4A.12	Flooding
	4A.13	Flood Risk Management

Government Planning Policy Guidance/Statements

PPS25	Development and Flood Risk
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Community Plan The following Community Plan objectives relate to the application:
A better place for learning, achievement and leisure

6. CONSULTATION RESPONSE

6.1 The views of the Directorate of Development & Renewal are expressed in the MATERIAL PLANNING CONSIDERATIONS section below. The following were consulted regarding the application:

6.2 Environment Agency

- No objection subject to a condition requiring that the development is carried on in accordance with the submitted Flood Risk Assessment (**officer comment** – the

requested condition will be included on any approval).

6.3 Network Rail

- To date no comments have been received.

6.4 Docklands Light Railway Limited

- To date no comments have been received.

6.5 LBTH Highways and Transportation

- The existing adjacent mosque accommodates 250 worshippers. The proposed building will accommodate a maximum of 191 worshippers. The applicant intends to relinquish the lease of the existing mosque. Will there be a time when the existing and proposed mosques would both be operating, thereby increasing the capacity of the facility? (**officer comment** – some overlap is possible)
- Travel surveys of the current use would be helpful at establishing a base case from which to anticipate future trends. And confirmation should be provided in relation to the catchment area of the facility (**officer comment** – a survey has been carried out. Please refer to section 8 (30-31) of the report for further discussion on this point).
- The site is located within an area of parking control during Monday to Friday 08.30-17.30. The facility is anticipated to generate trips both inside and outside of the on-street parking restriction times. Hence local amenity impacts are a concern. Consideration needs to be given to the provision of disabled parking spaces. Cycle parking facilities should be provided in accordance with the minimum policy requirements (**officer comment** – please refer to section 8 (32-34) of the report for further discussion on this point)
- On-street servicing would not be supported. On-site provision is required for servicing/delivery vehicles with full details provided (e.g. vehicle sizes, frequency and times) (**officer comment** – please refer to section 8 (36) of the report for further discussion on this point)
- A comprehensive Travel Plan (TP) should be produced (**officer comment** – this matter can be adequately dealt with by condition)

6.6 LBTH Arboricultural Officer

- To date no comments have been received (**officer comment** - a response was received to the previous refusal, requesting a British Standard compliant tree survey. It is considered this matter can be dealt with by way of condition).

6.7 LBTH Asset Management

- To date no comments have been received.

6.8 LBTH Cleansing Officer

- To date no comments have been received.

7. LOCAL REPRESENTATION

7.1 A total of 247 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 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: 16 Objecting: 16 Supporting: 0
No of petitions received: 1 objecting containing 28 signatories

7.2 The following local groups/societies made representations:

- Limehouse Community Forum

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

Loss of existing community facility

- Existing portacabins facility has been used for more than 20 years by the whole local community for a wide variety of uses (family parties, educational uses, exercise groups). This should be protected.
- Submitted information states the proposed community facilities would be made available to local community groups. What is the mechanism for ensuring this?

Highways impacts

- Will lead to an increase in traffic in an already congested area;
- Will worsen parking congestion.

Amenity

- Existing mosque is over-full for Friday prayers and on special religious occasions. The proposal will exacerbate the situation;
- Proposal will result in more noise and litter in the area
- Disruption during construction of the building

Impact upon open space

- Loss of greenery at the site;
- Building will cover 40% of the site – Council policy seeks to protect open space provision;

Other matters

- Residents were misled by the members of the mosque committee as the original plans left the existing portacabins in situ (**officer comment** – this is not a matter for the planning department's involvement)
- The mosque members have failed to enter into a dialogue with the St. Vincent's Tenants Residents Association (**officer comment** – whilst the Council encourages community consultation and dialogue from applicants, it cannot be insisted upon in this case, and sufficient information has been submitted to assess the scheme fully).
- The proposed 'community room' is not really for community use, but a second prayer room (**officer comment** – it is expected that the room would serve a dual purpose).
- Stated figures do not make sense. Limehouse mosque already has more users than

the new facility can accommodate (**officer comment** – the size of the facility applied for is a matter for the applicant).

- There are more appropriate locations elsewhere for a mosque (**officer comment** – the application has been submitted and must be assessed on its individual merits).

8. MATERIAL PLANNING CONSIDERATIONS

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

1. Land Use/loss of existing facility
2. Design
3. Impact upon amenity of neighbours
4. Transport Impacts
5. Other planning matters

8.2 Land use/loss of existing facility

8.3 Core Strategy (CS) policy SP03 seeks to locate social and community facilities in accessible locations. Interim Planning Guidance (IPG) policy SCF1 states that when determining the location of community facilities careful consideration should be given to the likely catchment of the facility, the accessibility of the site and the needs of the area and the quality of the proposal. Furthermore, it states that any development that displaces existing community facilities will be required to meet identified needs on or off site.

8.4 The existing on-site portacabins have been in place for more than 20 years. Whilst they certainly have something of a temporary appearance, it is considered that the length of time they have occupied the site has established the principle of the use of the land for a community use.

8.5 The proposed building would cover more of the site than the existing portacabins. Some 226m² compared to 73m². This represents an increase in size of some 309%. The existing portacabins occupy approximately 11% of the site and the proposed building would occupy some 33.3% of the site. The site is an area of grassed amenity land rather than an adopted piece of open space. It is not widely used for amenity purposes, and indeed it is not particularly practical for such usage. The principle of the loss of some of this open land for an increased size community facility is considered to be acceptable.

