



Meeting of the

DEVELOPMENT COMMITTEE

Thursday, 10 March 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

Thursday, 10 March 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 10th February 2011.

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:

4.00 pm : Tuesday, 8th March 2011

6.	DEFERRED ITEMS	15 - 16	
6 .1	Land Adjacent to Bridge Wharf, Old Ford Road, London	17 - 36	Mile End & Globe Town;
7.	PLANNING APPLICATIONS FOR DECISION		
7 .1	Central Foundation School, Harley Grove & 41-47 Bow Road, London	37 - 56	Bow West;
7 .2	Oakfield House, Gale Street, London	57 - 80	Bromley-By-Bow;
8.	OTHER PLANNING MATTERS		
8 .1	Phoenix School, 49 Bow Road, E3 4AD	81 - 86	Bow West;
8 .2	Planning Appeals	87 - 94	All Wards;

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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 THURSDAY, 10 FEBRUARY 2011

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

Members Present:

Councillor Carli Harper-Penman (Chair)

Councillor Judith Gardiner (Vice-Chair)

Councillor Peter Golds

Councillor Ann Jackson

Councillor Kosru Uddin

Other Councillors Present:

Councillor Bill Turner

Councillor Carlo Gibbs

Officers Present:

Pete Smith	– (Development Control Manager, Development and Renewal)
Ila Robertson	– (Applications Manager Development and Renewal)
Jill Bell	– (Head of Legal Services (Environment), Legal Services)
Fleur Brunton	– (Senior Lawyer - Planning Chief Executive's)
Richard Murrell	– (Deputy Team Leader, Development and Renewal)
Zoe Folley	– (Committee Officer, Democratic Services Chief Executive's)
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1. APOLOGIES FOR ABSENCE

Apologies for absence were received on behalf of Councillor Mohammed Abdul Mukit MBE and Stephanie Eaton.

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
Carli Harper – Penman	7.1	Personal	Had received representations but had not looked or considered them.
Judith Gardiner	7.1	Personal	Had received representations but had not looked or considered them.

3. UNRESTRICTED MINUTES

The Committee **RESOLVED**

That the unrestricted minutes of the meeting of the Committee held on 12th January 2011 be agreed as a correct record and signed by the Chair.

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

Nil Items.

7. PLANNING APPLICATIONS FOR DECISION

8. LAND ADJACENT TO BRIDGE WHARF, OLD FORD ROAD, LONDON

Update report tabled.

The Chair reported that she had received a number of late requests to speak however they could not be accepted as they had been submitted after the deadline for registering to speak.

Mr Pete Smith (Development Control Manager, Development and Renewal) introduced the application regarding the land adjacent to Bridge Wharf, Old Ford Road.

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

Ms Emily Greaves spoke against the application. She considered that she had bought a flat and was a resident of Bridge Wharf. When the occupiers bought the flats they were investing in unique open space. She considered that it made the nearby residents feel safe and secure and should be preserved. The scheme would result in overlooking to their properties, loss of privacy, particularly as it was directly opposite balconies. It would restrict natural light and obstruct the sights of Victoria Park and Regents Canal. The old wall would be destroyed. The dust produced from construction would impact on health. It would also affect potential owners and would impact on house prices.

This small plot was unsuitable for any development let alone this. It would not address the housing shortage as it was too small. The buildings had a unique curved design. The proposal would be out of keeping with the area. Quality of life would be compromised.

Councillor Bill Turner also spoke in objection. He considered that he was speaking on behalf of local residents. The Cranbrook Estate was already a well developed area. The scheme was for private rather than affordable housing. The developer had not carried out any consultation with the residents. If they had done so, they could have mitigated the concerns.

Councillor Turner also objected to loss of amenity. The site was located within two Conservation areas near the Regents Canal and Victoria Park conservation area and was connected by the canal. It was an essential visual amenity and this would be affected by this.

In addition, no one on the Cranbrook Estate had their own gardens so this provided a nice quiet place for them to visit.

He also objected to the impact on the willow trees which were very valuable and some of the oldest in the Borough. He also expressed concerns regarding highways amenity and noise amenity as it was a quiet area.

Andy Punchers spoke on behalf of the Applicant. He had worked closely with the Council and the relevant experts to develop a suitable scheme. The site was a brownfield site and had been identified as a future development site. There had previously been construction on site. The height of the property

was lower than the nearby properties due to the staggered design. Therefore there would be no overlooking to Bridge Wharf. Furthermore, the design would increase openness. The developer recognised the importance of the willow trees and were working with the arboriculturists to ensure they were protected. They had submitted a report to them which was being evaluated. The materials proposed would complement the area. The landscaping would ensure there would be no loss of open space and would preserve the canal. In relation to parking, the plans approved by Officers showed there would be adequate parking. In summary the scheme would provide high quality housing, would preserve the surrounding area, complied with policy so should be granted.

Mr Richard Murrell (Deputy Team Leader, Development and Renewal) presented the detailed report. Mr Murrell explained the planning history, the proposal, the site and surrounding area.

The application had been subject to statutory consultation. To which 42 objections had been received. The main objections centred around overdevelopment, loss of amenity, access issues, parking, impact on the trees.

Mr Murrell addressed the key issues.

The scheme had been carefully designed to minimise impact. It was in keeping with the surrounding area which was of mixed character. The development fell below the threshold for affordable housing provision.

Mr Murrell explained the position regarding the out of date S.106 agreement for the Bridge Wharf development. He also explained the works to the trees to facilitate development and to enhance their potential. The trees were protected by being in a Conservation Area, so any request for further works would require consent from the Local Authority.

Furthermore, the evidence indicated there was no problems with parking in the area. Therefore, the existing provision could accommodate the scheme.

In reply to the presentation, Members raised comments /concerns around the following matters-

- Width between the exits and the highway. It was considered that there was only a narrow piece of pavement separating the properties and the highway. The doors therefore would be opening straight onto a very narrow pavement onto a busy road with a history of accidents. The safety implications of this should be carefully considered.
- Anti social behaviour issues.
- The impact on the trees. The location of the one at risk.
- Distance between the site and Bridge Wharf.
- The construction history.
- Implications of the Bow Wharf Planning Inquiry. Had this been taken into account?

- Concerns around the design, size of the houses, the lack of living space.
- Overdevelopment. It was considered that the properties would be substantially higher than the previous developments on the site.
- The need for additional parking. It was felt that there was already a shortage of spaces in the area.
- Sustainability. Due to the design, the properties were likely to be leased for short term lets rather than as family housing. The proposal therefore conflicted with the aim of building a sustainable community.
- Loss of open space. It was feared that the Borough would be losing green spaces for 'tiny high cost homes' without proper living space. The Borough wouldn't gain anything from the scheme. It would not improve the area

In reply officers clarified the following points –

- The Council's Highways experts had considered the proposal and did not consider that there were any highway safety issues.
- The distance between the front doors and the highway exceeded minimum requirements in the policy. The front doors would open inwards. In addition, the site would widen due to the removal of the wall.
- In relation the Planning Inquiry, Officers had considered the objections regarding the Planning Inspectors points. However they considered that there were no fundamental conflicts between the findings and the proposal.
- Drew attention to the circulated maps showing previous constructions on site.

Accordingly, on a vote of 0 for 4 against with 1 abstention the Committee **RESOLVED**

That the Officer recommendation to grant planning permission for the erection of 2 no. three storey, four bed houses be NOT ACCEPTED.

The Committee indicated that they were minded to refuse the planning application because of concerns over:

- The scale of development/overdevelopment and the impact on the proposal on the openness of the immediate area;
- The overall sustainability credentials of the proposed development;
- Concerns over highway safety, caused by the close proximity of front doors to the back edge of the pavement, overall pavement widths in the vicinity of the site, poor visibility on Old Ford Road and the potential for increased accidents.

In accordance with Development Procedural Rules, the application was DEFERRED to enable Officers to prepare a supplementary report to a future meeting of the Committee setting out proposed detailed reasons for refusal and the implications of the decision.

9. KEELING HOUSE, CLAREDALE STREET E2

Mr Pete Smith (Development Control Manager, Development and Renewal) introduced the application regarding Keeling House, Claredale Street.

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

Mr Ben Rogers spoke in objection to the application. He considered that he was speaking on behalf of the residents of Keeling house. Their view that this application was materially different from the 2005 approved application. It would adversely affect the character and the identity of the building. The conversion would erode its architectural quality. English Heritage agreed with this.

Keeling House made an important contribution to the conservation area and building on the roof of it would have a major impact. There would be overlooking and a loss of privacy from the additional windows. The extension to the stairwell would block valuable daylight. The technical report did not show the major problems. Therefore he recommended that the application be refused.

Councillor Carlos Gibbs also spoke in objection. He considered that he had been approached by concerned residents. The extension of the stairwell, which was in effect a 2ft wall, would restrict daylight to existing properties, privacy and enjoyment of properties. When it was originally approved it was not in a Conservation Area but now was. He did not accept the view that Keeling House was not one of the main reasons it was designated such an area.

He urged the Committee to take note of the comments of English Heritage and the buildings importance to the Conservation Area. The proposals did nothing to address the housing shortage and did not add anything to the community.

Mr Brian Heron spoke in favour as the architect and resident of the property. He explained the reasons for the time extension. It was not a new application and was exactly the same as the one approved and granted in 2005. He had submitted before and after plans showing that the architectural value of the building would be preserved and enhanced. The scheme included privacy measures to restrict overlooking and protect privacy. These measures were considered acceptable in 2005 and there had been no changes. He summarised the merits of the scheme and requested it be approved.

Ms Ila Robertson (Applications Manager, Development and Renewal) presented the detailed report. It was explained that the planning permission and listed building consent had already been granted. The purpose of this was to grant an extension of time to enable a longer time for implementation. The application had been subjected to statutory public consultation. The main

issues related to loss of amenity, heritage issues impact on the Conservation Area and design and appearance.

In terms of amenity, the application included significant measures to protect amenity. The application was considered acceptable and granted in 2005 and there had been no material changes since then.

In terms of policy issues, the site had been designated a Conservation Area since 2005. The Council had also adopted new planning policy and national planning guidance had changed from PP15 to PPS5. However it was not considered that these issues justified a different decision.

The Planning Inspectorate had considered the concerns around the design of the stairwell but felt that it would preserve the architectural features of the house. Additionally, English Heritage had also not raised any objection but directed the Council to determine the application as it saw fit.

Overall it was considered that the proposal would preserve the building's historical significance, the Conservation Area, complied with policy and therefore should be granted.

The Committee considered before and after images showing the implications of the scheme.

In reply Members raised the following issues -

- That the views of English Heritage be clarified.
- Queried the nature of the proposal. Whether the Committee should consider it as a fresh application or a time extension.
- Reasons for the request.
- Location of the new flats replacing Bradley and Connett houses (Paragraph 8.8 of the report).

Officer addressed each of the Committee points. In particular they reported -

- That English Heritage had given the Council authorisation to determine the application as they sought fit. The Council could not make a decision without this.
- The Government guidance suggested that, in considering applications for a time extension, the Committee should focus on whether there had been any material changes since the application had already been approved in principle.
- The reason the scheme had not been implemented was due to a change in ownership
- The building at this site was the Claredale development

In summary the Committee considered that there had been no real material changes since the 2005 consent therefore the application should be granted.

On a vote of 4 for and 0 against with 1 abstention the Committee **RESOLVED**

That listed building consent and planning permission for the following matters be **GRANTED** subject to the conditions and informative set out in the report.

- Request to extend the time to implement of listed building consent PA/02/01618A dated 28th April 2005 for 'Conversion of redundant water tank on top of block into a maisonette. Works include extension of stair tower to serve new unit; reinstatement of concrete flue; inserting floors, partition walls and glazing into existing structures' to allow a longer period for implementation.
- Request to extend the time to implement of planning permission PA/02/01617 dated 28th April 2005 for 'Change of use of disused water tank enclosure to maisonette. Development to include extension of stair tower and insertion of glazing to tank structure' to allow a longer period for implementation

10. OTHER PLANNING MATTERS

10.1 Phoenix School, 49 Bow Road, London, E3 2AD

Ila Robertson (Application's Manager, Development and Renewal) presented the application. It was reported that the application had been subject to consultation but no comments had been received.

The proposal had been amended to overcome the issues raised by English Heritage and they were now happy with the scheme. The scheme complied with policy therefore should be recommended for approval.

On a unanimous vote the Committee **RESOLVED**

That the application for alterations in connection with erection of two structures (including canopy and greenhouse) and formation of a new external access into an existing teaching room be referred to the Government Office for London with the recommendation that the council would be minded to grant Listed Building Consent subject to conditions set out in the report.

10.2 Planning Appeals December 2010 - January 2011

Mr Pete Smith (Development Control Manager, Development and Renewal) presented the report. The report provided details of appeals decisions and new appeals lodged between December 2010 and January 2011.

In response, the Committee discussed the outcomes and the lessons learnt. It was noted that the large majority of decisions were successfully defended at appeal.

Members also discussed the process and timescales for the new appeals and raised some requests for information which Officers undertook to provide. Members also noted the implications of emerging government policy in respect of retrospective applications.

Overall the Committee felt that the report was very useful and informative as it provided an overview of the whole decision making process. They thanked Officers for preparing the report and were keen to ensure such reports were submitted to the Committee on a regular basis.

On a unanimous vote the Committee **RESOLVED**

That the details and outcomes of the appeals as outlined in the attached report be noted.

The meeting ended at 8.50 p.m.

Chair, Councillor Carli Harper-Penman
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: 10 th March 2011	Classification: Unrestricted	Agenda Item No: 6
Report of: Corporate Director 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. The following information and advice applies to them.

2. DEFERRED ITEMS

- 2.1 The following item is in this category:

Date deferred	Reference number	Location	Development	Reason for deferral
10 th February 2011.	PA/10/02510	Land Adjacent To Bridge Wharf, Old Ford Road, London	Erection of 2no. three storey, four bed houses.	<p>The Committee indicated that they were minded to refuse the planning application because of serious concerns over:</p> <ul style="list-style-type: none"> • The scale of development/overdevelopment and the impact of proposal on the openness of the immediate area; • Loss of open space; • The overall sustainability credentials of the proposed development; • Concerns over highway safety, caused by the close proximity of front doors to the back edge of pavement, overall pavement widths in the vicinity of the site, poor visibility on Old Ford Road and the potential for increased accidents.

3. CONSIDERATION OF DEFERRED ITEMS

- 3.1 The following deferred application is for consideration by the Committee. The original report along with any update reports are attached.

LOCAL GOVERNMENT ACT 2000 (Section 97)
LIST OF BACKGROUND PAPERS USED IN THE DRAFTING OF THE REPORTS UNDER ITEM 6

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

- Land Adjacent To Bridge Wharf, Old Ford Road, London (PA/10/02510)

3.2 Deferred applications may also be reported in the Addendum Update Report if they are ready to be reconsidered by the Committee. This report is available in the Council Chamber 30 minutes before the commencement of the meeting.

4. PUBLIC SPEAKING

4.1 As public speaking has already occurred when the Committee first considered these deferred items, the Council's Constitution does not allow a further opportunity for public speaking. The only exception to this is where a fresh report has been prepared and presented in the "Planning Applications for Decision" part of the agenda. This is generally where substantial new material is being reported to Committee and the recommendation is significantly altered.

5. RECOMMENDATION

5.1 That the Committee note the position relating to deferred items and to take any decisions recommended in the attached reports.

Agenda Item 6.1

Committee: Development	Date: 10th March 2011	Classification: Unrestricted	Agenda Item Number:
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Report of: Director of Development and Renewal	Title: Town Planning Application
Case Officer: Beth Eite	Ref No: PA/10/02510
	Ward: Mile End and Globe Town

1. APPLICATION DETAILS

Location:	Land Adjacent To Bridge Wharf, Old Ford Road, London
Existing Use:	Vacant land
Proposal:	Erection of 2no. three storey, four bed houses.
Documents:	Impact Statement, Design and Access Statement, Arboricultural Impact Assessment by Marishal Thompson Group, Parking Survey Report by Stilwell Partnership
Drawing Nos:	2 (01) 00, 2 (03) 00, 2 (04) 00, 2 (05) 00, 2 (05) 01, 2 (05) 02, 2 (05) 03, 2 (09) 00, 2 (12) 00, 2 (12) 01, 2 (12) 02, 2 (12) 03, 2 (13) 00, 2 (14) 00, 2 (14) 01, 2 (14) 02, 2, (14) 03, 2 (20) 00, 2 (20) 01 and 2 (20) 02,
Applicant:	Renaissance Investments
Ownership:	As above
Historic Building:	N/A
Conservation Areas:	Regents Canal & Victoria Park

2. RECOMMENDATION

- 2.1 That the Committee notes the details of this report and officers' advice regarding the appropriate form of the new motion (at paragraph 3.5) when resolving either to grant or refuse the planning application proposing the erection of 2x4 bed houses at Bridge Wharf, Old Ford Road.

3. BACKGROUND

- 3.1 At its meeting of 10 February 2011, the Council's Development Committee resolved **NOT TO ACCEPT** officers' recommendation to GRANT planning permission (subject to conditions) for the erection of 2, three storey, four bedroom houses:
- 3.2 Members were minded to refuse planning permission for the following reasons:
- The scale of development/overdevelopment and the impact of proposal on the openness of the immediate area;
 - Loss of open space;
 - The overall sustainability credentials of the proposed development;
 - Concerns over highway safety, caused by the close proximity of front doors to the back

edge of pavement, overall pavement widths in the vicinity of the site, poor visibility on Old Ford Road and the potential for increased accidents.

- 3.3 Following the 10 February Committee, officers have received a follow up objection letter (to the one that was referred to in the previous addendum report). This further letter deals specifically with the issue of the loss of open space and the previous report's alleged failure to properly address the detrimental impact of the proposed development on the character and appearance of the Victoria Park Conservation Area and the Regents Canal Conservation Area. Members may also have received individual copies of this letter.
- 3.4 The letter also comments on the developed/undeveloped status of the site; whether it can be classed as brown-field land (previously developed) and then reviews the site history in considerable detail, including the background to the previously approved footbridge and community facility. The letter questions officers' previous comment that the removal of the high brick wall onto Old Ford Road would provide a more attractive public realm and highlights and emphasises the importance of the wall, dock and wooded open space on either side of the dock in terms of conservation area character and appearance. The letter specifically refers to the importance of canal-side features as part of conservation area character.
- 3.5 Officers have interpreted Members' previous reasons/concerns and have drafted reasons for refusal to cover the points and issues highlighted. The two reasons for refusal are suggested as follows:
1. The proposed development, by reason of its scale, mass and increased sense of enclosure, would result in an overdevelopment of this restricted site and a loss of open space, detrimental to the open character and visual amenities of the area and the character and appearance of the Victoria Park Conservation Area and the Regents Canal Conservation Area, contrary to policies SO23, SP02 and SP10 of the adopted Core Strategy Development Plan Document (2010), policy DEV1 and OS7 of the Unitary Development Plan 1998 ("saved") and policies DEV2, CON2 and HSG1 of Tower Hamlets Interim Planning Guidance (2007).
 2. The proposed development, in view of the restricted pavement width found within this stretch of Old Ford Road, the highway alignment in the vicinity of the site and the proposed layout of the buildings close to the back edge of footway, would be detrimental to highway/pedestrian safety, contrary to policies SO20, SO21, SP03 and SP09 of the adopted Core Strategy Development Plan Document (2010) and policy DEV17 of Tower Hamlets Interim Planning Guidance (2007).

4. OFFICER COMMENTARY

- 4.1 Issues associated with the scale and mass of the development and the impact of that scale on the open character or the area adjacent to the Regents Canal, the importance of this area of open space in terms of recreational and amenity value and the impact of the development on the character and appearance of the conservation area are matters of judgement and would represent reasonable and sustainable reasons for refusal, should Members agree to re-affirm their previous resolution and refuse planning permission on this ground alone.
- 4.2 Issues associated with the impact of the development on highway safety will be significantly more challenging to defend on appeal. Your officers have discussed Members concerns with Highway colleagues who have advised that defending a refusal on grounds of highway safety would be very difficult to sustain. As Members will be aware, failure to adequately defend reasons for refusal on appeal could well lead to costs awarded against the local planning authority.

- 4.3 Whilst officers agree that the footway width is narrow in this location, the increase in pedestrian flows generated by this development will be insignificant, so the ability of the footway to accommodate pedestrians at a level of acceptable safety will not be compromised.. There is currently no private forecourt area adjacent to this development site so the construction of the proposed two houses would not further restrict the amount of space available to pedestrians, compared to the existing situation. Over the last 36 months, there have been three accidents in the vicinity of the site. Two of these accidents were slight, where vehicles turning out of Sewardstone Road collided with passing traffic on Old Ford Road. The other accident (albeit more serious) involved a 9 year old female pedestrian which occurred west of the junction of Old Ford Road and Type Street. As no vehicular access points onto the site are proposed, vehicle collisions are not considered to be a reasonable possibility. Therefore, for the reasons referred to above, your officers consider that no material harm to highway or pedestrian safety would result from permitting this development.

