

Meeting of the

DEVELOPMENT COMMITTEE

Wednesday, 16 June 2010 at 7.30 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 Shelina Akhtar Councillor Peter Golds Councillor Ann Jackson Councillor Mohammed Abdul Mukit MBE Councillor Kosru Uddin	Councillor Tim Archer, (Designated Deputy representing Councillor Peter Golds) Councillor Lutfu Begum, (Designated Deputy representing Councillors Carli Harper-Penman, Judith Gardiner, Shelina Akhtar, Ann Jackson, Mohammed Abdul Mukit, MBE and Kosru Uddin) Councillor Shafiqul Haque, (Designated Deputy representing Councillors Carli Harper-Penman, Judith Gardiner, Shelina Akhtar, Ann Jackson, Mohammed Abdul Mukit, MBE and Kosru Uddin) Councillor Dr. Emma Jones, (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:

Nadir Ahmed, Democratic Services

Tel: 020 7364 6961, E-mail:nadir.ahmed@towerhamlets.gov.uk

LONDON BOROUGH OF TOWER HAMLETS

DEVELOPMENT COMMITTEE

Wednesday, 16 June 2010

7.30 p.m.

1. ELECTION OF VICE-CHAIR

At the Annual General Meeting of the Council held on 26 May 2010, Councillor Carli Harper-Penman was appointed Chair of the Development Committee for the Municipal Year 2010/2011.

However, it is necessary to elect a Vice-Chair of the Development Committee for the Municipal Year 2010/2011.

2. APOLOGIES FOR ABSENCE

To receive any apologies for absence.

3. 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.

4. UNRESTRICTED MINUTES

To confirm as a correct record of the proceedings the unrestricted minutes of the ordinary meeting of Development Committee held on 28th April 2010.

PAGE NUMBER	WARD(S) AFFECTED
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3 - 6

5. DEVELOPMENT COMMITTEE PROCEDURAL MATTERS

5.1 Development Committee Terms of Reference, Quorum, Membership and Dates of Meetings (DC001/011)

7 - 14

5.2 Development Committee Public Speaking Procedure (DC002/011)

15 - 22

6. 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.

7. PROCEDURE FOR HEARING OBJECTIONS

To note the procedure for hearing objections at meetings of the Development Committee. **23 - 24**

8. DEFERRED ITEMS **25 - 26**

9. PLANNING APPLICATIONS FOR DECISION **27 - 28**

9 .1 Harpley School, 110 Globe Road, London, E1 4DZ (DC003/011) **29 - 54** **Mile End & Globe Town;**

9 .2 Car Park to rear of 2 to 82 Russia Lane, off Robinson Road, London, E2 (DC004/011) **55 - 72** **Bethnal Green North;**

9 .3 12-50 Bow Common Lane & Furze Street, E3 (DC005/011) **73 - 104** **Bromley-By-Bow;**

10. OTHER PLANNING MATTERS **105 - 106**

10 .1 Bancroft Local History And Archives Library, 277 Bancroft Road, London, E1 4DQ (DC006/011) **107 - 116** **Mile End & Globe Town;**

Agenda Item 3

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 6.30 P.M. ON WEDNESDAY, 28 APRIL 2010

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

Members Present:

Councillor Shafiqul Haque (Chair)

Councillor Alibor Choudhury (Vice-Chair)

Councillor Muhammad Abdullah Salique

Councillor Rupert Eckhardt

Other Councillors Present:

None.

Officers Present:

Stephen Irvine – (Development Control Manager, Development and Renewal)

Jerry Bell – (Strategic Applications Manager Development and Renewal)

Bridget Burt – (Senior Planning Lawyer, Legal Services Chief Executives)

Nadir Ahmed – (Democratic Services)

1. APOLOGIES FOR ABSENCE

Apologies for absence were received from Councillors Shiria Khatun and Harun Miah.

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
Shafiqul Haque	7.1	Personal	Ward member for the applicant
M. Abdullah Salique	7.1	Personal	Ward member for the area of the

			application
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3. UNRESTRICTED MINUTES

The Committee **RESOLVED**:

That the unrestricted minutes of the meeting held on 31st March 2010 be agreed subject to the following amendment:

Under minute item 7.3, amend "Affordable housing provision of 51%" to read "Affordable housing provision of 47%".

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 **RESOLVED**:

To note the procedure for hearing objections and that no-one had registered to speak.

6. DEFERRED ITEMS

The Committee **RESOLVED**:

To note the position in relation to deferred items.

7. PLANNING APPLICATIONS FOR DECISION

7.1 Moorings at Belmont Wharf, Land North of Canal Club, Waterloo Gardens, London E2 (PA/09/02043)

Update Report Tabled.

Following an introduction from Jerry Bell, Strategic Applications Manager, Members sought and were given clarification on the location of the site in questions.

Mr Bell also informed Members that the removal of the condition would allow three of the four boats to apply for residents parking permits. A recent midday survey had shown that while there were 52 car parking spaces on Sewardstone Road, on average, there were 23 cars parked in the area during the day. Parking restrictions only applied between 8.30am to 5.30pm. Some objections had been received in relation to parking; these were addressed in the main report and the update report which had been tabled.

On a vote of three for and nil against (Councillor Rupert Eckhardt having entered the meeting after consideration of the item had commenced), the Committee **RESOLVED**:

To **GRANT** planning permission for the removal of condition 12 on planning permission reference PA/04/01541 dated 20 April 2007.

8. OTHER PLANNING MATTERS

8.1 Burdett Coutt's Fountain, Victoria Park, Old Ford Road, London (PA/10/00311)

Jerry Bell, Strategic Applications Manager, gave an introduction to the report.

On a unanimous vote, the Committee **RESOLVED**:

- 1) To refer the application to the Secretary of State with the recommendation that were it within its authority to do so this Council would be minded to grant Listed Building Consent and that the Head of Planning and Building Control is granted delegated power to recommend to the Secretary of State conditions to secure the following matters:

2) Conditions

- Time Limit;
- Bat survey including fountain interior;
- Details methodology of cleaning works including monitoring of trial clean;
- Samples of stonework / pointing to be agreed;
- Details of re-instated sculptures submitted for approval;
- Prior to works to interior full details submitted for approval;
- Prior to works to restore clocks, full detail to be submitted for approval;
- Prior to works to weathervane, full details of replacement submitted for approval;

- Prior to installation details of pigeon deterrents and anti-vandal measures
- Any other condition considered necessary by the Director of Development and Renewal.

The Chair ended the meeting by thanking Members and officers for their hard work and support over the last two years.

The meeting ended at 6.39 p.m.

Chair, Councillor Shafiqul Haque
Development Committee

Agenda Item 5.1

Committee	Date	Classification	Report No.	Agenda Item No.
Development Committee	16th June 2010	Unrestricted	DC001/011	5.1
Report of: Assistant Chief Executive Originating Officer(s) : Nadir Ahmed, Democratic Services		Title : Development Committee Terms of Reference, Quorum, Membership and Dates of Meetings Ward(s) affected: N/A		

1. Summary

- 1.1 This report sets out the Terms of Reference, Quorum, Membership and Dates of meetings of the Development Committee for the Municipal Year 2010/11 for the information of members of the Committee.

2. Recommendation

- 2.1 That the Development Committee agrees to note its Terms of Reference, Quorum, Membership and Dates of future meetings as set out in Appendices 1, 2 and 3 to this report.

3. Background

- 3.1 At the Annual General Meeting of the full Council held on 26th May 2010, the Authority approved the proportionality, establishment of the Committees and Panels of the Council and appointment of Members thereto.
- 3.2 It is traditional that following the Annual General Meeting of the Council at the start of the Municipal Year, at which various committees are established, that those committees note their Terms of Reference, Quorum and Membership for the forthcoming Municipal Year. These are set out in Appendix 1 and 2 to the report respectively.
- 3.3 The Committee's meetings for the remainder of the year, as agreed at the Annual General Meeting of the Council on 26th May 2010, are as set out in Appendix 3 to this report.
- 3.4 In accordance with the programme of meetings for principal meetings, meetings are scheduled to take place at 7.30pm with the exception of one meeting which will start at 5.30pm to accommodate Members who may be partaking in Ramadan.

4. Comments of the Chief Financial Officer

- 4.1 There are no specific comments arising from the recommendations in the report.

5. Concurrent report of the Assistant Chief Executive (Legal)

5.1 The information provided for the Committee to note is in line with the Council's Constitution and the resolutions made by Council on 26th May 2010.

6. One Tower Hamlets Considerations

6.1 When drawing up the schedule of dates, consideration was given to avoiding schools holiday dates and known dates of religious holidays and other important dates where at all possible.

7. Sustainable Action for a Greener Environment

7.1 There are no specific SAGE implications arising from the recommendations in the report.

8. Risk Management Implications

8.1 The Council needs to have a programme of meetings in place to ensure effective and efficient decision making arrangements.

9. Crime and Disorder Reduction Implications

9.1 There are no Crime and Disorder Reduction implications arising from the recommendations in the report.

10. Appendices

Appendix 1 Development Committee Terms of Reference and Quorum

Appendix 2 Development Committee Membership 2010/2011

Appendix 3 Development Committee Meeting Dates 2010/2011

**LOCAL GOVERNMENT ACT, 1972 SECTION 100D (AS AMENDED)
LIST OF "BACKGROUND PAPERS" USED IN THE PREPARATION OF THIS REPORT**

Brief description of "background paper"

If not supplied
Name and telephone
number of holder

None

Nadir Ahmed
Democratic Services
020 7364 6961

APPENDIX 1

EXCERPT FROM THE LONDON BOROUGH OF TOWER HAMLETS CONSTITUTION

3.3.4 Development Committee Terms of Reference

<p>Membership: Seven Members of the Council. Up to three substitutes may be appointed for each Member</p>	
Functions	Delegation of Function
<p>1. Planning Applications</p> <p>a) To consider and determine recommendations from the Corporate Director, Development and Renewal to grant planning permission for applications made under the Town and Country Planning Act 1990 to grant listed building consent or conservation area consent for applications made under the Planning (Listed Buildings and Conservation Areas) Act 1990 and to grant hazardous substances consent for applications made under the Planning (Hazardous Substances) Act 1990, including similar applications delegated to the Council to determine by other bodies (such as the Olympic Delivery Authority under the London Olympic Games and Paralympic Games Act 2006) that meet any one of the following criteria:</p> <p>i) Proposals involving the erection, alteration or change of use of buildings, structures or land with more than 35 residential or live-work units.</p> <p>ii) Proposals involving the erection, alteration or change of use of buildings, structures or land with a gross floor space exceeding 10,000 square metres.</p> <p>iii) Retail development with a gross floor space exceeding 5,000 square metres.</p> <p>iv) If in response to the publicity of an application the Council receives (in writing or by email) either more than 20 individual representations or a petition (received from residents of the borough whose names appear in the Register of Electors or by a Councillor and containing signatures from at least 20 persons with residential or business addresses in the borough) raising material planning objections to the development, and the Corporate Director, Development and Renewal considers that these objections cannot be addressed by amending the development, by imposing conditions and/or by</p>	<p>The Corporate Director, Development and Renewal (or any officer authorised by her/him) has the authority to make decisions on planning matters with the exception of those specifically reserved to the Development Committee, unless:-</p> <p>(i) these are expressly delegated to her/him or</p> <p>(ii) where it is referred to the Committee in accordance with Development Procedure Rule No 15</p>

completing a legal agreement.

b) To consider and determine recommendations from the Corporate Director to refuse planning permission for applications made under the Acts referred to in (a) above, where in response to the publicity of an application the Council has received (in writing or by email) more than 20 individual representations supporting the development or a petition in the form detailed in (a) (iv) supporting the development.

c) To consider and determine recommendations from the Corporate Director, Development and Renewal for listed building or conservation area consent applications made by or on sites/buildings owned by the Council.

(Representations either individual letters or petitions received after the close of the consultation period will be counted at the discretion of the Corporate Director, Development and Renewal)

2. Observations

d) To respond to requests for observations on planning applications referred to the Council by other local authorities Government departments statutory undertakers and similar organisations where the response would be contrary to policies in the adopted development plan or raise especially significant borough-wide issues

3. General

e) To consider any application or other planning matter referred to the Committee by the Corporate Director Development and Renewal where she/he considers it appropriate to do so (for example, if especially significant borough-wide issues are raised).

It shall be for the Corporate Director Development & Renewal to determine whether a matter meets any of the above criteria.

Quorum

Three Members of the Committee

APPENDIX 2

Labour Group Members (and deputies)	Conservative Group Members (and deputies)	Other Members (and deputies)
<p>Cllr Carli Harper-Penman (Chair)</p> <p>Cllr Judith Gardiner</p> <p>Cllr Shelina Akhtar</p> <p>Cllr Ann Jackson</p> <p>Cllr Mohammed Abdul Mukit, MBE</p> <p>Cllr Kosru Uddin</p> <p><u>Deputies</u></p> <p>Cllr Lutfu Begum (Designated Deputy for Cllrs C. Harper-Penman, J. Gardiner, S. Akhtar, A. Jackson, M. A. Mukit, K. Uddin)</p> <p>Cllr Shafiqul Haque (Designated Deputy for Cllrs C. Harper-Penman, J. Gardiner, S. Akhtar, A. Jackson, M. A. Mukit, K. Uddin)</p>	<p>Cllr Peter Golds</p> <p><u>Deputies</u></p> <p>Cllr Tim Archer (Designated Deputy for Cllr P. Golds)</p> <p>Cllr Dr Emma Jones (Designated Deputy for Cllr P. Golds)</p>	<p>None</p>

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APPENDIX 3

SCHEDULE OF DATES 2010/11

DEVELOPMENT COMMITTEE

16th June 2010
13th July 2010
18th August 2010
14th September 2010
13th October 2010
10th November 2010
15th December 2010
12th January 2011
10th February 2011
10th March 2011
6th April 2011
4th May 2011

It may be necessary to convene additional meetings of the Committee should urgent business arise. Officers will keep the position under review and consult with the Chair and other Members as appropriate.

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Agenda Item 5.2

Committee	Date	Classification	Report No.	Agenda Item No.
Development Committee	16th June 2010	Unrestricted	DC002/011	5.2
Report of: Assistant Chief Executive		Title : Development Committee Public Speaking Procedure		
Originating Officer(s) : Nadir Ahmed, Democratic Services		Ward(s) affected: N/A		

1. Summary

- 1.1 This report sets out the proposed amendments to the Public Speaking Procedure at meetings of the Development Committee. The Committee is requested to note the proposed changes to the Constitution in relation to this and agree to adopt the proposed changes to the Committee's own procedures.

2. Recommendations

- 2.1 That the Development Committee agrees to note the proposed changes to the Council's Constitution in relation to the Public Speaking Procedure as set out in Appendix 1 to this report; and
- 2.2 That the Development Committee agrees to adopt the proposed changes to the Committee's own procedures as set out in Appendix 2 to this report with effect from 14th July 2010.

3. Background

- 3.1 The work of the Development Committee in determining planning applications is quasi-judicial in nature and needs to be based on fairness and natural justice.
- 3.2 One of the procedures in place to ensure sound, fair and just decisions are made is the Public Speaking Procedure. This is in two parts:
- a) The Public Speaking Procedure in the Council's Constitution
 - b) Any additional procedural rules that the Committee adopts from time to time.
- 3.3 Following a review of the Public Speaking Procedure by officers in Democratic Services, Legal Services and Planning, a number of changes have been proposed.

- 3.4 These changes have been recommended to better facilitate the practical running of the Committee. They primarily aim to codify existing procedures and enshrine them in the Council's Constitution.
- 3.5 Appendix 1 sets out the proposed Public Speaking Procedure in the Constitution.
- 3.6 Any changes to the Constitution must be agreed by Council. Accordingly, a report will be presented to the Council on 14th July 2010 with the recommendation that the proposed changes be agreed with immediate effect.
- 3.7 Appendix 2 sets out the proposed additional procedural rules for adoption by the Committee.
- 3.8 If adopted, these changes will be implemented when the proposed changes to the Constitution are agreed by Council.

4. Comments of the Chief Financial Officer

- 4.1 There are no specific financial comments arising from the recommendations in this report.

5. Concurrent report of the Assistant Chief Executive (Legal)

- 5.1 There are no specific legal comments arising from the recommendations in this report.

6. One Tower Hamlets Considerations

- 6.1 There are no immediate One Tower Hamlets implications arising from the recommendations in this report.

7. Sustainable Action for a Greener Environment

- 7.1 There are no specific SAGE implications arising from the recommendations in this report.

8. Risk Management Implications

- 8.1 The Council needs to have a robust Public Speaking Procedure in place to ensure decisions are made on the basis of fairness and natural justice.

9. Crime and Disorder Reduction Implications

- 9.1 There are no Crime and Disorder Reduction implications arising from the recommendations in this report.

10. Appendices

- Appendix 1 Proposed provisions in the Council's Constitution (Part 4.8) relating to public speaking
- Appendix 2 Proposed public speaking procedure adopted by this Committee

**LOCAL GOVERNMENT ACT, 1972 SECTION 100D (AS AMENDED)
LIST OF "BACKGROUND PAPERS" USED IN THE PREPARATION OF THIS REPORT**

Brief description of "background paper"

If not supplied
Name and telephone
number of holder

None

Nadir Ahmed
Democratic Services
020 7364 6961

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APPENDIX 1

Proposed provisions in the Council's Constitution (Part 4.8) relating to public speaking:

- 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.

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APPENDIX 2

Proposed public speaking procedure adopted by this Committee:

- 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.

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DEVELOPMENT COMMITTEE **Agenda Item 7** STRATEGIC DEVELOPMENT COMMITTEE

PROCEDURES FOR HEARING OBJECTIONS AT COMMITTEE MEETINGS

Provisions in the Council's Constitution (Part 4.8) relating to public speaking:

- 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 on Wednesday in the week 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 on Friday 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. 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 give notice of their intention to do so to the Committee Clerk by no later than 4:00pm on the Monday prior to the day of the meeting.
- 6.5** After 4pm on the Friday prior to the day of the meeting the Committee clerk will advise the applicant of the number of objectors wishing to speak.
- 6.6** The order of public speaking shall be as stated in Rule 5.3.
- 6.7** Public speaking shall comprise verbal presentation only. The distribution of additional material or information to members of the Committee is not permitted.
- 6.8** 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.
- 6.9** 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.
- 6.10** 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.
- 6.11** Speakers and other members of the public may leave the meeting after the item in which they are interested has been determined.

Public speaking procedure adopted by this Committee:

- 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 (ie 3 or 6 minutes).
- For objectors, the allocation of slots will be on a first come, first served basis.
- For the applicant, the clerk will advise after 4pm on the Friday prior to the meeting whether his/her slot is 3 or 6 minutes long. This slot can be used for supporters or other persons that the applicant wishes to present the application to the Committee.
- 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 non-committee members registered to speak, the chair will ask the Committee if any member wishes to speak against the recommendation. If no member indicates that they wish to speak against the recommendation, then the applicant or their supporter(s) will not be expected to address the Committee.