8.6 The existing portacabins are currently used as a social and community facility by the local community. A wide range of activities and classes are run from the portacabins, such as language classes, a child play group and a gardening group. The portacabins would be removed to make way for the proposed scheme. The footprint of the portacabins is some 73m². The community centre element of the proposed scheme has a useable floor area of 76m². Objections to the scheme have been received stating that there is no mechanism of ensuring that the proposed community facility would be available for the use of the whole community.

8.7 The submitted Design and Access Statement states that the applicant's intention is to make the proposed community hall available to community groups for genuine community uses. The applicant has since further confirmed that they would be amenable to opening up the use of the community centre to other community organisations. Furthermore, they

have stated that they would be happy to enter into a management agreement securing wider community use by way of a planning condition. This is not a matter that would normally be easily secured by condition, but given the good will shown by the applicant, and the desire of the existing community groups to continue using the site, it is considered that a reasonable agreement could be reached in this instance.

8.9 Thus the use of the site as a mosque/community centre is considered to be acceptable in principle and complies with CS policy SP03 and IPG policy SCF1.

8.10 **Design**

8.11 Good design is central to the objectives of national, regional and local planning policy. Chapter 4B of the London Plan refers to 'Principles and specifics of design for a compact city' and specifies a number of policies aimed at achieving good design. These policies are reflected in CS policy SP10, saved policies DEV1, DEV2 and DEV3 of the Unitary Development Plan (UDP); and IPG policies DEV1 and DEV2.

8.12 These policies require new development to be sensitive to the character of the surrounding area in terms of design, bulk, scale and the use of materials. They also require development to be sensitive to the capabilities of the site.

8.13 Layout, scale and height

8.14 The design form of the proposed building is essentially relatively simple. The building comprises two separate rooms linked by a centrally located entrance lobby. The proposed building is set well within the site boundaries and, therefore, would not appear over dominant in its surroundings. The building is mostly single storey and would be visually unobtrusive against the taller backdrop of the railway arches. The building would be largely screened from Gill Street by the existing line of mature lime trees that would be retained. The taller element of the scheme, the mihrab tower, would form a point of visual interest and give the building the definition of a mosque. The external faces of the building would be white rendered masonry and the proposal would incorporate a flat 'green' roof.

8.15 Overall, the design of the building, which is a clear improvement from the existing unsightly portacabins, does not harm the site or surrounding area and complies with CS policy SP10, saved UDP policy DEV1 and IPG policy DEV2.

8.16 Accessibility

8.17 CS policy SP10, saved UDP policy DEV2 and IPG policy DEV3 all require development to incorporate inclusive design principles.

8.18 The proposal provides a ramped disabled access to the north of the building. The Council's Access Officer commented this arrangement is poor and disabled access should be provided through the main front entrance. The applicant's agent has stated that the two entrances should not be seen as a front door and a back door, but rather as two main entrances to the building. The north access has been amended to provide a wider entrance door and a less steep gradient to the ramp. Given the building has to be set well above ground level to prevent the risk of flooding, it would not be possible to easily provide an acceptable ramped access to both entrances.

8.19 Given this the building is considered to be sufficiently accessible to allow for inclusive usage. Complies with CS policy SP10, saved UDP policy DEV2 and IPG policy DEV3.

8.20 Impact upon the amenity of neighbours

8.21 Policy SP10 of the CS, saved UDP policy DEV2 and IPG policy DEV1 all seek to protect residential amenity. The application poses no harm to nearby residents in terms of loss of light, outlook or overlooking. Therefore, the main amenity impact is the potential increase in noise and disturbance in the vicinity caused by the increased number of people using the new facility.

8.22 The submitted Design and Access Statement states that the existing mosque in the arches has a maximum capacity of 250 people. The proposed mosque would have a maximum capacity of nearly 200 people. Whilst it has been stated that the intention if permission is gained is to gradually relinquish the lease on the arches, this cannot be guaranteed. Regardless, another community group with a similar number of users could move into the vacated arches. Thus it is most prudent to assess the proposal as if an additional facility rather than a replacement facility. The maximum capacity, therefore, would be some 450 people.

8.23 The application has been submitted with a survey assessing how users arrive at the existing mosque in the arches. The survey reveals that during 'normal' prayer sessions 100% of users walked to the mosque. During Friday prayer 86% of users walked, 10% arrived by bus, 3% arrived by car and 1% arrived by DLR.

8.24 This demonstrates that the vast majority of existing mosque users come from the local community and arrive on foot. There is no reason to assume this would change if the mosque relocates, and even if the proposed mosque becomes an extension to the existing arches mosque, the increased users would still be likely to come from the local area and arrive on foot. Thus it is not expected that there would be any harm to amenity in terms of increased vehicular noise and activity in the vicinity of the site.

8.25 Furthermore, it is expected that the mosque would only operate at maximum capacity for Friday prayers and twice yearly at Eid. On balance, even as an extension to an existing mosque, it is not considered the proposal would have a detrimental impact upon the amenity of neighbours.

8.26 Transport Impacts

8.27 The site is located only some 130m from Westferry DLR and has a Public Transport Accessibility Level (PTAL) of 5, indicating good access to public transport.

8.28 CS policy SP09 and IPG policies DEV16, DEV17, DEV18 and DEV19 (2007) in broad terms seek to promote more sustainable modes of transport by reducing car-parking and improving public transport.

8.29 Saved UDP policy T16 (1998) requires that consideration is given to the traffic impact of operational requirements of a proposed use and saved UDP policy T18 (1998) seeks to ensure priority is given to the safety and convenience of pedestrians.