5. IMPLICATIONS OF THE DECISION

- 5.1 Should Members decide to re-affirm their previous resolution and refuse planning permission, either as previously confirmed or as amended (following consideration of this report) there are a number of possibilities open to the Applicant. These would include (though not limited to):-
1. Resubmission of an amended scheme to overcome reasons for refusal;
 2. Lodge an appeal against the refusal of the scheme. The Council would vigorously defend any appeal against a refusal.

6. CONCLUSION

- 6.1 All other relevant policies and considerations have been taken into account. It is recommended that Members consider the draft reasons for refusal alongside the previous report presented to the 10 February 2010 Development Committee (see Appendix 1), Section 4 of this report (Officer Commentary) and determine the planning application as they see fit.

7. APPENDICIES

- 7.1 Appendix One – Committee Report to Members on 10th February 2011.
- 7.2 Appendix Two – Addendum Report to Members on 10th February 2011.

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APPENDIX 1

Committee: Development	Date: 10th February 2011	Classification: Unrestricted	Agenda Item Number:
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Report of: Director of Development and Renewal	Title: Town Planning Application
Case Officer: Beth Eite	Ref No: PA/10/02510 Ward: Mile End and Globe Town

1. APPLICATION DETAILS

Location:	Land Adjacent To Bridge Wharf, Old Ford Road, London
Existing Use:	Vacant land
Proposal:	Erection of 2no. three storey, four bed houses.
Documents:	Impact Statement, Design and Access Statement, Arboricultural Impact Assessment by Marishal Thompson Group, Parking Survey Report by Stilwell Partnership
Drawing Nos:	2 (01) 00, 2 (03) 00, 2 (04) 00, 2 (05) 00, 2 (05) 01, 2 (05) 02, 2 (05) 03, 2 (09) 00, 2 (12) 00, 2 (12) 01, 2 (12) 02, 2 (12) 03, 2 (13) 00, 2 (14) 00, 2 (14) 01, 2 (14) 02, 2, (14) 03, 2 (20) 00, 2 (20) 01 and 2 (20) 02,
Applicant:	Renaissance Investments
Ownership:	As above
Historic Building:	N/A
Conservation Area:	Regents Canal & Victoria Park

2. SUMMARY OF MATERIAL PLANNING CONSIDERATIONS

The local planning authority has considered the particular circumstances of this application against the Council's approved planning policies contained in the London Borough of Tower Hamlets Unitary Development Plan 1998 (as saved September 2007), the Council's Interim Planning Guidance for the purposes of Development Control (2007), the adopted Core Strategy (2010), associated supplementary planning guidance, the London Plan 2008 (Consolidated with Alterations since 2004) and Government Planning Policy Guidance and has found that:

- 2.1 The use of the site for residential purposes is considered acceptable in principle as it represents the re-use of previously developed land in accordance with PPS3, policy 3A.1 of the adopted London Plan (consolidated with alterations since 2004) and policy SP02 of the Core Strategy 2010 which all seek to deliver housing growth to meet general housing demand.
- 2.2 The design, scale and siting of the proposal is considered to be of a high quality which would be compatible with the surrounding pattern of development and would preserve the character and appearance of the Victoria Park and Regents Canal Conservation Area and would also provide a high quality living environment for the future occupants of the site in accordance with policies DEV1, DEV2, HSG7 and HSG16 of the Unitary Development Plan 1998, policies DEV1, DEV2, HSG2, HSG7 and CON2 of the Interim Planning Guidance 2007 and policies SP10 and SP12 of the Core Strategy 2010.

- 2.3 The development has been designed so as not to have any significant impact upon the amenities of the neighbouring occupants in terms of a loss of outlook, privacy and daylight and sunlight in accordance with policies DEV2 of the Unitary Development Plan 1998 and DEV1 of the Interim Planning Guidance 2007 and SP10 of the Core Strategy 2010.
- 2.4 There is not considered to be any significant impact upon the health and amenity value of the existing mature trees on the site and the provision of a green roof seeks to ensure the promotion of biodiversity on the site in accordance with policies DEV12 and DEV15 of the Unitary Development Plan 1998, policy DEV13 of the Interim Planning Guidance 2007, policy SP04 of the Core Strategy 2010 and policies 3D.14 and 4A.11 of the adopted London Plan (consolidated with alterations since 2004).
- 2.5 The development is considered to have a minimal impact upon the local highway network and would not contribute significantly to the on-street parking pressure in the locality. There is sufficient space for the storage of cycles within the development and the location of the refuse storage is acceptable in accordance with policies DEV56 and T16 of the Unitary Development Plan 1998, policies DEV15 and DEV16 of the Interim Planning Guidance 2007, policy SP09 of the Core Strategy and policy 3C.1 of the adopted London Plan (consolidated with alterations since 2004).
- 2.6 The development is considered to improve the relationship with the blue ribbon network in accordance with policy SP04 of the Core Strategy 2010 and policies 4C.8, 4C.10 and 4C.11 of the adopted London Plan (consolidated with alterations since 2004) which requires new developments to respond positively and sensitivity to the setting of the water spaces and improving the quality, usability and accessibility of the environment.

3. RECOMMENDATION

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

Conditions

- 1 Time limit
- 2 Development to be carried out in accordance with the approved plans
- 3 Samples of all external materials to be submitted
- 4 Details of the tree protection measures.
- 5 Details of the green roof
- 6 Risk assessment and Method statement outlining all works to be carried out adjacent to the water
- 7 Details of hard and soft a landscaping scheme shall be submitted
- 8 Details of a feasibility study shall be carried out to assess the potential for moving freight by water during the construction process
- 9 Details of the proposed lighting scheme for the development shall be submitted
- 10 A survey of the dock edge with a method statement and schedule of repairs and dredging works shall be submitted.

- 11 Restrictions on permitted development
- 12 Front doors to the dwellings should only open inwards
- 13 Boundary treatment details
- 14 S278 for highways works.

4. PROPOSAL AND LOCATION DETAILS

Proposal

- 4.1 The application seeks permission for two detached houses which would be three storeys in height providing four bedrooms. They would be of a contemporary design with a flat roof, constructed predominantly of brick. They would have a staggered 'zig-zag' footprint and would be positioned at approximately 45 degrees to the road.
- 4.2 Due to the change in levels from the front to the rear of the site the houses would appear as 2.5 storeys from Old Ford Road and three storey from the rear. The garden areas would be at the lower level at the rear of the site, adjacent to Bridge Wharf.

Site and Surroundings

- 4.3 The application site is a vacant plot of land which is located to the north west of Bridge Wharf which is an inlet from Regents Canal that runs directly to the north east of the site. It is located within the Regents Canal conservation area and the Victoria Park Conservation area – the boundary running through the site.
- 4.4 The plot of land currently consists of an area of grass with some mature Willow trees located in the northern corner. The front of the site is obscured from view at present by a brick wall which varies in height from 1.8m to 2.6m and is located adjacent to the pavement.
- 4.5 Directly to the south of the site is a development known as Bridge Wharf. This is a residential development approved in 1992 which is part three, part 4 storeys in height and has a curved design. The three storey element of the development is located closest to the application site. There is a means of escape from Bridge Wharf to Old Ford Road which is located to the south west of the application site.
- 4.6 There is no one style to properties in the locality. To the north and directly opposite the application site is a four storey property which appears to be a converted public house. Along Old Ford Road to the east and west there are period properties which remain well maintained and attractive in appearance. To the east these are three storeys plus basement and to the west these are two storeys. Within close proximity of the site there are a number of high rise blocks of flats including the tower blocks of the Cranbrook Estate to the south, beyond the Bridge Wharf development.

Planning History

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

PA/06/00347 Provision of two residential moorings, each measuring 20 metres in length

by 4 metres width approximately, at Hammerhead Berth linked to Grand Union Canal. Withdrawn

- PA/06/00950 Provision of a single permanent residential mooring for a barge or canal boat (Sui generis use) measuring 20 metres in length by 4 metres width approximately, on the north-western side of the inlet, known as Hammerhead Berth on the Grand Union Canal.
Refused 1/12/2006
Allowed at appeal (APP/E5900/A/07/2046969) on 25/1/2008 – now expired.
- PA/08/00548 Erection of a part 4 part 5 storey building comprising of 9 residential units (4 x 1 bed, 1 x 2 bed and 4 x 3 bed) Withdrawn
- PA/09/00879 Erection of three, four storey, four bedroom houses. Withdrawn

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 2010 (adopted September 2010)

Policies	SP02	Urban living for everyone
	SP04	Creating a green and blue grid
	SP10	Creating distinct and durable places
	SP12	Delivering Placemaking

Unitary Development Plan 1998 (as saved September 2007)

Policies	DEV1	Design Requirements
	DEV2	Environmental Requirements
	DEV12	Provision of landscaping in development
	DEV14	Tree Preservation Orders
	DEV15	Retention / Replacement of mature trees
	DEV56	Waste recycling
	HSG7	Dwelling Mix and type
	HSG16	Housing amenity space
	OS7	Loss of open space
	T16	Traffic priorities for new development

Interim Planning Guidance for the purposes of Development Control

Policies	DEV1	Amenity
	DEV2	Character and design
	DEV13	Landscaping and tree protection
	DEV15	Waste and recyclables storage
	DEV16	Walking and cycling routes and facilities
	HSG2	Housing mix
	HSG7	Housing amenity space
	CON2	Conservation Areas

Supplementary Planning Guidance/Documents

Residential Space

Spatial Development Strategy for Greater London (London Plan)

	3A.1	Increasing London’s supply of housing
	3A.2	Boroughs Housing Targets
	3A.6	Quality of new housing provision

3C.1	Integrating transport and development
3D.14	Biodiversity and nature conservation
4A.11	Living roofs and walls
4B.1	Design principles for a compact city
4B.11	London's built heritage
4B.12	Heritage conservation
4C.8	Freight uses on the Blue Ribbon Network
4C.10	Increasing sport and leisure on the Blue Ribbon Network
4C.11	Increasing access alongside and to the Blue Ribbon Network
4C.13	Mooring facilities on the Blue Ribbon Network

Government Planning Policy Guidance/Statements

PPS1	Sustainable development and climate change
PPS3	Housing
PPS5	Planning and the historic environment

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

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

6. CONSULTATION RESPONSE

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

The following were consulted regarding the application:

6.2 Environmental Health

- There may be inadequate natural light to the sub-ground level rooms. (**Officer comment:** *These rooms have an outlook to the rear which is south facing and is therefore considered to provide a reasonable standard of natural light to the occupants*)
- Sound insulation report should be provided to demonstrate compliance with part E of the building regulations. (**Officer comment:** *This would be requested by Building Control rather than the planning department*)

6.3 Highways

- There is sufficient space within the ground floor of each dwelling to provide cycle storage.
- There is little space off-street for the storage of construction materials or for vehicles to load. Given the constraints of the site a construction logistics plan is required.
- The site has a poor PTAL (PTAL 2), therefore it is not appropriate to require this development to be car-free or permit free. The applicant has provided a parking stress survey which shows that there is sufficient capacity within the Controlled parking zone (CPZ) to accommodate the additional parking generated by this development.

6.4 Tree Officer

- No objections to works proceeding providing mature trees are conserved and protected according to BS 5837 (2005).

6.5 Waste Management

- Development has allowed for adequate storage space for refuse and recycling, and current location access is suitable for collection service.
- The location of the bin store is far from the southern house, which is a concern where residents do not use the allocated bin store and instead place their waste out the front of the house. A more preferable design would be to allocate two smaller bin areas (one in the existing area, and one closer to the south house), which encourages responsibility for each household's waste as it is clearly identifiable. (**Officer comment:** *There is a distance of approximately 14m from the southern house, this is considered a reasonable distance for residents to carry their refuse. There is limited scope for the positioning of a separate bin store closer to the property due to the need to maintain the access to the Bridge Wharf development*)

6.6 British Waterways (Statutory Consultee)

- We are pleased that the two moorings are included in the waterspace.
- The building does appear quite close to the dock and dominant in comparison to the existing open site, though I am not aware of the height of the original building on the site.
- We would recommend the incorporation of brown or green roofs in the development.
- Bat and bird boxes would also be beneficial.
- Any new lighting scheme should ensure that there is minimal overspill into the canal to prevent it harming wildlife habitats.
- British waterways would like to see the site utilise its waterside location for waterborne transport for the transport of freight. A feasibility study, and implementation of its findings, should be carried out in connections with the potential use of the site for waterbourne transport.
- A landscape and management plan aimed at enhancing the visual and ecological value of the site should be provided and discussed with British Waterways.
- A contribution should be sought for environmental improvements to the canal and its towpath. (**Officer comment:** *Given that the development only seeks consent for two dwellings it is not considered reasonable to request financial contributions towards local improvements in the canal and tow path as the number of additional people in the area would be minimal*)

7. LOCAL REPRESENTATION

7.1 A total of 99 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 in response to notification and publicity of the application were as follows:

No of individual responses:	40	Objecting:	40	Supporting:	0
No of petitions received:	0				

7.2 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:

Trees & biodiversity

- There is likely to be serious damage to the trees as the plans do not take into account the roots or the canopy which will be much more expansive. These trees provide a good natural habitat to a number of species including, birds, foxes and rabbits.

Highways

- The doors would open directly out onto Old Ford Road which could block the narrow

pathway for pedestrians passing by if people congregate outside the houses. There have been a number of serious car crashes on the approach to this bridge and any development which makes crossing the road at this point more difficult should not be allowed.

- There is no car parking provision for this development and there is already significant parking pressure in the local area.
- There does not appear to be any provision for the collection of waste from the site.
- There is no ability to service the development

Amenity impacts

- The proposal represents an overdevelopment of the site.
- The view towards the conservation area will be obscured.
- It will adversely affect the visual amenity of the canal side for pedestrians and canal using public.
- The houses would overshadow properties in Bridge Wharf.
- There may be a significant effect on water pressure in the area.
- There would be direct overlooking from the new houses into the properties on Bridge Wharf.

Character of development

- The materials used will clash violently with the surrounding area.
- The proposal represents a change of use as the area was last used as a disembarking point for the restaurant which was on the site. This therefore represents a change of use from business to residential and houses on this site will further preclude the use of the area as a loading / unloading bay or leisure point as part of the Blue Network.

8. MATERIAL PLANNING CONSIDERATIONS

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

1. The principle of a residential development on the site.
2. The implications of the outstanding planning permissions and s106 agreement affecting the site.
3. The character and appearance of the proposal.
4. The impact of the proposal on the surrounding residential occupiers.
5. The quality of accommodation for the future occupiers of the site.
6. The impact upon the mature trees and biodiversity.
7. Highways implications including servicing and refuse provision.

The principle of residential use

- 8.2 The Council's records show that during the 1980's the application site was occupied by a restaurant. In 1992 planning permission was granted for the Bridge Wharf residential development (reference GT/91/00049). The granting of this planning permission included the application site and identifies the area as a location for a new social club.
- 8.3 The social club has never been brought forward as part of this planning permission and was not referred to in the conditions of the approval, or the s106 agreement that accompanied the application. The site remains a grassed area after the restaurant was demolished in the late 1980's / early 1990's. It is considered that the original use of the restaurant has been abandoned given the approximately 20 year lapse in development on the site.
- 8.4 The provision of additional housing is supported at the national, regional and local level.

PPS3 states that “A flexible, responsive supply of land – managed in a way that makes efficient and effective use of land, including re-use of previously-developed land, where appropriate.” should be applied to the provision of housing. Within the London Plan policy 3A.1 sets out targets for each Borough and requires Local Authorities to seek the maximum provision of additional housing possible. At the local level this is supported by the Core Strategy objective which seeks to “deliver housing growth to meet general and specialised housing demand in line with London plan housing targets”.

- 8.5 As the previous use of the site has been abandoned and the site is predominantly surrounding by residential development it is considered that the site would be suitable for residential use as this would represent a re-use of previously developed land in accordance with the requirements of national, regional and local policies.

Previous planning permissions and outstanding s106 agreement.

- 8.6 Residential mooring permission
A previous permission for a residential mooring within the inlet adjacent to the application site was granted on appeal on 25th January 2008. This permission was not implemented and has now expired. The issue of loss of privacy between the residential mooring and the new housing is considered to have been overcome by virtue of the expiration of the planning permission.
- 8.7 S106 agreement for Bridge Wharf development
A legal agreement was signed in June 2002 pertaining to the Bridge Wharf development. This sought to secure a number of items including the footings for a new bridge (but not actually for the bridge itself) to provide access from Bridge Wharf to Old Ford Road would require access to the east of the proposed dwellings.
- 8.8 Given that there is not a path which runs along the western side of the canal, this bridge would only serve to provide access for the Bridge Wharf residents to Old Ford Road. These residents already have a separate access to the west of the application site, consequently it was not considered cost effective to install the bridge.

Character and appearance.

- 8.9 The site is located within two conservation areas, Victoria Park and Regents Canal, the boundary between the two running through the site. Policy CON2 within the Interim Planning Guidance (IPG) requires all developments within a conservation area to preserve or enhance the distinctive character of the Conservation Area in terms of scale, form, height, materials and architectural design.
- 8.10 There is a variety of style and types of buildings in the area and it cannot be said that one particular style is dominant. Section 4.2 of the report details what the pattern of development is in the area which can generally be described as mixed. Heights and general massing of buildings is also varied with buildings ranging from 2 – 16 storeys, the directly adjacent buildings range from 2-4 storeys.
- 8.11 The design which has been chosen for this development is a contemporary style which has not attempted to replicate any one of the immediate buildings but creates a character of its own. Due to the level change throughout the site the buildings would appear as three storeys when viewed from the south and 2.5 storeys when viewed from Old Ford Road.

- 8.12 The buildings would each be constructed from brick (two slightly differing bricks to denote the different residences) with metal framed windows. Each house would have a green roof to help it blend in with the green character of the canal side when viewed from the upper storeys of the neighbouring properties.
- 8.13 The buildings would have a sleek, crisp design with large openings for the windows on both the front and rear elevation. It is considered that the houses will address both the street and the canal well providing visual interest from both public realms.
- 8.14 Given the mixed character of the area is it considered that the development preserves the character and appearance of both of the conservation areas that this development site spans.
- 8.15 Policies DEV1 of the Unitary Development Plan (UDP) and DEV2 of the IPG are also relevant as they provide general advice over what represents good design. Being sensitive to the capabilities of the site is seen as key and not resulting in an overdevelopment or poor space standards is important. Development should protect notable features within the site and should be designed at a human scale. Attention should also be paid to the requirements set out in policy SP10 of the Core Strategy (CS) which seeks to ensure that buildings promote good design which are sustainable, accessible, attractive, durable and well integrated with their surroundings.
- 8.16 The development has been the subject of negotiation with Council officers to reach a stage which is considered acceptable, with two previous applications being withdrawn due to concerns over suitability of the scheme for the site.
- 8.17 A major constraint for the site is the mature willow trees which are located to the east and the need to ensure that any development would not harm the health of these trees. It is considered that this proposal have achieved this and as a result of retaining the trees, the development would also retain elements of the existing open character of the locality.
- 8.18 There would be some reduction in views towards the conservation area, however the removal of the high brick wall which is adjacent to the pavement edge along Old Ford Road would open up the site and provide a more attractive public realm, therefore contributing to the character and appearance of the conservation areas it is located within.
- 8.19 Overall the proposal is considered to improve the appearance of what is currently a vacant site. It is considered that the proposed development is in accordance with the above policy aims and would deliver two high quality, well designed buildings which provide much needed additional family housing.

Impact upon the surrounding occupants

- 8.20 A number of objections have been received in respect of this development. Some concerns relate to car parking and servicing of the development along with concern about the potential loss of the trees on the site. Other concerns relate to the direct impact upon the amenities of the neighbouring occupants, predominantly those at Bridge Wharf which is to the south of the site. The concerns raised by these residents relates to overlooking and a loss of privacy, a reduced view out over the conservation area and overshadowing to the north facing windows.
- 8.21 Policies DEV2 of the UDP and DEV1 of the Interim Planning Guidance outlines that developments should not adversely affect adjoining buildings by a loss of privacy, outlook or a material deterioration of their daylighting and sunlighting conditions.

Privacy

- 8.22 This development has been designed so as to have a minimal impact upon the amenities of the surrounding residents. The proposed dwellings would be 14m away from the eastern wing of the Bridge Wharf building. However, due to the orientation and layout of the buildings there would be no habitable rooms which would directly face any habitable room windows within Bridge Wharf.
- 8.23 To the north of the site former public house which has been converted into residential use. There are windows from the proposed development which would face towards this property but they would be at an angle and not face directly towards these flats. Therefore, would not result in any direct overlooking.