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Agenda Item 8

Committee: Development	Date: 16 June 2010	Classification: Unrestricted	Agenda Item No: 8
Report of: Corporate Director of Development and Renewal		Title: Deferred items	
Originating Officer: Owen Whalley		Ref No: See reports attached for each item	
		Ward(s): See reports attached for each item	

1. INTRODUCTION

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

2. RECOMMENDATION

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

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

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

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Agenda Item 9

Committee: Development	Date: 16 June 2010	Classification: Unrestricted	Agenda Item No: 9
Report of: Corporate Director Development and Renewal		Title: Planning Applications for Decision	
Originating Officer: Owen Whalley		Ref No: See reports attached for each item	
		Ward(s): See reports attached for each item	

1. INTRODUCTION

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

2. FURTHER INFORMATION

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

3. ADVICE OF ASSISTANT CHIEF EXECUTIVE (LEGAL SERVICES)

- 3.1 The relevant policy framework against which the Committee is required to consider planning applications comprises the development plan and other material policy documents. The development plan is:
 - the adopted Tower Hamlets Unitary Development Plan (UDP)1998 as saved September 2007
 - the London Plan 2008 (Consolidated with alterations since 2004)
- 3.2 Other material policy documents include the Council's Community Plan, "Core Strategy LDF" (Submission Version) Interim Planning Guidance (adopted by Cabinet in October 2007 for Development Control purposes) Planning Guidance Notes and government planning policy set out in Planning Policy Guidance & Planning Policy Statements.
- 3.3 Decisions must be taken in accordance with section 70(2) of the Town and Country Planning Act 1990 and section 38(6) of the Planning and Compulsory Purchase Act 2004. Section 70(2) of the Town and Country Planning Act 1990 requires the Committee to have regard to the provisions of the Development Plan, so far as material to the application and any other material considerations. Section 38(6) of the Planning and Compulsory Purchase Act 2004 requires the Committee to make its determination in accordance with the Development Plan unless material planning considerations support a different decision being taken.

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

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

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

4. PUBLIC SPEAKING

- 4.1 The Council's constitution allows for public speaking on these items in accordance with the rules set out in the constitution and the Committee's procedures. These are set out at Agenda Item 7.

5. RECOMMENDATION

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

Agenda Item 9.1

Committee: Development	Date: 16 th June 2010	Classification: Unrestricted	Agenda Item No: 9.1
Report of: Corporate Director of Development and Renewal		Title: Planning Application and Conservation Area Consent for Decision	
Case Officer: Nasser Farooq		Ref No: PA/10/00352 and PA/10/00353	
		Ward(s): Mile End and Globe Town	

1. APPLICATION DETAILS

- 1.0 **Location:** Harpley School, 110 Globe Road, London, E1 4DZ
- 1.1 **Existing Use:** Pupil Referral Unit
- 1.2 **Proposal:** Planning permission PA/10/352
- Erection of new sports hall and associated storage located to the north east of the site adjoining Tollet Street.
 - Construction of new six bay car park with new entrance from Tollet Street;
 - Refurbishment of existing building to include introduction of full height light well;
 - Provision of additional bicycle parking and new landscaping.
 - Installation of external seating at ground floor level facing Massingham Street.
- Conservation Area Consent PA/10/353
- Demolition of the boundary wall to Tollet Street.
- 1.3 **Drawing Nos:** HAR-LSI-GA-000100-01, HAR-LSI-GA-000101-01, HAR-LSI-GA-000103-01, HAR-LSI-GA-000104-01, HAR-LSI-GA-000105-01, HAR-LSI-GA-000106-01, HAR-LSI-GA-000107-01, HAR-LSI-GA-000108-01, HAR-LSI-ELV-000114-01, HAR-LSI-ELV-000115-01, HAR-LSI-SEC-000116-00, HAR-LSI-SEC-000117-00, HAR-LSI-GA-000118-02, HAR-LSI-GA-000119-02, HAR-LSI-GA-000120-02, HAR-LSI-GA-000121-02, HAR-LSI-GA-000122-02, HAR-LSI-GA-000123-02, HAR-LSI-GA-000124-01, HAR-LSI-ELV-000125-02, HAR-LSI-ELV-000126-02, HAR-LSI-SEC-000128-00, HAR-LSI-SEC-000129-00, HAR-LSI-GA-000150-01, 9V7305/DW/4 A, 9V7305/OPTION3 B,
- 1.4 **Supporting Documents:** Design Statement – dated February 2010
Impact Statement (Including appendices 1-12) – dated February 2010
- 1.5 **Applicant:** Bouygues UK
Elizabeth House
39 York Road
London
- 1.6 **Owner:** LBTH
- 1.7 **Listed Building:** No
- 1.8 **Conservation Area:** Part of the site to the south is located within the Carlton Square Conservation Area.

2.0 SUMMARY OF MATERIAL PLANNING CONSIDERATIONS

Full Planning Application

2.1 The Local Planning Authority has considered the particular circumstances of this Planning application against the Council's approved planning policies contained in the London Borough of Tower Hamlets Unitary Development Plan 1998, the Council's Interim Planning Guidance for the purposes of Development Control (October 2007), Core Strategy Development Plan Document (Submission Version December 2009) associated supplementary planning guidance, the London Plan 2008 (Consolidated with Alterations since 2004) and Government Planning Policy Guidance and has found that:

- The proposal is in line with the Mayor and Council's policy, as well as Government guidance which require local authorities to meet the need for social infrastructure. As such, the development complies with policy 3A.18 of the London Plan 2008 (Consolidated with Alterations since 2004) which seeks to ensure this.
- It is considered that on balance, the improvements to the existing play area and the incorporation of the areas of open space that exists to the south along with the improvements that the proposed development creates in the teaching and learning environment, that the proposed development would not be detrimental to the school environment and would improve the current facilities available on site. The proposal would be in accordance with policies 3A.18 and 3A.24 of the London Plan 2008 (Consolidated with Alterations since 2004) and policy CP29 of the Interim Planning Guidance 2007, which 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 and also seek to increase their provision, both to deal with increased population and to meet existing deficiencies in order to provide the best schools and facilities to support educational excellence. The proposal would also accord with saved policy EDU7 of the Unitary Development Plan 1998, which seeks to protect existing school play space.
- The development's height, scale, bulk and design is acceptable and in line with policies 4B.1 and 4B.2 of the London Plan 2008 (Consolidated with Alterations since 2004), saved policies DEV1 and DEV2 of the Council's Unitary Development Plan 1998 and policies CP4, DEV1 and DEV2 of the Council's Interim Planning Guidance (2007), which seek to ensure buildings are of a high quality design and suitably located.
- The development is not considered to create any significant impact on the amenity of adjoining occupiers and would not result in a significant loss in access to daylight and sunlight or an unacceptable loss in privacy. The proposal is considered to be in accordance with saved policy DEV2 of the Unitary Development Plan 1998 and policy DEV1 of the Interim Planning Guidance 2007, which seek to preserve the amenity of adjacent occupiers.
- Transport matters, including parking, access and servicing, are acceptable and in line with London Plan 2008 (Consolidated with Alterations since 2004) policies 3C.1 and 3C.23, saved policies T16 and T19 of the Council's Unitary Development Plan 1998 and policies DEV18 and DEV19 of the Council's Interim Planning Guidance (2007), which seek to ensure developments minimise parking and promote sustainable transport options.

Conservation Area Consent

2.2 The Local Planning Authority has considered the particular circumstances of this

Conservation Area Consent application against the Council's approved planning policies contained in the London Borough of Tower Hamlets Unitary Development Plan 1998, the Council's Interim Planning Guidance for the purposes of Development Control (October 2007), Core Strategy Development Plan Document (Submission Version December 2009) associated supplementary planning guidance, the London Plan 2008 (Consolidated with Alterations since 2004) and Government Planning Policy Guidance and has found that:

- The proposed demolition to the existing wall on Tollet Street is considered appropriate in respect of alterations 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 Core Strategy 2025 Development Plan Document (Submission Version December 2009). 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 **GRANT** planning permission and conservation area consent.

3.2 That the Head of Development Decisions is delegated power to impose conditions [and informatives] on the planning permission to secure the following:

3.3 Conditions for planning permission

- 1) 3 year time period
- 2) Buildings approved in accordance with the plans
- 3) Samples of external materials
- 4) Details of all boundary treatment
- 5) Details of all replacement trees.
- 6) Cycle parking provisions
- 7) Construction management plan including tree protection
- 8) Contaminated Land
- 9) Noise level restrictions
- 10) Landscaping implementation and management plan
- 11) Hours of use
- 12) Implementation of the Travel Plan
- 13) Site waste management plan
- 14) Energy strategy implementation
- 15) Car park subject to works on the Highway.
- 16) Any other condition(s) considered necessary by the Corporate Director Development & Renewal.

3.4 Informatives for Planning Permission

- 3.5 1) S278 agreement for works on the Highway
- 2) Any other informative(s) considered necessary by the Corporate Director Development & Renewal.

3.6 That the Head of Development Decisions is delegated power to impose conditions [and informatives] on the Conservation Area Consent to secure the following:

3.7 Conditions for Conservation Area Consent

- 1) 3 year time period
- 2) Drawings approved in accordance with the plans

- 3) Details of all boundary treatment at scale of 1:50
- 4) Any other condition(s) considered necessary by the Corporate Director Development & Renewal.

3.8 Informatives for Conservation Area Consent

- 1) In respect to condition 3 the proposed railing and gates should be of a traditional design that preserves the Conservation Area.
- 2) Any other informative(s) considered necessary by the Corporate Director Development & Renewal.

4.0 PROPOSAL AND LOCATION DETAILS

Proposal

- 4.1 The proposal is to erect a new sports hall adjoining the southern facade of the existing school and the newly built secure entrance to the existing school (accessed from Tollet Street).
- 4.2 A new six bay car park is proposed to be located to the south of the proposed Sports Hall and to the north of 20 Tollet Street.
- 4.3 As part of the development additional bicycle parking and a new landscaping area is proposed within the disused land to the south of the School.
- 4.4 Additional external seating is proposed at ground floor level, in the infill area between the school building and Massingham Street.
- 4.5 In addition to this internal works to the existing building are also proposed. Planning permission is not required for these works as they are not classed as development.
- 4.6 The internal works include the removal of internal partitions and the creation of a lightwell in the eastern section of the main school building.
- 4.7 Conservation Area Consent is also sought for the part demolition of the boundary wall on Tollet Street as part of the boundary wall is located within the Carlton Square Conservation Area.

Site and Surroundings

- 4.8 The subject site is a Pupil Referral Unit (PRU) and forms part of the Batch 2 schools in London Borough of Tower Hamlets scheduled for refurbishment and upgrading as part of the Building Schools for the Future (BSF) programme.
- 4.9 Harpley School is located on Globe Road in Mile End. It is a late Victorian Building. In 2007, a two storey extension was added to house a pupil referral unit.
- 4.10 The site is bounded by Tollet Street to the east, Massingham Street to the north and Globe Road to the west.
- 4.11 The main pedestrian entrance to the site is located on the north east edge of the site on Tollet Street. Parallel to this entrance is a secondary entrance on Globe Road.
- 4.12 To the south of the site are residential developments and further along Tollet Street to the south is a terrace of residential dwellings located within the Carlton Square Conservation Area.

4.13 The southern part of the site falls within the Carlton Square Conservation Area.

Relevant Planning History

- 4.14 PA/09/130 Installation of 4 8m high floodlights to existing sports ball court
Permitted on 14/07/2009
- 4.15 PA/06/1091 Construction of a new single storey building comprising of three classrooms, reception and associated facilities. Including the installation of new 2.8m entrance gates and fencing along the Globe Road frontage and new tarmac surfacing, landscaping and external seating areas
Permitted- 08/09/2006
- 4.16 PA/05/0846 Erection of a double storey extension to accommodate administration department plus new secure entry to existing school
Permitted- 25/07/2005

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 The London Plan Spatial Development Strategy for Greater London Consolidated with Alterations since 2004 (February 2008)

- 3A.17 Addressing the Needs of London's Diverse Population
- 3A.18 Protection and enhancement of Social Infrastructure and Community facilities
- 3A.24 Educational Facilities
- 3C.1 Integrating Transport and Development
- 3C.2 Matching Development to Transport Capacity
- 3C.3 Sustainable Transport in London
- 3C.17 Tackling Congestion and Reducing Traffic
- 3C.22 Improving Conditions for Cycling
- 3C.23 Parking Strategy
- 4A.28 Construction, Excavation and Demolition Waste
- 4B.1 Design Principles for a Compact City
- 4B.3 Enhancing the Quality of the Public Realm
- 4B.5 Creating an Inclusive Environment
- 4B.6 Safety, Security and Fire Prevention and Protection
- 4B.8 Respect Local Context and Communities

5.3 Unitary Development Plan 1998 (as saved September 2007)

- Policies:
- ST28 Restrain Use of Private Cars
 - ST30 Improve Road Safety
 - ST 46 Accessible Education and Training
 - DEV1 Design Requirements
 - DEV2 Environmental Requirements
 - DEV12 Provision of Landscaping in Development
 - DEV15 Retention/Replacement of Mature Trees

DEV50	Noise
DEV55	Development and Waste Disposal
DEV56	Waste Recycling
T16	Traffic Priorities for New Development
T18	Pedestrians and the Road Network
T19	Priorities for Pedestrian Initiatives
T21	Pedestrian Needs in New Development
EDU7	Loss of School Play Space

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

Core Strategies:	CP 1	Creating Sustainable Communities
	CP 3	Sustainable Environment
	CP 4	Good Design
	CP 29	Improving Education and Skills
	CP 38	Energy Efficiency and Production of Renewable Energy
	CP 39	Sustainable Waste Management
	CP 40	A Sustainable Transport Network
	CP 41	Integrating Development with Transport
	CP 42	Streets for People
	CP 46	Accessible and Inclusive Environments
	CP 47	Community Safety
	CP 49	Historic Environment

Policies:	DEV 1	Amenity
	DEV 2	Character and Design
	DEV 3	Accessibility and inclusive Design
	DEV 4	Safety and Security
	DEV 5	Sustainable Design
	DEV 10	Disturbance from Noise Pollution
	DEV 12	Management of Demolition and Construction
	DEV 13	Landscaping and Tree Preservation
	DEV 15	Waste and Recyclables Storage
	DEV 16	Walking and Cycling Routes and Facilities
	DEV 17	Transport Assessments
	DEV 18	Travel Plans
	DEV 19	Parking for Motor Vehicles
	DEV 24	Accessible Amenities and Services
	SCF 1	Social and Community Facilities
	CON2	Conservation Areas
	CON2	Conservation Areas

Core Strategy 2025 Development Plan Document (Submission Version December 2009).

SO10	Health and well-being
SO11	Improvement of Social infrastructure
SO17	Improvements in education, skills and training
SP07	Support investment for existing primary and secondary schools
SP09	Street hierarchy

5.5 Supplementary Planning Guidance/Documents

Landscape Requirements – SPG 1998
Landscape Requirements – SPG 1998

5.6 Government Planning Policy Guidance/Statements

PPS 1	Delivering Sustainable Development
PPS 5	Planning and the Historic Environment
PPG 13	Transport
PPG 24	Planning and Noise
PPG 24	Planning and Noise

5.7 Community Plan – One Tower Hamlets

The following Community Plan objectives relate to the application:

Healthy Communities
Prosperous Communities
Safe and Supportive Communities
A Great Place To Be

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:

LBTH Environmental Health (Daylight/Sunlight and Lighting)

6.2 The Environmental Health Officer has reviewed the External Lighting Assessment dated February, 2010 for Harpley School. The schedule showing the lighting figures is considered acceptable and the Environmental Health Officer has considered it is acceptable to recommend planning permission. *(Officer comment: This is noted and is further discussed in the amenity section of this report).*

6.3 Environmental Health have reviewed the Daylight/Sunlight report by GIA dated February 2010. The report has reviewed the impact of the proposed scheme on the surrounding residential buildings.

6.4 The contents of the report satisfy BRE Criteria for Daylight/ Sunlight as stated in Appendix 2. As such, Environmental health has no objections in terms of Daylight or Sunlight.

LBTH Environmental Health (Contaminated Land)

6.5 The submitted report highlights identified pollution linkages which require further assessment. *(Officer comment: The contaminated land officer has recommended a condition to ensure appropriate mitigation will be carried out and therefore should permission be granted a condition requiring a contaminated land study to be carried out prior to Commencement will be required).*

LBTH Highways

6.6 Parking: The loss of on-street parking has not been fully justified and is not supported by the Highway Department or the Parking Services team. *(Officer comment: the Parking services team have undertaken a parking stress survey, the results of which are outlined in the planning considerations section of the report. Given the loss of on-street parking is managed by the parking services team a condition should be imposed on the permission preventing the formation and use of the new car-park until amendments to the road markings have been completed.)*

- 6.7 • The applicant should provide swept path analysis drawings demonstrating the ability of a large private car to access and egress the proposed spaces and the car park itself in a forward gear (*Officer comment: The applicant has since reduced the number of the proposed cars from seven to six in line with the findings of the swept path analysis, which showed a tight parking arrangement. The parking arrangement may mean some drivers having to perform a five-point turn, instead of a three-point turn when exiting the site. On balance this is considered an acceptable arrangement as it results in vehicles existing the proposed car park in forward gear*)
- 6.8 • Disabled Parking: the proposal provides one designated accessible parking space within the relocated car park. LBTH policy states that where a development includes on-site parking a minimum of 2 accessible spaces or 10% of the total parking (whichever is greater) should be provided on-site, within easy reach of the main entrance and in accordance with BS8300, 2001 and Building Regulations Part M. (*Officer comment: On balance one disabled parking space out of six is considered a sufficient amount of disabled parking, given it is an improvement of the existing parking arrangement which does not have any designated spaces.*)
- 6.9 • Cycle Parking: There appears to be some discrepancy over the number of cycle parking spaces to be provided. (*Officer comment: The applicant has confirmed 44 cycle spaces will be provided in the form of 22 racks. The amount of cycle parking will be conditioned*)
- 6.10 • The applicant has previously been advised that the servicing of the school should be accommodated within the relocated car park area with a service corridor running from the car park to the school building.
- 6.11 • A further reduction in the number of on-site parking spaces provided will be supported if such measures are required to accommodate on-site servicing within the car park area and to facilitate the ability of a service vehicle to access and egress from the site in a forward gear.
- 6.12 (*Officer comment: given the onsite parking is already decreasing from 13 to 6 a further loss is likely to have an adverse impact on the highway and would not be supported by the School. Servicing is proposed on the school keep clear marking, with refuse to be located within a secure location. Given the existing arrangement is similar; it is proposed that servicing will have no adverse impact on the highway to warrant a refusal of this application*)
- 6.13 • Refuse Arrangements: A refuse store is proposed at the north-eastern corner of the site and accessed from Massingham Street. Refuse collection from this location will require the removal of further on-street parking bays which, as previously discussed, is not supported. I presume officers from the waste management team are being consulted on the details for the storage and collection of waste. (*Officer comments: the refuse is to be located within the site and does not involve the loss of on street parking bays, furthermore if planning permission is granted a condition would be included for a waste servicing strategy to be submitted, approved and implemented.*)
- 6.14 • Travel Plan: A copy of the School Travel Plan has been included within the application. I would advise that comments pertaining to the suitability of the submitted Travel Plan are sought from the School Travel Advisor. (*Officer comment: the School Travel Advisor has not commented on this application. It should be noted all schools are required to implement a travel plan and this would be further controlled and enforced via condition which would require a new travel plan to be submitted to and approved to take into account the additional staff and pupils as a result of the application*)
- 6.15 • It is likely that further parking spaces may need to be removed around the site access

once the visibility splays have been submitted and assessed. (*Officer comment: the Council has since received amended drawings showing the visibility splay and the final number of parking spaces to be removed takes these splays into account*)

- 6.16 • If Planning Permission is granted, the applicant is to contact the Street Lighting and Highway Design Engineers to further discuss any proposed removal or relocation of such objects and the applicant should be informed that the costs associated with such works will be met and covered by the applicant. (*Officer comment: This will be conditioned*)
- 6.17 • Highways have requested that a condition requiring a scheme of highways works has been approved in writing the scheme of highway improvements necessary to serve this development. (*Officer comment: this will be conditioned and include the proposed build-outs*)

LBTH Parking services

- 6.18 Within the immediate area of the Harpley School site, bounded by Massingham Street, Argyle Road, Alderney Road and Globe Road, the potential spaces provided for Resident Permit holders (based on 5.5metres per car length) and the numbers of Permits issued are as follows:

Street	Spaces	Permits Issued
Massingham Street	27	7
Argyle Road	40	16
Alderney Road	17	15
Carlton Square	10	3
Tollet Street	40	28

Table 1: Showing number of spaces and permits issues.