8.30 The application has been submitted with a survey demonstrating that the majority of people using the existing mosque in the arches walk to the site.

8.31 Traffic impact

8.32 The Council's Highways Officer has raised a number of points regarding trip generation, the proposed catchment area of the facility and parking. At present most people using the existing mosque arrive on foot. The proposed mosque would serve the local community and it is expected users would continue to arrive on foot.

8.33 A Travel Plan and Construction Management Plan can be conditioned to ensure the highway network is not unduly disrupted during construction of use of the proposed facility

8.34 Given this, it is not expected that the proposal would have a detrimental impact on the flow of local traffic. Furthermore, the previous application was not refused due to the potential impact on the surrounding highway network, and it would be unreasonable to introduce it as a reason now.

8.35 Car parking

8.36 The site is located within an area of good public transport accessibility and it is entirely appropriate to provide no car parking. A disabled car parking bay could not easily be provided and its non-provision is not a reason to refuse the application by. The non-provision of car parking complies with CS policy SP09 and IPG policy DEV19.

8.37 Cycle parking

8.38 According to the submitted survey no-one cycles to the existing mosque. Thus the provision of cycle parking wholly in line with IPG policy DEV16, some 20 spaces, would be excessive. Furthermore, given the constrained size of the site, a balance must be struck between developing the site and maintaining a sense of openness. It is considered delivery of an appropriate level of cycle parking can be dealt with by way of condition.

8.39 Servicing/deliveries

No details of servicing arrangements have been supplied. However, it is not considered that the servicing needs of the proposed mosque/community centre are likely to be heavy, and arrangements are likely to be similar to those used currently for the existing community centre.

8.40 **Other planning matters**

8.41 Flood risk

8.42 The site is located within flood zone 3. The previous application was refused for the sole reason that the submitted Flood Risk Assessment (FRA) did not adequately demonstrate that the proposal would pose no increased floor risk. This application has been accompanied by a FRA produced by Ambiental, dated July 2010, which the Environment

Agency were consulted on.

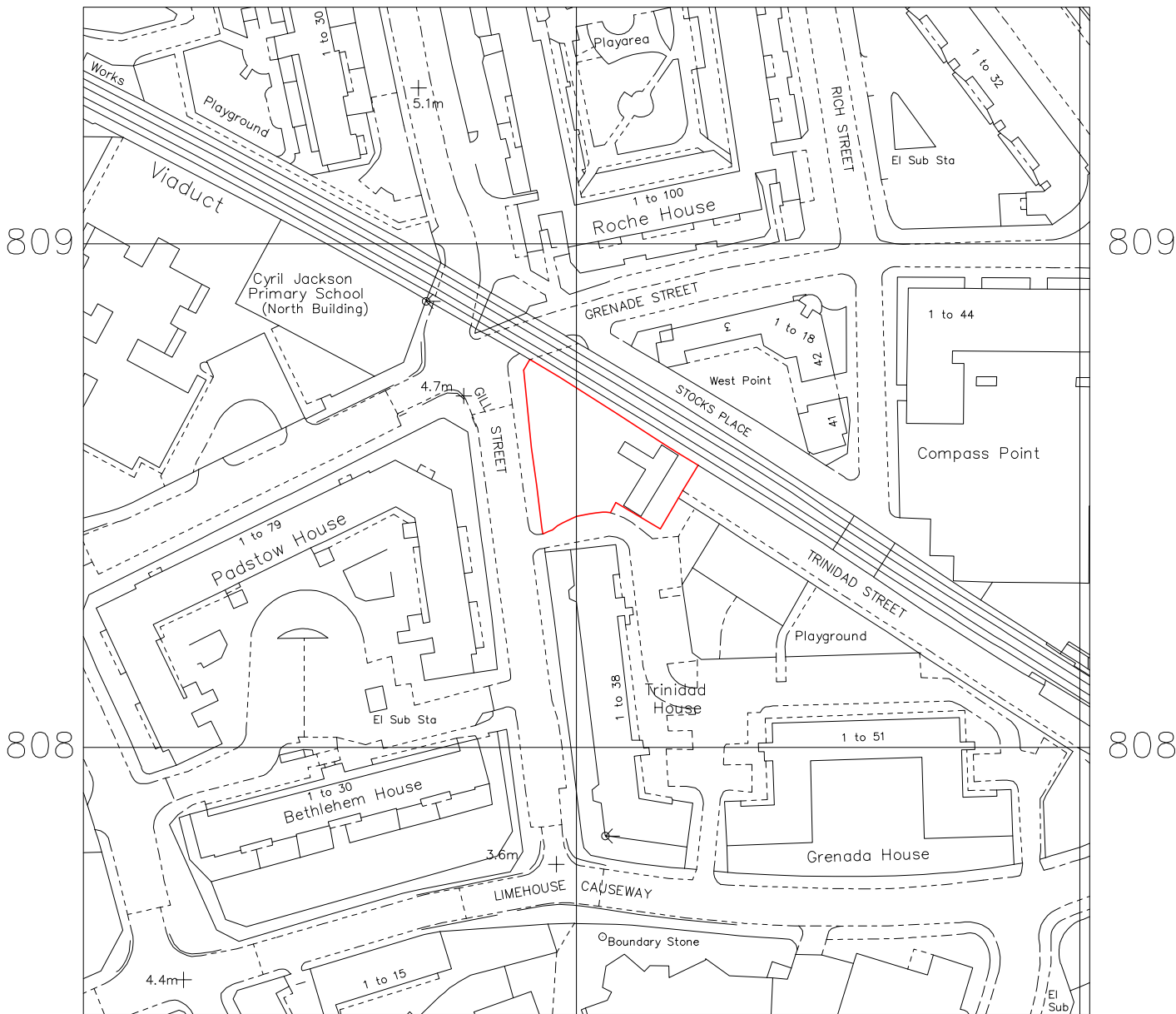
- 8.43 Amongst the measures taken to prevent flood risk are setting the ground floors of the proposed building at or above 5.0m above Ordnance Datum and inclusion of a green roof. The Environment Agency has no objections to the scheme, subject to a condition, which will be included on the decision notice.
- 8.44 Subject to the relevant condition, the proposal complies with advice given in Planning Policy Statement 25: Development and Flood Risk, London Plan policies 4A.12 and 4A.13, saved policy U2 of the adopted Unitary Development Plan and policy DEV21 of the Council's Interim Planning Guidance and is considered acceptable.
- 8.45 Trees
- 8.46 Saved UDP policy DEV15 and IPG policy DEV13 seek the retention or replacement of mature trees with amenity value.
- 8.47 The proposal would result in the loss of 8 lime trees. However, none of the trees are protected and the main line of 8 trees facing Gill Street would be retained. It is suggested that a tree survey is conditioned to ensure no retained trees are harmed during construction work.
- 8.48 On balance, given the trees with the most amenity value would be retained, it is not considered the loss of the cluster of trees towards the centre of the site provides sufficient justification to refuse the application and the trees Complies with the aims of saved UDP policy DEV15 and IPG policy DEV13.
- 8.49 **Conclusions**
- 8.50 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.