Outlook

- 8.24 A number of residents have raised concerns about the loss of outlook these houses would create for the Bridge Wharf residents. It is not considered that this loss of outlook would be significant due to the distance between the proposed building and Bridge Wharf. The dwellings would be lower in height than the Bridge Wharf development and would therefore not be overbearing to the residents. The eastern and western outlook from the north facing windows of Bridge Wharf would not be affected and the staggered design of the new buildings would break up the elevations to appear less dominating from the northern view looking directly onto the site.
- 8.25 As the new buildings would appear as a 2.5 storey building from Old Ford Road, it is considered that this is compatible with the surrounding area and would not result in any significant loss of outlook from any properties to the north of the application site.

Daylight and Sunlight

- 8.26 Given that the application site is to the north of Bridge Wharf, it is not considered that there is any significant loss of light to the occupants of this property. As the path of the sun moves from east to west there would be no overshadowing caused from the proposed properties to the occupants of Bridge Wharf.
- 8.27 The nearest residential property to the north is the former public house on the corner of Stewardstone Road and Old Ford Road. It is not considered that the proposed dwellings would have any significant impact upon these occupants in terms of a loss of light or overshadowing due to the application site being an average of 16m away and at a lower level, causing the dwellings to only rise 2.5 storeys above the pavement level on Old Ford Road.
- 8.28 Overall it is considered that the impact upon the surrounding neighbouring occupants would be minimal and would not cause significant harm to the amenities currently enjoyed by the existing residents. It is considered that for the reasons outlined above, that the development complies with policies DEV2 of the UDP and DEV1 of the IPG which seek to protect residential amenity.

Quality of accommodation

Internal space

- 8.29 Each dwelling provides a kitchen, dining room and lounge at ground floor level, due to the site being lower than Old Ford Road the main outlook from these rooms would be to the south with only a high level window and the entrance door fronting Old Ford Road.
- 8.30 The upper two floors would comprise four bedrooms and two bathrooms. The staircase would be positioned within the centre core of each dwelling. Each bedroom would have a large window with a Juliet style balcony providing a good outlook from each habitable room.

Each room would be dual aspect providing good light levels into the dwelling.

- 8.31 The floorspace within each of the properties would be approximately 120sqm which exceeds the Council policy by 22sqm.

External space

- 8.32 Policy HSG7 of the IPG requires dwelling houses of this nature to provide 50sqm of private amenity space. To the rear of each of the properties a 24sqm garden area would be provided, which would be adjacent to the canal inlet. This would be south facing and so would be in direct sunlight for the majority of the day. The garden is approximately half of what is required for a house of this size. However, it is considered to be high quality amenity space adjacent to the canal and south facing. Therefore, given that quality of the amenity space, the proximity of the site to Victoria Park and the internal size of the dwellings this level of provision is considered acceptable in this instance.
- 8.33 Overall it is considered that the development would provide a good quality living environment for the future occupiers of the site and would be in accordance with policies DEV2 of the UDP, DEV1 of the IPG and S09 and SP02 of the Core Strategy which seeks to ensure that all housing in Tower Hamlets is of a high quality and is well designed

Trees and biodiversity

Trees

- 8.34 Policy DEV15 of the UDP states that the retention and replacement of existing mature trees will normally be sought in development proposals where the trees are considered to be of townscape or environmental value. There are a number of mature willow trees in the vicinity of the site, three immediately to the north east of the site and three within the triangle of land which is located on the south side of the canal inlet. These trees are considered to be of both townscape and environmental value and an asset to the conservation area.
- 8.35 An arboricultural report has been submitted with the application which provides details of the three Willow trees that are adjacent to the application site. It recommends that all three of the trees can be retained and if properly protected through the construction process will not be damaged. It also recommends that the tree closest to the proposed buildings has its crown reduced to provide clearance to the building and the tree closest to the bridge has its crown lifted to give clearance to the highway.
- 8.36 These trees have significant amenity value and a point of concern raised by a number of local residents is the long term future of the trees as there may be requests from the future occupiers of the site to prune these trees. Given these are already mature trees the potential for their increased growth is minimal. Furthermore the houses have been constructed so as to orientate away from the trees. This would make requests for their pruning in order to allow extra light into the houses unlikely.
- 8.37 Whilst such a request cannot be ruled out in the future, the trees are protected by virtue of being in a conservation area and as such, any proposal to reduce the size of the trees will require consent from the Local Authority who will be able to assess the impact upon the amenity value of the works at every stage.

Biodiversity

- 8.38 It is noted that this is currently a green site, however it is not classed as a 'Greenfield' site as there has been previous development on the site. Brownfield sites such as this are encouraged to be used for residential development.
- 8.40 Policy SP04 seeks to protect and enhance biodiversity and ensure that developments

achieve a net gain in biodiversity and promotes the use of green roofs. In this case, whilst some of the open area will be lost to housing, there would be a re-provision of green space at roof level. Overall there would be no net loss of green space on the site compared to the current situation. In comparison to the previous use of the site as a restaurant it is considered that this would be a net gain which is in accordance with policy SP04.

Highways, servicing and refuse

Car parking

- 8.41 The site has a Public Transport Accessibility Level of 2 which is poor. No vehicle parking is associated with the development which is supported by policy DEV19 of the IPG which allows for a maximum of 0.5 spaces per residential unit.
- 8.42 Policy SP09 within the Core Strategy promotes car free developments and seeks to minimise car parking provision for new development. As the site has a PTAL of 2 it is not considered reasonable to require this level of development to be car free and the occupants would be allowed to apply for car parking permits for the local Controlled Parking Zone.
- 8.43 A parking survey has been commissioned by the applicant in order to assess whether or not there is capacity for additional cars to be parked on the surrounding streets. The survey was carried out at two different times (one in the afternoon and one at night) and within a 300m distance of the application site. At both times there were in excess of 40 parking spaces available. It is therefore considered that the addition of two residential dwellings would not add significantly to the on-street parking stress in the immediate vicinity. This survey has been reviewed and concurred with by Highways officers.

Cycle parking

- 8.44 No cycle parking is shown for the proposed properties however, each dwelling would have its own garden and direct access from this to the street so there would be the ability for the occupants to store their bicycles within the curtilage of the site.

Refuse

- 8.45 The waste management section have confirmed that the location of the refuse storage is acceptable in terms of collections as it is adjacent to the pavement.
- 8.46 The department has however raised concerns about the requirement for the occupants of the southern dwelling to transport their refuse to the store and questioned whether this is likely to lead to the occupants not using the storage facility. There is limited locations where a refuse store can be sited for these dwellings, the 14m distance is not considered excessive for the occupants to carry their waste and is not likely to discouraged occupants from using.

Other Planning Issues

- 8.47 Concern has been raised about the development precluding the use of the site as a leisure point, as part of the Blue Ribbon Network. Part 4(e) of policy SP04 does seek to improve accessibility to and along waterspaces to maximise usability and promote these places for cultural, recreational and leisure uses. However, given the site is relatively small in area and is not well linked with the rest of the canal, it is considered that the scope for using this site for leisure purposes would be limited. Consequently, a refusal reason on this basis could not be justified, especially as there is no alternative proposal for its recreational use.
- 8.48 The properties would be accessed directly from Old Ford Road and concerns have been raised regarding safety, especially if people congregate outside the houses on what is presently a narrow strip of pavement. However the proposal would open up the site to a

degree by removing the wall along this section of the road thereby increasing the width of the pavement from the existing situation. In addition different pavement setts would be used to delineate the boundary between public highway and private land in front of the dwellings and a condition has been included to ensure that the front doors open inwards.

Conclusions

- 8.6 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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APPENDIX 2

LONDON BOROUGH OF TOWER HAMLETS

DEVELOPMENT COMMITTEE

10th February 2011 at 7:00 pm

UPDATE REPORT OF HEAD OF PLANNING AND BUILDING CONTROL

INDEX

Agenda item no	Reference no	Location	Proposal
7.1	PA/10/2510	Land adjacent to Bridge Wharf, Old Ford Road	Erection of 2no. three storey, four bed houses

Agenda Item number:	7.1
Reference number:	PA/10/02510
Location:	Land adjacent to Bridge Wharf, Old Ford Road
Proposal:	Erection of 2no. three storey, four bed houses

1.0 Additional Representations

- 1.1 Further to the publication of the Committee Agenda the Environment Agency have responded to inform the Council that they have no objection to the proposal.
- 1.2 Councillor Whitelock has written in objecting to the proposal. The concerns relate to:
- The height of the proposal.
 - Parking and Road Safety.
 - Trees and wildlife.
- 1.3 One additional letter has been received from a local resident who states that the proposed development would seriously diminish the positive contribution which the dock and open space makes to this part of the conservation area and also to the setting of the listed Stop Lock Bridge.

(Officer response: The impact upon the conservation area has been addressed in the committee report. The impact upon the listed bridge is considered to acceptable as it is across the canal, over 60m away from the site).

2.0 Revised Plan

- 1.3 Drawing no. 2 (12)00 has been amended to remove the residential moorings from the plan as these are not proposed as part of the application. The revised plan is 2 (12)00 rev A

3 RECOMMENDATION

- 3.1 The recommendation remains unchanged.

Agenda Item 7.1

Committee: Development	Date: 10 th March 2011	Classification: Unrestricted	Agenda Item Number:
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Report of: Director of Development and Renewal Case Officer: Beth Eite	Title: Town Planning Application Ref No: PA/10/02286 PA/10/02288 PA/10/02289 Ward: Bow West
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1. APPLICATION DETAILS

Location:	Central Foundation Girls School, Harley Grove & 41-47 Bow Road, London
Existing Use:	School and vacant office building
Proposal:	Redevelopment of the school including: <ul style="list-style-type: none">• Use of 41-47 Bow Road as a sixth form college• Demolition of a number of buildings, including locally listed St Anthony's building,• Erection of building up to four storeys in height adjacent to the grade II listed school building on Bow Road.• Remodelling and refurbishment of existing buildings being retained• Installation of two glazed lifts to D & T block
Drawing Nos:	Site location Plan 000001 rev B, Site Access Plan 000002 rev E, Landscape arrangement 000001 rev A, 000002 rev A, 000003 rev A, 000004, 000005, 000006 and 000007, Delivery Vehicle Access 10-077-027 rev B, Refuse collection 10-077-036 and L-block swept path 10-077-026 rev A L-Block 700130 rev H, 700031 rev A, 700131 rev G, 700030 rev A, 700120 rev F, 700020 rev A, 700109 rev G, 700108 rev H, 700100 rev M, 700101 rev I, 700102 rev H, 700103 rev H, 700104 rev H, 700105 rev F, 70015 rev B, 700014 rev B, 700013 rev B, 700012 rev B, 700011 rev B, 700010 rev B, 700018 rev B, 700019 rev B. D & T Blocks 400020, 400120 rev B, 400103 rev H, 400102 rev J, 400101 rev H, 400100 rev J, 400108 rev F, 400015 rev B, 400014 rev C, 400013 rev B, 400012 rev C, 400011 rev B, 400131 rev D, 400130 rev B Block A, B & C

Documents:

200131 rev D, 200130 rev D, 200031 rev D, 200030 rev D, 200132, 200133 rev D, 200120 rev D, 200121 rev D, 200122 rev A, 200100 rev F, 200101 rev F, 200102 rev F, 200103 rev F, 200104 rev F, 200018 rev C, 200011 rev B, 200012 rev B, 200013 rev B, 200014 rev B, 200015 rev C,

Design and Access Statement, Design and access statement addendum, (370001 rev C), Sunlight Daylight Study, Energy strategy, Planning and Impact Assessment, 300056 rev B (Arboricultural Impact assessment), 300055 rev A (Tree schedule Report – Addendum), 300012 rev C (Tree Constraints Plan), 300013 rev B (tree protection plan), Heritage Impact Assessment, , Heritage Impact Assessment Addendum (CL/12020/05), 300057 rev A (Acoustic Strategy report, 300060 rev A (Ecological Impact Assessment), 300058 rev A (Flood risk assessment), 300048 rev B (Transport Assessment), 300046 rev A (Site waste management Plan), 3000027 rev A (Historic environment risk assessment), 3000014 rev A (School Travel Plan), Statement of community involvement, 300045 rev A (Code of construction practice), Design Management Plan Template Construction and 370001-A rev D (Access Statement – Addendum)

Applicant: Bouygues UK
Ownership: The Trustees of Central Foundation Girls School
Historic Building: Grade II listed
Conservation Area: Tredegar Square

2. SUMMARY OF MATERIAL PLANNING CONSIDERATIONS

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

- 2.1 The demolition of the locally listed building and the building attached to the Grade II listed building is considered to be outweighed by the substantial public benefit which this scheme offers in terms of the improved educational facilities provided and the enhancement to the setting of the listed school building in accordance with CON2 of the interim Planning Guidance and PPS5 which requires a clear and convincing justification for the loss of a designated heritage asset.
- 2.2 The proposed development would be of an appropriate design in keeping with the existing site, its surroundings and the character and appearance of the Tredegar Square Conservation Area. The proposed development would enhance the character and appearance of the Tredegar Square Conservation Area and would preserve the setting of the Grade II Listed school building. As such, the proposal is in accordance with Saved Policies DEV1 and DEV27 of the Unitary Development Plan (1998) and Policies DEV2, DEV3, CON1 and CON2 of the Interim Planning Guidance (2007), Policy SP10 of the Adopted Core Strategy (September 2010) as well as the National Guidance of PPS 5 which seek to ensure

appropriate and inclusive design and to safeguard the Borough's Conservation Areas and heritage assets.

- 2.3 On balance, given the urban context of the site, the proposed development would have no significant adverse impacts upon the amenity of neighbouring properties in terms of a loss of daylight/sunlight or an increased sense of enclosure. This is in accordance with Saved Policies DEV2 and DEV50 of the Unitary Development Plan (1998) and Policy DEV1 of the Interim Planning Guidance: Core Strategy and Development Control Plan (October 2007) and policy SP10 of the Core Strategy 2010 and which seek to safeguard the amenities of residential occupiers of the Borough and to minimise noise disturbance.
- 2.4 The proposal would have no adverse impacts upon the existing and future users of the highway and their safety and would provide adequate measures to increase cycle use and reduce reliance on private vehicles. This is in accordance with Saved Policy T16 of the Unitary Development Plan (1998) and Policies 3C.22 and 3C.23 of the London Plan which seek to ensure highway safety and promote cycle usage.
- 2.5 The proposals would create an overall reduction on site of carbon emissions. This is in accordance with Policies 4A.3, 4A.6 and 4A.7 of the London Plan (2008) as well as Policy SP11 of the Adopted Core Strategy (September 2010) which seek development to be energy efficient and to reduce carbon emissions.
- 2.6 The proposed retention of the existing trees on site and the proposed landscaping, particularly on the roof of L-block is considered to be acceptable and, subject to the use of conditions would accord with Policies DEV13 and DEV14 of the Interim Planning Guidance (2007), policy SP07 of the Core Strategy and Policy 3D.15 of the London Plan (2008), which seek to ensure appropriate landscaping with development

3. RECOMMENDATION

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

Conditions and informatives for full planning permission

1. Time limit – 3 Years
2. Proposal to be built in accordance with the plans
3. External materials to be submitted.
4. Hours of construction 8.30am – 17.00pm Monday to Friday and 8.30am – 1pm Saturday
5. Construction management plan.
6. Hours of use of roof garden and roof top MUGA, 8am – 7pm Monday to Friday
7. Details of proposed cycle provision including how visitors will be able to use these out of hours.
8. Details of the revised parking layout to show the new disabled spaces.
9. Details of refuse strategy including details of parking spaces to be removed.
10. Landscaping to be planted within a specific timeframe and maintained. Landscaping to include bat and bird boxes
11. Details of boundary treatments
12. Contaminated land

13. Noise insulation
14. Air quality assessment
15. Attenuation measures for the plant equipment and acoustic treatment for the rooftop MUGA
16. Details of screening for roof plant
17. Details of tree protection.
18. Travel plan compliance
19. Energy efficiency
20. Sustainability
21. Details of a location for a bus parking space on-site shall be provided.
22. Visibility splays for new access to be submitted.
23. Details of replacement windows to L-block
24. Details of how the lifts for D and T block will be fixed to the buildings to ensure minimal intervention.
25. Details of any new signage to be submitted.

Informatives

This planning application should be read in conjunction with listed building consent PA/10/02288 and conservation area consent PA/10/2289.

3.4 Conditions and informatives for listed building consent

1. Time limit – 3 years
2. Development to be carried out in accordance with the approved drawings
3. Details of glazed shadow wall
4. Method for the removal of the party wall between building to be demolished and grade II listed building.

Informatives

1. This Listed Building Consent should be read in conjunction with planning application PA/10/02286 and Conservation Area Consent PA/10/2289

3.5 Conditions and informatives for Conservation Area Consent

1. Time limit – 3 years
2. Development to be carried out in accordance with the approved drawings
3. Contract for replacement scheme in place before demolition of the buildings occurs.
4. Recording of the historic features of the building
5. Salvage materials from St Anthony's House

Informatives

1. This Conservation Area Consent should be read in conjunction with planning application PA/10/02286 and Listed Building Consent PA/10/2288

4. PROPOSAL AND LOCATION DETAILS

Proposal

- 4.1 The proposal seeks permission to extend and upgrade the existing facilities at Central Foundation Girls School and utilise the existing vacant office building at 41-47 Bow Road for the sixth form college. This report incorporates the full planning application, the listed

building consent and the conservation area consent.

- 4.2 There would be a total of 50 additional pupils expected at the school which would be within the sixth form (no additional capacity is proposed for the 11-16 years secondary portion of the school). Access and entrances into the school will not be significantly changed, other than the introduction of a visitor's entrance to the school on Bow Road, at the south west corner of the site.
- 4.3 There are essentially three distinct elements to the proposal which, for the purposes of this report, are grouped as follows: 'L-block' which is to be the new sixth form block on the corner of Bow Road and Harley Grove, 'A, B and C block' which includes the grade II listed building that fronts Bow Road on the main school site, the new three storey building that is proposed in place of St Anthony's house which would be attached to the listed building and would extend along Coburn Street and two glass lifts are proposed to both 'D&T blocks' which are located at the rear of the site.

L-Block

- 4.4 This is currently a vacant office building which is L-shaped. The proposal is to utilise this building for the sixth form element of the school. The general footprint of the building would remain the same, aside from the extension at ground floor level. This extension to the front of the building would provide a publicly accessible café to be used by students and the public. The extension would project out from the front elevation of the building by 6m to the south corner of the site. The café would have a triangular shaped canopy which would overhang the café building to the front and side. In order to have level access for the ground floor, the café (and landscaped area to the front of it) would be situated 1.5m above pavement level. Steps and a platform lift would provide access into the building.
- 4.5 A rooftop garden is proposed for L-block on the section of roof in the centre of the building which is lower than the front and rear elements of the building. This would be for recreational use by the sixth form students.
- 4.6 On the roof of the building a new plant room is proposed towards the rear of the building and a riser would project above the existing roof level on the lower, central section of roof. This would not project above the existing plant room on the front of the building.
- 4.7 The windows are all to be replaced on this building. The proposal is to use aluminium windows. The same number and size of openings would be provided, however, the design of the windows would be changed with the mullions and transoms which are present on the existing windows not being included on the proposed windows.

A, B and C blocks

- 4.8 The changes to this part of the site involve the demolition of the building which is attached to the grade II listed building. This building is three storeys in height with a flat roof and attaches to the listed building part way up the roof slope, thereby being approximately 4m lower in height than the ridgeline of the original school building.
- 4.9 The demolition of St Anthony's house is also proposed, a three storey building located in the south west corner of the site which was constructed in the 1820 and therefore pre-dates the main listed school building which was constructed in 1897.
- 4.10 Following the demolition of these buildings an L-shaped building would be proposed which would be attached to the listed building by way of a glazed link. This glazed link would be recessed from the front elevation of the building and lower in height than the listed building

and the new B-block.

- 4.11 The proposed B-block would be glazed at ground floor with a predominantly brick built upper level. As viewed from Bow Road this extension would be 26m wide and 15.8m in height. The front elevation would be made up of textured brick with a glazed strip around the first floor and a narrow vertical window which would serve the auditorium. These elements would project out from the building elevation. The building would be cantilevered over the south western corner, where the new visitor entrance would be.
- 4.12 C-block is proposed to extend along Coborn Street, this would be set in from the flank wall of B-block by 4.7m and project 36m along Coborn Street. This elevation would be constructed of brick at ground floor and render on the upper two floors. The windows to this elevation would be made up of horizontal strips, similar to those proposed on the front elevation. Some would be flush with the elevation and some would project out.
- 4.13 The proposed extensions would be 3m away from the western boundary at its closest point (towards the southern end of the site) and 9.2m away at the furthest point where the site tapers outwards in a westerly direction.
- 4.14 On the roof of C-block a Multi-Use Games Area (MUGA) is proposed.
- 4.15 The extensions would provide space for a new auditorium, science labs and art rooms.