- 6.20 Occupancy surveys of the above streets carried out on two separate days during the Controlled Zone Hours of 8.30 am to 5.30pm Monday to Fridays revealed average usage as follows:

Street	Vehicles Parked
Massingham Street	18 (of which 9 local A4 Permits)
Argyle Road	17 (of which 11 local A4 Permits)
Alderney Road	17 (of which 10 local A4 Permits)
Carlton Square	6 (of which 3 local A4 Permits)
Tollet Street	19 (of which 13 local A4 Permits)

Table 2: Showing number of vehicles parked and permits issues.

- 6.21 With regards to the bays on Tollet Street fronting the School site, occupancy levels were low with only 3 vehicles being parked in an area that could accommodate approximately 11 vehicles and of the 3 vehicles parked only one was displaying a local A4 Permit.
- 6.22 Following amended drawings the parking services team envisaged that the loss of parking outside the four properties at Tollet Street is likely to be contentious.
- 6.23 (*Officer comment: the loss of on-street residential parking is required to facilitate a new car park within the school and would require alterations to the Traffic Management Order (TMO) which is dealt with under Parking Services team. If as expected a large number of objections are received during the consultation concerning any proposed alterations to the traffic management order then the changes to the TMO is heard by a separate body within the council. Officer's consider that the proposed car park should not be implemented until*

amendments to the road markings have been agreed and completed. This issue is further discussed in the parking section of this report)

LBTH Education

- 6.24 This application has been made on behalf of this Directorate as part of the Building Schools for the Future (BSF) programme. This directorate supports the proposal. *(Officer comment: this is noted)*

Trees Officer, Parks & Open Spaces

- 6.25 No objections to work proceeding on grounds of expedient arboriculture management *(Officer comment: this is noted)*

Metropolitan Police

- 6.26 The Crime Prevention Officer is supportive of these plans, having met with the architects. The basic point is to ensure a secure boundary, and the Crime Prevention Officer would like to see the recycling bins moved from the current location on Globe Road to a position away from the school fencing. *(Officer comment: Given this is not within the scope of works proposed the planning department cannot pursue this. However the applicant will be informed of these comments.)*

London Fire and Emergency Planning Authority (LFEPA)

- 6.27 The LFEPA have confirmed that the information provided indicates that there isn't any obstructions between the premises and the roadside and as such, this arrangement is considered acceptable *(Officer comment: The LFEPA will be further consulted by the Building Control Department should consent be granted).*

LOCAL REPRESENTATION

- 6.28 A total of 192 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:

6.29 No of individual responses: 14 Objecting: 14 Supporting: 0

6.30 No of Petitions: 2 Objecting:2 Supporting: 0
(containing signatures 17 and
12 signatures)

- 6.31 The following issues were raised in representations:
- Design of new building *(Officer comment: this is discussed in the design section of the report)*
 - Works to the Victorian building *(Officer comment: this is discussed in the design section of the report)*
 - Loss of parking *(Officer comment: this is discussed in the highways section of the report)*
 - Anti social behaviour with Children leaving the referral unit *(Officer comment: this is a management issue for the school)*
 - Alternative entrances are available for the proposed car park *(Officer comment: this is noted, however the applicant is required to assess the application as submitted)*
 - The design of the existing approved extension is not appropriate *(Officer*

comment: given the design of this element has been approved and implemented, the Council has no control over this issue.

- Inaccuracies in the application (*Officer comment: these errors including the number of existing parking have been noted and have been acknowledged by the applicant*)
- The application should not be made by an agent and should be made by the School or Council (*Officer comment: there is no planning legislation restricting who can make the application, as such this is not a material planning consideration*)
- Inappropriate works to the School Boundary Wall (*Officer comment: this is discussed in the Impact of the application on the Conservation section of the report*)

7.0 MATERIAL PLANNING CONSIDERATIONS

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

1. Principle of the Land Use
2. Design and Layout of the Development
3. Impact on the Conservation Area.
4. Impact on the amenity of adjoining occupiers and the Surrounding Area
5. Loss of parking
6. Traffic and Servicing Issues

Principle of the Land Use

7.2 The application proposes the erection of a sports hall. The hall would be used by the school and the local community. As the proposal will not result in a change of the use of the land from a school and its associated functions, the proposed development is not considered to impact on the land use of the site.

7.3 The main land use issue is whether the scheme would result in a significant loss of school playspace. This is discussed further in the design and layout section of the report.

7.4 Policies 3A.18 and 3A.24 of the London Plan 2008 (Consolidated with Alterations since 2004) (London Plan) and policy CP29 of the Interim Planning Guidance for the purposes of Development Control (October 2007) (IPG) 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. 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.

7.5 Given the proposed building is to be available to existing community groups and local residents it is considered that the proposal will improve the community facilities within the vicinity.

7.6 The proposal is part of the strategic policy SP07 of the Core Strategy 2025 Submission document which seeks to support investment for the continued improvement and expansion of existing primary and secondary schools through the building schools for the future programme

Design and Layout of the Development

Mass, Scale and Location

7.7 Policies 4B.1 and 4B.2 of the London Plan, saved policies DEV1 and DEV2 of the Unitary Development Plan (1998) and policies CP4, DEV1 and DEV2 of the Interim Planning Guidance seek to ensure developments are of appropriate mass and scale to integrate

with the surrounding environment, high quality in design and protect the amenity of the surrounding environment and occupiers.

- 7.8 The proposed sports hall is approximately 18.5 metres in height, a length of 21 metres (along Tollet Street) and a depth of 18m.
- 7.9 The proposed location of the new building is concentrated around the existing building utilising an existing entrance from Tollet Street and creating a direct internal access to the existing school building.
- 7.10 The proposed building is considered to respond well to the existing massing and scale of the existing school building appearing as a subordinate addition.
- 7.11 The residential dwellings, south of the school are two storeys in height. The proposed sports building will create a natural decrease in building heights from the large three storey school to the two storey residential properties to the south.
- 7.12 As such, it is considered that the scale, massing and location of the building is appropriate and has been related to the existing school buildings and neighbouring developments in terms of height and scale. It is considered that in terms of scale and mass the proposal is in accordance with policies 4B.1 and 4B.2 of the London Plan, saved policies DEV1 and DEV2 of the Unitary Development Plan and policies CP4, DEV1 and DEV2 of the Interim Planning Guidance.
- 7.13 An objection has been received suggesting an alternative location and entrance of the building and whether there is a demand for the propose use. However, the planning department is required to assess whether the location proposed is acceptable.

Appearance and Materials

- 7.14 The existing buildings within the area are constructed predominately of brick. These include the residential dwellings within the vicinity and the school. The notable exception to this is the newly constructed Pupil Referral Unit adjoining the school, which is finished out of blockwork, cedar cladding and Aluminium windows.
- 7.15 The proposal seeks to respond sensitively to these existing materials by treating ground floor level of the proposed building in brickwork to match existing school building. This is considered to respect the surrounding area and the Carlton Square Conservation Area.
- 7.16 The proposed sports hall is a modern designed building and this is reflected with green cladding panels above ground floor level. The use of modern materials is considered to contrast with the existing materials and reflect the modern nature of the development. This is not an uncommon design solution to new developments.
- 7.17 In order to ensure the proposed materials are acceptable, it is recommended that a condition of consent is imposed to require the submission of all samples for prior approval.
- 7.18 In terms of materials, subject to condition, the proposals are acceptable in terms of policies 4B.1 and 4B.2 of the London Plan, saved policies DEV1 and DEV2 of the UDP and policies CP4, DEV1 and DEV2 of the IPG.

Works to the existing school building

- 7.19 The main alteration to the existing school building is the creation of a new light well to the media hall. This is located at the junction where the proposed sports hall is to adjoin the Pupil Referral Unit and the main school building.

- 7.20 Should consent be granted it would result in the loss of light to the main school building. The creation of a lightwell with a rooflight provides a good design solution to overcome this issue.
- 7.21 The proposed rooflight to serve the lightwell raises the height of this part of the roof slightly, however given the height of the parapet roof, this would be largely obscured and is considered acceptable.
- 7.22 Additionally, an internal link is to be provided from an ancillary café within the school building to proposed seating outside an existing entrance/exit facing Massingham Street.

Play Areas/External Amenity Space/ Landscaping

- 7.23 The proposal is to lose some 385sqm of existing playground space to locate the proposed sports building.
- 7.24 In addition to this, new play space is to be provided by clearing and landscaping the area to the south of the site. This area is currently vacant and disused. As such, landscaping this area is likely to have a positive contribution to the environment.
- 7.25 The proposal results in a net increase in external play area of 337sqm.
- 7.26 Given the proposals for these outdoor areas, the landscaping associated both natural and artificial, needs to be carefully designed to ensure that it preserves the amenity of the environment within the school and the local area. Particular note needs to be given to light from the proposed floodlighting and noise from the use of the outdoors environment as a performance area. The lighting and noise is discussed further in the amenity section of the report.
- 7.27 As such, it is recommended that a condition is imposed on the application to ensure that the proposed landscaping is of an acceptable design which preserves the existing amenity.
- 7.28 The proposed development also includes alterations to existing and new boundary treatments. Limited details of the proposed boundary treatment have been provided with the application. It is therefore recommended that a condition be included if planning permission is granted requiring the submission and approval of the boundary treatment to ensure that the appearance of the site is acceptable.
- 7.29 With the inclusion of the recommended conditions relating to landscaping and boundary treatment it is considered the proposed development would be in accordance with saved policy DEV12 of the Unitary Development Plan (1998), policies DEV1, DEV2 and DEV 13 of the IPG and policies 4A.11, 4B.1 and 4B.10 of the London Plan.

Access & Equalities

- 7.30 The proposed development incorporates the measures to provide all inclusive access to the school. The accessible parking spaces are proposed to be located closest to the entrance in accordance with the recommendations of Part M and BS8300:2009. The approach route to the main entrance is proposed to be levelled ensuring unrestricted access into the building. Hard and soft landscaping zones are proposed to provide clarity of approach and access to the building.
- 7.31 A secure design disabled car parking space is also proposed in the six bay car park.
- 7.32 It is therefore considered that the access for disabled and mobility impaired persons is

acceptable and would be in accordance with saved policy ST12 of the Unitary Development Plan (1998) policies CP46 and DEV3 of the IPG and policy 4B.5 of the London Plan.

Loss of trees

- 7.33 Part of the site is located within the Carlton Square Conservation Area. Within the school boundary and externally there are several trees which are proposed to be removed in order to implement the consent.
- 7.34 In addition to this, of these trees there are three mature trees located south of the School keeper's house on the Globe Road elevation which are protected by Tree Preservation Orders.
- 7.35 As such, the applicant has submitted an Arboricultural Development Statement which outlines the conditions of the trees.
- 7.36 No works are proposed to the three trees protected by Tree Preservation Orders.
- 7.37 The proposed report identified two groups of trees to be removed labelled Group 1 and Group 2 (including trees labelled 5 and 6 in the submitted report)
- 7.38 Group 1 is located within the western boundary of the school abutting the rear gardens of properties 20-14 Tollet Street. They have been identified as being in poor condition and categorised as Category R which are trees that are in poor condition and should be removed regardless of the planning process.
- 7.39 Group 2 and trees labelled 5 and 6 are under the footprint of the development, and proposed to be removed. They are identified as being of low quality and not worthy of Tree Preservation Orders.
- 7.40 This proposal has been reviewed by the Council's Tree Officer who raised no objections to the proposal.
- 7.41 In order to mitigate the loss of the existing trees, a condition on the permission will be placed if granted ensuring the trees are replaced and appropriate landscaping to be provided in order to improve the environment.

Waste Storage

- 7.42 The proposed refuse is to be located within the curtilage of the site as an opening is to be provided within Tollet Street to the north to allow collection to the site via the school keep clear markings. This approach is not too dissimilar to the existing arrangements.
- 7.43 It is therefore not considered that the proposed development will result in any negative impact on the amenity of the area or the highway network as a result of the waste and recycling storage.
- 7.44 Furthermore if planning permission is granted a condition would be included for a waste servicing strategy to be submitted, approved and implemented.

Impact on the Carlton Square Conservation Area.

- 7.45 The southern section of the site is located within the Carlton Square Conservation Area which was designated in September 1987.
- 7.46 The Carlton Square Conservation Area is characterised by its cohesive group of mid to

late Victorian housing, which remain largely intact despite war damage and redevelopment. The Victorian terrace houses are generally two storeys and raised on a semi-basement. An example of such terrace is located to the south of the site on Tollet Street.

- 7.47 Part of the proposed Sports Hall, the proposed car park and alterations to the boundary wall are located within the Conservation Area and given the rest of the site adjoins the Conservation consideration needs to be given to the characteristics of the conservation area.
- 7.48 PPS5 requires development to preserve or enhance the Conservation Areas and Policy 4B.12 of the London Plan and policy CON2 of the IPG seek to preserve the historic assets of the city.
- 7.49 As outlined in the design section of the report the ground floor level of the proposed building is to be constructed out of brickwork to match existing school building and therefore as the development will be brick at street level the proposal is considered to preserve the setting of the Carlton Square Conservation Area.
- 7.50 Whilst the use of cladding is not a traditional material within the Conservation Area, it is not an uncommon design solution for modern buildings. A similar material has been recently approved in the refurbishment works at Queen Mary University (PA/09/325) which adjoins the eastern boundary of the Carlton Square Conservation Area approximately 330m from the application site.
- 7.51 Furthermore given the good standard of design, the proposal is considered to preserve the setting of the Carlton Square Conservation Area.
- 7.52 The proposal also includes demolition of the eastern boundary wall of the School. Given part of this wall is located within the Conservation Area an application for Conservation Area Consent has been submitted.
- 7.53 The existing wall measures approximately 2.7m in height and is constructed of London Stock Brick. In addition, metal railings are located at the top for additional security purposes.
- 7.54 From site visits, it appears that this is not an originally constructed wall and it is noted that the surrounding perimeter of the school has undergone several alterations to improve security.
- 7.55 Part of the demolished wall will be rebuilt and forms the east elevation of the proposed sports building, which will form the boundary on Tollet Street. The existing railings located in front of the wall on Tollet Street are proposed to be retained and made good, with the exception of the portion of the railings that need to be removed to facilitate the proposed car park.
- 7.55 Full details have not been given for the proposed metal fencing and gates. Given the location within a conservation area, it is considered pertinent to condition to these items to ensure they are of an acceptable design that preserves or enhances the Carlton Square Conservation Area.
- 7.57 As such, subject to condition, it is therefore considered that the proposals are in accordance with policy 4B.12 of the London Plan and policy CON2 of the IPG.

Impact on the Amenity of Adjoining Occupiers and the Surrounding Area

- 7.58 The subject site is situated within a residential area. Massingham Street, Tollet Street

and Globe Road all contain residential properties. Given the proposed sports building and car park is to be located on the eastern boundary of the site and is to be accessed from Tollet Street, the residents from Tollet Street are the most likely to be affected.

- 7.59 In response to the statutory consultation and non statutory consultation, the Council received comments from residents, outlining concerns regarding the loss of parking and that their amenity will be compromised should planning consent be granted. The loss of parking is discussed at within paragraphs 7.102 to 7.130 of this report.

Hour of Operation

<u>Use</u>	<u>Monday to Friday</u>	<u>Saturday</u>	<u>Sundays and Bank Holidays</u>
Education	08:45-1530	N/A	N/A
Community	08:15-2200	13:00- 16:00	13:00- 16:00
Sports	08:45-2200	13:00- 16:00	13:00- 16:00

- 7.61 The hours of operation for the education facility are as existing. The hours of the sports and community uses will be conditioned in order to preserve the amenity of local residents.

Daylight and Sunlight

- 7.62 Saved policy DEV2 of the Unitary Development Plan 1998, policy DEV1 of the IPG and policy 4B.10 of the London Plan require that developments preserve the amenity of the adjacent occupiers, including access to sunlight and daylight.
- 7.63 The applicant has provided a Daylight and Sunlight Report with their application outlining the amount of daylight and sunlight received by the adjacent buildings. The applicant has daylight and sunlight levels of the proposed development against the guidance provided in the BRE Report 209 "Site Layout Planning for Daylight and Sunlight: A Guide to Good Practice" (1991)
- 7.64 The submitted assessment has considered the impact of the development on the 'worst-case' windows i.e. those closest to the development. Windows further away would receive a lesser impact.
- 7.65 The most likely to be affected are properties located 20 Tollet Street and 25-33(inclusive) Tollet Street.

Daylight

- 7.66 20 Tollet Street has two windows and a door (with a glazed upper portion) at ground floor level facing the site; this is likely to serve a kitchen. In respect of Vertical Sky Component (VSC) the glazed portion of the door would receive a loss of more than 20% of vertical sky as a result of the proposal (the actual loss is measured at 21.49%). Under BRE guidelines a loss of up to 20% is considered acceptable. Given the loss only slightly exceeds guidance it is considered acceptable on balance.
- 7.67 All the properties (including 25-33 inclusive Tollet Street) only one of the rooms had a significant loss of Daylight distribution. However, given this room (rear room of number 20 Tollet Street) receives an acceptable amount of Vertical Sky Component, overall it is considered acceptable given the urban context.

Sunlight

- 7.68 Sunlight is measured in terms of Annual Probable Sunlight Hours (APSH).

- 7.69 The submitted report outlines that some properties as a result of the application will receive 1 hour less than the recommended 5 hours of sunlight during winter (properties 25, 26, 27 and 28 Tollet Street).
- 7.70 Given this only applies to one room in each property and the urban context it is considered that this is not a sufficient grounds for the refusal of the application.
- 7.71 Furthermore, the report has been reviewed by Environmental Health, who have raised no objections to findings of the report.
- 7.72 As such, it is considered in terms of daylight and sunlight that the proposal would be in accordance with policy DEV2 of the Unitary Development Plan, policy DEV1 of the IPG and policy 4B.10 of the London Plan.

Lighting

- 7.73 Issues of lighting need to be considered in accordance with saved policy DEV2 of the Unitary Development Plan 1998 and policy DEV1 of the Interim Planning Guidance.
- 7.74 The applicant has submitted a light assessment outlined in drawing P121-2292-B which has been received by the Council's Environmental Health Officer.
- 7.75 The Environmental Health Officer has concluded that the information provided is acceptable and the proposal will not result in light spillage to adjoining residents.
- 7.75 The diagram shows light spillage near 20 Tollet Street is anticipated to be around 5 lux. This is around the same level of lighting for street lights and is considered acceptable.

Privacy

- 7.76 Issues of privacy/overlooking need to be considered in accordance with saved policy DEV2 of the Unitary Development Plan 1998 and policy DEV1 of the IPG, which informs that new developments should be designed to ensure that there is sufficient privacy for adjacent habitable rooms.
- 7.77 The Council's Unitary Development Plan 1998 states that new developments should be designed to ensure that there is sufficient privacy for residents and that a distance of about 18 metres between opposite habitable rooms reduces inter-visibility to a degree acceptable to most people.
- 7.78 Given the nature of the use as a gym, no windows are required or proposed on the walls of the proposed building. This is primarily because glare from the sun is likely to have a disrupting influence on the activity proposed. As such, the proposal is not envisaged to have an adverse impact on privacy of neighbouring properties.
- 7.79 Number 20 Tollet Street has a flank window on the two storey rear projection, which overlooks the location of the proposed car park. However, given the area of the proposed car park is currently accessible by the school it is considered that the introduction of a car park will not give rise to additional privacy problems.
- 7.80 Privacy concerns could also exist for residents at 13 to 16 Tollet Street, given the proposed landscaping to the discussed parcel of the south will result in children playing closer to these properties. However, this is only likely to occur at peak times and given similar arrangements exist for properties north of 16 Tollet Street; an objection on these grounds cannot be sustained.