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Stanfords VectorMap

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Agenda Item 8

Committee: Development	Date: 12 th January 2011	Classification: Unrestricted	Agenda Item No: 8
Report of: Corporate Director Development and Renewal		Title: Other Planning Matters	
Originating Officer: Owen Whalley		Ref No: See reports attached for each item	
		Ward(s): See reports attached for each item	

1. INTRODUCTION

- 1.1 In this part of the agenda are reports on planning matters other than planning applications for determination by the Committee. The following information and advice applies to all those reports.

2. FURTHER INFORMATION

- 2.1 Members are informed that all letters of representation and petitions received in relation to the items on this part of the agenda are available for inspection at the meeting.
- 2.2 Members are informed that any further letters of representation, petitions or other matters received since the publication of this part of the agenda, concerning items on it, will be reported to the Committee in an Addendum Update Report.

3. PUBLIC SPEAKING

- 3.1 The Council's Constitution only provides for public speaking rights for those applications being reported to Committee in the "Planning Applications for Decision" part of the agenda. Therefore reports that deal with planning matters other than applications for determination by the Council do not automatically attract public speaking rights.

4. RECOMMENDATION

- 4.1 That the Committee take any decisions recommended in the attached reports.

LOCAL GOVERNMENT ACT 2000 (Section 97)
LIST OF BACKGROUND PAPERS USED IN THE DRAFTING OF THE REPORTS UNDER ITEM 8

Brief Description of background papers:
See individual reports

Tick if copy supplied for register:
✓

Name and telephone no. of holder:
See individual reports

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Agenda Item 8.1

Committee: Development	Date: 12 th January 2011	Classification: Unrestricted	Agenda Item Number: 8.1
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Report of: Director of Development and Renewal	Title: Listed Building Application
Case Officer: Richard Murrell	Ref No: PA/10/02144
	Ward: Weavers

1. APPLICATION DETAILS

Location: Columbia Market Nursery School, Columbia Road, London, E2 7PG

Existing Use: School (Use Class D1)

Proposal: Replacement of doors in main entrance; removal of window from rear entrance and replacement with doors.

Drawing Nos/Documents: OS Sitemap, Main Entrance Door Proposed, Rear Entrance, Photographs numbered 1 – 8.

Design and Impact Statement.

Applicant: London Borough of Tower Hamlets

Ownership: London Borough of Tower Hamlets

Historic Building: Grade II Listed Building

Conservation Area: Hackney Road

2. SUMMARY OF MATERIAL PLANNING CONSIDERATIONS

2.1 The Local Planning Authority has considered the particular circumstances of this application against the Council's approved planning policies contained in the London Plan (Consolidated with Alterations since 2004), the Core Strategy Development Plan Document 2025; the London Borough of Tower Hamlets Unitary Development Plan 1998 and associated supplementary planning guidance, the Council's Interim Planning Guidance (2007): Core Strategy and Development Control, and Government Planning Policy Guidance and has found that:

2.2 The proposed replacement main entrance doors and new rear door are sympathetic to the historic character of the main school in terms of design and material. The proposal therefore accords with the aims of saved policy DEV37 of the Unitary Development Plan 1998, policy SP10 (2, 3 and 4) of the Core Strategy (2010), policy CON1 of the Interim Planning Guidance (October 2007) and policy 4B.11 and 4B.12 of the London Plan Consolidated with Alterations (February 2008), which seek to ensure that works to a listed building pay special regard to the desirability of preserving the building or its setting, or any features of special interest.

3. RECOMMENDATION

3.1 That the Committee resolve to refer the application to the Government Office for London with

the recommendation that the Council would be minded to grant Listed Building Consent subject to conditions as set out below:

Conditions

- Three year time limit.
- Execution to match adjacent original work.
- Any other planning condition(s) considered necessary by the Corporate Director Development & Renewal.