D&T blocks

- 4.16 These buildings are positioned to the rear of the site and can be seen from Coborn Street. D block is a two storey building with a pitched roof which currently houses the drama department.
- 4.17 T block is a T-shaped building with a central projecting section and smaller projecting elements to either side. This building is two storeys in height with a mezzanine floor and a pitched roof above. This building houses the technology department at present.
- 4.18 The works to these buildings involve the addition of one glass lift to each building. This has been amended from the initial submission which included a glazed link at first floor level between the two buildings.
- 4.19 Block D would remain as the drama block with T block providing accommodation for the English and technology classrooms.

Site and Surroundings

- 4.20 The school fronts Bow Road (A11) which is a busy arterial route through the Borough. The site is in close proximity to Bow Church DLR station and Bow Road underground station. The site is also served by a number of bus routes and has a public transport accessibility level (PTAL) of 6b which is high.
- 4.21 The site is situated between Harley Grove to the east and Coborn Road to the west. The main pupil entrance is on Bow Road with the teacher and visitor entrance on Harley Grove. The building at 41-47 Bow Road has recently been acquired by the school and is located to the east of Harley Grove, this L-shaped building was last in use as an office but has been vacant for some considerable time.
- 4.22 The streetscape along Bow Road is varied, with a number of historic listed buildings contrasting with more modern, contemporary constructions including the Tesco store directly

opposite the site.

- 4.23 The main school building on the site is grade II listed and there are a number listed buildings in the immediate vicinity, including the row of terrace properties immediately to the west of the school site and some of the buildings along Coborn Street.
- 4.24 The school is located within the Tredegar Square conservation area.
- 4.25 There are a number of mature trees within the site and along the eastern boundary with Coborn Street.

Planning History

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

- PA/01/00435 Erection of a new sports hall with first floor link to existing building. Internal remodelling of building fronting Bow Road and enclosure of existing courtyard with glazed roof and removal of existing temporary buildings. Granted 30/1/2002
- PA/01/00436 Demolition of vacant houses on west side of Harley Grove and removal of temporary buildings on Coborn Street. Granted 30/1/2002
- PA/02/00833 External works to school, including single storey workshop / storage extension to the hall and internal refurbishment. Granted 12/8/2002
- PA/04/00929 Provision of a new ground floor canopy over doorway adjacent to the performing arts building. Granted 8/9/2004
- PA/05/1523 Creation of openings in the west flank wall of 27-29 Bow Road to provide links at first and second floors to the proposed teacher training development at 25 Bow Road Granted 29/11/2005
- PA/07/00012 Replacement of existing boundary fence and gate to Bow Road and Coborn Street with 1.95m high vertical bar railings and gate. Granted 22/2/2007
- PA/08/00349 Retrospective application for the retention of no. 4 temporary portakabins (two measuring 6 x 7.5 x 3.2 and two measuring 6 x 3 x 2.5m). Granted 30/5/2008
- PA/08/00660 Installation of three outdoor canopies comprising 898sqm over existing hard landscaping. Granted 30/5/2008.

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 2025 Development Plan Document (September 2010)

Policies	SP03	Creating Healthy and liveable neighbourhoods
	SP04	Creating a green and blue grid
	SP05	Waste Management
	SP07	Improving education and skills
	SP10	Creating distinct and durable places

SP11 Working towards a zero carbon borough

Unitary Development Plan 1998 (as saved September 2007)

Policies	DEV1	Design
	DEV2	Amenity
	DEV27	Setting of listed buildings
	DEV32	List of buildings worthy of preservation
	DEV50	Noise and disturbance
	DEV55	Waste
	EDU7	Education facilities
	T16	Traffic priorities for new development

Spatial Development Strategy for Greater London (London Plan)

	3A.18	Social infrastructure and community facilities
	3A.24	Education facilities
	3C.1	Integrating transport and development
	3C.22	Improving conditions for cycling
	3C.23	Parking strategy
	3D.15	Trees and woodland
	4A.3	Sustainable design and construction
	4A.6	Decentralised energy - Heating, cooling and power
	4A.4	Renewable energy
	4B.1	Design principles for a compact city
	4B.11	London's built heritage
	4B.12	Heritage conservation

Interim Planning Guidance for the purposes of Development Control

Policies	DEV1	Amenity
	DEV2	Design
	DEV3	Accessibility and inclusive design
	DEV10	Noise and disturbance
	DEV13	Landscaping and tree preservation
	DEV15	Retention/Replacement of Mature Trees
	DEV21	Flood risk management
	CON1	Listed buildings
	CON2	Conservation areas
	SCF1	Social and community facilities

Supplementary Planning Guidance/Documents

Secured by design
Tredegar Square conservation area appraisal

Government Planning Policy Guidance/Statements

	PPS 1	Sustainable development and climate change
	PPS5	Planning and the historic environment
	PPG13	Transport

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

A better place for living safely
A better place for living well
A better place for creating and sharing prosperity
A better place for learning, achievement and leisure
A better place for excellent public services

6. CONSULTATION RESPONSE

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

6.2 The following were consulted regarding the application:

English Heritage – Statutory consultee

6.3 English Heritage strongly objects to the proposed demolition of no. 25 Bow Road as proposed in CAC application ref PA/10/02289. In its current form, we urge the Council to refuse the current applications for conservation area consent and planning permission as we consider that the tests in HE9.2 have not been fully addressed and the proposal does not comply with the Council's own UDP policies on Local List buildings.

(Officer response: A thorough justification of the demolition of the buildings on the site is included at paragraph 8.8 onwards)

Environmental Health – Noise and vibration

- 6.4
- The positioning of classrooms on Bow Road is questionable due to the noise level from the traffic.
 - Natural ventilation is also not possible at these locations overlooking the Bow Rd and these areas are more suitable for general office space, canteens etc.
 - The acoustic report does not provide enough information on the mechanical and electrical systems (M&E) to be installed. The information should show details of all ventilation required for classrooms including any science and technology classrooms, kitchen and other heating and boilers purposes.
 - The external play areas should not be exposed to an ambient noise level of greater than 55 dB LAeq.
 - The raised playground area which will require some form of acoustic treatment, such as barriers and soft absorptive surfaces so that they do not cause nuisance to local residents. Any local resident surrounding the school should not be exposed to a LAeq (15minutes) greater than 55 dB from the use of any playground area and the LAmax(f) should not regularly exceed 75 dBA, 1 metre away from any sensitive receptor.

(Officer response: Given that this is an existing school, which already has classrooms fronting Bow Road, it is not considered reasonable to refuse the application on this basis.

Further details relating to the ventilation and noise produced from the mechanical plant would be requested by condition.

Further details regarding the acoustic treatment of the raised play areas would also be requested by condition)

Environmental Health – Air quality

6.5 There has been no assessment of air quality for this development. The school is on Bow Rd which is one of the most polluted roads in the borough where we are exceeding UK Air Quality Objectives for PM10 and NO2 (which has a direct impact on health). I therefore require an air quality assessment for the development.

(Officer response: It is noted that there is no air quality assessment supplied with the application. This would be requested by condition. It is not considered reasonable to refuse

this application on air quality grounds, given that this is an existing school which already fronts Bow Road.)

Tree officer

- 6.6 It seems that the tree report in support of this application is over 12 months old. In order to get an up to date view of the state of tree health a report less than one year old is required. In this instance I recommend that the applicant supplies an up to date document.

(Officer response: Nothing has changed on site since the 2008 report was undertaken. The trees that were recommended for removal are still recommended for removal and their health would only have deteriorated since this time. A condition requesting details for the method of protection for the remaining trees is recommended)

Highways

6.7 Cycle parking

An additional minimum 30 spaces, plus the future-proofed area to accommodate a further 46 cycles, should be conditioned to be retained for cycle storage only. Some spaces must be made available to visitors to the community facilities, too. The TA states the car park is locked in the evening, so this must be resolved.

Parking

The number of parking spaces is currently a relatively modest 11 spaces, and this will not increase; one of the spaces is to be converted to a disabled-accessible space, making the total 2 disabled spaces instead of one. This is acceptable.

Waste management

Concerns are raised in relation to the loss of parking that is required in order to satisfactorily service the site though this has to be balanced with the benefits of improved delivery/servicing space to be provided with an in-out entrance arrangement, off Coburn Road.

Details of where a school bus can be accommodated on site should be provided.

A Construction Logistic Management Plan is required by condition.

Transport for London

- 6.8
- A construction logistics plan should be submitted which identifies efficiency and sustainability measures to be undertaken while developments are being built.
 - Sufficient cycle parking spaces should be provided to reflect the increase in the number of pupils forecast to attend.

(Officer response: The construction logistics plan would be requested by condition, as would the provision of cycle parking spaces)

Olympic Delivery Authority

- 6.9 No comments to make.

Thames Water

- 6.10 No objections

7. LOCAL REPRESENTATION

- 7.1 A total of 971 neighbouring properties within the area shown on the map appended to this report were notified about the application and invited to comment. [The application has also been publicised in East End Life and on site.] The number of representations received from neighbours and local groups in response to notification and publicity of the application were as follows:

No of individual responses: 29 Objecting: 29 Supporting: 0
No of petitions received: 2 objecting containing 37 signatories
1 objection was received from Mile End Old Town Residents Association

- 7.2 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:

Design and appearance

- There should be no demolition of St Anthony's House. It is an attractive period building which is a valuable local asset, which could be renovated. A number of letters provide detailed assessments of the buildings historical merit and strenuously object to its demolition as it is one of the oldest buildings in the locality.
- The railings and gate to the front of the site should not be removed.
- The glazed link which links blocks D and T would seriously obscure and disfigure both historic school buildings. The heritage impact statement fails to recognise these buildings as non-designated heritage assets. The technology block was formerly the Malmesbury Road Central School and was the London County Council's first purpose-built central school and as such, should be preserved as a heritage asset. The concerns which are specifically raised about this part of scheme are that there appears to be no justifiable need for this link as the two buildings do not need to be connected.
- The internal features of D and T block should also be retained and the original sash windows should be overhauled by experts.
- The building that would front Coborn Street presents an unattractive street frontage. There are no buildings along Coborn Street that are similar to this proposal and it would represent a stark contrast to the Georgian Houses opposite, permanently ruining the ambiance of the street.
- The new building is too high and should be no higher than the terraces on Bow Road to the west.
- The 2m high brick wall along Coborn Street is unrelenting and overbearing.
- The 3m high mesh fence above the Coborn Street building is too high and the appearance is likely to be unsightly.

7.3 Amenity

- The proposal would lead to a loss of light into the front facing windows of the properties on Coborn Street, particularly in the morning.
- There would be direct overlooking from the new building and the roof top playground into the properties on Coborn Street.
- The proposal would irrevocably change the character of Coborn Street, darkening and enclosing it.
- The plant equipment should be sited away from residential areas.
- The rooftop MUGA will cause noise and disturbance to residents.

7.4 Parking

- The second delivery entrance on Coborn Street would take away on-street parking and does not seem necessary.
- There is significant congestions at pick-up and drop-off periods.

- There is a huge demand for parking in the area during school time and this application does nothing to address this problem.

8. MATERIAL PLANNING CONSIDERATIONS

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

1. Principle of the development
2. Demolition of St Anthony's House and the building adjacent to the listed building
3. Character and appearance of the proposal
 - i) L- Block
 - ii) B and C block
 - iii) D & T block
 - iv) General changes i.e landscape arrangements / boundary treatments
4. Impact upon amenity
5. Highways implications
6. Trees and ecology
7. Noise and air quality
8. Renewable energy.

Land Use

Education provision

- 8.2 Policies 3A.18 and 3A.24 of the London Plan 2008 (Consolidated with Alterations since 2004) (London Plan) seek to provide appropriate and improved community and educational facilities, including schools, within easy reach by walking and public transport for the population that use them.
- 8.3 Policy SP07 of the adopted Core Strategy (2010) (CS) also seeks to deliver the policy requirements of the London Plan. These policies also seek to increase the provision, both to deal with increased population and to meet existing deficiencies in order to achieve the best schools and facilities to support education excellence. The policy also makes specific reference to the need to support the Building Schools for the Future Programme.
- 8.4 This application is made under the Building Schools for the Future programme. It seeks to improve and upgrade the existing school facilities on the site and expand the sixth form. It would also bring the sixth form within closer proximity of the main school. Currently it is located on College Terrace, approximately 300m to the north east of the school site.

Use of 41-47 Bow Road

- 8.5 Policies EMP3 of the UDP and EE2 of the Interim Planning Guidance should be applied to this building. These policies seek to retain employment uses within the Borough. The proposal is to convert this building into the sixth form, thereby resulting in the loss of the B1 office use.
- 8.6 The application seeks to bring the building back into a viable use and is well located adjacent to the main school to provide a separate, yet connected sixth form college and has been vacant. Given that it has been vacant since 2005 it is considered that allowing the change of use from B1 to education use would be in accordance with policies EMP3 of the Unitary Development Plan (UDP) and EE2 of the Interim Planning Guidance (IPG)

Open Space

- 8.7 Policy EDU7 of the UDP seeks to prevent loss of school play space. With the provision of the roof top play space this application increases the area available for play space from 5500sqm to 6131sqm. The application is therefore in accordance with this policy.
- 8.8 Overall, it is considered that the proposal would provide improved educational accommodation for the existing school in accordance with the aforementioned policies and is therefore acceptable in principle.

Demolition of buildings

- 8.9 The application seeks consent to demolish the locally listed St Anthony's building on the corner of Bow Road and Coborn Street and the building which is attached to the main school building on Bow Road. Given the latter is attached to the grade II listed building it is considered that this building is by virtue also listed.
- 8.10 PPS5 provides advice regarding developments that affect designated heritage assets. HE.9.1 states that there should be a presumption in favour of the conservation of designated heritage assets and the more significant the asset, the greater the presumption in favour of its conservation should be. Any loss which affects a designated heritage asset requires a clear and convincing justification.
- 8.11 As the proposal would result in a loss of a locally listed building and a listed building it is considered that policy HE9.2 from PPS5 applies. This relates to the total loss of significance of a heritage asset or substantial harm to that asset. PPS5 advises that where this is the case the application should be refused consent unless it can be demonstrated that the public benefits of the scheme outweigh the harm caused.
- 8.12 Neither building is specifically mentioned within the Tredegar Square conservation area character appraisal, which was adopted by the Council in 2007.

Listed building

- 8.13 The building which is attached to the listed building was constructed in 1957 and is considered to detract from the character and appearance of the listed building and the conservation area. Its scale and design do not relate well to the listed building and it has not been attached in a sympathetic manner, cutting into the gable end and obscuring some of the roof details and flank wall.
- 8.14 The loss of B-block and replacement with the proposed building is considered to enhance the appearance of the school within the conservation area and would have an improved relationship with the grade II listed building.

St Anthony's House

- 8.15 St Anthony's house, which is locally listed, has been considered for statutory listing by English Heritage as part of the High Street 2012 project. The building was constructed before 1840 and therefore there is a presumption in favour of listing it, however given the number of alterations that have occurred to the building it was considered that it was not worthy of being included in the statutory list. The report that was produced as part of this review found that a number of elements of the building have been replaced including the roof, all of the windows and doors, the north elevation and the top storey of the building. The conclusion of the report was as follows "*While there is a reasonable survival of internal features, the*

interior is not sufficiently intact to overcome the external alterations; the joinery and fittings are of modest quality and fairly standard of their time”.

- 8.16 The report by English Heritage makes reference to the fire places which have been retained in a reasonable condition and some of the internal joinery. A condition requiring a recording of all of the historic features would be requested to ensure that the property is correctly documented. Also the salvage of the materials to be re-used elsewhere can also be secured by condition to ensure that the main historical features of the building are not permanently lost.
- 8.17 It is considered that there are substantial public benefits from the proposal as it would result in the retention and viable use of the school which forms an important part of the conservation area. The proposals would provide significant improvements to the school facilities and provide a better quality educational environment for the pupils of the school. The upgrading of the facilities would allow the continued success of the school which is an integral part of the local area.
- 8.18 Furthermore, the proposed B-block would improve the interaction of the school with the street by providing an entrance from Bow Road and a glazed element at ground floor allowing views through into the school. Currently the school feels detached from the street as it is located at a higher level and set back from the street behind railings. Whilst the new scheme would still require security measures, the introduction of an entrance on the corner of Bow Road and Coborn Street is considered to be an improvement to the character of the area, providing the school with a better street presence and enhanced public realm.
- 8.19 Overall, the demolition of the locally listed building and the building attached to the Grade II listed building is considered to be outweighed by the substantial public benefit which this scheme offers in terms of the improved educational facilities provided and the enhancement to the setting of the listed school building in accordance with CON2 of the IPG and PPS5 which requires a clear and convincing justification for the loss of a designated heritage asset.

Character and design

- 8.20 Policy SP10 of the Core Strategy seeks to ensure that buildings promote good design principles to ensure that they represent a high quality development and are sustainable, accessible, attractive, durable and well-integrated with their surroundings. They should respect local townscapes and context and contribute to enhancing local distinctiveness. These requirements are also echoed in policy DEV1 of the UDP and DEV2 of the IPG.
- 8.21 The site is within the Tredegar Square conservation area and as such the proposal must conform with the requirements of policy CON2 of the IPG. This seeks to ensure that all developments preserve or enhance the distinctive character and appearance of the conservation area, in terms of scale, form, height, materials, architectural detail and design.
- 8.22 Each of the sections of the scheme will be assessed in turn in relation to these policy criteria.

L-Block

Cafe

- 8.23 The main changes to this building relates to the new café on the ground floor, which will project out from the front elevation of the building. It is considered that the installation of the canopy and the glazed café area would add a contemporary element to the building, providing visual interest to the street and announcing the presence of the new sixth form college.

- 8.24 The current building is set back from the other buildings along this section of Bow Road, including the recently approved building at the entrance to Phoenix School. As such it is considered that the projection of the café towards the street is acceptable and would not be out of keeping with the street pattern along Bow Road.

Windows

- 8.25 The application also proposes to change the windows of this building. It is considered that further discussions are required to ensure that the new windows would be of sufficiently high quality and would be in keeping with the character of the building. As such it is recommended that a condition requiring further details of the replacement windows be attached to the planning permission.

Landscaped garden

- 8.26 A rooftop landscaped garden is proposed on L-block. It would be located between the raised sections at the front and rear and would be enclosed by railings which would project only 0.3m above the parapet wall. The impact of these, and the use of the roof as a garden is considered acceptable and it would not have an impact upon the character and appearance of the building or the conservation area.

Rear extension.

- 8.27 An extension is proposed at the ground floor level to the rear of L-block to accommodate a P.E. store. This would be single storey (4.5m in height) and would measure 5.5m in width x 5m. It would be located within the recessed area of the 'L' and would not be visible from outside of the site. It would be constructed of materials to match the existing building, its impact upon the appearance of the building is considered minimal and acceptable.

B & C block

- 8.28 The design for this building has evolved over time and has been amended over the course of the application to reach a design which is considered acceptable in terms of its relationship to the listed building on the site and the context of the conservation area.

Design

- 8.29 The initial proposal involved a building that was predominantly clad in white render, this has since been revised to show a brick built building. Visual interest would be provided on the front elevation by the use of projecting windows and textured brick. The ground floor of the building would be fully glazed to allow views through into the school and providing visual interest at pavement level.
- 8.30 A recessed glazed link is proposed between the listed building (A-block) and the proposed building to act as a shadow gap. This is considered to be an acceptable way to deal with the transition between the historic, older building and the more contemporary element of the school.
- 8.31 The current building which is attached to the listed building is considered to be of little merit and has been attached to the listed building in an unsympathetic way. It is considered that the current proposal would enhance the setting of this listed building by providing the glazed link, thereby allowing some relief to the listed building whilst still providing the functionality required internally by connecting the two buildings.
- 8.32 The side elevation of the building is also important as it is clearly visible from Coborn Street. A mixture of render and brick is proposed to be used on this elevation and a mix of projecting and recessed windows which seek to break up the bulk of the building along this elevation. Concerns have been raised regarding the treatment of the building along Coborn Street, however, this is considered to be an appropriate approach to the elevation. The modern

design is supported, as it is not considered that a replica of the architecture to Coborn Street would be an appropriate response.

Bulk

- 8.33 The scale of the building is considered acceptable and appropriate for the context of the site. The height of the building would be lower than the ridgeline of the listed building and higher than the adjacent terrace properties on Bow Road, this creates a transition between the two heights. It is considered appropriate that the building relates closer in height to the existing school building, rather than the residential terraces due to its form and function as a modern school building.
- 8.34 The building which forms block-C is set back from the boundary edge of the school, thereby reducing its impact upon Coborn Street. It would be between 8m and 9.6m set back from the boundary which would provide a setting to the building and give some relief to the Coborn Street. The trees along Coborn Street are also to be retained throughout the development, reducing the visual impact of the scheme further.