- 7.81 As such, taking the above into consideration the proposed development would be acceptable in terms of privacy and in accordance with saved policy DEV2 of the Unitary Development Plan and policy DEV1 of the Interim Planning Guidance.

Noise/ Construction

- 7.82 Issues of noise need to be considered in accordance with saved policies DEV2, DEV50 and HSG15 of the UDP and policy DEV1 of the IPG, which seeks to preserve residential amenity.
- 7.83 The noise generated by the proposed sports hall will be controlled by Building Control regulations during the construction phase of the development, should consent be granted.
- 7.84 A further condition will be imposed to ensure noise generated by mechanical equipment does not exceed 10db below the background noise, of the nearest residential property.
- 7.85 The noise generated by pupils playing in the refurbished playspace also has the potential to result in noise disturbances. However, this is only likely to occur at peak times and given similar arrangements exist for properties north of 16 Tollet Street; an objection on these grounds cannot be sustained.
- 7.86 It is acknowledged that the proposed development would result in some disruption to the amenity of the area and highway network due to the construction effects of the proposed development; however these will be temporary in nature.
- 7.87 Demolition and construction is already controlled by numerous other legislative standards, such as Building Act 1984, Environmental Protection Act (EPA) 1990, Environment Act 1995 and Air Quality Regulations 2000 and Health and Safety at Work Act 1974. However, PPS23 makes provision for the inclusion of conditions on consent to mitigate effects of construction.
- 7.88 It is therefore recommended that if approved a condition of consent is included, which would require the submission of a Construction Management Plan is submitted, approved and implemented in order to ensure that the best practice examples are followed to avoid, remedy and mitigate the effects of construction.
- 7.89 There are also a number of existing mature trees on the site around the proposed development and the likely construction site. Officers consider that a condition should be imposed on any planning permission to protect the trees from construction impacts. This would include a requirement for protective fencing and prevention of storage of materials under the canopy of the trees.

Vehicle Traffic Movements

- 7.90 Vehicle movements associated with the proposed development have the potential to impact on the amenity of the area through noise, pollution and the general vehicle movement within the public realm. Saved policy DEV2 of the Unitary Development Plan 1998 and DEV 1 of the IPG seek to protect this amenity.
- 7.91 As detailed below the proposed development will not produce additional trip movements. The site has a high Public Transport Accessibility Location (PTAL) rating of 5 and the school travel plan seeks to minimise the use of private vehicles and maximise the use of public transport and walking. This combined with the reduction in vehicle parking numbers would insure that the number of vehicle traffic movements are minimised.
- 7.92 It is therefore considered that there will be no impact on the amenity of the area through increased vehicle traffic movement and in terms of the impact of vehicle movements the

development will accord with saved policy DEV2 of the UDP and DEV 1 of the IPG.

Traffic and Servicing Issues

Trip Generation

- 7.93 Policies 3C.1, 3C.2, 3C.17 and 3C.23 of the London Plan, saved policies ST28 and T16 of the Unitary Development Plan 1998 and policies CP41, DEV17 and DEV19 of the IPG seek to restrain unnecessary trip generation, integrate development with transport capacity and promote sustainable transport and the use of public transport systems.
- 7.94 The proposed additions and alterations to the school increase the capacity of the school beyond the current enrolment with a potential of 55 additional spaces to be available taking the capacity to around 155. Given that the nature of the use depends on children being referred from other schools the exact number at any one time fluctuates. The transport statement states survey data has shown this number to fluctuate between 24 and 98 pupils.
- 7.95 Seven bus services are located within 640m of walking distance as well as Stepney Green Tube station further south on Mile End Road.
- 7.96 The 2009 student travel data has been extrapolated to include the addition 55 students. Given 55% of the existing students use the local bus service it is considered that at full capacity approximately 28 of the 55 students would use the bus service, with 14 walking and 7 cycling. It is important to note that given the nature of the use the exact number would not be easily measurable.
- 7.97 Furthermore, the school has a Travel Plan which seeks to minimise the use of non-sustainable transport modes and promote cycling and walking.
- 7.98 The travel plan outlines that whilst 40.7% of staff drive to work, approximately 18.5% would prefer to travel by car. In addition, whilst 22.2% cycle to work 40.7% would prefer to cycle.
- 7.99 Given the increase in number of cycle spaces it is considered along with a possible 8 mountain bikes via a DCSF School Travel Grant, it is considered that the Travel Plan is providing a good incentive for this shift in staff driving to the school to cycling to school
- 7.10 Furthermore, this is monitored by the Councils School Travel Plan advisor and would be further controlled via the imposition of a condition should consent be granted.
- 7.101 As such, it is considered that the trip generation would be in accordance with the aspirations of policies 3C.1, 3C.2, 3C.17 and 3C.23 of the London Plan, saved policies ST28 and T16 of the Unitary Development Plan 1998 and policies CP41, DEV17 and DEV19 of the IPG.

Parking

- 7.102 London Plan policies 3C.17 and 3C.23 seek to reduce traffic congestion and vehicle use by minimising vehicle parking within developments and promoting use of public transport. This is supported by policies DEV17 and DEV19 of the IPG.
- 7.103 The onsite parking spaces are currently accessible for the use of the staff and visitors only. Pupils do not have access to parking spaces within the onsite parking spaces.
- 7.104 The proposed development seeks to reduce this number of onsite car parking spaces from the current 13 spaces to 6 marked spaces.

- 7.105 The existing parking spaces are located at the northern end of the School and are accessed from Massingham Street. The existing parking arrangement is poor as the parking spaces are cramped, thus making manoeuvrability difficult.
- 7.106 The applicant is seeking to remove these parking spaces (The area providing existing parking spaces will be predominately used as outdoor seating, which would benefit from direct access from the internal café.) and create a new 6 bay car park, of which one will be specifically marked for people with disabilities. The proposed parking would be accessed from Tollet Street.
- 7.107 The formation of a new entrance on Tollet Street requires alterations to the road markings along Tollet Street, which would result in a loss of on-street parking space.
- 7.108 The Council's Highway Engineer has stated that they would like to see a further reduction in the level of on-site car parking. However, it is considered the provision of some staff parking including a disabled bay is necessary to attract and retain staff. It is also noted that the school's Travel Plan seeks to further reduce the car parking.
- 7.109 In planning policy terms the reduction in the level of on-site car-parking at the school accords with the Council's planning policies.

Amendments to on-street parking

- 7.110 The development requires amendments to the existing road-markings along Tollet Street.
- 7.111 On Tollet Street approximately 74m of residential parking is to be lost. These are not marked individually, however based on a marked bay measuring 5.5m this would equate to the loss of space capable of accommodating approximate 13 parking spaces.
- 7.112 Of this space the loss of 35m is required as 'school keep clear' markings at the entrance of the newly constructed pupil referral unit.
- 7.113 Approximately 38m of residential parking is to be lost further south on west side of Tollet Street in order to provide the required visibility distances for the proposed car park.
- 7.114 These spaces are proposed to be marked with single yellow lines, which would extend south covering the highway area of properties 17, 18, 19 and 20 Tollet Street.
- 7.115 To mitigate for the loss of on-street car-parking the Applicant proposes to create new residential parking along Massingham Street. Currently along Massingham Street there are existing 'school keep clear' road markings. These are redundant because the principle accesses to the school have moved to Tollet Street and Globe Road.
- 7.116 The scheme proposes to replace approximately 18m of these markings to allow residential parking (capable of accommodating 3 cars.)
- 7.117 If these amendments were to be carried out, on-street car-parking capacity in the area would decrease by the equivalent of 10 car-parking spaces.
- 7.118 Parking services team have confirmed that four properties (17-20 Tollet Street) have a residential permit to park on the highway. In addition to this, No 13 Tollet Street has two parking permits, number 15 Tollet Street has a single parking permit and number 14 and 16 Tollet Street have no parking permits. As such, should the proposal be implemented, it would result in residents not parking outside their front door.
- 7.119 A summary of the surrounding area:

Street	Approximate number of spaces	Permits Issued
Massingham Street	27	7
Argyle Road	40	16
Alderney Road	17	15
Carlton Square	10	3
Tollet Street	40	28

- 7.120 The above table indicates that the removal of approximately 10 parking spaces within the area is going to take Tollet Street close to capacity. Objections have been received from residents along Tollet Street and Carlton Square regarding this issue.
- 7.122 Site visits by officers have indicated, during the day parking spaces are readily available along Tollet Street. The number of vacant parking spaces increases towards the northern section of Tollet Street, as you approach the School.
- 7.123 An occupancy survey undertaken by the Council's Parking Services team has indicated that around 19 parking spaces on Tollet Street are used during the day. As such, the loss of on-street capacity is unlikely to cause any significant additional parking stress during the daytime.
- 7.124 However, parking appears to be more of an issue outside the hours controlled by the Control Parking Zone, the most likely explanation being residents returning home from work.
- 7.125 It should be noted that the parking to be lost for the car park is to be replaced with single yellow lines. This is available for parking after the CPZ restrictions no longer apply. This increases the on-street capacity when parking demand is at its greatest in the evening
- 7.126 It should be noted that this would involve an inconvenience to residents who park on single yellow lines as they will be required to remove the cars before 8.30 in the morning before the CPZ is enforced.
- 7.127 Residents have raised this issue and also the separate issue of the inconvenience of having to park in other locations which are not as well lit, resulting in a perceived increase in vehicle crime.
- 7.128 It should be noted any amendments to on-street road markings (including parking restrictions) requires a Traffic Management Order (TMO). This process is separate to the planning process, and is controlled by the parking section. In planning terms the overall reduction in car-parking capacity in the area is acceptable and accords policies 3C.17 and 3C.23 of the London Plan and policies DEV17 and DEV19 of the IPG, which seek to decrease congestion and improve sustainability.
- 7.129 Officer's consider that this issue is finely balanced, and the re-configuration of the road markings is critical to the acceptability of the car-park element of the scheme. This is to ensure that the car-park benefits from adequate visibility splays, and that some on-street parking capacity is re-provided.
- 7.130 Therefore a condition should be imposed on the permission preventing the formation and use of the new car-park until amendments to the road markings have been completed.

Cycle Parking Facilities

- 7.131 Policy 3C.22 of the London Plan, saved policy ST30 of the UDP and policies CP40, CP42 and DEV16 of the IPG seek to provide better facilities and a safer environment for

cyclists.

- 7.132 The proposals within the overall development of the school have included additional cycle parking facilities. This results in 22 covered cycle parking stands for 44 cycles to be provided in areas of good visibility and covered in order to actively encouraging pupils and members of staff to use bicycles. Cycle use will be monitored through the School Travel Plan monitoring and if further provision is required additional facilities will be provided within the identified areas.
- 7.133 No detail of the particular layout of the cycle parking has been provided. Therefore a condition of consent is recommended to ensure the layout and security arrangements of the cycle parking areas are acceptable.
- 7.134 With such a condition and the provisions for monitoring to allow for the increase of facilities within the Travel Plan it is considered that the proposed development would generally accord with policy 3C.22 of the London Plan, saved policy ST30 of the Unitary Development Plan and policies CP40, CP42 and DEV16 of the IPG.

Deliveries and Servicing

- 7.135 Saved policies ST30 and T16 of the Unitary Development Plan and policy DEV17 of the IPG seek to provide adequate provision for the servicing and operation of developments while minimising the impact on the highway.
- 7.136 As previously stated the proposed development would not significantly increase the capacity of the school beyond the current usage and therefore it is considered that the proposed servicing and deliveries would remain in accordance with the current provisions. The proposed service access will be similar to the existing with the location changed from Massingham Street to a side entrance at the northern end of Tollet Street. This includes general and kitchen deliveries as well as waste collecting vehicles including recycling collections.
- 7.137 The Council's Highways Department have requested that all servicing should take place within the curtilage of the site, should this occur vehicles would be required to exit in forward gear. It is considered that for this to take place the education facilities provided at the school may have to be reduced to accommodate a new location.
- 7.138 Officer's consider this is not appropriate and would conflict with the objectives Policies 3A.18 and 3A.24 of the London Plan 2008 (Consolidated with Alterations since 2004) (London Plan) and policy CP29 of the Interim Planning Guidance 2007 (IPG) which seek to provide appropriate and improved community and educational facilities.
- 7.139 Highways' have suggested a reduction in on-site parking to facilitate waste collection within the school site. However, Officer's consider that the reduction of the 6 on-site parking bays for servicing is likely to create parking overspill onto the highway. The provision of on-site car-parking also attracts teachers to the school and the proposal for on-site servicing would not achieve any net planning benefit.
- 7.140 As the servicing arrangements will remain similar to existing it is considered that the servicing arrangements are acceptable in terms of saved policies ST30 and T16 of the Unitary Development Plan 1998 and policy DEV17 of the IPG.

Sight lines/Access

- 7.141 The proposed car park requires measurements of sightlines in order to ensure vehicles leaving the car park do not have an obstructed view.

7.142 The applicant has provided the relevant visibility splays which are in general conformity to the guidance set out in the manual for streets. Given the visibility splays allow views 27m in both directions the visibility splays are considered acceptable.

7.143 It is therefore considered that the proposed development, in terms of sight lines and vehicle access would not cause unacceptable safety concerns to pedestrians or the highway network.

8.0 Other Issues

The location of the school access point and anti social behaviour.

8.1 Local residents have raised concerns regarding anti-social behaviour. Harpley School have decided to make the Pupil Referral Unit the main entrance into the building with separate access for the vulnerable girls unit from Globe Road.

8.2 This has resulted in pupils walking down Tollet Street as the main access route to Mile End Road, causing noise and disturbance. It appears that this did not occur previously as the main access would have been down Globe Road.

8.3 Given the nature of the use, it is considered that there will be some noise disturbance during peak hours but this would be difficult to control via planning. However, the issue of anti social behaviour is a responsibility of the management of the School and if such issues arise the police should be notified.

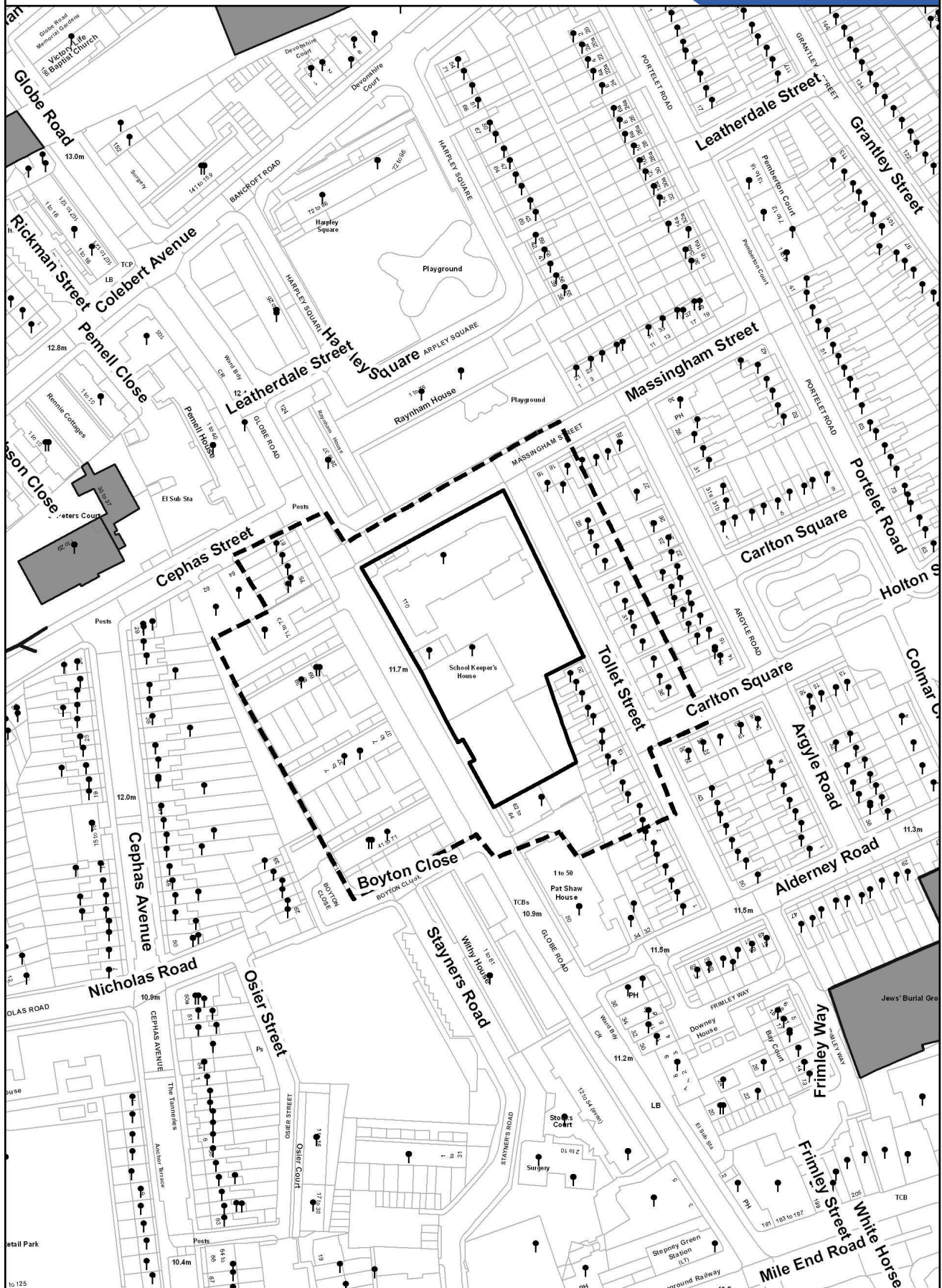
9.0 CONCLUSION





9.1 All other relevant policies and considerations have been taken into account. Planning permission 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.

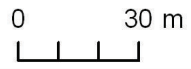
10.0 Site Plan

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Planning Application Site Map



-  Planning Application Site Boundary
-  Consultation Area
-  Statutory Listed Buildings
-  Land Parcel Address



1:2,000

This Site Map displays the Planning Application Site Boundary and the neighbouring Occupiers / Owners who were consulted as part of the Planning Application process. This map is based on Ordnance Survey material with the permission of Ordnance Survey on behalf of the Controller of Her Majesty's Stationery Office © Crown copyright. Unauthorised reproduction infringes Crown copyright and may lead to prosecution or civil proceedings. 100019288, 2010.