4. PROPOSAL AND LOCATION DETAILS

Background

- 4.1 Columbia Market Nursery School was formally added to the List of Buildings of Special Historic Interest on 18th February 2010 at Grade II. The building was Listed following a research project by English Heritage to identify schools of historic merit built in inner London during the inter-war period.
- 4.2 At the time of the Listing, the school was undergoing a programme of refurbishment works. These works included the installation of an external disabled access ramp. These works were completed prior to the completion of the Listing process, and as such did not require specific consent from the local planning authority. The current application seeks consent to complete the works that had not been undertaken when the building was Listed.

Proposal

- 4.3 The council is prohibited from granting itself listed building consent. Regulation 13 of the Planning (Listed Building and Conservation Areas) Regulations 1990 requires that such applications are referred to the Secretary of State, together with any representations received following statutory publicity
- 4.4 The proposal seeks permission for alterations to the main entrance door, and the enlargement of a rear window to create a new entrance to the inner courtyard area. The purpose of the works is to improve access for disabled persons around the school site. The works are described in more detail in the design section of this report.

Site and Surroundings

- 4.5 Columbia Market Nursery School, which was built by the London County Council and opened in 1930. The school is Grade II Listed. English Heritage consider that the school has special historic interest by reason of:-
- it being one of the first municipal nursery schools in the country, its construction reflecting the shifting patterns of family life and concern for infant health and wellbeing;
 - its experimental status, providing evidence of inter-war exploration of new materials and construction techniques, such as prefabrication, for a new municipal building type;
 - the rarity of surviving 'open-air' features such as the folding partitions added in 1935; and

- its unusual detailing including the weatherboarded walls and neo-Georgian porch with turned balusters.

4.6 The school is accessed from Columbia Road. The surrounding area is predominately residential.

4.7 The site is located in the Hackney Road Conservation Area.

Planning History

4.8 The following planning decisions are relevant to the application:

- | | |
|-------------|--|
| PA/01/01381 | Erection of a ground floor extension to provide a parent/staff room, including internal remodelling, new toilets, covered play area and new ramps at the main front entrance and rear. Approved. |
| PA/05/01525 | Construction of building comprising basement and ground floor to house children's centre. Approved. |
| PA/06/00963 | Two ground floor extensions to provide a resource storage area and an enlarged utility/shower area. Approved. |

5. POLICY FRAMEWORK

5.1 The following policies are relevant to the application:

5.2 Core Strategy Development Plan Document 2025 (adopted 2010)

Policies SP10 (2, 3, 4) Creating Distinct and Durable Places

5.2 Unitary Development Plan 1998 (as saved September 2007)

Policies: DEV37 Works to a Listed Building

5.3 Interim Planning Guidance for the purposes of Development Control (October 2007)

Policies: CON1 Listed Buildings

5.4 Spatial Development Strategy for Greater London (London Plan) (2008)

Policies: 4B.11 London's Built Heritage

4B.12 Heritage Conservation

5.5 National Guidance Documents

PPS5: Planning for the Historic Environment

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:

English Heritage (Statutory Consultee)

6.3 No comments received.

7. LOCAL REPRESENTATION

7.1 A total of 32 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 on site and in the East London Life.

7.2 No letters of representation have been received.

8. MATERIAL PLANNING CONSIDERATIONS

8.1 When determining listed building consent applications, section 16 of the Planning (Listed Buildings and Conservation Areas) Act 1990, requires that special regard should be paid to the desirability of preserving the building or its setting, or any features of special interest.

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

- Built Heritage and Design

Built Heritage and Design

8.3 Core Strategy Policy SP10 (2, 3, 4) promotes the creation of distinct and durable places. It seeks to protect and enhance heritage assets, including listed buildings.

8.4 Saved policy DEV37 of the Unitary Development Plan 1998 (UDP) states that proposals to alter listed buildings will be expected to preserve the special architectural or historic interest of the building. In particular, it requires that alterations retain and repair the original internal architectural features and that any works are undertaken with traditional materials.

8.5 Policy CON1 of the Interim Planning Guidance October 2007 (IPG) states that any works to listed buildings will only be supported if they do not have an adverse impact on the character, fabric or identity of the building and if they are appropriate in terms of design scale, detailing and materials.

8.6 London Plan (Consolidated with Alterations) February 2008 policies 4B.11 and 4B.12 state that Boroughs should seek to enhance and protect the historic environment and promote the beneficial use of built assets.

8.7 The current application seeks consent for works which are part of a programme to improve access for disabled persons into the main school building. Prior to the school being listed, an access ramp and handrails had been installed.

8.8 To complete the programme, the application seeks consent for the following works:-

- Replace existing main double entrance doors (each 700mm wide). The proposed door would be set within the same opening as the existing doors. The proposed door comprises 1 leaf 1000mm wide, and one leaf 400mm wide. The doors will be made of timber with safety glass vision panels and will be painted. The smaller door will mainly be static, but will have the ability to open

to allow wider access as/when required.

- Remove existing timber framed window to rear of school. Remove section of timber weatherboarding below the existing window to create doorway. The doorway will provide level access to the inner courtyard. The new door would be constructed from timber and would incorporate half glazed panels to match the existing windows on the building.