D & T block

- 8.35 The initial proposal involved linking the two blocks at first floor level with a structure that would be glazed and clad in metal panels. This would have provided disabled access to the first floor of each building and a workshop room.
- 8.36 A number of residents have raised concerns over the appearance of these extensions and the way it alters the appearance of both of the buildings, but particularly the way it impacts on the symmetry to T-block. As a result of these concerns, the scheme has been amended to remove the link between the two buildings and instead two glass lifts to the outside of each building.
- 8.37 The two lifts would be attached in such a manner that would ensure they would not require significant intervention into the fabric of the building and if removed at a later date. It is recommended that appropriate conditions are included on the permission to ensure the detailed design is appropriate.
- 8.38 The lifts would be lightweight in their appearance and contain as much glazing as possible to allow views through to the original building behind. It is considered that this represents a reasonable compromise by protecting the original appearance of the buildings, but also improving the accessibility of the buildings and not reducing the teaching space by an internal lift.
- 8.39 The proposal also seeks to remove a number of temporary buildings around the site which will have a positive impact upon the setting of these buildings and the general appearance of the site. Therefore, on balance, it is considered that the proposed changes to D and T block are acceptable and in accordance with the aforementioned policies.
- 8.40 Overall it is considered that the proposed extensions and alterations to Central Foundation School are acceptable and would in part preserve and enhance the character and appearance of the Tredegar Square conservation area enhance the setting of the listed building by removing what is currently an unsympathetic building adjacent to the grade II listed building. It is considered that the development is in accordance with policy SP10 of the Core Strategy, DEV1 of the UDP, DEV2 of the IPG and PPS5.

Impact on amenity

- 8.41 Policy DEV2 of the UDP and policy DEV1 of the IPG require that all developments should protect the amenity of residential occupiers and ensure that adjoining buildings are not adversely affected by a loss of privacy, a material deterioration of their daylighting and sunlighting conditions or create an inappropriate sense of enclosure.
- 8.42 The works to L-block and D & T block are not in close proximity to any neighbouring residential properties, therefore it is considered that the properties which are most likely to be affected by the proposal are those on Coborn Street which face the side elevation of B and C block.
- 8.43 The first property on Coborn Street is located over 40m back from the junction with Bow Road, as a result the properties on Coborn Street would face towards C-block and not B-block which is closest to the boundary of the site. There is an approximate distance of 27m between the flank wall of C-block and the front elevation of the residential properties of Coborn Street.
- 8.44 This distance is considered to be significant enough to ensure that there is no inappropriate sense of enclosure created by this building. It also ensures that there would be no material deterioration in the daylight and sunlight available to these properties. Testing of the scheme has been undertaken in relation to the necessary criteria set out in the BRE guidelines and it has demonstrated that the impacts upon daylight and sunlight are acceptable.
- 8.45 Whilst there are windows proposed to the side elevation of this part of the school, these rooms would serve classrooms. They would not be any common rooms, nor would these be used out of hours, for this reason, and because the building is located well in excess of the 18m privacy distances outlined in policy DEV1 of the IPG it is considered that the proposal would not result in any undue overlooking to the neighbouring properties.

Highways

- 8.46 Policy T16 of the UDP requires consideration to be given to the operational requirements of the proposed use and the impact of the traffic that is likely to be generated. Policy SP09 of the Core Strategy seeks to ensure that all new development has no adverse effect of the safety and capacity of the road network and the promotion of car free developments is encouraged in order to minimise on-site and off-site car parking.
- 8.47 The London plan has a number of transport related policies which generally seek to encourage uses which would reduce the need to travel, particularly by car by minimising on-site car parking provision and ensuring sufficient cycle parking is provided.
- 8.48 The school has an excellent PTAL and therefore minimal car parking is required in order to be in accordance with the policies outlined above.
- 8.49 The proposal would seek to increase the capacity of the school by a total of 50 pupils, these would be within the sixth form. The number of staff would remain the same.
- 8.50 A transport assessment has been submitted in support of the application. It finds that the 50% of pupils currently walk to the site and 17% of teachers walk, only 0.3% of pupils and 5% of teachers cycle. In total 88.5% of pupils and 73% of teachers arrive at the site on foot or using public transport.

Parking

- 8.51 There are currently 11 parking spaces available on site which are access from the Harley Grove entrance. One of these spaces is designated as a disabled space and two are allocated to the school's mini buses.
- 8.52 The parking levels within the site would remain the same as part of this development, however one standard car parking space would be removed and replaced with a disabled space in order comply with the requirements to provide 10% of the on-site parking as disabled. Details of the final design layout of the spaces would be secured by condition to ensure it meets Council standards.

Cycle parking

- 8.53 The school currently has 46 cycle stands which are shared between staff and pupils. 24 additional cycle spaces are proposed, within an area for future expansion of the cycle facilities if required. This is considered to be an acceptable provision of spaces, given that the number of pupils and staff which utilise the cycle parking facilities at present is so low.
- 8.54 Details of the enclosures for the cycle provision would be requested by condition to ensure that they are secure and weatherproof.

New access

- 8.55 A new access for service vehicles is proposed on Coborn Street, adjacent to the Kirkland Centre. This would be the 'in' route for delivery vehicles and the existing access on Coborn Street, located to the south of this one would be the 'out' route. Swept paths have been provided to show how a 7.5ton vehicle would sufficiently manoeuvre through the site.
- 8.56 Vehicle access will be maintained in its existing location for L-block.

Waste management & removal of car parking

- 8.57 On-street waste collection is proposed for the main site, from Coborn Street and for the L-block site, from Harley Grove. The site is restricted in terms of turning space that can be provided and the delivery area proposed on Coborn Street would not accommodate a large refuse vehicle. Therefore in order to prevent the refuse vehicles reversing out of the site, it is proposed to have an area reserved on each street for refuse vehicles to pull in which collections take place.
- 8.58 This would result in the loss of 2 on street parking bays being removed from each road (two on Coborn Street and two on Harley Grove). This is considered acceptable, given the existing parking capacity in the area it would not have any significant impact upon parking pressure in the locality.
- 8.59 On balance, given the other benefits the scheme brings in terms of enhancing the educational facilities of the school and the more specific benefits of ensuring that refuse and delivery vehicles would no longer be reversing into the road, it is considered that the loss of some on-street parking bays is acceptable.
- 8.60 Details of the refuse stores, and their proposed location would be requested by condition to ensure that they are appropriately sited close to the collection location and have an acceptable appearance.

Trees and ecology

Trees

- 8.61 DEV15 of the UDP and DEV13 of the IPG require the retention or replacement of existing mature trees as part of development proposals, where the Council considers that they have amenity value. It is considered that a number of the trees within the school site, and some on Coborn Street do have an important amenity value and contribute to the character and appearance of the streetscene.
- 8.62 The application seeks to remove only one tree from the centre of the site. The removal of this tree is not necessary for the construction of the proposal but has been found to be diseased and is recommended for removal by the arboriculturalists who assessed all of the trees on the site.
- 8.63 The proposal seeks to retain all of the other trees on the site and a number of trees on the pavement along Coborn Street. Measures for the protection of these trees would be requested by condition to ensure that suitable fencing is provided around all of the trees on site to protect them from damage during the construction phase.
- 8.64 Subject to appropriate conditions, it is considered that the development would comply with the aims of the aforementioned policies.

Ecology

- 8.65 Policy SP04 of the Core Strategy seeks to protect biodiversity and requires development to achieve a net gain in biodiversity. Overall there is a net gain in open space on the site and the inclusion of a rooftop garden creates a significant area of landscaping which can be considered as contributing to the biodiversity of the area.
- 8.66 An ecology study has been completed and recommends that bat and bird boxes be included with the proposal to promote biodiversity within the site. A condition requesting further details of the proposed landscaping, to include the installation of bat and bird boxes, would be included on any permission.
- 8.67 The ecology report makes reference to the potential for bats to be roosting in St Anthony's House which is proposed for demolition. If this demolition is permitted a bat survey should be undertaken to understand whether there is any risk to any bat habitats on the site. This would be required by condition.

Noise and air quality

Noise

- 8.68 Local and national policies state that developments should not create undue noise and disturbance to neighbouring occupants and requiring mitigation measures to ensure that noise from external sources does not impact upon the proposed use of the development.
- 8.69 In this case there are considered to be two main points of concern, these are the impact of the noise from Bow Road onto the proposed classrooms and the impact of the proposed development on the neighbouring properties in terms of the new plant and mechanical equipment and the high level MUGA proposed on the roof of C-block.
- 8.70 The environmental health department have objected to the provision of classrooms on the Bow Road frontage due to the significant noise disturbance which is created from this heavily

trafficked road. Given that this is an existing school building and there are other classrooms located on Bow Road, it is not considered reasonable to refuse the application on this basis. The building would require insulation measures to ensure that the sound levels internally are acceptable, these details can be conditioned.

- 8.71 There is a significant distance from the proposed plant room and the MUGA on the roof of blocks B and C from the nearest neighbouring properties on Coborn Street and as such it is not considered that the impact of noise and disturbance would be significant to the neighbouring occupiers. However, in order to make sure that the acoustic measures are in place around the proposed MUGA and the housing for the plant would provide sufficient insulation, further details would be requested by condition.

Air Quality

- 8.72 The environmental health department have also raised objections to the positioning of classrooms which front Bow Road on air quality grounds. It is noted that this is one of the most polluted roads in the Borough, however, this is an existing school and given the restricted nature of the site there are few alternatives to locating classrooms on Bow Road.
- 8.73 The applicant has confirmed that the windows within the new building which front Bow Road will be not be openable and will be mechanical ventilated which will significantly reduce the impact of poor air quality on the classrooms. It is not considered that a refusal on this basis would be reasonably justified.

Renewable energy

- 8.74 The London Plan sets out the requirement for all major developments to reduce their carbon emissions by a minimum of 20%, after energy efficiency measures have been taken into account.
- 8.75 The measures that are proposed for this development would be gas fired heat pumps. These would be installed in blocks B, C and L and would provide the required level of renewable energy. The energy statement that has been submitted with the application does not provide sufficient details to understand how the heat pumps would provide the required contribution to energy provision and as such, further clarification on this matter is requested by condition.
- 8.76 A condition requesting that the applicant demonstrate compliance with the BREEAM 'very good' or 'excellent' standard is also recommended.

Other Planning Issues

- 8.77 None

Conclusions

- 8.78 All other relevant policies and considerations have been taken into account. Planning permission, listed building consent and conservation area consent 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.

Agenda Item 7.2

Committee: Development	Date: 10 th March 2011	Classification: Unrestricted	Agenda Item Number:
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Report of: Director of Development and Renewal	Title: Town Planning Application
Case Officer: Mary O'Shaughnessy	Ref No: PA/10/2769
	Ward: Bromley by Bow

1. APPLICATION DETAILS

Location: Oakfield House, Gale Street, London
Existing Use: Residential and car parking (35 spaces)
Proposal: Demolition of existing 8 dwellings (4 x bedsit and 4 x one bed flats) and erection of a building up to 5 storeys in height to provide 18 new residential units (5 x 2 bed flats, 6 x 3 bed flats, 7 x 4 bed houses) proposal including the provision of associated parking and landscaped amenity space

Drawing Nos/Documents: PH 854-X01, PH 854/X02, PH 854/X03, PH 854/X04, OD01 REVC, OD02 REVF, OD03 REVE, OD04 REVC, OD05 REVC, OD06 REVC, OD08 REVE, OD09 REVD, 854-OD11 REVC, 854-OD12 REVC, 854-OD13 REVC, 854-OD14 REVC, 854-OD15 REVC, 854-OD16, 854-OD20, 854-OD21, 854-OD22, 854-OD23, 854-OD24 and 854-OD25.

Design and Access Statement 2, prepared by Living-Architects, 854-2, D&A2-10,11,26
Landscape Design and Access Statement, W104858R02, prepared by Whitelaw Turkington, November 2010

Report on the Availability of Natural Daylighting and Sunlighting Oakfield House, Ref. K09/0327B/C PSD/hmt/G28, prepared by CalfordSeaden, 1st December 2010

Reply to Community Response Oakfield House, Ref. K/090374B/PSD/hmt/G28, prepared by CalfordSeaden, 22th February 2011

Oakfield House – Planning Statement, Impact Statement and Statement of Community Involvement, prepared by Leaside Regeneration, December 2010

Transport Statement, Project No. 09-105, prepared by Odyssey, December 2010

Noise Assessment, prepared by SKM Enviros, December 2010

Applicant:	Poplar HARCA
Ownership:	Poplar HARCA
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 Unitary Development Plan 1998 (UDP), the Council's Interim Planning Guidance for the purposes of Development Control (2007) (IPG) and the Core Strategy Adoption Version September 2010 (CS), associated supplementary planning guidance, the London Plan 2008 (Consolidated with Alterations since 2004) (LP) and Government Planning Policy Guidance and has found that:
- 2.2 The proposed part three storey part five storey residential development is considered appropriate in terms of design, bulk, scale, and massing. The designs of the new buildings are in keeping with the surrounding properties in terms of general building line, height and use of materials. This is in accordance with strategic policy SP10 of the adopted Core Strategy (2010), saved policy DEV1 of the adopted Unitary Development Plan (1998) and policy DEV2 of the Interim Planning Guidance (2007). These policies seek to ensure appropriate design within the Borough which respects local context.
- 2.3 The proposal provides 45% affordable housing and a good mix of housing types including family housing which is in line with policy. The proposal accords with the criteria set out in policies 3A.1, 3A.2, 3A.5, 3A.8, 3A.9, 3A.10 and 3A.11 of the London Plan 2008 (Consolidated with Alterations since 2004), strategic policy SP02 of the adopted Core Strategy (2010), these policies seek to ensure that new developments offer a range of housing choices and secure appropriate levels of affordable housing.
- 2.4 The proposal is considered appropriate in relation to the residential amenity of the site. The impact of the development in terms of daylight and sunlight, overshadowing, sense of enclosure, outlook, privacy and noise is acceptable given the overall compliance with the relevant BRE Guidance and the urban context of the site. This is in line with strategic policy SP10 of the adopted Core Strategy (2010), saved policy DEV2 of the adopted Unitary Development Plan (1998) and DEV1 of the Interim Planning Guidance (2007). These policies seek to protect the amenity of residential occupiers and the environment in general.
- 2.5 The quantity and quality of private amenity space, communal amenity space and child play space, is broadly acceptable. Any shortfall in the provision of on-site child play space is mitigated by the location of child play space within the vicinity of the site and contributions towards open space. Therefore, the proposal accords with policies 3A.6, 3D.13 and 4B.1 of the London Plan 2008 (Consolidated with Alterations since 2004), strategic policy SP02 of the adopted Core Strategy (2010), policies DEV1, DEV12 and HSG16 of the adopted Unitary Development Plan (1998) and policies DEV2, DEV 3, DEV4 and HSG7 of the Interim Planning Guidance (2007), which seek to improve amenity and liveability for residents.
- 2.6 In reference to transport matters, including provision of cycle parking, access, servicing and the creation of a car free development, the proposal is considered acceptable and in accordance with policies 3C.1, 3C.2, 3C.3 and 3C.23 of the London Plan 2008 (Consolidated with Alterations since 2004), strategic policy SP09 of the Core Strategy adopted September

2010, policies DEV1, T16, T19 of the adopted Unitary Development Plan (1998), policies DEV16, DEV17 and DEV19 of the Interim Planning Guidance (2007). These policies seek to ensure developments can be supported within the existing transport infrastructure.

- 2.7 Sustainability matters, including energy, are acceptable and in line with policies 4A.1 – 4A.9 of the London Plan 2008 (Consolidated with Alterations since 2004), strategic policy SP11 of the adopted Core Strategy (2010) and policies DEV5 and DEV6 of the Council's Interim Planning Guidance (October 2007), which seek to promote sustainable development practices.
- 2.8 Contributions have been secured towards the provision of open space, leisure and library facilities and health in line with the Community Infrastructure Levy Regulations 2010, strategic policy SP13 of the adopted Core Strategy (2010) and saved policy DEV4 of the adopted UDP (1998). These policies seek to secure contributions toward infrastructure and services required to facilitate proposed development.

3. RECOMMENDATION

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

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

- a) **45%** Affordable Housing with a tenure of 100% social rent
- b) **£13,750** – towards the provision of health services within the area
- c) **£29,150** – towards the provision of Open Space, Leisure and/or Community Facilities within the area
- d) **£12,100** – towards the provision of educational facilities within the area
- e) Car Free
- f) Any other planning obligation(s) considered necessary by the Corporate Director Development & Renewal

Total Financial Contributions: **£55,000**

- 3.2 That the Corporate Director Development & Renewal is granted delegated power to negotiate the legal agreement indicated above.
- 3.3 That the Corporate Director Development & Renewal is granted delegated power to impose conditions and informatives on the planning permission to secure the following matters:

Conditions

- 1 Full planning permission – 3 year time limit
- 2 Drawings – to be built in accordance with the approved drawings
- 3 Contaminated Land – contaminated land report to be provided prior to the commencement of any works
- 4 Materials - approval of samples and detail of all facing materials to be provided prior to the commencement of any works
- 5 Full details of proposed energy technologies, their location and their design to be provided prior to the commencement of any works
- 6 Highway Improvements – to be secured via condition

- 7 Landscaping – full details to be provided and implemented prior to the occupation of the residential units and maintained in perpetuity.
- 8 Full details of BREAM assessment to be provided prior to the occupation of the residential units.
- 9 Cycle Parking – to be retained in perpetuity
- 10 Full details of proposed energy technologies, their location and their design to be provided
- 11 Privacy screening - to be retained in perpetuity
- 12 Noise report – development to be carried out in accordance with the submitted noise report
- 13 Lifetime Homes – secure all units to be built to Lifetime Homes standards
- 14 Accessible – secure 10% of units to be accessible

Any other planning condition(s) considered necessary by the Corporate Director Development & Renewal

Informatives

- 1 Associated S106 agreement
- 2 Highway Improvements
- 3.4 That, if by 15th March 2010 the legal agreement has not been completed, the Corporate Director Development & Renewal is granted delegated power to refuse planning permission.

4. PROPOSAL AND LOCATION DETAILS

Proposal

- 4.1 The proposal involves the demolition of the existing building on a site known as Oakfield house which comprises four bedsits, and four x one bedroom flats and the redevelopment of the site. The new buildings would be between three and five storeys and would provide 18 residential units comprising five x two bed flats, six x three bed flats and seven x four bed houses. The proposal would also include the provision of car parking, cycle parking, landscaped amenity space and associated works.

Site and Surroundings

- 4.2 The application site is located at the junction of Gale Street and Devons Road and forms part of the Perring Estate, Poplar. The site is currently occupied by a two storey building with associated landscaping and an area of hard-standing which is used as a car park.
- 4.3 The site lies within a principally residential area dominated by medium and low rise housing with some commercial land uses. To the north of the site on the opposite side of Devons Road, there is a four storey building known as 302 Devons Road with commercial use at ground floor level and residential above. To the north-east of the site is The Liquor Inn public house which is mostly two storeys in height with a high gabled roof.

- 4.4 The site is bounded by residential blocks which form part of the Perring Estate; to the north east, is Bramble House which has commercial at ground floor and residential above and the building rises to five storeys. To the east of the site is Bracken House and to the south is Berbeis House both of which are residential blocks rising to five storeys. To the west of the site on the opposite side of Gale Street is Mollis House which rises to six storeys in height.

Planning History

- 4.5 The following planning decisions are relevant to the application:
- 4.6 PA/00/00360 The Local Planning Authority (LPA) granted planning permission on 2 June 2000 for "Proposed external refurbishment and environmental works."
- 4.7 PA/01/00688 The LPA granted planning permission on 14 August 2001 for the *"Installation of 3 underground refuse containers, external works including re-surfacing courtyard, new secure fencing around Oakfield House, new grassed areas & shrub planting in front of Oakfield House."*
- 4.8 PF/09/0047 Pre-application discussions were held in respect to re-developing the site and the Council raised concerns about the proposal. These were not addressed prior to lodgement.
- 4.9 PA/10/0083 An application for the redevelopment of the site was withdrawn by the applicant on 16 April 2010 following officer advice that the scheme as submitted would be recommended for refusal.
- "The development involved the: "Demolition of existing building (Oakfield House - 8 x one bedroom flats) and erection of a building of between 3 and 6 storeys to provide 20 residential units (7 x 4 bed houses, 6 x 3 bed flats and 7 x 2 bed flats), together with the provision of car parking, cycle parking, roof top amenity space and associated works."*
- 4.10 PF/10/00189 The applicant entered into pre-application discussions in order to address the concerns raised by officers.