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Agenda Item 9.2

Committee: Development	Date: 16 th June 2010	Classification: Unrestricted	Agenda Item No: 9.2
Report of: Corporate Director of Development and Renewal		Title: Planning Application for Decision	
Case Officer: Richard Murrell		Ref No: PA/10/00461	
		Ward(s): Bethnal Green North	

1. APPLICATION DETAILS

Location:	Car Park to rear of 2 to 82 Russia Lane, off Robinson Road, London, E2
Existing Use:	Car park / dis-used children's play-area
Proposal:	Erection of four x five bedroom residential houses and associated landscaping on existing area of car-parking / hardstanding. Amendments to entrance of Russia Lane Daycare Centre. Associated works to existing hard landscaping and soft-landscaping.
Drawing Nos:	(PL)201-, (PL)202-, (PL)203-, (PL)204 A, (PL)205 A, (PL)206 A (PL)207 A, (PL)208 A, (PL)209 A, (PL)210 A, (PL)211 A, (PL)212 A, (PL)213 B, (PL)214-, (PL)215-, (PL)220- and (PL)221-
Documents	Design and Impact Statement Daylight and Sunlight Assessment dated February 2010 (and further information dated 19 th April 2010). Energy Strategy dated 1 st March 2010 Transport Assessment dated 24 th February 2010 (and response to comments dated 27 th March 2010). Arboricultural Report
Applicant:	London Borough Tower Hamlets
Owner:	London Borough Tower Hamlets
Historic Building:	N/A
Conservation Area:	N/A

2. SUMMARY OF MATERIAL PLANNING CONSIDERATIONS

2.1 The Local Planning Authority has considered the particular circumstances of this application against the Council's approved planning policies contained in the London Borough of Tower Hamlets Unitary Development Plan 1998, the Council's Interim Planning Guidance (2007), the Core Strategy and Development Control Plan 2025 (submission version 2009), associated supplementary planning guidance, the London Plan 2008 (Consolidated with Alterations since 2004) and Government Planning Policy Guidance and has found that:

1. The loss of the existing car-parking spaces and amenity land is acceptable as the proposal would provide additional housing, maximise the potential of the

site and encourage the use of sustainable forms of transport. As such the proposal accords with the objectives of policies 2B.1, 3A.3 and 4B.1 of the London Plan 2008 (Consolidated with Alterations since 2004) and policies 0S7 and DEV1 of the adopted Tower Hamlets Unitary Development Plan 1998, which seek to maximise the supply of housing, reduce reliance on the car and ensure development is compatible with the local context of the site.

2. The erection of four dwellinghouses, would increase the supply of larger housing units in the Borough and accords with an identified housing need. The proposed dwellinghouses would offer an acceptable standard of accommodation with access to adequate amenity space. The proposal therefore accords with London Plan 2008 (consolidated with alterations since 2004) policy 3A.5 and saved policies HSG7, HSG13 and HSG16 of the adopted Tower Hamlets Unitary Development Plan 1998, which seek to ensure a mix of unit sizes, and a good standard of new housing provision.
3. The proposed terrace complements the range of architectural styles found in the area. The scale and good quality design of the terrace ensures the proposal enhances the setting of the Victoria Park Conservation Area and the setting of the Grade II Listed terrace fronting Approach Road. As such the proposal accords with the aims of saved policies DEV1, DEV9 and DEV27 of the adopted Tower Hamlets Unitary Development Plan 1998, which seek to ensure development is sensitive to the character of the area in terms of design, scale, bulk and use of materials.
4. The scale of development, and separation distances to neighbouring properties, is such that the proposal would not result in any significant loss of daylight, sunlight, privacy or an increased sense of enclosure to the occupiers of neighbouring residential properties. As such the proposal accords with the aims of saved policy DEV2 of the adopted Tower Hamlets Unitary Development Plan 1998, which seeks to preserve residential amenity.
5. The scheme introduces a segregated pedestrian access, and maintains adequate vehicle parking for existing car-park users. As such the proposal would accord with the requirements of saved policies T16 and T18 of the adopted Tower Hamlets Unitary Development Plan 1998, which seek to maximise convenience for pedestrians and ensure the operational traffic associated with a development is taken into account.

3 RECOMMENDATION

3.1 That the Committee resolve to **GRANT** planning permission subject to conditions and informatives.

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

3.3 Conditions

1. Implementation within 3 years.
2. Development completed in accordance with approved plans
3. Completion of contaminated land study
4. Details and samples of all external facing materials used on proposed dwellings
5. Details compliance with lifetimes homes standards

6. Car-free development
 7. Scheme of Highway Improvement Works
 8. Implementation tree protection measures
 9. Detail of solar panels
 10. Submission of hard/soft landscaping scheme, implementation prior to first occupation new dwellings.
 11. Detail any proposed external lighting.
 12. Removal of permitted development rights for new dwellings
 13. Limitation on hours of construction:
8.00 Hours to 18.00 Hours, Monday to Friday and 9.00 Hours to 13.00 Hours on Saturdays. No working on Bank Holidays.
- 3.4 Any other planning condition(s) considered necessary by the Corporate Director Development & Renewal
- 3.5 **Informatives:**
- 3.6
1. Forecourt drainage to occur within site
 2. Footpaths / carriageway not to be blocked during construction
- 3.7 Any other informative(s) considered necessary by the Corporate Director Development & Renewal

4. PROPOSAL AND LOCATION DETAILS

Proposal

- 4.1 The application proposes the erection of a terrace of 4 new five bedroom dwellinghouses. The terrace would be located towards the South-east (rear) of the car-park. The terrace fronts the existing car-park and backs onto the rear gardens of dwellings fronting Approach Road. The terrace would comprise a rectangular block 23m long x 15m deep. Each dwelling has a frontage of approximately 5.6m. The main part of the terrace is 3 storey (maximum 10m) in height, with a lower L-shaped single storey component at the rear.
- 4.2 Cycle and refuse storage would be provided in the large front porch area. This area also provides a lockable store for deliveries.
- 4.3 The application also includes re-configuring the existing car-park/hardstanding that would remain in front of the proposed terrace. The space would be used to provide 12 car-parking spaces, two of which are proposed to be dedicated disabled spaces. Four ambulance spaces would be provided at the South of the site, adjacent to the entrance to the Age Concern facility in the Russia Lane Day Centre. The existing entrance ramp would be amended to allow easy transfer for residents from vehicles using the ambulance spaces into the day centre.
- 4.4 The existing vehicle access from Robinson Road would not be changed. A new segregated pedestrian access would be provided from Robinson Road to the proposed dwellings.
- 4.5 Areas of soft-landscaping would be provided around the edges of the site and in front of the proposed dwellings. Hard standing would be finished with resin bound gravel, with parking spaces delineated by inset studs. Soft landscaping would comprise turfed areas, low shrubs and trees.
- 4.6 During the course of the application the following amendments have been made to

scheme:-

- Decrease in number retained parking spaces from 19 to 12,
- Confirmation that the application no longer proposes a children's playground but will instead provide an area of open-space that will be landscaped.,
- Amendments to entrance ramp to Age Concern facility.

Site and Surroundings

- 4.7 The application site has an area of approximately 2689 square metres and is roughly triangular in shape. The site is a largely flat area of tarmac / hard standing, with small grass landscape strips around the perimeter. The tarmac area is laid out to provide 19 car-parking spaces and 4 ambulance parking spaces. The car-park is managed by LBTH, and permits are available to occupiers of neighbouring residential properties. The ambulance bays are used in association with the Age Concern facility in the Russia Lane Day Centre.
- 4.8 Towards the NE of the site there is a 15m x 31m area of hard-standing that is raised by approximately 30cm above the level of the rest of the car-park. Historically this space was a children's playground. However, it has not been used as such for over ten years.
- 4.9 The site is largely surrounded by buildings, with the exception of the open-access to the north onto Robinson Road. To the east the site abuts the rear boundary of 26 – 49 Robinson Road. This is a 4 storey residential block, with a narrow grass strip separating the block from the boundary of the application site. There is also a single storey electrical sub-station just outside the North-east corner of the site.
- 4.10 To the south-east, the site abuts the rear gardens of 27 – 45 Approach Road. This is a Grade II Listed terrace of 3 storey dwellings, with lower ground floor. The west boundary of the Victoria Park Conservation Area runs along the rear boundary of these dwellings.
- 4.11 To the southwest of the site is the Russia Lane Day Centre. The centre is part single, part 3 storey in height. The centre is used to provide community facilities, including an Age Concern centre. Access to the Age Concern facility is via a ramp located at the south of the existing car-park.
- 4.12 To the west the site abuts the rear boundary of 4 storey residential blocks forming 2 – 80 Russian Lane. The blocks are brick built with a tiled pitch roof. The entrances to the dwellings front Russia Lane.
- 4.13 The site has a vehicle and pedestrian access from Robinson Road. There are also three additional pedestrian accesses into the site. The first of these is a passage-way located in-between 48 and 50 Russia Lane. The second provides a route around the side of the Russia Lane Day Centre. A third access is possible in the South-east corner of the site adjacent to the electrical sub-station. However, this is secured by a locked gate. The scheme does not propose to change any of these access routes.
- 4.14 The area surrounding the site is predominately residential. The site is located in an area with good access to public transport (PTAL 5/6). The closest train stations are located at Bethnal Green and Cambridge Heath Road (approximately 500m away).
- 4.15 The site has no specific designations in the adopted Tower Hamlets Unitary

Development Plan or other emerging planning policy.

Relevant Planning History

- 4.19 PA/99/1574: Erection of four one-bedroom bungalows for the elderly and environmental improvements to adjacent flats.

Approved 1st September 2000.

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 Unitary Development Plan (UDP) (as saved September 2007)

Policies:	ST1	Deliver and Implementation of Policy
	ST23	Quality Housing Provision
	ST28	Restrain Private Car
	DEV1	General design and environmental requirements
	DEV2	Development requirements
	DEV4	Planning Obligations
	DEV12	Landscaping in development
	DEV14	Trees
	DEV50	Noise
	DEV27	Development and Conservation Areas
	DEV55	Waste recycling facilities
	HSG7	Housing Mix and Type
	HSG13	Residential Space Standards
	HSG15	Preserving Residential Character
	HSG16	Amenity space
	T16	Pedestrians
	T18	Pedestrians

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

Core Strategies	CP1	Creating Sustainable Communities	
	CP3	Sustainable Environment	
	CP4	Good Design	
	CP19	New Housing Provision	
	CP25	Housing Amenity Space	
	CP46	Accessible and Inclusive Environments	
	CP40	A sustainable transport network	
	Policies:	DEV1	Amenity
		DEV2	Character & Design
		DEV3	Accessibility and inclusive design
DEV5		Sustainable Design	
DEV15		Waste and Recyclables storage	
DEV19		Parking for Motor Vehicle	
HSG7		Housing Amenity Space	
PS2	Refuse and Recycling Provision		

5.4 Supplementary Planning Guidance/Documents

Designing Out Crime
Residential Space
Landscape Requirements

5.5 Spatial Development Strategy for Greater London 2008 (London Plan)(Consolidated with Alterations since 2004)

- 3A.1 Increasing London's Supply of Housing
- 3A.2 Borough Housing Targets
- 3A.3 Maximising the Potential of Sites
- 3A.4 Housing Choice
- 3C.1 Integrating Transport and Development
- 4B.1 Design Principles for a compact city
- 4B.3 Maximising the potential of sites
- 4B.6 Sustainable Design and construction
- 4B.7 Respect Local context and communities

5.6 Government Planning Policy Guidance/Statements

- PPS1 Delivering Sustainable Development
- PPS3 Housing
- PPS5 Planning and the Historic Environment
- PPG13 Transport

5.7 Community Plan:

- A better place for living safely
- A better place for living well
- A better place for creating and sharing prosperity

5.8 Core Strategy 2025: Development Plan Document (submission version December 2009)

- S07: Deliver Housing Growth
- SP02: Housing Delivery
- SP04: Protecting Open Space
- SP09: Street Hierarchy

6. CONSULTATION RESPONSE

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

LBTH Arboriculture Officer

6.2 - No objections

LBTH Crime Prevention Design Advisor

6.3 - Suggests that front courtyard housing cycles etc should have a sliding door to improve security.
- North and South house should have 2.4m high boundary fences
- Care should be taken to avoid making it easy to climb onto the rear roofs, particularly given use of roof lights and the internal courtyards.

6.4 *(Officer comment: Provision of additional security gating etc needs to be balanced against other design considerations, e.g. appearance. Officer's do not consider that the provision of additional security gating is necessary to make the scheme acceptable in planning terms.)*

LBTH Environment Health (Contaminated Land)

- 6.5 - Request contaminated land condition
- 6.6 *(Officer comment: If this scheme is granted permission a condition requesting further site investigations would be imposed).*

LBTH Environmental Health (Daylight and Sunlight)

- 6.7 - Submitted daylight / sunlight assessment has been reviewed and no objection is raised.
- 6.8 *(Officer comment: Amenity issues are discussed in more depth in the main body of the report.)*

LBTH Highways

- 6.9 The Highways Officer commented as follows:
- Site has a PTAL of 5, which demonstrates that a good level of public transport service is available within the immediate vicinity of the site.
 - Highways would support reduction in spaces provided within parking area.
 - Request consideration given to including charging points for electric vehicles.
 - Request provision of 2 disabled parking spaces
 - Request conditions requiring: Car-free development, details of cycle parking, forecourt drainage to occur within site, S278 agreement, footpaths / carriageway not to be blocked during construction.
- 6.10 *(Officer comments: Further information has been provided by the Applicant in response to these questions. The scheme proposes a reduction in the amount of car-parking at the site, rather than any new car-parking. On this basis it is not considered reasonable to require the provision of electric car-charging points. The Applicant has amended the plans to show the inclusion of two disabled car-parking spaces. The drainage and construction matters raised would be conveyed to Applicant by way of informative.)*

London Fire and Emergency Planning Authority

- 6.11 - No objections

7. LOCAL REPRESENTATION

- 7.1 A total of 91 neighbouring properties within the area shown on the map appended to this report were notified about the application and invited to comment. The application has also been publicised on site. The number of representations received from neighbours and local groups in response to notification and publicity of the application were as follows:
- 7.2 No of individual responses: 7 Objecting: 7 Supporting: 0
No of petitions received: 1-of objection containing 70 signatories.
- 7.3 The letters and petitions of objection raised the following planning issues:-
- Inappropriate use of courtyard space, play and family sized accommodation will create uncontrolled / unsupervised movement through space

- Increased noise and disturbance.
- Loss of privacy
- Loss of existing recreation space
- Design inappropriate to surroundings
- Consultation inadequate / comments ignored
- Original scheme for bungalows more appropriate
- Improved landscaping / increased open-space should be priority
- Increase in vehicle congestion during construction and after development completed.
- Increased light pollution
- Increase in residential density in area
- Poor quality application submission / inaccurate drawings

7.4 *Officer comment: The planning issues raised are discussed in the report.*

8.0 MATERIAL PLANNING CONSIDERATIONS

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

- Land Use
- Design
- Housing
- Amenity
- Highways

Land Use

8.2 The land use issues relate to the loss of the existing car-park, the loss of the historic play-area, and the principle of providing new housing.

8.3 Loss of car parking spaces

Policies 3C.1 and 3C.23 of the London Plan 2008 (Consolidated with Alterations since 2004) and saved policies T16 and ST28 of the Council's Unitary Development Plan 1998 seek to ensure developments minimise parking and promote sustainable transport options.

8.4 Interim Planning Guidance for the purposes of Development Control (October 2007) policy CP40 states that the Council will seek to minimise car travel and support walking, cycling and the use of public transport.

8.5 The majority of the site is currently used as a car-park. The tarmac area is laid out to provide 19 car-parking spaces and 4 ambulance parking spaces. The car-park is managed by the Council, and permits are available to occupiers of neighbouring residential properties. The ambulance bays are used in association with the Age Concern facility in the Russia Lane Day Centre.

8.6 The application proposes a reduction in the level of parking to provide 12 car-parking spaces and 4 ambulance spaces.

8.7 The current car-parking spaces are under-used. A reduction in the overall number of spaces accords with the Council's adopted planning policies that seek to promote more sustainable modes of transport, and discourage the use of the private car.

Loss of amenity space

8.8 Saved policy OS7 of the adopted Tower Hamlets Unitary Development Plan 1998

states that planning permission '*will not normally be given for any development that results in the loss of public or private open space having significant recreation or amenity value*'. The aims of this policy are reflected in policies CP30 and OSN2 of the Council's Interim Planning Guidance.

- 8.9 The application site incorporates a 465 square metre of hardstanding that in the past formed a play area. The site has not been used as a formal play-area for over ten years. The proposals include the provision of replacement turfed areas and planting. It total this space covers an area of 1048 square metres. This type of landscaping also has amenity value. Although it is a different form of amenity space to childplay space, it is considered to represent an adequate replacement for the loss of an old play area. This type of space is also less likely to result in amenity impacts, for instance noise, to occupiers of nearby existing residential occupiers.
- 8.10 Principle of additional housing
Policies 3A.1 and 3A.2 of the London Plan 2008 (Consolidated with Alterations since 2004) seek the maximum provision of additional housing in London. Policy SP02 of the Core Strategy 2025 Development Plan Document (submission version 2009) sets Tower Hamlets a target to deliver 43, 275 new homes (2, 885 a year) from 2010 to 2025.
- 8.11 The application proposes to use the land to provide four new five bedroom dwellinghouses. The site is in a predominately residential area. The use of the site would respond to an identified priority on land-use in the Borough, is compatible with the character of the area and as such is acceptable.

Design

- 8.12 Saved Policy DEV 1 of the adopted Tower Hamlets Unitary Development Plan 1998 states that all development proposals should:-
1. Take into account and be sensitive to the character of the surrounding area in terms of design, bulk, scale and the use of materials;
 2. Be sensitive to the development capabilities of the site, not result in over development or poor space standards; be visually appropriate to the site and its setting;
 3. Normally maintain the continuity of street frontage, and take into account of existing building lines, roof lines and street patterns;
 4. Provide adequate access for disabled people in respect of the layout of sites and the provision of access to public buildings;
 5. Be designed to maximise the feeling of safety and security for those who will use the development; and
 6. Include proposals for the design of external treatments and landscaping.
- 8.13 Policies DEV2 and DEV4 of the Interim Planning Guidance (October 2007) reinforce this position by requiring that all development is of a high quality design, is appropriate to local context and ensures that the safety and security of the development is maximised.
- 8.14 The dwellinghouses are designed as a modern interpretation of a traditional terrace, The terrace would predominately be finished in a Yellow Stock facing brick. The single storey rear addition would be finished in coloured Trespa Panels / timber. The roof would be finished in zinc. Timber double glazed windows are proposed with aluminium cills and cedar batten screens. Rainwater goods are also zinc.

- 8.15 The ground floor of each dwellinghouse would comprise an entrance porch, living room, toilet and kitchen dinner. The configuration of the ground floor also creates an enclosed courtyard space in-between the kitchen and living-rooms. The first floor comprises two bedrooms and a bathroom. The third floor provides a further 3 bedrooms and another bathroom.
- 8.16 The dwellinghouses would have a 1.5m deep front garden. The rear gardens vary in length from 8m to 5m (as the rear boundary of the site tapers). The front gardens would be enclosed with a low brick wall with white pre-cast concrete coping.
- 8.17 The proposed terrace of 3 storey dwellings complements the range of architectural styles in the area. The design of the block appears as a modern interpretation of a traditional terrace. The terrace is predominately finished in yellow stock brick. The use of a relatively traditional pallet of materials and the incorporation of good architectural detailing ensure the development makes a positive contribution to the area.
- 8.18 The three storey component of the development is approximately 21m from the rear of the Grade II Listed dwellings that front Approach Road. This distance is sufficient to ensure that the proposed development does not detract from the setting of these building. The improvement to the existing appearance of the site ensures the development enhances the setting of the Victoria Park Conservation Area.
- 8.19 The development will improve the existing hard and soft-landscaping on the site. This contributes to the attractiveness of the area and the street scene. The introduction of new dwellings will also increase surveillance of this area, which would reduce opportunities for crime / anti-social behaviour.
- 8.20 A condition would require the submission of samples of materials and with this safeguard the appearance of the development would be acceptable.
- 8.21 The proposed development aims to achieve a high level of sustainability (Code Level 3). The houses would have 'green' roofs and would be fitted with solar thermal panels to provide hot water. The detail or location of the solar panels is not known. A condition would require the submission of this detail, and with this safeguard the development would meet the requirements of Interim Planning Guidance Policy DEV5, which requires development to minimise energy use.
- 8.22 The General Permitted Development Order 1995 (as amended) allows householders to carry out various works, including the construction of extensions, outbuildings and roof alterations to their property without the need for planning permission.
- 8.23 The design of these terraced dwellings, and the constraints of this site, would mean that some of these works could have an adverse impact on the appearance of the terrace or on the amenity of neighbours.
- 8.24 To allow the Planning Authority to assess the suitability of any future alterations to these properties a condition would be placed on the permission, if granted, removing 'permitted development' rights.