8.9 The proposed works are relatively minor in nature. The works will complete the programme to improve access for disable persons to the school which was instigated shortly before the building was Listed. The two proposed doors are appropriate in terms of detailed design and material to the characteristics of the main building. The removal of a small area of weather boarding beneath the existing rear window does not have any significant detrimental impact on the special historic character of the building. A condition would be imposed on any permission requiring finishes and works of making good to match original adjacent work. With this safeguard the proposal complies with planning policy and is considered acceptable.

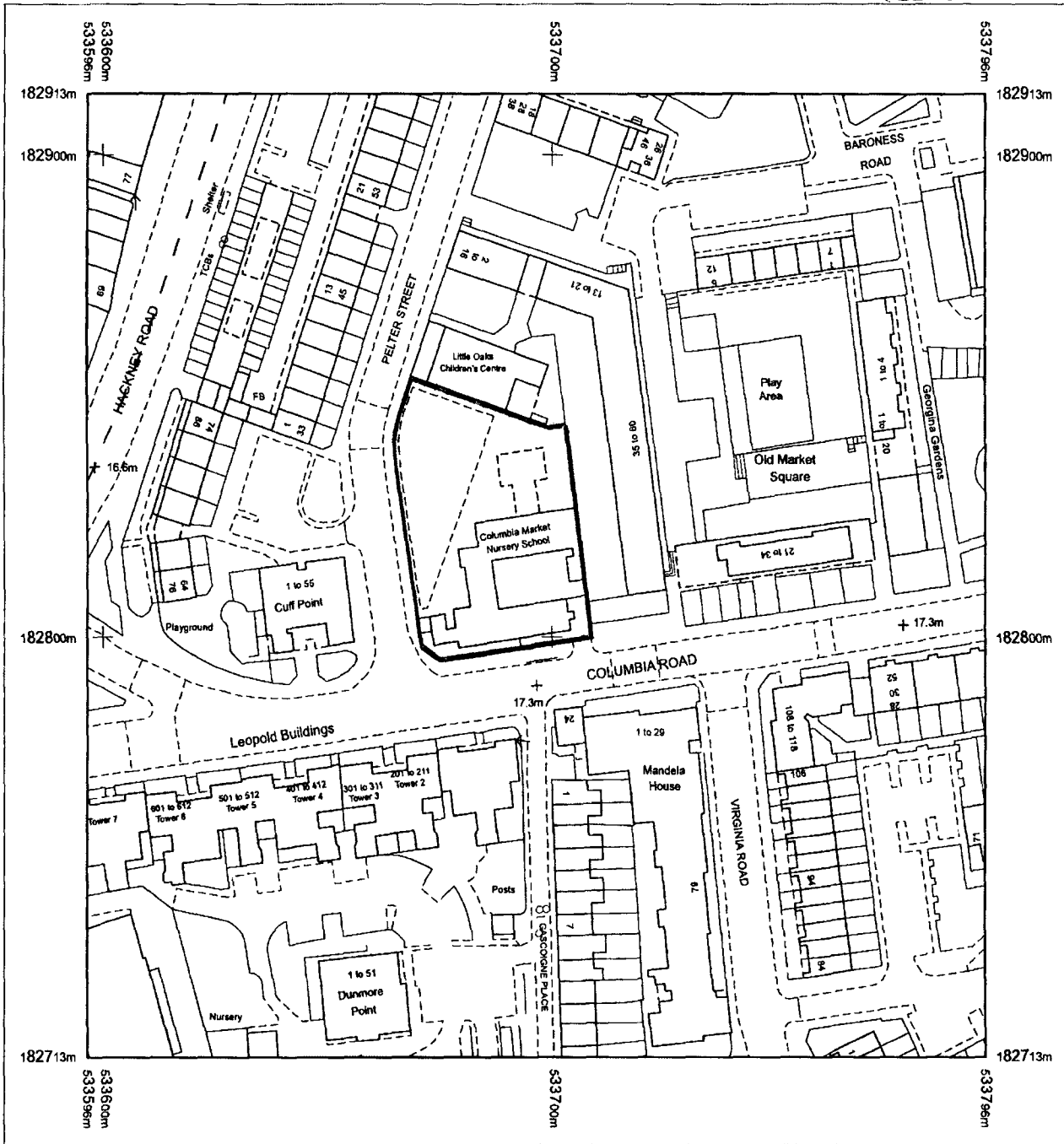
Conclusions

8.10 All other relevant policies and considerations have been taken into account The Secretary of State can be advised that this Council would have been minded to grant Listed Building Consent 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.

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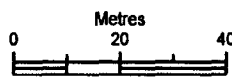
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Agenda Item 8.2

Committee: Development	12th January 2011	Classification: Unrestricted	Agenda Item No: 8.2
Report of: Director of Development and Renewal		Title: Conservation Area Consent	
Case Officer: Marie Joseph		Ref No: PA/10/02233	
		Ward(s): East India and Lansbury	

1. APPLICATION DETAILS

- 1.0 **Location:** Langdon Park Secondary School, Byron Street, London E14 0RZ
- 1.1 **Existing Use:** Secondary School
- 1.2 **Proposal:** Demolition of part of a the dining building, single storage sheds and a boundary wall to facilitate the partial re-development of the site
- 1.3 **Drawing Nos:** LPS-AST-GA-900000 REVA; LPS-AST-GA-900001 REVB; LPS-AST-GA-900003 REVA; LPS-AST-GA-900011 REVB; LPS-AST-GA-900012 REVB; LPS-AST-GA-900013 REVB; LPA-AST-GA-900014 REVB; LPS-AST-GA-900015 REVB; LPS-AST-GA-900016 REVB and LPS-AST-GA-900017 REVB
- 1.4 **Supporting Documents:** Planning and Impact Statement – dated October 2010
Heritage Impact Statement – dated October 2010
- 1.5 **Applicant:** Bouygues UK
Elizabeth House
39 York Road
London
- 1.6 **Owner:** London Borough of Tower Hamlets
- 1.7 **Listed Building:** No
- 1.8 **Conservation Area:** The school is partly located within the Langdon Park Conservation Area