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:

5.2 Government Planning Policy Guidance/Statements

PPS1	Delivering Sustainable Development
PPS	Planning and Climate Change supplement to PPS1
PPS3	Housing

5.3 Spatial Development Strategy for Greater London (London Plan)

Policy No	Title
3A.1	Increasing London's supply of housing
3A.2	Borough housing targets
3A.3	Maximising the potential of sites
3A.5	Housing choice
3A.6	Quality of housing provision
3A.7	Large residential developments
3A.8	Definition of affordable housing
3A.9	Affordable housing targets

3A.10	Negotiating affordable housing in private residential and mixed-use schemes
3A.11	Affordable housing thresholds
3C.1	Integrating transport and development
3C.2	Matching development to transport capacity
3C.3	Sustainable transport in London
3C.21	Improving conditions for walking
3C.22	Improving conditions for cycling
3C.23	Parking Strategy
3D.13	Children and young people's play and informal recreation strategies
4A.1	Tackling climate change
4A.2	Mitigating climate change
4A.3	Sustainable design and construction
4A.4	Energy assessment
4A.5	Provision of heating and cooling networks
4A.6	Decentralised Energy: Heating, Cooling and Power
4A.7	Renewable Energy
4A.9	Adaptation to Climate Change
4B.1	Design principles for a compact city
4B.2	Promoting world-class architecture and design
4B.3	Enhancing the quality of the public realm
4B.5	Creating an inclusive environment
4B.6	Safety, security and fire prevention and protection
4B.8	Respect local communities and context

5.4 Core Strategy (Adopted September 2010)

Strategic Policies:	Policy No	Title
	SP02	Urban living for everyone
	SP03	Creating healthy and liveable neighbourhoods
	SP05	Dealing with waste
	SP08	Making Connected Places
	SP09	Creating attractive and safe streets and spaces
	SP10	Creating distinct and durable places
	SP11	Working towards a zero-carbon borough
	SP12	Delivering placemaking and Bow Vision Statement
	SP13	Planning Obligations

5.5 Unitary Development Plan 1998 (as saved September 2007)

Policies:	Policy No	Title
	DEV1	Design Requirements
	DEV2	Environmental Requirements
	DEV3	Mixed Use Developments
	DEV4	Planning Obligations
	DEV12	Provision of Landscaping in Development
	DEV50	Noise
	DEV51	Soil Tests
	DEV55	Development and Waste Disposal
	DEV56	Waste recycling
	HSG7	Dwelling Mix & Type
	HSG13	Standard of Converted Dwellings
	HSG16	Housing Amenity Space
	T7	The Road Hierarchy
	T8	New Roads

T10	Priorities for Strategic Management
T16	Traffic Priorities for New Development
T18	Pedestrians and the Road Network
T21	Pedestrian Needs in New Development
OS9	Children's Play Space

5.6 Interim Planning Guidance for the purposes of Development Control

Policies:	Policy No	Title
	DEV1	Amenity
	DEV2	Character and Design
	DEV3	Accessibility and Inclusive Design
	DEV4	Safety and Security
	DEV5	Sustainable Design
	DEV6	Energy Efficiency and Renewable Energy
	DEV10	Disturbance from Noise Pollution
	DEV11	Air Pollution and Air Quality
	DEV13	Landscaping and Tree Preservation
	DEV15	Waste and Recyclables Storage
	DEV16	Walking and Cycling Routes and Facilities
	DEV17	Transport Assessments
	DEV18	Travels Plans
	DEV19	Parking for Motor Vehicles
	DEV22	Contaminated Land
	HSG1	Determining Residential Density
	HSG2	Housing Mix
	HSG3	Affordable Housing Provisions in Individual Private Residential and Mixed-use Schemes
	HSG7	Housing Amenity Space
	HSG9	Accessible and Adaptable Homes
	HSG10	Calculating Provision of Affordable Housing

5.7 Supplementary Planning Guidance/Documents

- SPG Residential Space Standards
- SPG Designing Out Crime

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

- A better place for living safely
- A better place for living well

6. CONSULTATION RESPONSE

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

6.2 The following were consulted regarding the application:

Environmental Health – Contaminated Land

6.3 It is noted from council records that the site and surrounding area have been subjected to former industrial uses (Leather Works at St. Paul's Juniper Row - 1894 - 1922: (source: 1894/6 OS sheet VII 78 1:1056 & 1922 OS map sheet)), which have the potential to contaminate the area. It is understand that ground works and soft landscaping are proposed and therefore a potential pathway for contaminants may exist and will need further characterisation to determine associated risks.

6.4 Please condition this application to ensure the developer carries out a site investigation to

investigate and identify potential contamination.

- 6.5 **[Officer Comment:** A condition requiring the submission of a detailed contaminated land study could be controlled via condition if planning permission were granted.]

LBTH Environmental Health – Noise and Vibration

- 6.6 They have no adverse comments providing the recommendations made in the submitted noise report are fully followed.
- 6.7 **[Officer Comment:** A condition requiring the development to be built in accordance with the relevant report could be attached to the planning permission if granted.]

LBTH Environmental Health – Health and Housing

- 6.8 No adverse comments or observations.

LBTH Highways

- 6.9 The Highway Officer provided the following comments.
- 6.10 Secure development as car free
- 6.11 **[Officer Comment:** The S106 agreement includes a clause to prevent future occupiers applying for on-street car parking permits.]
- 6.12 They requested further details in respect of cycle parking.
- 6.13 **[Officer Comment:** The applicant provided further clarification in respect of cycle parking provision and the Highway's officer found this information satisfactory.]
- 6.14 The Highway Officer considered that the approach taken to justify the reduction in number of car parking spaces is considered acceptable.
- 6.15 They requested further details in respect of the submitted tracking drawings for the Refuse vehicle.
- 6.16 **[Officer Comment:** Clarification was provided via email and this was found satisfactory by the highway officer.]
- 6.17 They requested further details in respect of the URS vehicles ability to access the underground refuse which was provided and found to be satisfactory.
- 6.18 **[Officer Comment:** Clarification was provided via email and this was found satisfactory by the highway officer.]
- 6.19 S278 agreement required to secure re-alignment of existing kerb.
- 6.20 **[Officer Comment:** A condition to secure highway improvements could be attached if planning permission were to be granted.]

LBTH Waste Policy and Development

- 6.21 To date no comments have been received.

Health and Safety Executive (HSE) – Statutory Consultee

- 6.22 This HSE advice refers to the proposed development at Oakfield House, Gale Street, E3, input into PADHI+ on 08 Feb 2010 by London Borough of Tower Hamlets.
- 6.23 The Health and Safety Executive (HSE) is a statutory consultee for certain developments within the Consultation Distance of major Hazard sites/ pipelines. This consultation, which is for such a development and also within at least one Consultation Distance, has been considered using PADHI+, HSE's planning advice software tool, based on the details input by London Borough of Tower Hamlets. Only the installations, complexes and pipelines considered by London Borough of Tower Hamlets during the PADHI+ process have been taken into account in determining HSE's advice. Consequently, HSE does not advise, on safety grounds, against the granting of planning permission in this case.

Primary Care Trust (PCT)

- 6.24 The PCT have requested a contribution of £33,545 in order to mitigate the impact of the increased population on health services within the vicinity of the site.
- 6.25 [**Officer Comment:** The applicant submitted a toolkit as part of the planning application. This was assessed internally by officers and the contribution of £17,600 towards health is considered acceptable in this instance given the scale of the development and the assertions within the submitted toolkit. The PCT are aware of the level of contribution and have raised no objection.]

Communities, Localities & Culture (CLC)

- 6.26 CLC, note that the increased permanent population generated by the development will increase demand on community, cultural and leisure facilities.
- 6.27 The Local Development Framework's (LDF) Planning for Population and Grown Capacity Assessment sets out Household Size Assumptions for new developments in Tower Hamlets From this information; a population output estimate can be derived. Based on this assessment, it is expected that the scheme would result in a population uplift of 53 people.
- 6.28 The below comments and requests for S106 financial contributions are supported through the LDF's evidence base, particularly the Infrastructure Delivery Plan.

Open Space Contribution

- 6.29 The Core Strategy (Appendix Two, Page 132 - 134) identifies the need for the provision of new open space and improvement to existing open space throughout the Borough. Underpinning the Core Strategies lies the IDF (Appedix 1 – Costs Report) which outlines the typical costs for new open spaces.
- 6.30 Based on the LBTH open space standard of 12sqm / 1person the development generates an overall need for 636sqm of open space. There is no publicly accessible open space provided on site.
- 6.31 Based on the figure for a new Local Park deriver from the IDP of £66.8685/sqm, a total open space contribution of £42,528 is required to mitigate for the impact of the population increase on existing open space within the Borough.

Library/Idea Store Facilities Contribution

- 6.32 The need for the provision of additional Idea Stores is identified in Appendix Two of the Core Strategy (Page 135). In addition, the IDP shows the need to provide 646sqm of library space borough-wide between 2009 and 2015 to address population growth.
- 6.33 Visitor data for Idea Stores and libraries demonstrates that users do not restrict their use to library and Idea Store facilities within their immediate locality. Users will access the facility, which is most convenient to them - this may be located near their office or school. As facilities operate borough-wide, any development, not just those in areas of deficiency, impact on library space requirements.
- 6.34 Furthermore, the Infrastructure Development Plan notes the changes required to existing facilities to not only address population growth but also change. A number of facilities will require upgrade or replacement in order to meet the needs of a changing population.
- 6.35 A tariff approach to S106 contributions for Libraries and Archives has been developed by Museums, Libraries and Archives Council (the sector Department for Culture Media and Sport agency). This approach is referred to in the IDP and assumes a requirement of 30sqm of library space per 1,000 population. The standard uses construction index figures and applies a cost of £3,465/sqm for London. This results in a per capita cost of £104. On the basis of a population uplift of 53, a Library/Idea Stores contribution of £5,512 should be sought.

Leisure and Community Facilities Contribution

- 6.36 The Core Strategy identifies the need for additional Leisure and Community facilities in the Borough (Appendix Two, Page 134 – 135) and directs these uses towards the Tower Hamlets Activity Areas, Major Centres and District Centres (Page 36, SP01).
- 6.37 The proposed development will result in a population uplift of 53 and will increase demand on existing Leisure and Community facilities. A financial contribution is therefore required to offset this.
- 6.38 A Sports Facility Calculator for S106 purposes has been developed by Sports England (the sector Department for Culture Media and Sport agency). The Calculator underpins the data outlined in the IDP (Part 8.1) and the Leisure Facilities Strategy notes that for the purpose of calculating contributions, the Sport England Sports Facility Calculator should be applied to new development in Tower Hamlets (Page 69).
- 6.39 The Calculator determines (based on population figures and research based demand data) the amount of water space, halls and pitches required as a result of population increases caused by new development. It then uses building cost index figures to calculate the cost associated. The model generates a total Leisure and Community Contribution of £24,814.
- 6.40 **[Officer Comment:** The applicant submitted a toolkit as part of the planning application. This was assessed internally by officers and the contribution of £37,000 towards open space, leisure and/or cultural facilities is considered acceptable in this instance given the scale of the development and the assertions within the submitted toolkit. CLC have raised no objection to this offer and requested that it be attributed towards open space, leisure and or community facilities.]
- 6.41 **Education**
- 6.42 This can be assessed as a contribution equivalent to 2 additional school places @ £14,830 =

£29,660. This is based on including only 1 new rented unit (discounting the lost units) and all the market units.

7. LOCAL REPRESENTATION

7.1 A total of 271 neighbouring properties within the area shown on the map appended to this report were notified about the application and invited to comment. The application has also been publicised in East End Life and on site. The number of representations received from neighbours and local groups in response to notification and publicity of the application were as follows:

No of individual responses:	4	Objecting:	1	Supporting:	3
No of petitions received:	1	objecting containing	50	Proforma letters	
		1 supporting containing	59	signatories	

7.2 The following local groups/societies made representations:

- Homes for Families - petition submitted
- Dennis Central Housing Co-operative – covering letter with pro-forma signed letters and Oakfield Community Response

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:

7.4 Denis Central Housing Co-operative set up a sub-committee to prepare a report which accompanied the pro-forma letters objection to this planning application. The main concerns raised are summarised below.

7.5 **Site area and density** – The density of the development has been calculated on the basis of the site area, which has been incorrectly calculated. The site area includes a large area of land between Bracken House and Berberis House and should not form part of the development site.

7.6 **[Officer Comment:** Planning Policy Statement 3: Housing provides guidance about the site area to be included when calculating density. It states that “net dwelling density is calculated by including only those site areas which will be developed for housing and directly associated uses, including access roads within the site, private garden space, car parking areas, incidental open space and landscaping and children’s play areas, where these are provided.” It is considered that the site area included is in line with the guidance provided by PPS3, in that it includes the associated uses including access roads, private garden space, car parking areas and open space and children’s play areas. Please also refer to the density section of this report 8.5 – 8.11.]

7.7 **Height** – The proposed five storey element would block out the sky for many of the surrounding residents and create a canyon like space between the buildings. This would have an adverse impact on sunlight and daylight. The proposal would also impact upon privacy, overlooking and sense of enclosure of existing residents.

7.8 **[Officer Comment:** Please refer to the amenity section of this report at paragraph 8.43 – 8.68 which includes a full discussion of the submitted daylight and sunlight report, BRE regulations and issues around privacy, overlooking and sense of enclosure.]

7.9 **Planning of the spaces between buildings** – The layout of the proposal creates a ‘back’ to the ‘front’ of Bracken and Berberis House and results in a street which would not be active or well supervised.

- 7.10 [**Officer Comment:** Please refer to the design section of this report at paragraph 8.12-8.25.]
- 7.11 A petition in support of the scheme was received from Homes from Families. It is noted that the petition stated that ‘all the homes proposed for this site are for social housing’. The current proposal is for a scheme which proposed 35% affordable housing. The letters of support and the petition are in support because of the need for social housing and family housing in the borough.
- 7.12 No issues were raised in representations that are not material to the determination of the application.
- 7.13 No procedural issues were raised in representations.

8. MATERIAL PLANNING CONSIDERATIONS

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

1. Land Use
2. Density
3. Design and Appearance
4. Housing
5. Amenity
6. Highways
7. Other

Land Use

- 8.2 There is currently a two storey building on the site which provides eight residential units. The area of hard standing adjacent to the building is used for car parking.
- 8.3 The proposal is for the creation of 18 residential units and the retention of some car parking spaces for the use of residents of the Perring Estate.
- 8.4 The site is not designated for any particular use within the Development Plan. It is considered that the proposed retention of a residential use at this site is acceptable and in keeping with land uses in the area.

Density

- 8.5 National planning guidance in PPS1: Sustainable Development and PPS3: Housing, stresses the importance of making the most efficient use of land and maximising the amount of housing. This guidance is echoed in the requirements of London Plan Policy 3A.3 – which requires development to maximise the potential of sites, policy 4B.1 – which details design principles for a compact city and part 2 of strategic policy SP02 of the CS, which seeks to ensure new developments optimise the use of land that the density of levels of housing correspond to public transport accessibility levels and the wider accessibility of the location. Finally, IPG policy HSG1 provides detailed guidance listed below and seeks to maximise residential densities on individual sites subject to acceptable environmental impacts and local context.
- 8.6 In calculating the density of this site reference has been made to table 3A.2 of policy 3A.3 of the London Plan. The site has an average Public Transport Accessibility Level (PTAL) (2). The site is identified as falling within the ‘urban’ area. For Sites within the central area with a PTAL range of between 2-3 the appropriate density is 200 -450 habitable rooms per hectare. The proposed density would be 365 habitable rooms per hectare (net site area), which is

within the recommended standard.

- 8.7 Residents concerns in respect of how the site area is determined for calculating density are noted. However, this is the method for which the densities of all sites across the Borough are calculated and is also in line with the guidance found in PPS3.
- 8.8 In the simplest of numerical terms, the proposed density does not identify an overdevelopment of the site. However, the density of a scheme must also be assessed against the policy criteria of HSG1 of the IPG, as such just because you meet the density range does not mean you will meet the criteria of the policy.
- 8.9 Policy HSG1 of the IPG seek to maximise residential densities on individual sites taking into consideration:
- the density range appropriate for the setting of the site,
 - local context and character,
 - amenity,
 - design,
 - housing mix and type,
 - access to town centre,
 - provision of adequate open space including private, communal and public open space,
 - impact on the provision of services and infrastructure, and;
 - the provision of other (non-residential) uses on site.
- 8.10 In accessing this application against the criteria contained within policy HSG1 of the IPG it is considered that:
- the density range at 365 habitable rooms per hectare would be appropriate for the setting of the site,
 - the proposal would be in keeping with the local context and character – this is discussed in detailed within the design section of this report,
 - the overall impact on amenity would be acceptable – this is discussed in detailed within the amenity section of this report ,
 - the proposed design would be acceptable – this is discussed in detailed within the design section of this report
 - the housing mix and type would be acceptable – this is discussed in detailed within the housing section of this report,
 - access to town centre would be acceptable,
 - provision of adequate open space including private, communal and public open space would be acceptable – this is discussed in detailed within the housing section of this report,
 - impact on the provision of services and infrastructure would be acceptable and mitigated against through S106 contributions, and;
 - the provision of other (non-residential) uses on site isn't applicable for this application.
- 8.11 In numerical terms the proposed density would be acceptable and in line with LP, CS and IPG policy. Furthermore, when the scheme is fully assessed against design criteria, amenity criteria and highways criteria the proposal is considered acceptable.

Design and Appearance

- 8.12 Part 4 of strategic policy SP10 of the CS seeks to ensure that buildings and neighbourhoods promote good design principles by respecting local context and townscape; including the

character, bulk and scale of the surrounding area.

- 8.13 Furthermore, saved policy DEV1 of the UDP outlines that all development proposals should take into account and be sensitive to the character of the surrounding area in terms of design, bulk, scale and the use of materials, they should also be sensitive to the development capability of the site, maintain the continuity of street frontages and take into account existing building lines, roof lines and street patterns. Furthermore, the design should take into consideration the safety and security of the development.
- 8.14 Finally, policy DEV2 of the IPG seeks to ensure that new development amongst other things, respects the local context, including character, bulk and scale of the surrounding area, ensure the use of high quality materials and finishes, contribute to the legibility and permeability of the urban environment, and contribute to the enhancement of local distinctiveness.
- 8.15 The proposal is for the demolition of the existing two-storey building on site and the erection of a terrace of three storey houses along Gale Street and a five storey block of flats at the corner of Gale Street and Devons Road. The aim of the proposed layout would be to continue the traditional perimeter blocks of the estate and creating new street frontages.
- 8.16 Along Gale Street, the proposal would include a row of seven family houses forming a terrace. These would be three storeys in height with a flat roof and a set back at second floor level to provide private amenity space. The terrace would be a contemporary take on the traditional London town house. The proposed materials would include brick to match Bracken House, aluminium windows and doors, timber privacy screens and metal railings.
- 8.17 The rear elevation includes set backs at first and second floor level to provide private amenity space. The houses also include private gardens at ground floor level.
- 8.18 The corner building rises to five storeys with a flat roof. The building is a contemporary design but includes some traditional materials such as brick to match the adjacent Bracken House. The material palette also includes, burgundy red glazed brick, white stone cils, glazed curtain walling, aluminium windows and doors, metal railings, elements of white render and timber privacy screens.
- 8.19 The internal elevation facing Bracken and Berberis House includes a similar palette of materials but also includes elements of timber cladding. This elevation also includes balconies.
- 8.20 The proposal provides a communal landscaped area which includes elements of planting, grass and hard landscaping. This area would also include child play space.
- 8.21 It is considered that the height, bulk, scale and massing of the proposed buildings would be acceptable and in keeping with the scale of development within the surrounding area. Both Bracken and Berberis House which are to the east and south of the application site are five storey buildings. The general height of buildings within the area is between three and five storeys. As such, the proposed five storey element is in keeping with the general massing of the area.
- 8.22 To the east of the site is the Liquor Inn which is a two storey building with a pitched roof. The lower scale of this building allows views of the five storey mass of Bracken House behind. It is considered that the reduction in height to five storeys has addressed previous concerns of officers in respect of massing and the relationship to the Liquor Inn. The design of the eastern elevation which faces the Liquor Inn and would be viewed from Devons Road has also been improved. The top storey would include zinc cladding which would add interest

and this along with the reduction in height would ensure a more acceptable relationship.

- 8.23 It is considered that the proposed three storey terrace would be acceptable in terms of bulk, scale and massing and relates well to the corner block. The use of similar materials across the scheme would be acceptable in design terms. The fact that the proposed brick is in keeping with the existing brick of the estate would ensure that the proposal is acceptable in respect of design and appearance and in keeping with the local context.
- 8.24 In order to ensure that the proposed materials would be of a high quality, it is recommended that this matter be controlled via condition.
- 8.25 The layout of the communal area would be acceptable and would result in the creation of a home-zone. This space could be used by both existing and proposed residents and would contribute to the overall provision of communal amenity space within the estate. The mix of hard and soft landscaping allows for different users. Planting along the boundary walls of the private gardens would delineate between private and public space. In order to ensure the detailed design of this area would be successful and maintained in perpetuity it is recommended that a landscaping condition be attached to the planning permission.

Housing

- 8.26 This section of the report considers the acceptability of the housing provision proposed in terms of key issues including affordable housing provision, provision of family sized units, wheel chair housing, lifetime homes, floor space standards and provision of amenity space.