Housing

Mix of dwelling sizes

- 8.25 London Plan policy 3A.5 promotes housing choice including the provision of a range of dwelling sizes. Unitary Development Plan policy HSG7 requires new housing

schemes to provide a mix of unit sizes including a substantial proportion of family dwellings of between 3 and 6 bedrooms. Policies CP21 and HSG2 in the IPG specify that a mix of unit sizes should be provided to reflect local need and to contribute to the creation of balanced and sustainable communities.

- 8.26 The application proposes four dwellinghouses. This form of accommodation is in short supply, particularly in the social rent tenure. The site is in a residential area and is a good location for family housing. Given the shortage of larger family sized units in the Borough the proposed mix is acceptable.

Standard of accommodation and Amenity Space Provision

- 8.27 Saved policy HSG13 of the Council's Unitary Development Plan 1998, and advice in Supplementary Planning Guidance Note 1, set space standards for new residential development. Saved Unitary Development Plan policy HSG16 and Interim Planning Guidance for the purposes of Development Control (October 2007) policy HSG7 set standards for the provision of amenity space for new residential development. London Plan 2008 (Consolidated with Alterations since 2004) policies 3A.5 and 3A.6 seek quality in new housing provision, and compliance with accessibility standards.
- 8.28 The internal layouts of the proposed houses are logical, with generous circulation space. Rooms benefit from appropriately positioned windows to provide adequate daylight and sunlight. The dwellings also have dedicated areas for storage indicated on the plans.
- 8.29 Supplementary Planning Guidance Note 1: Residential Space details minimum unit and room sizes for new development. A standard of 98 square metres is set for 3 storey dwellinghouses. The proposed dwellings have an internal floor area of 145 square metres.
- 8.30 Saved Unitary Development Plan 1998 policy HSG16 and Interim Planning Guidance for the purposes of Development Control (October 2007) policy HSG7 require new residential development to provide adequate amenity space. A minimum of 50 square metres is specified for family sized dwellings. The development would provide a rear gardens and an internal courtyard, which represents acceptable amenity space provision.
- 8.31 The scheme is under the 10 unit threshold that would require the provision of a wheelchair accessible unit. If planning permission is granted a condition would be imposed requiring compliance with Lifetimes Homes Standards to ensure compliance with London Plan policy 3A.5 and Interim Planning Guidance for the purposes of Development Control (October 2007) policy HSG9.
- 8.32 In overall terms of the proposed dwellings would offer a good standard of accommodation for future occupiers.

Amenity

- 8.33 Saved policy DEV2 of the UDP and policy DEV1 of the Interim Planning Guidance for the purposes of Development Control (October 2007) requires development to protect, and where possible improve the amenity of the surrounding area. Policy DEV2 seeks to ensure that the occupiers of adjoining buildings are not adversely affected by a material deterioration of their day lighting and sun lighting conditions, or by loss of privacy.
- 8.34 The application has been accompanied with a study assessing the impact of the development, in terms of loss of daylight/ sunlight, on neighbouring properties. The

study measures this impact against standards set by the Building Research Establishment (BRE). The impact of the development on the following neighbouring properties has been considered:-

26 – 33, 34 – 41 and 42 – 49 Robinson Road.

- 8.35 These properties are 4 storey residential blocks. There are windows serving habitable rooms at ground floor level in the south-west elevation of this building.
- 8.36 At the closest a distance of 11.6m separates the building from the flank wall of the proposed development.
- 8.37 The submitted study shows that the reductions in sunlight/daylight to the worst affected (i.e. those on the ground floor) windows will not exceed BRE guidelines, and as such is considered acceptable.
- 8.38 There are no windows in the flank wall of the proposed building, which ensures that no direct overlooking is possible. The separation distance between new and existing development is sufficient to ensure that occupiers do not suffer from any significant increased sense of enclosure.

27 – 45 Approach Road

- 8.39 These are 3 storey dwellings, with a lower ground floor level. They are located to the south east of the proposed development. There are windows serving habitable rooms on the rear elevation of these properties facing the application site. At ground floor level a minimum distance of 15m separates the proposed building from the rear of the dwellings fronting Approach Road. At second floor level and above the distance increases to a minimum of 21.8m.
- 8.40 The submitted study shows that the reductions in sunlight/daylight to the worst affected (i.e. those on the ground floor) windows will not exceed BRE guidelines, and as such are considered acceptable.
- 8.41 The 21.8m separation between opposing habitable room windows on the upper floors ensures that there would be no unreasonable loss of privacy to occupiers.

Age Concern Building

- 8.42 The upper floors of this building are used to provide temporary residential accommodation. There is a minimum 9.4m separation distance between new and existing development. The submitted study shows that the reductions in sunlight/daylight to the worst affected (i.e. those on the ground floor) windows will not exceed BRE guidelines, and as such is considered acceptable. The proposed building is set at an oblique angle to the existing Age Concern building, which ensures that adequate outlook is still possible from the upper floor windows.

66 - 80 Russia Lane

- 8.43 This is a 4 storey residential block. There are windows serving habitable rooms in the eastern elevation. At a minimum a distance of 18m separates the existing and proposed development.
- 8.44 The submitted study shows that the reductions in sunlight/daylight to the worse affected (i.e. those on the ground floor) windows will not exceed BRE guidelines, and as such are considered acceptable.
- 8.45 The separation distance (a minimum of 19m) across the car-park area is sufficient to ensure that there is no unreasonable loss of privacy to the occupiers of these

properties.

Noise / Disturbance

- 8.46 A number of objectors have raised concerns about the potential for the scheme to create additional noise / disturbance / light-pollution in the relatively enclosed environment of the existing courtyard.
- 8.47 The scheme will increase the number of people using the courtyard area. However, a residential use is unlikely to cause any significant additional sources of noise, beyond that which can be expected in an established residential area. It is noted that the scheme does not include the provision of communal children's play equipment, to which residents had objected. A condition would be imposed if permission is granted requiring details of external lighting.

Conclusion

- 8.48 In overall terms the impact on the amenity of neighbouring occupiers is considered acceptable and accords with the aims of saved policy DEV2 of the Unitary Development Plan for the purposes of Development Control (October 2007), which seeks to preserve residential amenity.

Highways

Access

- 8.49 Saved policy T16 of the adopted UDP seeks to ensure that the operational traffic from a proposed use is taken account of when granting planning permission for a development. Saved policy T18 seeks to give priority to the safety and convenience of pedestrians.
- 8.50 The proposed dwellings would be accessed by pedestrians directly from Robinson Road via a dedicated pedestrian path. The application does not propose the allocation of any of the parking spaces within the development site for the new residents, nor will these residents be eligible for on-street parking permits. Permits (both on-street or for use within the car-park on-site) could be issued to disabled blue badge holders.
- 8.51 The application proposes amending the existing entrance arrangements and position of ambulance bays for the Age Concern facility in the Russia Lane Daycare Centre. The existing entrance ramp from the ambulance spaces in the car-park is steep and does not comply recommended access standards for disabled users.
- 8.52 The proposed site layout requires the re-location of the existing ambulance bays. The scheme also includes revisions to the existing entrance ramp to allow DDA compliant access from the new position of the ambulance bays into the day centre. The operators of the centre have confirmed that the revised access arrangements are satisfactory for their needs.

Parking

- 8.53 Policy CP40 of the Interim Planning Guidance for the purposes of Development Control (October 2007) states that 'The Council will seek the creation of a sustainable transport network in Tower Hamlets which minimises car travel, lorries and supports movement by walking, cycling and public transport by promoting car free developments and those schemes which minimise on site and off site car parking provision in areas with good access to public transport'. In Planning Standard 3: Parking, Interim Planning Guidance Standard states that the maximum level of car-parking for new residential development should be no more than 0.5 spaces per unit.

- 8.54 The scheme does not propose any dedicated off-street car-parking for the new dwellings. Therefore the scheme accords with London Plan 2008 (Consolidated with Alterations since 2004) policy 3C.23 and Interim Planning Guidance for the purposes of Development Control (October 2007) policy CP40, which seeks to minimise the provision of car-parking. As considered in the land-use section of this report, the loss of 7 existing car-parking spaces is acceptable given that the spaces are under-used and the need to provide additional family housing.
- 8.55 In line with the Council's sustainability objectives if planning permission is granted the development would be subject to a 'car-free' condition to prevent future occupiers of the dwellings being eligible to apply for Council issued on-street car-parking permits.
- 8.56 The use of a car-free condition would ensure that the development does not lead to additional pressure for on-street parking in the area or cause additional congestion.
- 8.57 London Plan policy 3C.22 seeks to improve conditions for cycling and requires the provision of cycle parking in new residential development. Policy CP40 of the Interim Planning Guidance for the purposes of Development Control (October 2007) sets a standard of 1 cycle parking space per dwelling.
- 8.58 The design of the dwellings includes sufficient space for the provision of cycle parking in the entrance porch area.

Servicing and refuse

- 8.59 Saved policy DEV55 of the Unitary Development Plan 1998 requires that adequate provision is made for waste and recycling storage in new development. The application proposes an enclosed store at the front of the dwellings. These are suitably located to allow for the collection of refuse.

Trees

- 8.60 The application has been accompanied by an Arboricultural Report which assesses the potential impact of the development on trees. There are no trees located within the site boundary. There are two small trees growing in the pavement of Robinson Road, and two larger trees growing in the rear gardens of properties fronting Approach Road.
- 8.61 The report recommends suitable measures to protect the root systems of these trees during the construction process. A condition would be imposed if planning permission was granted to ensure compliance with the requirements of saved policy DEV15 in the Unitary Development Plan 1998, which seeks the retention of mature trees.

Others

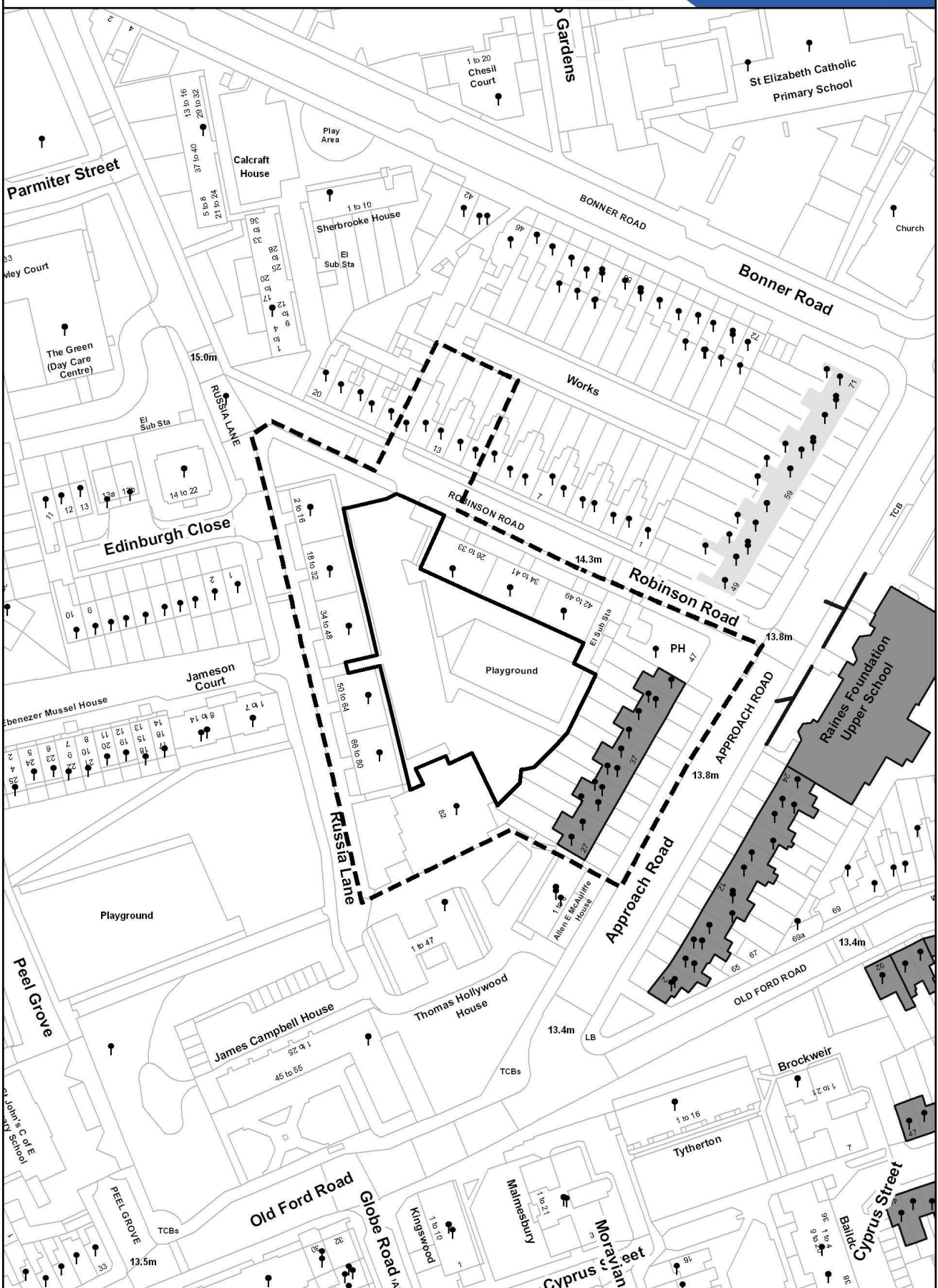
- 8.62 The impact of the development on local infrastructure (e.g. school places and doctors' surgeries) is considered too small to justify any form of additional financial contribution. The scale of the development is such that it would not have any significant impacts on the wider highway network.

9 Conclusions

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

out in the RECOMMENDATION at the beginning of this report.

Planning Application Site Map



Planning Application Site Boundary	Locally Listed Buildings	Land Parcel Address	 0 30 m 1:1,500
Consultation Area	Statutory Listed Buildings		

This Site Map displays the Planning Application Site Boundary and the neighbouring Occupiers / Owners who were consulted as part of the Planning Application process. This map is based upon Ordnance Survey material with the permission of Ordnance Survey on behalf of the Controller of Her Majesty's Stationery Office © Crown copyright. Unauthorised reproduction infringes Crown copyright and may lead to prosecution or civil proceedings. 100019288, 2010.

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Agenda Item 9.3

Committee: Development Committee	Date: 16 th June 2010	Classification: Unrestricted	Agenda Item No: 9.3
Report of: Corporate Director of Development and Renewal		Title: Planning Application for Decision	
Case Officer: Shay Bugler		Ref No: PA/09/1656	
		Ward(s): Bromley by Bow	

1. APPLICATION DETAILS

- 1.1 **Location:** 12-50 Bow Common Lane & Furze Street, E3
- 1.2 **Existing Use:** Light Industry
- 1.3 **Proposal:** Development of 129 units comprising (65 x 1 bed; 44 x 2 bed; 16 x 3 bed & 4x 4 bed) and 139 sqm metres of commercial floorspace use Class B1 (office space), a pedestrian and cycle pathway, 142 bicycle parking spaces and landscaping works.
- 1.4 **Drawing Nos:** PL_101 (rev P3); PL_110 (rev P2); PL_111 (rev P2); PL_112 (rev P2); PL_120 (rev P2); PL_200 (rev P2); PL_201 (rev P2); PL_220 (rev P2); PL_221 (rev P2); PL_300 (rev P2); PL_301 (rev P2); PL_302 (rev P2); PL_303 (rev P1); PL_310 (rev P1); PL_320 (rev P2); PL_321 (rev P1); PL_500 (rev P2); PL_501 (rev P1); PL_510 (rev P1); PL_520 (rev P2); PL_521 (rev P1)
- 1.5 **Supporting Documents**
- Planning Statement by Indigo Planning dated Sept 2009
 - Transport Assessment dated September 2009 from MB Mayer Brown
 - Daylight & sunlight study (neighbouring properties) by Right of Light Consultancy dated 11th Sept 2009
 - Air Quality Assessment by WSP dated August 2009
 - Design & access statement by Hawkins /Brown dated Sept 2009
 - Addendum to Design and Access Statement dated April 2010
 - Addendum to Planning Statement dated April 2010
 - Energy and Carbon study by Cunnington Clark-amendment January 2010
 - Planning Statement – Impact Statement by Indigo Planning dated September 2009
- 1.6 **Applicant:** Luminus Development Limited
- 1.7 **Owner:** Luminus Development Limited

1.8 **Historic Building:** N/A

1.9 **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 Plan (Consolidated with Alterations since 2004), the London Borough of Tower Hamlets Unitary Development Plan (UDP) 1998 and associated supplementary planning guidance, the Council's Interim Planning Guidance (IPG) for the purposes of Development Control (October 2007); Core Strategy 2005 Development Plan Document submission version (December 2009) and Government Planning Policy Guidance and has found that:
- 2.2
- The proposal is in line with the Mayor and Council's policy, as well as government guidance which seek to maximise the development potential of sites. As such, the development complies with policy 3A.3 of the London Plan (Consolidated with Alterations since 2004) and HSG1 of the Council's Interim Planning Guidance (2007) and SP02 of the Core Strategy submission document (December 2009) which seeks to ensure this.
- 2.4
- The proposal provides an acceptable amount of affordable housing and mix of units overall. As such, the proposal is in line with policies 3A.5, 3A.9 and 3A.10 of the London Plan (Consolidated with Alterations since 2004), policy HSG7 of the Council's Unitary Development Plan 1998 and policies CP22, HSG2, HSG3 and HSG4 of the Council's Interim Planning Guidance (2007) & SP02 of the Core Strategy submission document (Dec 2009) which seek to ensure that new developments offer a range of housing choices.
- 2.5
- The density of the scheme would not result in the overdevelopment of the site and any of the problems that are typically associated with overdevelopment. As such, the scheme is in line with policy 3A.3 of the London Plan (Consolidated with Alterations since 2004), policies DEV1 and DEV2 of the Council's Unitary Development Plan 1998 and policies CP5, HSG1, DEV1 and DEV2 of Council's Interim Planning Guidance (2007) & SP02, SP09, SP10, SP12, SP03 & SP04 of the Core Strategy Development Plan Document 2005 submission version (Dec 2009), which seek to provide an acceptable standard of accommodation.
- 2.6
- The development would enhance the streetscape and public realm through the provision of a public realm, public open space and improved pedestrian linkages. Furthermore, the quantity and quality of housing amenity space and the communal/child play space strategy is also considered to be acceptable. As such, the amenity space proposed is acceptable and in line with PPS3, policies 3A.18 and 4B.1 of the London Plan (Consolidated with Alterations since 2004), policies ST37, DEV1, DEV12, HSG16, T18 and OS9 of the Council's Unitary

Development Plan 1998 and policies CP30, DEV2, DEV 3, DEV4 and HSG7 of the Council's Interim Planning Guidance (2007) (Dec 2009) which seek to improve amenity and liveability for residents whilst creating a more attractive environment for those who live and work here.