2.0 SUMMARY OF MATERIAL PLANNING CONSIDERATIONS

- 2.1 The Local Planning Authority has considered the particular circumstances of this application against the Council's approved planning policies contained in the London Plan (Consolidated with Alterations since 2004), the Core Strategy Development Plan Document 2025; the London Borough of Tower Hamlets Unitary Development Plan 1998 and associated supplementary planning guidance, the Council's Interim Planning Guidance (2007): Core Strategy and Development Control, and Government Planning Policy Guidance and has found that:
- 2.2 The proposed demolition to part of the existing wall fronting Bright Street and Hay Currie Street and four existing buildings on site is considered appropriate in respect of demolition in a Conservation Area. This is in line PPS5: Planning and the Historic Environment, saved policy DEV28 of the adopted Unitary Development Plan (1998), CON2 of the Interim Planning Guidance for the purpose of Development Control (October 2007) and SP10 of the Adopted Core Strategy 2025 Development Plan Document (September 2010). These policies seek to ensure that alterations respect the special architectural and historic interest of Conservation Areas.

3.0 RECOMMENDATION

- 3.1 That the Committee resolve to refer the application to the Government Office for London with the recommendation that the Council would be minded to grant Conservation Consent subject to conditions as set out below:

Conditions

- 3 year time period
- Demolition should not take place until permission has been granted for an appropriate development.
- 3) Any other condition(s) considered necessary by the Corporate Director Development & Renewal.

4.0 PROPOSAL AND LOCATION DETAILS

Proposal

- 4.1 The application seeks conservation area consent to demolish the following structures which exist on site in order to redevelop the site as part of the Government's Building Schools for the Future initiative:

- Part of the existing brick wall fronting Hay Currie Street and Bright Street
- Part of the dining block.
- Single storey storage sheds

The scheme does require the demolition of additional buildings on site. However, these are not located in the Conservation Area and therefore do not require consent for demolition.

Site and Surroundings

- 4.2 Langdon Park Secondary School is an existing school site located within the East India and Lansbury Ward of the Borough.
- 4.3 The site is bounded by the highways of Bright Street, Hay Currie Street, St. Leonard's Road and Burcham Street. Residential development also bounds the site to the north, east and south. Open space in the form of Langdon Park is located also in the north and the Dockland Light Railway runs adjacent to Hay Currie Street to the west.
- 4.4 The site is located predominantly inside of the Langdon Park Conservation Area, the boundary of which runs adjacent to the Board School and is characterised by educational buildings ranging between one and four storeys in height. There is no uniform character on the school site but the dominant building comprises of four storeys with copper domed turrets and formed part of the original London Board School built in 1907.

Relevant Planning History

- 4.5 PA/10/02232 Remodelling and refurbishment of existing buildings to be retained, including the erection of a glazed entrance and lift to the Edwardian school building. Erection of two new buildings up to three storeys in height and associated works.

5.0 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:

5.2 Core Strategy 2025 Development Plan Document (September 2010)

Policies: SP10(2,3,4) Creating distinct and durable places

5.3 Unitary Development Plan 1998 (as saved September 2007)

Policies DEV28 Demolition of buildings in conservation areas

5.4 Interim Planning Guidance for the purpose of Development Control (October 2007)

Policies CON2 Conservation Areas

5.5 Spatial Development Strategy for Greater London (London Plan) (2008)

Policies: 4B.11 London’s Built Heritage
4B.12 Heritage Conservation

5.6 Government Planning Policy Guidance/Statements

PPS5 Planning and the Historic Environment

6.0 CONSULTATION RESPONSE

6.1 The views of the Directorate of Development and Renewal are expressed in the MATERIAL PLANNING CONSIDERATIONS section below. The following were consulted regarding the application:

English Heritage (Statutory Consultee)

6.2 No comments received.

7 LOCAL REPRESENTATION

7.1 A total of 263 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:

7.2 No of individual responses: 0 Objecting: 0 Supporting: 0

7.3 No of Petitions: 0 Objecting:0 Supporting: 0

8 MATERIAL CONSERVATION CONSENT CONSIDERATIONS

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

1. Impact on the Conservation Area.

Impact on the Langdon Park Conservation Area.

8.2 Part of the site is located within the Langdon Park Conservation Area which was designated in December 1990 and extended to the north west in October 2008.

8.3 The Langdon Park Conservation Area Character Appraisal (adopted by cabinet on November 4th 2009) states that “*The Langdon Park School was built in 1907 in the*

attractive Board School style. It is 3 storeys high with copper domed turrets, and contributes to the suburban quality of the area.”

8.4 The proposal includes demolition of the following structures within the Conservation Area:

- Part of the existing brick wall fronting Hay Currie Street and Bright Street
- Part of the dining block.
- Single storey storage sheds

The scheme does require the demolition of additional buildings on site. However, these are not located in the Conservation Area and therefore do not require consent for demolition.

A full planning application for the redevelopment of the school site in part has been submitted under reference PA/10/02232. This application is currently under consideration by the Council.