Affordable Housing:

- 8.27 Policy 3A.9 and 3A.10 of the LP seek the maximum reasonable amount of affordable housing taking into account, the Mayor's strategic target that 50% of all new housing in London should be affordable as well as the borough own affordable housing targets. Part 3 of strategic policy SP02 of the CS sets the borough's target and requires 35% - 50% affordable homes on sites providing 10 new residential units or more. Amongst other things, consideration should be given to the Council's affordable housing target and individual site circumstances (including site costs).
- 8.28 The proposal is for the creation of 18 units and falls within the threshold for providing affordable housing. The proposal provides 45% affordable housing. The offer would comprise of 7 affordable houses which equates to 35 habitable rooms. The site currently has eight residential units comprising four bedsits and four x one bedroom flats which equates to 12 habitable rooms.
- 8.29 The proposed 45% figure includes replacement of the existing affordable units and 35% on the uplift. It is considered that level of affordable housing provision is in line with policy and is considered to be acceptable for this location.
- 8.30 Affordable housing provision includes social rented housing and intermediate housing. A split of 70:30 is suggested pursuant to part 4 of strategic policy SP02 and policy 3A.7 of the London Plan. It is noted that there is no split between intermediate and socially rented accommodation within this proposal. However, given the location, the size of the scheme and the fact that the development is being carried out by Registered Social Landlord (RSL), in this instance it would be acceptable and would contribute to the creation of balanced communities.

Housing Mix:

- 8.31 The Borough is in short supply of suitable family sized accommodation (3-6 units) as demonstrated in the Strategic Housing Market and Needs Assessment (2009) which forms part of the CS evidence base. Part 5 of strategic policy SP02 requires a mix of housing sizes on sites with a target of 30% of all new housing to be of a size suitable for families including 45% of new social rented homes to be for families.
- 8.32 All of the socially rented homes and 54% of the market housing would be for family sized. This is above the policy requirement of 45% and 30% respectively and would be welcome given the need for family housing in the borough.

Residential Space Standards:

- 8.33 The SPG Residential Space Standards (1998) and saved policy HSG13 of the adopted UDP set out the minimum space standards for all new housing developments. In terms of unit size all of the units meet the minimum space standards.

Wheelchair Housing and Lifetime Homes:

- 8.34 Part 6c of strategic policy SP02 requires that all new developments comply with accessibility standards including Lifetime Homes. Policy DEV3 of the IPG outlines that new development is required to incorporate inclusive design principles. Policy HSG9 of the IPG requires that at least 10% of all housing should be wheelchair accessible and new housing should be designed to Lifetime Homes standards.
- 8.35 The submitted Planning Statement outlines that all new dwellings would be built to 'Lifetime Homes' standards and two of the units have been designed to be fully accessible to future wheelchair users which is in line with policy. These units would also have access to a dedicated disabled parking bay within the site. It is recommended that this is secured by condition.

Amenity Space:

- 8.36 Part 6d of strategic policy SP02 of the CS and saved policy HSG16 of the adopted UDP provides that all new housing developments should provide high quality, useable amenity space, including private and communal amenity space, for all residents of a new housing scheme. These policies reinforce the need to provide high quality and usable private external space fit for its intended user, as an important part of delivering sustainable development and improving the amenity and liveability for Borough's residents. The SPG Residential Space Standards (1998) and Table DC2 which forms part of HSG7 of the IPG sets out amenity space provision standards.

Private Amenity Space:

- 8.37 In respect of private amenity space all of the proposed units are in keeping with or exceed the minimum standards set out in table DC2 of the IPG. It is considered that the quality and usability of this private amenity space would be acceptable.

Communal Amenity Space:

- 8.38 In respect of communal amenity space in reference to table DC2 of the IPG there would be a requirement for 60 square meters of communal amenity space. Overall, the development would include the provision of 186 square meters of amenity space between the proposed terraced houses and Bracken House. It is considered that both the quantum and quality of

the proposed amenity space would be acceptable. The space would form part of a 'home-zone' which would encourage the slow movement of vehicles and pedestrian priority. The proposed layout of this space is considered to be acceptable. It is recommended that if planning permission were granted that full details of landscaping be controlled via condition.

Child Play Space:

- 8.39 In respect of child play space the London Plan SPG seeks to is to provide 10 square metres of well designed play and recreation space for every child in new housing developments. It does identify that appropriate and accessible facilities within 400 metres for 5-11 year olds or within 800 metres for 12 plus age groups may be acceptable alternatives in lieu of provision on site. The IPG requires three meters square per child bed space.
- 8.40 The development would have a child yield of 24 and this would equate to a need to provide between 72 square meters and 240 square meters of child play space within the development. In line with the London Plan SPG, the applicant intends to provide 'door-step' child play space for under 4's within the site which would form part of the proposed communal amenity space area.
- 8.41 The communal amenity space is 186sqm of which 126sqm would be provided as child play space. In numerical terms this would be in line with the IPG requirement but fall short of the LP requirement. However, the LP guidance allows for the provision of appropriate and accessible facilities within 400 meters for 5-11 year olds or within 800 meters for 12 plus age groups. In this instance within the Perring Estate there is an existing play ground which would be appropriately 50 meters from the development site.
- 8.42 On balance it is considered that the level of child play space would be sufficient when consideration is given to existing provision within the area. It is not considered that non-compliance with the LP numerical standard would in this instance merit refusal of the scheme. However, it is considered essential that the proposed 'door-step' play space is child friendly and well designed. If planning permission were granted, it is recommended that this matter be controlled via the landscaping condition.

Amenity

- 8.43 Part 4 a and b of strategic policy SP10 of the CS, saved policy DEV2 of the UDP and policy DEV1 of the IPG seek to protect the residential amenity of the residents of the borough. These polices seek to ensure that existing residents adjacent to the site are not detrimentally affected by loss of privacy or overlooking of adjoining habitable rooms or a material deterioration of daylight and sunlight conditions.

Impact on Residential Properties – Sunlight

- 8.44 BRE guidance states that a window facing within 90 degrees of due south receives adequate sunlight if it receives 25% of annual probable sunlight hours including at least 5% of annual probable hours during the winter months.
- 8.45 The submitted report assessed the impact on the worst affected ground floor rooms of 302 Devons Road, Mollis House, Gale Street, and Bracken House.
- 8.46 In respect of 302 Devons Road the level of sunlight to the ground floor would be in line with BRE guidance.
- 8.47 In respect of Mollis House, one kitchen was tested and it would not be BRE compliant.

- 8.48 In respect of Bracken House, four rooms were tested comprising one bedroom and three kitchens. In respect of the bedroom tested, it falls marginally below the annual requirement and would receive 22% of annual sunlight hours. More importantly, it exceeds the winter requirement and would in fact receive 6.1% of winter sunlight hours. In respect of the three kitchens tested they would not be compliant with BRE guidance in respect of sunlight.
- 8.49 The BRE guidance documents notes that *"kitchens and bedrooms are less important, although care should be taken not to block to much sun"*. In this instance it is not considered that the failure of existing kitchens would merit refusal of the scheme. It is considered that in this instance it would mean no development could occur on the site which is not considered reasonable in this instance.
- 8.50 The proposed development was also tested in respect of APSH. It is noted that of the 10 windows tested three would be in accordance the BRE Guideline for annual and summer sunlight levels. Of the remaining windows three would experience levels which are marginally below the annual and winter guidelines. Three would substantially fall below this guideline. Given, the urban location and the scale of development within the vicinity of the site it not considered that the sunlight levels for the proposed development would merit refusal of the application.

Daylight:

- 8.51 The submitted study includes the results of BRE Vertical Sky Component (VSC), No-Sky Line (NSL) and Average Daylight Factor (ADF) tests.
- 8.52 Daylight is normally calculated by three methods - the VSC, NSL and ADF. However, for existing windows VSL and NSL are the key measures. BRE guidance in relation to VSC requires an assessment of the amount of daylight striking the face of a window. The VSC should be at least 27%, or should not be less that 20% of the former value, to ensure sufficient light is still reaching windows. These figures should be read in conjunction with other factors including NSL and ADF. NSL calculation takes into account the distribution of daylight within the room, and again, figures should not exhibit a reduction beyond 20% of the former value. ADF calculation takes account of the size and reflectance of room surfaces, the size and transmittance of its window(s) and the level of VSC received by the windows.
- 8.53 It is noted that residents have raised concerns about the impact of the proposed development on their levels of daylight and sunlight. Many of the windows tested at ground floor level are kitchens under six square meters and as such are not classed as habitable rooms which is in line with policy DEV1 of the IPG.

Bracken House:

- 8.54 In respect of VSC within Bracken House 11 windows at ground floor level were tested. Six of the windows tested were kitchens below six square meters and as such are not classed as habitable rooms in respect guidance found within the IPG. The remaining five windows tested were bedrooms of which three passed the VSC standards. However, two windows would fall below the recommended BRE guidance in respect of VSC, as such the examination of NSL tests is required to assess if the loss is appropriate.
- 8.55 In respect of window G45 the existing level of VSC is 8.7 and this would drop to 5.36. It is evident that the existing level of daylight striking the face of the window is limited. Notwithstanding, this still represents a loss of a further 38% of VSC. However, when consideration is given to the NSL test, which indicates the distribution of daylight into the room the level of impact would result in a loss of 3.7%, which would be in line with BRE Guidance.

- 8.56 In respect of window G48 the existing level of VSC is 7.93 and this would drop to 5.05. It is evident that the existing level of daylight striking the face of the window is limited. Notwithstanding, this still represents a loss of a further 36% of VSC. However, when consideration is given to the NSL test, which indicates the distribution of daylight into the room the level of impact would result in a loss of 3.7%, which would be in line with BRE Guidance.
- 8.57 With the new development of a brown-field site a level of reduction in daylight levels can be expected. Consideration needs to be given to the existing situation, the location of the site and the scale of the proposed development. Of the five bedrooms tested all would comply with BRE guidance following the erection of the proposed development. When the combination of the two tests is taken into account it is not considered that the level of failure against the existing situation for these bedrooms this would not merit refusal of the scheme.

Berberis House:

- 8.58 In respect of VSC within Berberis House eight windows at ground floor level were tested. Three of the windows tested were kitchens below six square meters and as such are not classed as habitable rooms in respect of guidance found within the IPG. Five of the eight windows tested were bedrooms and all would remain in compliance with BRE standards as result of the proposed development.

Mollis House Gale Street:

- 8.59 In respect of VSC within Mollis House six windows at ground floor level were tested all of which are kitchens below six square meters. As such, these rooms are not classed as habitable rooms in respect of IPG guidance.

302 Devons Road:

- 8.60 In respect of VSC, NSL and ADF one window was tested at 302 Devons Road which was a living room and all of the test results complied with BRE Guidelines.

Proposed Oakfield House:

- 8.61 The daylight and sunlight report has also considered the availability of daylight for future residents of the proposed development. For new build, VSC, NSL and ADF tests are used to asses the level of daylight for future residents.
- 8.62 18 habitable rooms at ground floor level of the proposed development were tested. In respect of the first test VSC, none of the windows are compliant with BRE Guidance. However, in respect of NSL test, 16 of the windows are compliant with BRE Guidance and in respect of the ADF test all of the windows are compliant with BRE Guidance. In respect of these results, it is considered that the proposed resident units would receive adequate levels of daylight.

Amenity Space:

- 8.63 BRE Guidance states that open spaces should receive not less than 40% of available annual sunlight hours on the 21st March. Furthermore, any additional loss must be within 20% of the former conditions. The Daylight and Sunlight Consultant has confirmed following concerns raised by residents in respect of this point that no more than 18% of the shared amenity space would be in shadow between 11am and 1pm on the 21st of March. As such, the proposal complies with this requirement.

Sense of Enclosure, Outlook, Privacy and Overlooking:

- 8.64 The residents of Bracken House currently have open views across the site, and any development would result in a change in outlook for residents. In assessing this change consideration has been given to the existing site layout, relationships between buildings including distance and the massing of the proposed development.
- 8.65 Firstly, it is considered that in respect of layout the proposed development follows the established pattern of the estate which has five storey buildings and internal courtyards. Secondly, the relationship between the proposed building and the existing Bracken House would also be similar to the relationships between buildings within the estate. The minimum separation distance would be approximately 17 meters. Thirdly, in respect of massing, this has been reduced to five storeys which would be in keeping with the scale of development within the estate. Furthermore, the transition in between the five storey element of the building and the terrace has been amended to limit any impact on the existing residents. On balance, it is not considered that there would be an adverse impact in terms of sense of enclosure.
- 8.66 Residents are also concerned about an increased impact from overlooking and a loss of privacy. The separation distance between the proposed terraced houses and Bracken House would be between approximately 17 and 25 meters. The UDP has a minimum separation distance standard of 18 meters which is applied flexible across the borough given the dense urban grain. In this instance it is not considered that the proposed development would result in an adverse impact in respect of overlooking and loss of privacy.
- 8.67 In respect of the layout of the proposed development, the use of timber screening would ensure privacy for future residents. If planning permission were granted there retention could be controlled via condition.

Conclusion:

- 8.68 It is noted that in an urban location that any form of development could have an impact on the amenity of existing residents. It is important to balance the need for new development and the level of impact this would have on existing residents. In this instance, there would be an impact on amenity of existing residents; however, the level of impact has been reduced by limiting the massing and layout of the built form. As such, it is not considered that the level of impact would in this instance merit refusal of the application. As such the proposal is in line with strategic policy SP10 of the CS, saved policy DEV2 of the UDP policy DEV1 of the IPG. These policies seek to ensure that the privacy and amenity of residents is protected from development.

Highways

- 8.69 Policy 3C.1, 3C.2, 3C.3 and 3C.23 of the LP, seek to integrate transport and development and promote sustainable modes of transport, by encouraging patterns and forms of development which reduce the need to travel by car, seeking to improve walking and cycling capacity and allowing development in suitable locations.
- 8.70 Strategic policies SP08 and SP09 of the CS, saved UDP policies T16 and T18 and policies DEV16, DEV17 and DEV19 of the IPG, outline that in respect of new development, consideration should be given to the impact of the additional traffic which is likely to be generated, the need to provide adequate cycle parking and the need to minimise parking and promote sustainable development.
- 8.71 The Highway Officer comments are discussed at paragraphs 6.9 - 6.20 and any concerns

raised during the consultation have been addressed through the submission of further information.

Existing on-site car parking provision:

- 8.72 The proposal would result in the loss of existing on site car parking spaces. There are 35 parking bays and two bays allocated for motorcycle parking currently on the site. All of these spaces are owned by Poplar HARCA and are leased to residents who live within the estate. Currently, 24 of the spaces are leased by the applicant on weekly licenses to residents who live within the estate. The application proposes the re-provision of six on site car parking bays two of which would be for disabled users for the use of existing residents.
- 8.73 This would mean the loss of 29 on site car parking spaces. However, given that only 24 spaces are currently leased to residents it would in fact mean that 18 residents would be affected by the loss of these on site car parking spaces. Whilst, it is noted that this is line with policy it still means that 18 existing spaces which are rented on a weekly basis would need to be relocated. A parking survey has been carried out of the surrounding area to establish if these could be accommodated within the rest of the estate and on-street.
- 8.74 The parking survey was carried out by Odyssey Consulting Engineers in the evening. This survey included off-street car parking spaces within the wider Perring Estate and on-street car parking spaces along Gale Street and Watts Grove. It is noted that the on-street car parking spaces are restricted to use by permit holders within Tower Hamlets Controlled Parking Zone B3 which is in force Monday – Friday from 08:30 – 17:30.
- 8.75 The parking survey found that 201 legal car parking spaces are available within the surveyed area. At 8pm on the evening of the survey 106 of the spaces were occupied. As such, this report concludes that the immediate surrounding area appears to be sufficient capacity to accommodate the displaced bays.

Proposed residential units:

- 8.76 The proposed residential units would be secured as car free. This would be secured via a section 106 agreement. This is in line with policy and would promote sustainable modes of transport and reduce stress on the surrounding highway network.
- 8.77 The provision of cycle parking in line with Council standards would be controlled via condition.
- 8.78 In conclusion it is considered that in respect of transport matters the proposed development would be acceptable and in line with policy.

Other Planning Issues

Sustainability and Energy:

- 8.79 Policies 4A.1, 4A.3, 4A.4, 4A.6 and 4A.7 of the London Plan sets out that the Mayor will and the boroughs should support the Mayor's Energy Strategy and its objectives of reducing carbon dioxide emissions, improving energy efficiency and increasing the proportion of energy used and generated from renewable sources. The London Plan (2008) requires a reduction of 20% reduction in carbon dioxide emissions from on site renewable energy generation.
- 8.80 The latter London-wide policies are reflected in policies SP11 of the CS, DEV5 and DEV6 of the IPG.

8.81 The submitted energy report has been reviewed by the Energy Team and they are broadly satisfied that the proposal is compliant with London Plan policy. They have requested conditions to require full details of the proposed energy efficiency, passive design measures, and renewable energy technologies for the development and a condition requiring the submission of the Code for sustainable homes assessment.

Section 106 Contributions:

8.82 Strategic policy SP13 of the CS and saved Policy DEV4 of the UDP state that the Council will seek planning obligations or financial contributions to mitigate for the impact of the development.

8.83 The Community Infrastructure Levy Regulations 2010, state that any S106 planning obligations must be:

- a) necessary to make the development acceptable in planning terms;
- b) directly related to the development; and
- c) fairly and reasonably related in scale and kind to the development

8.84 The general purpose of S106 contributions is to ensure that development is appropriately mitigated in terms of impacts on existing social infrastructure such as health, community facilities and open space and that appropriate infrastructure to facilitate the development i.e. public realm improvements, are secured.

8.85 To mitigate for the impact of this development on local infrastructure, education and community facilities the following contributions accord with the Regulations and have been agreed. The total financial contribution would be **£55,000**.

8.86 The proposed heads of terms are:

8.87 Financial contributions:

- a) A contribution of **£17,600** towards **health**, to mitigate the impact of the additional population upon existing health facilities within the immediate vicinity of the site.
- b) **£37,000** towards **open space, leisure and/or community facilities**, to mitigate the impact of the additional population upon existing open space, leisure and community facilities within the immediate vicinity of the site.
- c) A contribution of **£12,100** towards education, to mitigate the impact of the additional population upon existing education facilities within the immediate vicinity of the site.

8.88 Non-financial contributions:

- a) Seven units which equates to 35 habitable rooms (45% of the development) is secured as affordable housing, with a tenure 100% social rent.
- b) 100% of development to be car free.

8.89 For the reasons identified above it is considered that the package of contributions being secured is appropriate, relevant to the development being considered and in accordance with the tests of circular 05/05 and the relevant statutory tests.

Site Contamination:

8.90 Saved UDP policy DEV51 and IPG policy DEV22 requires applications to be accompanied by an assessment of Ground Conditions to assess whether the site is likely to be contaminated. If planning permission is granted it is recommended that a condition be attached requiring a contaminated land report to be submitted as requested by the Contaminated Land Officer.

Refuse Storage:

- 8.91 The estate currently has a 'Underground Refuse Store' and this would be maintained for existing and proposed residents. The proposed refuse storage appears acceptable and in line with saved policy DEV15 and planning standard 2 of the IPG.

Conclusions

- 8.92 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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Agenda Item 8.1

Committee: Development	10th March 2011	Classification: Unrestricted	Agenda Item No:
Report of: Director of Development and Renewal		Title: Conservation Area Consent	
Case Officer: Marie Joseph		Ref No: PA/10/02684	
		Ward(s): Bow West	

1. APPLICATION DETAILS

- 1.0 **Location:** Phoenix School, 49 Bow Road, E3 2AD
- 1.1 **Existing Use:** School for Special Educational Needs
- 1.2 **Proposal:** Removal of existing low boundary wall and railings to allow partial redevelopment of the site, comprising the erection of a new building fronting onto Bow Road.
- 1.3 **Drawing Nos:** PHO PAT GA 000003 REV-
PHO PAT REF 000030 REV-
- 1.4 **Supporting Documents:** Heritage Impact Statement – dated November 2010
- 1.5 **Applicant:** Bouygues UK
Elizabeth House
39 York Road
London
- 1.6 **Owner:** London Borough of Tower Hamlets
- 1.7 **Listed Building:** The existing school is Grade II* listed.
- 1.8 **Conservation Area:** The site comprising the wall and railings is located within the Tredegar Square Conservation Area. The existing school is not included within the conservation area boundary.

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 of the existing wall and associated railings fronting Bow Road 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
- § 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 entirety of the existing low brick wall and railings that currently exist on the boundary of the site fronting Bow Road. This demolition is required in order to redevelop this area of the site as part of the Government's Building Schools for the Future (BSF) initiative:
- 4.2 The existing school is Grade II* listed, however, the cartilage of this building is not included within the BSF alterations.