- 2.7 • The building height, scale, bulk and design is acceptable and in line with Planning Policy Guidance 15, policies 4B.1, 4B.2, 4B.3 and 4B.5 of the London Plan (Consolidated with Alterations since 2004), policies DEV1, and DEV2 of the Council's Unitary Development Plan 1998; policies DEV1, DEV2, DEV3, DEV4, DEV 27, CON 1 and CON2 of the Council's Interim Planning Guidance (2007) & policies SP02, SP10 & SP12 of the Core Strategy Development Plan document (submission version) Dec 2009 which seek to ensure buildings are of a high quality design and suitably located.
- 2.8 • The safety and security of the scheme is acceptable in accordance with policy DEV1 of the Council's Unitary Development Plan 1998 and policy DEV4 of the Council's Interim Planning Guidance (2007) & policy SP10 of the Core Strategy Development Plan document 2005 (submission version 2005 (Dec 2009, which require all developments to consider the safety and security of development without compromising the achievement of good design and inclusive environments.
- 2.9 • Transport matters, including parking, access and servicing, are acceptable and in line with policy 3C.23 of the London Plan (Consolidated with Alterations since 2004), policies T16, T18 and T19 of the Council's Unitary Development Plan 1998 and policies DEV18 and DEV19 of the Council's Interim Planning Guidance (2007) & policy SP09 of the Core Strategy submission document (Dec 2009), which seek to ensure there are no detrimental highways impacts created by the development.
- 2.10 • Sustainability matters, including energy, are acceptable and in line with policies 4A.3 to 4A.7 of the London Plan (Consolidated with Alterations since 2004) and policies DEV 5 to DEV9 of the Council's Interim Planning Guidance (2007) & SP11 of the Core Strategy submission document (Dec 2009) which seek to promote sustainable development practices.
- 2.11 • Obligations have been secured towards the provision of affordable housing, health, education, signage & pedestrian & cyclist routes; open space, leisure facilities inline with Government Circular 05/05, policy DEV4 of the Council's Unitary Development Plan 1998 and policy IMP1 of the Council's Interim Planning Guidance (2007), SP13 of the Core Strategy Development Plan Document 2005 (submission version Doc '09) which seek to secure contributions toward infrastructure and services required to mitigate the impact of the proposed development.

3. RECOMMENDATION

- 3.1 That the Committee resolve to GRANT planning permission subject to:
- 3.2 B. The prior completion of a legal agreement, to the satisfaction of the Assistant

Chief Executive (Legal Services), to secure the following:

1. Affordable housing provision of 37% of the proposed habitable rooms with a 81/19 split between rented/ intermediate to be provided on site.
2. A contribution of £154, 801 to mitigate the demand of the additional population on health care facilities.
3. A contribution of £197,472 to mitigate the demand of the additional population on education facilities.
6. A financial contribution of £23,000 towards signage and pedestrian and cyclist routes in the vicinity
7. A contribution of £150,000 towards improvements to park and open spaces
8. A contribution of £65,000 towards leisure facilities

Non financial contributions

8. Preparation of a right of way “walkway agreement” for crossing through the site between Bow Common Lane and Furze Street.
9. Local labour in construction
10. Travel Plan
11. “Car –free” agreement
12. Management company be set up which will be responsible for ensuring the bins are wheeled to within 10m of Furze Street on collection days.

That the Head of Development Decisions is delegated power to impose conditions on the planning permission to secure the following:

3.3 Conditions

1. Permission valid for 5 years.
2. Development carried out in accordance with the approved plans
3. Submission of samples/details/full particulars of materials, landscaping & external lighting
4. Submission of a secure by design statement
5. Submission of details of site foundation
6. Building, engineering or other operations including demolition shall be carried out only between 8.00 am and 6.00 pm Mondays to Fridays and between the hours of 9.00 am and 1.00 pm Saturdays and shall not be carried out at any

time on Sundays or Public holidays.

7. Any power/hammer driven piling/breaking out of material required during construction/demolition shall only take place between the hours of 10.00 am and 4.00 pm Monday to Friday
8. Loading restrictions on Bow Common Lane
9. Off street servicing
10. Service Management Plan
11. Details of refuse and recycling facilities
12. Details of noise survey and details of sound insulation required
13. Construction Management Plan
14. Submission of foul and surface water has been submitted
15. Submission of details of site drainage plan
16. Noise emissions from plant at block D
17. Contamination Assessment
18. Verification assessment demonstration
19. Completion of works set out in the approved remediation
20. Piling and other foundation design
21. Drainage plans
22. Lifetime Homes
23. 10% wheelchair adoptable
24. Details of communal heating feasibility study including thermal loads and co2 emission reduction
25. Detailed renewable energy technology
26. Details of the heat network supply for all residents installed and sized to the heating and domestic hot water
27. Code level 4 Sustainable Homes
28. Highway improvement works
29. Obscure glazing to elevation of block A facing no 36 Bow Common Lane
30. Hours of operation and delivery times for the B1 use.
31. Any other condition(s) considered necessary by the Head of Development Decision

3.4 **Informatives**

1. Section 106 agreement required.
 2. Section 278 (Highways) agreement required.
 3. Site notice specifying the details of the contractor required.
 4. Construction Environmental Management Plan Advice.
 5. Environmental Health Department Advice.
 6. English Heritage Advice
 7. Parking Services Advice – Traffic Management Order
 8. Metropolitan Police Advice.
- 3.5 That, if by 16th September 2010 the legal agreement has not been completed to the satisfaction of the Assistant Chief Executive (Legal Services), the Head of Development Decisions is delegated power to refuse planning permission.

4. **PROPOSAL AND LOCATION DETAILS**

- 4.1 The proposal is for the redevelopment of the site to construct 129 units (comprising 65 x 1 bed; 44 x 2 bed; 16 x 3 bed & 4 x 4 bed residential dwellings and 139 sq metres of commercial floorspace use Class B1 (office space), a pedestrian and cycle pathway; 142 bicycle parking spaces and landscaping

Site and Surroundings

- 4.2 The site comprises of several small plots, identified in the Tower Hamlet's Furze Street Local Development Brief (November 2005) as Areas II (frontage onto Furze Street) and III (frontage onto Bow Common Lane). The site has frontages to Furze Street to the east and Bow Common Lane to the west and covers an area of approximately 0.716 ha.
- 4.3 The site currently accommodates a range of buildings and uses, including a printing works, vehicle repairs and an open yard used for the breaking and storage of heavy commercial vehicle parts. The sites are currently occupied by commercial buildings and used for B2 (general industry) and B8 (storage)
- 4.4 The site is bordered by Devons Road on the north side, Furze Street towards east and Bow Common Lane along the west side. At the south side a warehouse complex is sitting between the site and the Limehouse Cut.
- 4.5 Furze Green forms the focus of the immediate area and comprises a Council owned public open space of approximately 0.8ha. Furze Green is located to the east of the site opposite Furze Street.
- 4.6 The site is predominantly surrounded by residential development which varies in scale from 4-6 storeys in scale.
- 4.7 The adjoining site to the north comprises of 78 residential units and 220sqm of commercial floorspace by Telford Homes. Planning permission for the development was granted in January 2007 (ref no: PA/1096).

- 4.8 The east side of the site beyond Furze Green is dominated by the 6 storey 1960's Perring Estate, fronting onto Gale Street. The southeast corner is lightened up by a contemporary 5 storey residential building facing onto Gale Street
- 4.9 The Public Transport Accessibility Level (PTAL) of the site is 2 ranging to 3. This level indicates a low/moderate/good level of public transport accessibility.

Planning History

12 to 50 Bow Common Lane and Furze Street, London

- 4.10 On the 21st November 2007, planning committee resolved to grant planning permission for the erection of buildings from two to five storeys to provide 139 residential units (comprising of 64 x 1 bed; 53 x 2 bed; 18 x 3 bed & 4 x 4 bed), 294 sq.m of commercial (Class B1) space and 82 sq.m community facility. The application was later withdrawn due to technical issues associated with the S106 Agreement. (ref no: PA/07/1338)

Land bounded by Bow Common Lane and Furze Street on Devons road, London, E3

- 4.11 On the 21st January 2007, planning permission was approved for the development of 78 residential units comprising one, two and three bedroom apartments and three and four bedroom houses in blocks ranging in height from 3 to 6 storeys and the creation of 220s sq.m of ground floor business /commercial space. (ref no: PA/06/1096)

Land bounded by Bow Common Lane and Furze Street on Devons road, London, E3

- 4.12 On the 20th December 2006, planning permission was approved for the demolition of existing buildings and the development of 215 residential units including one, two and three bedroom apartments and three and four bedroom town houses in blocks ranging in height between 3 and 6 storeys and the creation of 860 sq.m. of ground floor business/commercial space (Ref no: PA/06/1097).

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 Unitary Development Plan (as saved September 2007)

Proposals: Not subject to site specific proposals

Policies: Environment Policies

DEV1	Design Requirements
DEV2	Environmental Requirements
DEV4	Planning Obligations

DEV50	Noise
DEV51	Contaminated Land
HSG6	Separate Access
HSG7	Dwelling Mix
HSG15	Residential Amenity
HSG16	Amenity Space
T16	Impact of Traffic
T21	Existing Pedestrians Routes
OS9	Child Play Space

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

Proposals: C12 Development Site (Specific uses have not yet been identified)
Archaeological Priority Area

Core Strategies: IMP1 Planning Obligations

CP1	Creating Sustainable Communities
CP3	Sustainable Environment
CP4	Good Design
CP5	Supporting Infrastructure
CP19	New Housing Provision
CP20	Sustainable Residential Density
CP21	Dwelling Mix
CP22	Affordable Housing
CP25	Housing Amenity Space
CP30	Improving the Quality and Quantity of Open Space
CP38	Energy Efficiency and Production of Renewable Energy
CP39	Sustainable Waste Management
CP41	Integrating Development with Transport
CP46	Accessible and Inclusive Environments
CP47	Community Safety

Policies: Development Control Policies

DEV1	Amenity
DEV2	Character & Design
DEV3	Accessibility & Inclusive Design
DEV4	Safety & Security
DEV5	Sustainable Design
DEV6	Energy Efficiency & Renewable Energy
DEV10	Disturbance from Noise Pollution
DEV11	Air Pollution and Air Quality
DEV12	Management of Demolition and Construction
DEV13	Landscaping
DEV15	Waste and Recyclables Storage
DEV16	Walking and Cycling Routes and Facilities
DEV17	Transport Assessments

DEV18	Travel Plans
DEV19	Parking for Motor Vehicles
DEV20	Capacity of Utility Infrastructure
DEV22	Contaminated Land
HSG1	Determining Residential Density
HSG2	Housing Mix
HSG3	Affordable Housing
HSG4	Social and Intermediate Housing ratio
HSG7	Housing Amenity Space
HSG9	Accessible and Adaptable Homes
HSG10	Calculating Provision of Affordable Housing

5.4 Core Strategy Development Plan Document 2025 (submission version December 2009)

SP02	Urban living for everyone
SP03	Creating healthy and liveable neighbourhoods
SP05	Dealing with waste
SP09	Making connected places
SP10	Creating distinct and durable places
SP11	Working towards a zero carbon borough

5.5 Development Brief for Furze Street & Bow Common Lane dated November 2005

5.6 Supplementary Planning Guidance/Documents

Designing Out Crime
Residential Space
Landscape Requirements
Archaeology and Development

5.7 The London Plan 2008 (consolidated with alterations since 2004) - the Mayor's Spatial Development Strategy

2A.1	Sustainability Criteria
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 new housing provision
3A.7	Large residential developments
3A.8	Definition of Affordable Housing
3A.9	Affordable Housing Targets
3A.10	Negotiating affordable housing in individual private residential and mixed-use schemes
3B.11	Improving Employment Opportunities for Londoners
3C.1	Integrating Transport and Development
3C.23	Parking Strategy
3D.13	Children and Young People Play Strategies
4A.1	Tackling climate change

4A.2	Mitigating climate change
4A.3	Sustainable design and construction
4A.5	Provision of heating and cooling works
4B.1	Design principles for a compact city
4B.2	Promoting world class architecture design
4B.3	Enhancing the quality of the public realm
4A.4	Energy Assessment
4B.5	Creating an inclusive environment
4B.8	Respect local context and communities
4A.7	Renewable Energy

5.8 Government Planning Policy Guidance/Statements

PPS1	Delivering Sustainable Development
PPS3	Housing
PPG13	Transport
PPS22	Renewable Energy
PPG24	Planning & Noise

5.9 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

5.10 Housing Strategy 2009/12

6. CONSULTATION RESPONSE

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

LBTH Cleansing

6.2 No comments received.

(Officers comment: Details of the location of the refuse & recycling facilities shall be submitted to and approved by the LPA prior to occupation. This will be secured by way of condition).

LBTH Education

6.3 LBTH Education team note that the proposed dwelling mix has been assessed for the impact on the provision of primary school places. The mix is assessed as requiring a contribution towards the provision of 16 additional primary school places @ £12,342 = £197,472. This funding will be pooled with other resources to support the Local Authority's programme for the borough by providing additional places to meet need demand.

(Officers comment: A contribution of £197,472 to mitigate the demand of the additional population on education facilities. This will be secured in the Section 106 Agreement).

6.5 LBTH Environmental Health

- 6.6 The hours of operation for the B1 use as well as delivery times should be controlled to avoid any residential/commercial conflict
- 6.7 *(Officer comment: The hours of operation and delivery times for the B1 use will be conditioned).*
- 6.8 The acoustic report makes no mention of the commercial use and whether the associated mechanical plant & equipment (including air conditioning) is 10dB(A) below the lowest recorded background noise level.
- 6.9 *(Officers comment: As a response to the comments made above, the applicant confirms that the only plant likely to be installed at Block D is an air conditioning unit. The applicant also sets out predicted noise levels for such a unit at three different locations at Block D. The external plant should not emit more than 50 db (A) when employed at its most demanding setting; and that if plant were to be accommodated within the refuse and recycling room, the noise level emitted would be extremely low. A condition will be included in the decision notice to control the noise level emitted from any plant at Block D to ensure the residential amenity of future occupiers is not compromised).*

Contamination land officer

- 6.10 A detailed contamination land assessment is required.

(Officers comment: The applicant is required to submit a contamination report. The report must be submitted, approved and any remedial works carried out prior to the commencement of works on site. This will be secured by way of condition).

Sunlight/ Daylight

- 6.11 The daylight & sunlight officers confirm that the daylight and sunlight levels to surrounding properties and the approved scheme at 34 Bow Common Lane is acceptable.

Crime Prevention Officer

- 6.12 The concept of a link walk through between Bow Common Lane and Furze Street is acceptable with no recesses on either side should be provided. There are some blank elevations proposed which could potentially pose safety issues given that it reduces natural light and surveillance. The design of the ground floor means that there are a number of recesses which pose safety issues.

- 6.13 *(Officers comment: The applicant has taken the above comments on board and amended the scheme accordingly. The entrance to Block B2 has been revised to eliminate the recess into the entrance. Furthermore, the elevation of Block B2 and D which front onto the public route have been amended to include more windows and additional defensible /amenity space to the ground floor units. Given the siting of the approved scheme at 34 Bow Common Lane, it is difficult to have a direct wide open through route. The proposed route is considered acceptable).*
- 6.14 The long seating area along Furze Street could be a ground for loitering. There is a park opposite and no active frontage looking back at them.
- 6.15 *(Officers comment: As a response to this comment, the proposal has been amended. The long seating area shown on the Furze Street elevation in the original submission drawings has been removed).*
- 6.16 Details of defensive planting & lighting should be submitted to ensure safety of residents particularly on Furze Street (has balconies fronting the highways) are protected.
- 6.17 *(Officers comment: To ensure that security of future residents is protected, details of planting and lighting are to submitted and approved in writing and implemented prior to the occupation of the units. This will be secured by way of condition).*

LBTH Highways

- 6.18 A Travel Plan is required for a development of this scale. The Travel Plan is a key management tool for implementing transport solutions for a new development.
- 6.19 *(Officers comment: The applicant will be required to submit a Travel Plan. This will be secured in the S106 Agreement)*
- 6.20 A condition should be placed on the development that prevents residents from being able to apply for an on street parking permit in the area.
- 6.21 *(Officers comment: The Section 106 Agreement will contain provisions to ensure that residents cannot apply for residents permits to prevent any problems associated with congestion and encourage sustainable modes of transport).*
- 6.22 Details of the all cycle parking facilities, location, maintenance and its retention should be conditioned.

(Officers comment: The applicant has provided adequate detailing with regard to cycle space provision. The proposed development currently includes a combination of Sheffield stands, and the Josta two tier system to provide the cycle parking. The stands are 100mm apart with each stand able to accommodate two cycles in accordance with Council policy. In addition, the scheme makes provision for 142 cycle spaces in accordance

with Council policy. Furthermore, all proposed cycle storage are in a sheltered and secured location which is lit and safe given its proximity to the residential units. As such, it is not considered necessary to add this condition).

6.23 The location of the refuse stores seems to be greater than the standard maximum wheeling distance of 10m.

6.24 *(Officers comment: The standard maximum wheeling distance is 10m from storage area to collection point. It is proposed that the refuse will be collected by refuse vehicles which will wait in the road, and as such, the collection point will be the highway. The refuse stores to blocks A and D are within the 10m standard maximum distance; however the stores from block B1 and B2 exceed this maximum. It is proposed that a management company be set up which will be responsible for ensuring the bins are wheeled to within 10m of Furze Street on collection days. This obligation will be secured in the S106 Agreement).*

LBTH Communities Localities and Culture (CLC)

6.25 CLC note that the increased permanent population generated by the development will increase demand on community, cultural and leisure facilities.

6.26 The Local Development Framework's Planning for Population and Growth 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, the scheme proposes a gain of 129 residential units which would result in a population uplift of 251 people.

6.27 CLC team recommend that the following contributions be sought in the S106 Agreement to mitigate against the development:

- 1): A contribution of £201,408 towards open space improvement works
- 2): A contribution of £117,513 towards leisure facilities
- 3): A contribution of £26,104 towards library facilities

6.28 *(Officers comment: With reference to the above contributions, CLC Strategy team have not provided a robust justification for any of the above contributions relating to this site. Notwithstanding, a contribution of £150,000 will be sought for open space and £65,000 will be sought towards leisure facilities to mitigate against the development. This is to be secured in the s106 Agreement).*

6.29 Environmental Agency

The Environmental Agency has raised no formal objections subject to the following conditions:

- a): Contamination Assessment
- b): The submission of a verification assessment demonstrating completion of the

works set out in the approved remediation strategy and the effectiveness of the remediation.

- c) Piling or other foundation design
- d) Details of foul and surface water drainage
- e) Drainage plan

(Officers comment: The applicant will be required to submit the above details. All these matters will be secured by way of condition).

Transport for London (Statutory)

6.30 No comments were received from Transport for London.

Tower Hamlets PCT

6.31 PCT seek to secure a capital planning contribution of £154,147 to mitigate against the demand of the additional population on health facilities. This condition will be secured in the S106 Agreement.

(Officers comment: This contribution will be secured in the S106 Agreement).

7. LOCAL REPRESENTATION

7.1 A total of 851 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 the first round of notification and publicity of the application were as follows:

7.2 No of individual responses: Objecting: 4 Supporting: 0

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:

Privacy & overlooking

7.4 The proposed siting and layout of block A would have an adverse impact and result in overlooking on residents at no 215, Park View Court.

7.5 *(Officers comment: The proposed angle of windows at block A are perpendicular to windows at 215 Park View Court. As such, no direct overlooking should occur. The principle of this siting and layout of block A and its proximity to the development at Park View Court has been agreed in the extant permission (ref no: PA/07/1338). Notwithstanding, in order to ensure that no undue overlooking occurs to properties at 215*

Park View Court, the windows on the northern elevation will be obscured to ensure privacy will be protected. This will be secured by way of condition).