8.5 The existing wall runs around the entirety of the site and consists of bricks at lower levels and chain link fencing above attached to steel poles. Whilst the chain link fencing forms a uniform line, the brickwork varies in its height.

8.6 From information provided by the applicants, photographs and the undertaking of a site visit it is considered that the wall is not original and is made up of a number of different brick types and has been altered at different periods over time.

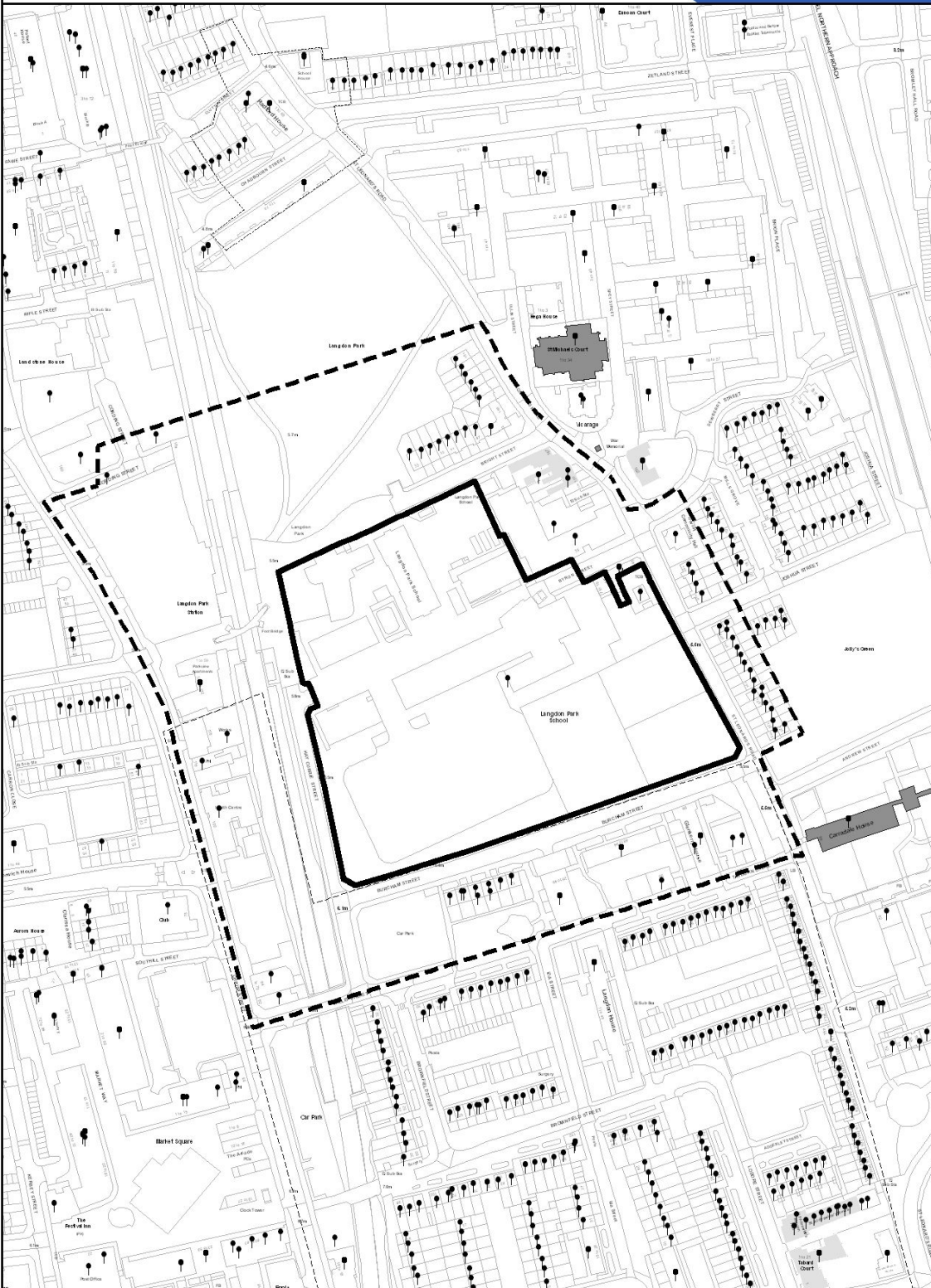
8.7 The buildings to be demolished are somewhat dilapidated in nature and are not considered to be of a sufficient quality to enable effective teaching facilities. No comments have been received in relation to this application and the retention of the building from the Council's Conservation department or the Council's building control department. However, the council's conservation and design team have confirmed that the principle of the alterations are acceptable on the submitted planning application which accompanies this. Furthermore, the board school element, stated within the character appraisal as a positive contribution to the conservation area will be retained.







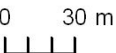
8.8 For the above reasons it is considered that the existing buildings and wall sections have no positive contribution to make to the character and appearance of the surrounding conservation area and therefore would adhere to Saved Policy DEV28 of the Unitary Development Plan (1998) and Policy CON2 of the Interim Planning Guidance (October 2007) which seek to ensure the demolition of appropriate buildings within the Borough's Conservation Areas.

Conclusions

8.9 All other relevant policies and considerations have been taken into account The Secretary of State can be advised that this Council would have been minded to grant Conservation Area Consent 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	 1:3,000
 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. This map is based upon Ordnance Survey material with the permission of Ordnance Survey on behalf of the Controller of Her Majesty's Stationery Office © Crown copyright. Unauthorised reproduction infringes Crown copyright and may lead to prosecution or civil proceedings. 100019288, 2010.