Site and Surroundings

- 4.3 Phoenix School is an existing school dating back to the 1950's made up of predominantly low level two storey 1950's buildings with an additional 1990's extension (see relevant planning history). The buildings consist of concrete cast structures with brick infills, large metal framed windows and low level copper roofs. The structure as a whole is Grade II* listed. The Bow Road entrance of the site comprising the wall and railings is located within the Tredegar Road Conservation Area.
- 4.4 The school is set currently set back from its main access point of Bow Road. The site also has a separate access point from Harley Grove and has no other highway boundaries and is located a distance of 95 metres from Bow Road Underground Station, served by the Metropolitan and District Lines.
- 4.5 The site is bounded entirely by residential development, ranging from terraced dwelling houses to the north of the site and six storey residential flats to the south.

Relevant Planning History

- 4.6 PA/10/02219 Erection of a new school building up to five storeys in height (including a basement level) and associated works. Permitted 19th January 2011 under delegated powers.

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 175 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 Tredegar Square Conservation Area.

8.2 The railings and wall are located within the Tredegar Square Conservation Area which was designated in 1971.

8.3 The most recent Tredegar Square Conservation Area Appraisal, adopted by cabinet in 5th March 2008 does not specifically mention the area of the school located within the conservation area.

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

- The existing railings and dwarf brick wall boundary treatment.

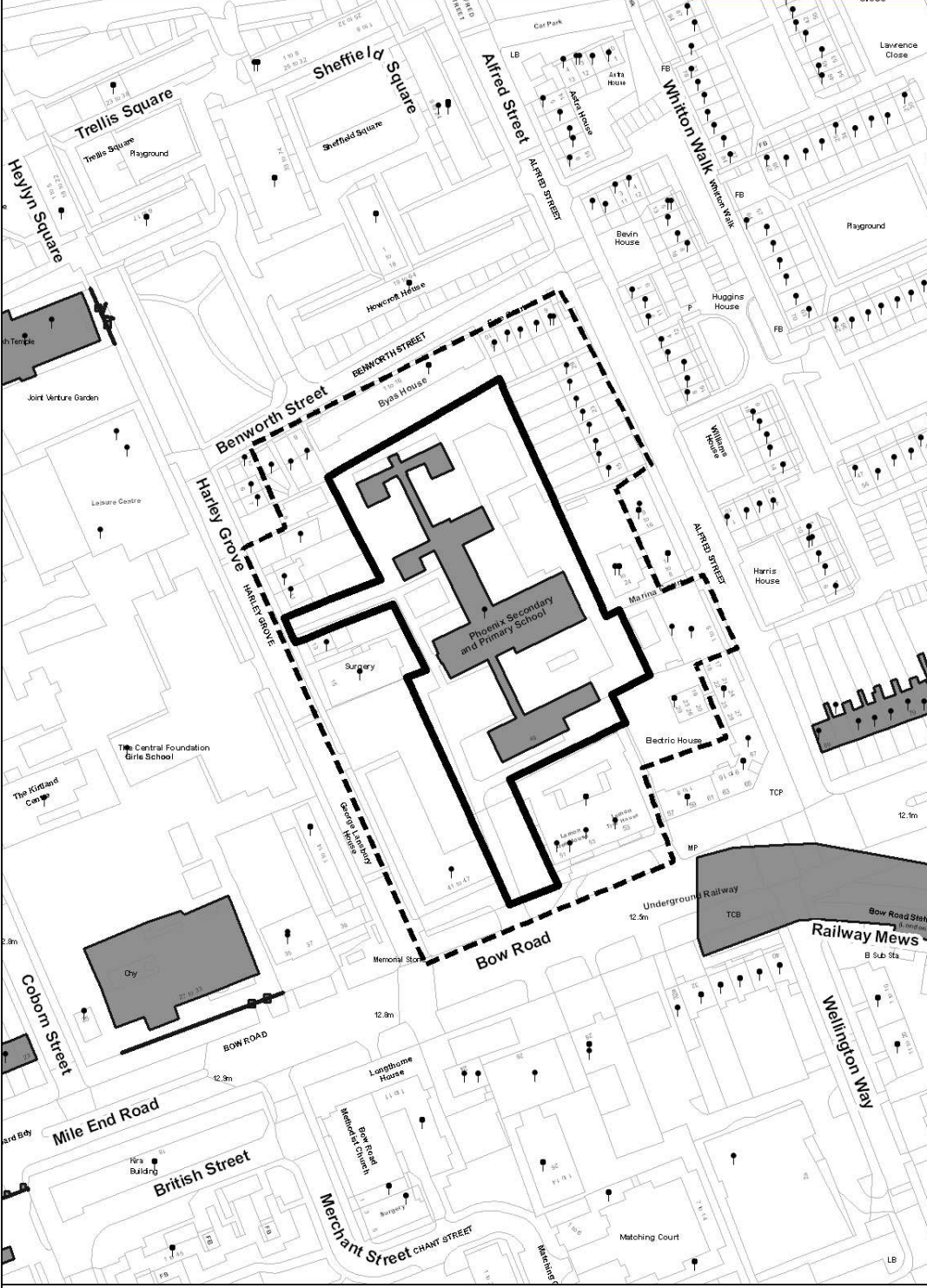
A full planning application for the redevelopment of this part of the school site fronting Bow Road has been submitted under reference PA/10/02291. This application has been permitted under delegated powers.






- 8.5 The existing wall and railings run across the entire frontage of the school entrance along Bow Road and measure 15 metres in length. The dwarf wall and railings also recess on either side of the entrance adjacent to 51-53 Bow Road and 41-47 Bow Road measuring 6.5 metres and 10 metres respectively.
- 8.6 51-53 Bow Road is an existing seven storey building with commercial uses at ground floor and 49 residential units above. This scheme was granted permission in 2006 under reference PA/03/00620. 41-47 Bow Road which is to form part of the Central Foundation School for Girls under a proposed BSF re-development comprises a four storey brick and stone building with railings to the front including stone plinths.
- 8.7 The boundary treatments within the immediate area of Bow Road are varied in nature and include railings, changes in paving and both iron and steel bollards.
- 8.8 No adverse 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 were in support of the submitted planning application to erect a new teaching block in this location which has now been permitted. Therefore, as the existing dwarf wall and railings must be removed to build this structure it is considered that any subsequent objections will not be forthcoming.
- 8.9 Furthermore, the re-development of this part of the site includes the re-instatement of railings in this location therefore preserving the existing character of the Tredegar Square Conservation Area.
- 8.10 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

- 8.11 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	 Statutory Listed Buildings	
 Consultation Area	 Land Parcel Address	

This Site Map displays the Planning Application Site Boundary and the neighbouring Occupiers / Owners who were consulted as part of the Planning Application process. The Site Map was reproduced from the Ordnance Survey mapping with the permission of Her Majesty's Stationary Office (c) Crown Copyright. London Borough of Tower Hamlets LA100019288

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Agenda Item 8.2

Committee: Development	Date: 10 th March 2011	Classification: Unrestricted	Agenda Item Number:
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Report of: Director of Development and Renewal Case Officer: Pete Smith	Title: Planning Appeals
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1. PURPOSE

- 1.1 This report provides details of town planning appeals outcomes and the range of planning considerations that are being taken into account by the Planning Inspectors, appointed by the Secretary of State for Communities and Local Government.
It also provides information of appeals recently received by the Council, including the methods by which the cases are likely to be determined by the Planning Inspectorate.
- 1.2 The report covers all planning appeals, irrespective of whether the related planning application was determined by Development Committee, Strategic Development Committee or by officers under delegated powers. It is also considered appropriate that Members are advised of any appeal outcomes following the service of enforcement notices.
- 1.3 A record of appeal outcomes will also be helpful when compiling future Annual Monitoring Reports.

2. RECOMMENDATION

- 2.1 That Committee notes the details and outcomes of the appeals as outlined below.

3. APPEAL DECISIONS

- 3.1 The following appeal decisions have been received by the Council during the reporting period.

Application No:	PA/10/01705
Site:	580-586 Roman Road, E3 5ES
Development:	Display of internally illuminated fascia signs and projecting box signs
Council Decision:	REFUSE (delegated decision)
Appeal Method:	WRITTEN REPRESENTATIONS
Inspector's Decision	ALLOWED

- 3.2 The main issue in this case was the effect of the advertisements on the character and appearance of the Roman Road Market Conservation Area.

3.3 The Inspector commented that advertisement displays were numerous and well established in the Roman Road streetscene and that the projecting sign was not overly large compared to other examples. Whilst he recognised that the fascia sign was more prominent, he was satisfied that the sign did not obscure or cut across any important architectural feature and was not unduly prominent, considering the other signs also displayed at first floor level. He also noted that the form of illumination was restricted to individual lettering which was consistent with the general standards of the area.

3.4 The appeal was ALLOWED and advertisement consent granted.

Application No:	PA/10/01704
Site:	580-586 Roman Road, E3 5ES
Development:	Installation of shop front
Council Decision:	REFUSE (delegated decision)
Appeal Method:	WRITTEN REPRESENTATIONS
Inspector's Decision	ALLOWED

3.5 The main issue in this case was the impact of the proposed shop front on the character and appearance of the conservation area.

3.6 The Council's issue in respect of the proposal related to the desire to have greater vertical emphasis of the shop front, through the introduction of a pilaster details. However, the Inspector noted many wide shop fronts with limited subdivision. It was considered that the design of the shop front was consistent with the general standards.

3.7 The Council also refused planning permission on grounds of inappropriate shop front security shutters (which created dead space across the frontage outside normal trading hours). However, the Inspector noted that there were many similar security shutters in the vicinity and that the proposed shutters were not of the "solid" type and comprised metal mesh (integrated into the shop front) which avoided the need for a projecting shutter box housing. The Inspector therefore concluded that the development preserved the character and appearance of the conservation area.

3.8 The Inspector referred to alternative approved designs, but he felt that they had little bearing on his decision, since each proposal must be considered on its merits.

3.9 The appeal was ALLOWED

3.10 This is a disappointing outcome, as the Council has been promoting shop front improvements in Roman Road, in order to enhance the viability and vitality of the shopping/market area and the conservation area. Shop front improvements have received grant assistance and this decision does not suitably recognised the efforts the Council is making in terms of seeking improvements in shop fronts.

Application No:	PA/10/00320
Site:	10 Hanbury Street, E1 6QR
Development:	Installation of new shop
Decision:	REFUSE (delegated decision)
Appeal Method:	WRITTEN REPRESENTATIONS
Inspector's Decision	DISMISSED

- 3.11 The main issue in this case was the impact of the proposed shop front on the character and appearance of the Brick Lane/Fournier Street conservation area.
- 3.12 The Planning Inspector recognised that traditionally designed shop fronts were a significant element of conservation area character. The appeal premise is located on a prominent corner and is clearly visible at the junction of Lamb Street and Commercial Street and he concluded that the shop front neither preserved nor enhanced the character and appearance of the conservation area.
- 3.13 The appeal was DISMISSED
- 3.14 This appeal sought to retain an unauthorised shop front that remains in place. Planning enforcement will now be seeking to take action to ensure the installation of a more suitable replacement.

Application No:	PA/10/00464
Site:	616 Roman Road, E3 2RW
Development:	Alterations and extensions to form a retail unit, a studio flat and a 1x3 bedroom (five person) flat.
Council Decision:	REFUSE (delegated decision)
Appeal Method:	WRITTEN REPRESENTATIONS
Inspector's Decision	DISMISSED

- 3.15 The main issues with this appeal were as follows:
- The effect on the vitality and viability of the Roman Road market shopping centre;
 - Whether the development would preserve or enhance the character and appearance of the conservation area;
 - The effect of the development on the living conditions of proposed and existing residential properties.
- 3.16 The appellant had proposed to reduce the size of the retail unit (to provide other uses at ground floor level). The Inspector as not convinced that a smaller unit would have been better suited to local market conditions and was concerned that the loss of retail space would have adversely affected the vitality and viability of the Roman Road shopping centre.
- 3.17 Most of the extensions/alterations proposed were to be to the rear part of the property and whilst they would not have been as visible, the Inspector was concerned about the design and form of the extensions which would not have harmonised with the traditional form and proportions of the original building. He was also concerned about the proposed window design, with the size, width and bulk of the new additional creating a cramped and confused composition.
- 3.18 The Inspector was less concerned about the size of the proposed accommodation. He concluded that many people would be willing to trade space for the convenience of living in a central location with immediate access to local shops and services.
- 3.19 The appeal was DISMISSED for reasons of loss of retail space and impact on

conservation area character.

Application No:	PA/09/02273
Site:	Regents Wharf, Wharf Place, London, E2
Development:	Erection of two dwellings
Decision:	REFUSE (delegated decision)
Appeal Method:	WRITTEN REPRESENTATIONS
Inspector's Decision	DISMISSED

3.20 The main issues in this appeal were as follows:

- The impact of the development on the living conditions for the occupiers of Regents Wharf with regard to communal amenity space;
- The quality of living conditions for future occupiers of on of the proposed units in terms of outlook and light;
- Issues around vehicle parking and highway safety.

3.21 The scheme the subject of this appeal involved the formation of two additional units within the basement car park of Regents Wharf, which is a substantial 3 storey building in residential use, lying adjacent to the Regents Canal. On top of the basement area is a outdoor amenity area, the use of which is shared by residents of Regents Wharf. Adjacent to the canal is a smaller lower terrace that is also used for informal sitting out and barbecues and is accessed from the upper terrace and the basement car park by a short flight of steps. The lower terrace also forms part of a route from the basement car park to the entrances to Regents Wharf.

3.22 The Inspector noted that one of the proposed units would have required direct access off this lower terrace and he concluded that the proposed arrangement would have created an awkward relationship with the lower terrace area which could well have made people reluctant to gather together on the lower terrace bearing in mind the noise and disturbance that could have resulted from these activities. He concluded that the reluctance could have led to the loss of some, if not all of the lower terrace which would have been a significant reduction in its amenity value. However, he did not feel that the development would have resulted in a serious loss of privacy for existing Regents Wharf occupiers.

3.23 A bedroom in one of the proposed units would not have received natural light and whilst the Inspector acknowledged that the proposed unit (in view of its size) would have been unsuitable for family use, he concluded that the bedroom would have felt claustrophobic and uninviting. He considered the living conditions to be unsatisfactory.

3.24 The Inspector was less concerned about the loss of car parking within the basement car park, especially as the basement appeared to be underused.

3.25 Even though he considered the loss of car parking to be acceptable, he DISMISSED the appeal on grounds of loss of communal amenity space and poor living conditions for future residents

Application No:	PA/09/02719
Site:	2121 Hind Grove, E14
Development:	Conversions, extensions and

Council Decision:	alterations to property to form 2x1 bed flats and 3 studio flats
Appeal Method:	REFUSE (delegated decision)
Inspector's Decision	WRITTEN REPRESENTATIONS DISMISSED

3.26 The main issues with this appeal were as follows:

- The effect of the proposal on the appearance of the appeal premise, the streetscene and the Lansbury Conservation Area;
- The living conditions of future residents, especially in terms of the quality of internal accommodation and external amenity space;
- The contribution the development will make in terms of overall housing supply;
- The adequacy of bicycle provision.

3.27 The Inspector referred to the proposed second floor extension and the provision of residential accommodation in the roof space. He was concerned that the development would have raised the height of the building above that of the adjoining block, which would have introduced a much more dominant and discordant appearance. He concluded that the extension would have detracted significantly from the character and appearance of the conservation area. He noted that there were higher buildings in the vicinity but noted that these were located outside the conservation area.

3.28 With the additional flats proposed and with limited amenity space available, the Inspector was concerned about the lack of useable amenity space for future residential occupiers and he was critical of the proposed room sizes (even though they would have only marginally failed to comply with the Council's standards).

3.29 The scheme also proposed a spiral staircase, located to the rear of the building. Your officers were concerned that this staircase would have led to overlooking of windows to the rear. Whilst the Inspector acknowledged that there would be further overlooking, he noted the presence of an existing roof terrace which already overlooked these windows. With this in mind, he did not feel that the spiral staircase would have made the situation significantly worse.

3.30 The Inspector noted that the proposed conversion would not have catered for larger family housing and highlighted the appellant's inability to provide evidence of the need for housing for single people. Finally, the Inspector accepted the appellant's suggestion that details of bicycle storage could be provided by condition.

3.31 The appeal was DISMISSED

4. NEW APPEALS

4.1 The following appeals have been lodged with the Secretary of State following a decision by the local planning authority:

Application No:	PA/10/01317
Site:	Unit Fg-014, Block F, Trumans Brewery, 91 Brick Lane, E1

Development: *Application to replace extant planning permission in order to extend the time limit for implementation of planning permission PA/05/00665 for a change of use to a restaurant (Use Class A3)*

Council Decision: *Refuse (delegated decision)*

Start Date *February 2011*

Appeal Method *WRITTEN REPRESENTATIONS*

- 4.2 The Council previously granted planning permission for change of use of this property to retail use back in 2005. However, since that time your officers are of the opinion that circumstances have changed following the development of a clearer vision in respect of restaurant/night-time activity in and around Brick Lane.

Application No: *PA/10/01957*

Sites: *Unit 6 525 Cambridge Heath Road, E2*

Development: *Certificate of Lawfulness in respect of the existing use of the property as a 5 bedroom flat*

Council Decision: *Refuse (delegated decision)*

Start Date *26 January 2011*

Appeal Method *WRITTEN REPRESENTATIONS*

- 4.3 This application emerged out of planning enforcement investigations – following allegations regarding a breach of planning control in respect of the use of a live work unit for residential purposes.

Application No: *PA/10/01518*

Site: *33 Old Nichol Street, London*

Development: *Erection of 3rd floor rear extension with loft floor and dormer windows and conversion into 9 residential flats (1x2 bed and 8x1 bed)*

Council Decision: *Refuse (delegated decision)*

Start Date *17 February 2011*

Appeal Method *WRITTEN REPRESENTATIONS*

- 4.4 The reasons for refusal related to the unacceptable mix of accommodation (with lack of family sized dwellings) lack of amenity space and poor residential standards in terms of daylight and sunlight to habitable rooms (especially at the lower floors).

Application No: *PA/10/00037*

Site: *Rochelle School, Arnold Circus, London E2*

Development: *Continued use of Rochelle Canteen for A3 purposes, independent from the Rochelle Centre with ancillary off site catering operations*

Officers Recommendation *Grant planning permission*

Council Decision: *Refuse (Development Committee)*

Start Date *27 January 2011*

Appeal Method *WRITTEN REPRESENTATIONS*

- 4.5 This appeal follows on from the Development Committee's refusal of planning permission back in October 2010. The reasons for refusal related to overlooking and loss of privacy, detrimental to the amenities of neighbours, the impact of noise and disturbance, adverse impact on the character and appearance of the Boundary Estate Conservation Area and increased anti-social behaviour in the vicinity of the site.

Application No: PA/10/02190
Site: The Bungalow, 131A Tredegar Road, London
Development: Demolition of an existing bungalow and the erection of a three bedroom single family dwelling.
Council Decision: Refuse (delegated decision)
Start Date 31 January 2011
Appeal Method WRITTEN REPRESENTATIONS

- 4.6 A similar proposal was refused planning permission back in 2009 and the subsequent appeal was dismissed. This scheme is very similar to the previous appeal proposal and the reasons for refusal focus on overdevelopment by virtue of excessive mass, bulk, height and scale of development viewed against the site's backland location, impact on neighbouring residential amenity, through increased overlooking and poor standard of amenity for future occupiers by way of lack of outlook and light.

Application No: PA/09/00549
Site: Holiday Inn Express, 469-475 The Highway E1W 3HN
Development: Appeal against Display of two internally illuminated poster signs and associated forecourt boundary landscaping
Council Decision: Refuse (delegated decision)
Start Date 9 February 2011
Appeal Method WRITTEN REPRESENTATIONS

- 4.7 Advertisement consent was refused on grounds of visual amenity with the signs being of excessive height and width which would appear overbearing from the adjacent pavement.

Application No: ENF/10/02450
Site: Pavement outside 32-38 Leman Street
Development: Installation of public payphone (Application for Prior Approval)
Council Decision: Prior Approval Required and Refused (delegated decision)
Start Date 11 February 2011
Appeal Method WRITTEN REPRESENTATION

- 4.8 Prior approval was refused as it was considered that the proposed payphone would have been overly prominent to the detriment of the street scene and highway safety, being located close to the junction with Alie Street and traffic signals.

Application No: PA/10/01479
Site: 60-61 Squirries Street and 52 Florida

Development:	Street Erection of 2x2 bed duplex residential units on existing flat roof of existing four storey building
Officer Recommendation	Grant planning permission.
Council Decision:	Refuse (Development Committee)
Start Date	26 January 2011
Appeal Method	WRITTEN REPRESENTATIONS

- 4.9 This application was refused planning permission by the Development Committee on 15 December 2010 on grounds of overdevelopment (by virtue of height, scale and bulk), loss of daylight and sunlight to nearby residential properties and increase overlooking and loss of privacy.