- 7.6 The proposal will result in overdevelopment of the site and the area in general.
- 7.7 *(Officers comment: The proposal is not considered to result in over development of the site as discussed in section 8.11-8.17 of the report. The proposed scheme is in keeping with the prevailing character of the area).*
- 7.8 There is an overprovision of residential development in the area and there is no provision for community facilities.
- 7.9 *(Officers comment: The proposed residential development is acceptable in land use terms. The scheme provides much needed affordable housing. In addition, the proposal does not present any systems of overdevelopment as discussed in sections 8.11 -8.17. Moreover, an education contribution of £197,472 and a health contribution of £154,147 will be secured to mitigate against the development. Therefore, the money will be spent on improving health and education facilities in the area. In addition, a contribution of £23, 000 will be secured for transport improvement works. Furthermore, a contribution of £65,000 will be spend on leisure facilities and £150,000 will be spend on parks and open spaces).*
- 7.10 The proposal will result in anti social behaviour.
- 7.11 *(Officers comment: Security issues have been considered and addressed as part of the application. There is no evidence to support the contention that the proposal would result in anti social behaviour. Notwithstanding, the applicant will be required to submit, and gain approval of a Secure by Design Statement. This will be secured by way of condition and the applicant will be required to implement the measures within the approved Secure by Design Statement.)*
- 7.12 The development of block A will restrict light to the site known as 36 Bow Common Lane and will adversely impact on the development potential of the site.
- 7.13 *(Officers comment: It was originally envisaged that the entire 12-50 Bow Common Lane and Furze Street site would come forward as one development as outlined in the Development Brief for the site. However, this aspiration proved difficult as there is several land owners across the site. As such, the only option was to develop the overall site in a piecemeal fashion.*
- The subject application has to be assessed within its current planning context. There is no current planning application submitted for the development for the site known as 36 Bow Common Lane. In addition, there is no previous planning consents to develop 36 Bow Common Lane. As such, there is no evidence as it stands to suggest that the site would come forward for development. Notwithstanding, the windows on block A facing*

36 Bow Common Lane will be obscured to ensure that no overlooking occurs. Whilst it is acknowledged that the development of block A will impact on the daylight to no 36 Bow Common Lane, a reason for refusal could not be sustainable on this ground as it is considered that development may be possible on the site provided that an appropriate design solution is applied effectively).

8. MATERIAL PLANNING CONSIDERATIONS

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

Context- Development Brief for the site

- 8.2 In response to increasing developer interest in the industrial area of Furze Street, Tower Hamlets prepared a Development Brief for the wider site in November 2005. The brief was subject to a six week period of public consultation.

- 8.3 The objectives of the Brief was to:

- To promote improvements to the quality of Furze Green and its use by the local community.
- To improve the linkages to the surrounding area including access to the wider network of open spaces, community facilities and public transport services.
- To ensure that all sections of the community have an opportunity to deliver the necessary improvements to Furze Green and the wider Furze Street area.
- With reference to housing, development should accord as follows:
 - 35% affordable housing based on habitable rooms
 - 80/20 split ratio between social rented and intermediate housing
 - All housing to be designed in accordance with 'life time homes' requirements and 10% should be wheelchair accessible.

Housing matters are discussed in sections 8.24- 8.48 of the report.

Land Use

- 8.5 Land use within the area is presently evolving and the site and surrounds has been designated in the Local Furze Development brief as a suitable location for mixed use development. In essence, the proposed development comprising both residential and B1 use which reflects the evolving character of the area and is policy compliant with the adopted UDP (1998) and consistent with the IPG (Oct 2007) and the Core Strategy submission Document dated December 2009 and the London Plan.
- 8.6 Policy EE2 of the Councils IPG (Oct 2007) stipulates that proposals for redevelopment/change of use and/or reduction in employment floorspace may be considered where the site is considered unsuitable for continued employment use

due to its location accessibility, size and condition and where the creation of new employment and training opportunities which meet the needs of local residents are maximised in any new proposal.

- 8.7 The principle of residential led development on site has already been established by the Development Brief for the site and also by the Council in its previous planning decision for the site. The planning history for the site and adjoining site is outlined in section 4 of the report.

Employment use on site

- 8.8 The Development Brief seeks provision of new B1 employment floorspace within the development brief area. The Brief states the importance of maximising the employment potential of the site and re-providing a similar level of employment floorspace as that which currently exists on the site at the moment.
- 8.9 The site currently accommodates a number of operational industrial uses, including a printing works, vehicle repairs and an open yard used for the breaking and storage of heavy commercial vehicle parts. All uses will cease as part of the redevelopment of the site. The existing industrial employment use (B8 use) is 2993 sq.m. The proposal will include 139 sqm of commercial floorspace. Although there is a net loss of employment floorspace on site, the proposal should result in a high density and better quality employment floorspace. In addition, it is not designated for employment use and given its location, it is considered essential to retain a large amount of employment floorspace.
- 8.10 The employment uses envisaged on the site will be appropriate to their location within a residential area. The proposed work units in building D also provides active frontage to Bow Common Lane and the courtyard of building D. In addition, a contribution of £2, 077 towards employment and training initiatives shall be secured in the S106 Agreement.

Density

- 8.11 The site has a net residential area of approximately 0.47 hectares. The scheme is proposing 129 units or 346 habitable rooms. The proposed residential accommodation would result in a density of approximately 736 hr/ha.
- 8.12 London Plan policy 3A.3 outlines the need for development proposals to achieve the highest possible intensity of use compatible with the local context.
- 8.13 The applicant has stated that the site has a public transport accessibility level, or PTAL, of three. Table 3A.2 of the London Plan suggests a density of 250 to 450 habitable rooms per hectare for sites with a PTAL range of 2 to 3. The proposed density is therefore higher than the GLA guidance and would appear, in general numerical terms, to be an overdevelopment of the site.
- 8.14 However, the density matrix within the London Plan and Council's IPG is a guide to development and is part of the intent to maximise the potential of sites, taking into account the local context and London Plan design principles, as well as public transport provision. Moreover, it should be remembered that density only serves

an indication of the likely impact of development. Typically high density schemes may have an unacceptable impact on the following areas:

- Access to sunlight and daylight;
- Loss of privacy and outlook;
- Small unit sizes
- Lack of open space and amenity space;
- Increased sense of enclosure;
- Increased traffic generation; and
- Impacts on social and physical infrastructure;

8.15 Policies 3A.1, 3A.2 and 3A.3 of the London Plan encourage Boroughs to exceed the housing targets and to address the suitability of housing development in terms of location, type and impact on the locality. Policies CP20 and HSG1 of the IPG & SP02 of the Core Submission Document (Dec 2009) seek to maximise residential densities on individual sites; taking into consideration the local context and character; residential amenity, site accessibility; housing mix and type; achieving high quality, well designed homes; maximising resource efficiency; minimising adverse environmental impacts; the capacity of social and physical infrastructure and open spaces; and to ensure the most efficient use of land within the Borough.

8.16 The proposal does not present any of the above symptoms of overdevelopment as examined in sections 8.18- 8.86 of the report.

8.17 On review of these issues, the proposed density of the development is justified in this location in accordance with London Plan, UDP and IPG policies. The scheme is considered acceptable for the following reasons:

- The proposal is of a high design quality and responds appropriately to its context.
- The proposal is not considered to result in any adverse symptoms of overdevelopment.
- The provision of the required housing mix, including dwelling size and type and affordable housing, is acceptable.
- A number of obligations for affordable housing, health, education, open space, leisure facilities and have been agreed to mitigate any potential impacts on local services and infrastructure.
- Ways to improve the use of sustainable forms of transport will be provided through a travel plan. This will be secured in the S106 Agreement.

Design

Bulk and Massing

- 8.18 Good design is central to all the objectives of the London Plan (Feb 2008). Policy 4B.1 of the London Plan refers to 'Principles and specifics of design for a compact city' and specifies a number of policies aimed at achieving good design. These principles are also reflected in policies DEV1 and 2 of the UDP. DEV 1 and 2 of the IPG and policy SP03, SP04, SP09, SP10 of the Core Strategy Submission document (Dec 2009).
- 8.19 Policy CP4 of the IPG (Oct 2007) will ensure development creates buildings and spaces that are of high quality in design and construction, are sustainable, accessible, attractive, safe and well integrated with their surroundings. Policy DEV2 of the IPG reiterates DEV1 of the UDP and SP10 of the Core Strategy submission document (Dec '09) states that developments are required to be of the highest quality design, incorporating the principles of good design.
- 8.20 The elevational treatment on the frontages on Bow Common Lane & Furze Street enhance the character and appearance of the area. The style of buildings to the two primary frontages responds to the characteristics of both streets. The contemporary design will enhance the character and appearance of the area.
- 8.21 The creation of several internal courtyard spaces allows for a pedestrian pathway through the site and is well designed. The proposed pedestrian and cycle route through the site will improve permeability of the site and improve connectivity between Bow Common Lane and Furze Street and Furze Green.
- 8.22 The applicant will be required to submit landscaping details and material details. This will be secured by way of condition.
- 8.23 Overall, the height, scale, bulk & design is acceptable and in line with planning policy guidance 15 ; policies 4B.1, 4B.2, 4B.3 & 4B.5 of the London Plan (Consolidated with alterations since 2004); policies DEV 1& DEV 2, DEV 3, DEV 4, CON 1and CON2 of the Council's IPG (Oct 2007) & SP02, SP10 & SP12 which seeks to ensure buildings are of a high quality and suitably located.

Housing

Affordable Housing

- 8.24 Policy 3A.9 of the consolidated London Plan (1998) sets out a strategic target that 50% of the housing provision should be affordable. Policy CP22 of the IPG (Oct 2007) & SP02 of the Core Strategy submission document (Dec 2009) document stipulates that the Council will seek to maximise all opportunities for affordable housing on each site, in order to achieve a 50% affordable housing target across the Borough, with a minimum of 35% affordable housing provision being sought.
- 8.25 The proposal makes provision for 37 % affordable housing based by habitable rooms per hectare. This exceeds the Councils policy requirement and thus supported by officers.

Social Rented/ Intermediate Ratio

8.26 Against London Plan policy 3A.9 the GLA’s target tenure split within the affordable housing provision is as follows:

- 70% within the social rented tenure
- 30% within the intermediate tenure

8.27 Policy CP22 of the IPG states that the Council will require a social rented to intermediate housing ratio split of 80:20. The proposal makes provision for a split of 81/19% (social rent/intermediate). The scheme meets the Councils targets. Moreover, given the current demand for social rented housing and the overprovision of intermediate housing to date, this split is considered to be acceptable.

8.28 LBTH Strategy Housing Strategy (2009-12) provides detailed information on the Council’s Housing needs, including the primary requirement for social rented housing in the borough. This requirement is illustrated in the social stock, waiting list need as identified in table below.

8.29	Stock size	Waiting list (HSSA) *		Social Turnover ***		Stock Demand versus Supply
		Number	Percentage	Number	Percentage	
	1 bedroom	11,544	51.0	990	46.2	11.7:1
	2 bedroom	4,695	20.8	733	34.2	6.4: 1
	3 bedroom	4,677	20.7	346	16.2	13.5:1
	4 bedroom	1,465	6.4	61	2.8	24.0:1
	5 bedroom	243	1.1	12	0.6	20.2: 1
	Total	22,624	100.0	2,142	100.0	10.6:1

Table 3: Social stock, Waiting list need and social turnover

*- Local Authority HSSA Return- 2009

***- Tower Hamlets Local Authority Data, Re- lets by bedroom size, 2008-2009

8.30 Moreover, the Councils adopted Housing Strategy 2009/12 clearly identifies as a key priority that :

“the amount of affordable housing- particularly social housing in Tower Hamlets needs to be maximised”

8.31 This is further reiterated in the supporting text to Policy HSG4 of the Interim Planning Guidance (Oct 2007) which states that:

“The Councils priority is for the provision of affordable housing and more

specifically social rented housing, in order to meet the identified Borough's housing need".

- 8.32 In light of the above evidence, it is considered that this subject proposal would help address the pressing need for social rented housing in the Borough.
- 8.35 The Borough's forecast for the delivery of intermediate affordable housing units in 2009/10 will be approximately 39% of the overall new affordable housing; which equates to approximately 553 intermediate units.
- 8.36 The units forecast to be delivered in 2010/11 will be approximately 36% of the overall new affordable housing provision; which equates to approximately 407 intermediate units.
- 8.37 Therefore, it is evident that there is adequate provision for intermediate housing in the Borough.

Dwelling Mix

- 8.38 Paragraph 20 of Planning Policy Statement 3 states that

"key characteristics of a mixed community are a variety of housing, particularly in terms of tenure and price and a mix of different households such as families with children, single person households and older people".

- 8.39 Pursuant to policy 3A.5 of the London Plan the development should:

"offer a range of housing choices, in terms of housing sizes and types, taking account of the housing requirements of different groups, such as students, older people, families with children and people willing to share accommodation".

- 8.41 Policy HSG7 of the UDP & SP02 of the Core Strategy submission document (Dec 2009) stipulates that new housing development should provide a mix of unit sizes where appropriate including a substantial proportion of family dwellings of between 3 and 6 bedrooms. The UDP does not provide any prescribed targets.
- 8.42 The following table below summarises the proposed housing mix against policy HSG2 of the Interim Planning Guidance 2007, which seeks to reflect the Boroughs current housing needs:

8.43

affordable housing	market housing
--------------------	----------------

Unit size	Total units in scheme	social rented			intermediate			private sale		
		units	%	LDF %	units	%	LDF %	units	%	LDF %
Studio				0	0		0	0		
1 bed	65	8	26	20	9	82	37.5	48	55	37.5
2 bed	44	9	29	35	2	18	37.5	33	38	37.5
3 bed	16	10	32	30	0		25	6	7	25
4 bed	4	4	13	10	0			0		
5 Bed				5						
TOTAL	129	31	100	100	11	100	100	87	100	100

8.44 The Council's IPG (Oct 2007) requires 45% of social rented units to be suitable for family accommodation (3 bed or more). The proposal provides 45% family accommodation by unit numbers. The proposed development therefore meets the policy requirement of HSG 2 'Housing Mix' in October 2007.

8.45 The proposal does not make provision for family housing within the intermediate tenure and 7% within the market tenure. However, the proposal makes provision for 28% family sized accommodation overall which is broadly policy compliant. The deficiency of family units against policy HSG2 is offset by the provision of 37% affordable housing which is a key housing priority as identified in paragraphs 8.29 . The resultant overall unit mix of approximately 28% family housing is also considered acceptable.

8.46 It is to be noted that the scheme also exceeds the policy requirement provision for family housing in the social rented tenure and market tenure The table below demonstrates that the proposed development is a significant improvement upon what has been achieved across the borough and in terms of aspiration, is a positive step towards LBTH achieving key housing targets and better catering for housing need.

Tenure	Borough wide %	PA/09/1656
Social rented	21.7%	45%
Intermediate	9.7	0 %
Market	1.7	7%

8.48 On balance, the scheme provides a suitable range of housing choices and meets the needs of family housing in the social rented component. As such, the proposed housing mix is considered to comply with policy 3A.5, 3A.9 & 3A.10 of the London Plan; policy HSG7 of the UDP and policies CP22, HSG2, HSG4 of the IPG & SP02 of the Core Strategy Development Plan (submission document Dec '09) which seeks to ensure that new housing developments offer appropriate housing choices.

Amenity/Open Space

8.49 Policy HSG16 of the UDP requires that new developments should include adequate provision of amenity space, and they should not increase pressure on existing open space areas and playgrounds. The Council's Residential Space SPG includes a number of requirements to ensure that adequate provision of open space is provided, as shown below:

8.50

Units	Total	Minimum standard sqm	Required provision	Proposed provision
Studio	0	6		n/a
1 bed	58	6	348	392.2
2 bed	35	10	350	294.9
3 bed	9	10	190	91.6
4 bed	3	10	30	123
5 bed	0	10	818	n/a
Total	105			901.7
Ground Floor Units				
Studio	0	25		n/a
1 bed	7	25	175	155.2
2 bed	9	25	225	336.9
3 bed	7	50	350	219.9
4 bed	1	50	50	88
5 bed	0	50	0	n/a
Total	24		800	800
Grand total (private amenity space)				
			1, 618	1,715m2
Communal amenity				
		50 m2 for the 1 st 10 units plus a further 5m2 for every 5 units thereafter	174m2	1,090
Grand Total				
	129		1, 792m2	2,805m2

8.51 The table above illustrates that the policy requirement for private amenity space is 1, 618 sqm and the policy requirement for communal amenity space is 174m2. The proposed development will provide 1,715sqm of private amenity space and 1,090 sqm of communal amenity within the site. The proposal therefore exceeds the policy requirement for both private (1, 618sqm) and communal amenity space and is therefore supported by officers.

Child Play Space

- 8.53 London Plan Policy 3D.13 requires developments that include residential units to make provision for play and informal recreation, based on the expected child population. The applicant has not submitted an estimated child occupancy rate. Using the methodology within the Mayors Supplementary Planning Guidance Document entitled “Providing for children and young people play and informal recreation”, this development will be home to 48 children (being 36 under 5 year olds; 35, 5 to 11 year olds; and 22, 12 to 16 year olds).
- 8.54 Using the Council’s methodology for calculating child play space, the scheme will be home to 60 children.
- 8.55 Whilst both the UDP Residential Standards SPG and the IPG prescribe 3sq.m per child bed space, paragraph 4.29 of the Mayors child play space SPG states that a benchmark standard of 10sq.m per child should be applied to establish the quantitative requirements for play space provision for new developments. The IPG prescription equates to 60sqm. The GLA prescription equates to 556sqm.
- 8.56 The proposal makes provision for 560sqm of play space which exceeds the policy requirement and is therefore supported by officers.

Accessibility and Inclusive Design

- 8.57 There are 14 units which are identified as wheel chair accessible which complies with policies HSG9 of the IPG (Oct 2007) & policy 3A.5 of the London Plan (2008) which require 10% of units to be wheelchair accessible. In addition, 100% of the units comply with the Lifetime Homes criteria.
- 8.58 The affordable and market housing elements have been designed to incorporate full Lifetime Homes standard requirements and if permission is granted a condition will be included to secure these requirements.

Amenity

Daylight /Sunlight Access

- 8.59 DEV 2 of the UDP and SP03, SP04 & SP10 of the Core Strategy submission document (December 2009) seeks to ensure that the adjoining buildings are not adversely affected by a material deterioration of their daylighting and sunlighting conditions. Supporting paragraph 4.8 states that DEV2 is concerned with the impact of development on the amenity of residents and the environment.
- 8.60 Policy DEV1 of the Interim Planning Guidance states that development is required to protect, and where possible improve, the amenity of surrounding existing and future residents and building occupants, as well as the amenity of the surrounding public realm. The policy includes the requirement that development should not result in a material deterioration of the sunlighting and daylighting conditions of surrounding habitable rooms.

8.61 According to the UDP, habitable rooms include living rooms, bedrooms and kitchens (only where the kitchen exceeds 13sqm).

1. Daylight Assessment

8.62 Daylight is normally calculated by two methods - the vertical sky component (VSC) and the average daylight factor (ADF). The latter is considered to be a more detailed and accurate method, since it considers not only the amount of sky visibility on the vertical face of a particular window, but also window and room sizes, plus the rooms use.

8.63 British Standard 8206 recommends ADF values for residential accommodation. The recommended daylight factor level for dwellings are:

- 2% for kitchens;
- 1.5% for living rooms; and
- 1% for bedrooms.

8.64 The applicant submitted a Daylight and Sunlight report which looks at the impact upon the daylight, sunlight and overshadowing implications of the development upon itself and on neighbouring residential properties.

8.65 The daylight & sunlight assessment shows only windows to a small number of windows would experience a loss of light below BRE recommendations. However, given the urban context of the site, the minor losses are considered acceptable. LBTH daylight officer has examined the information submitted and confirms that it to be acceptable. Furthermore, the daylight results to surrounding properties, in numerical terms, are better than for the previous scheme (ref no PA/07/1338). On balance, the overall minor loss of daylight levels within the surrounding context of the site is not significant enough to warrant a refusal. As such, a reason for refusal could not be sustained on those grounds.

8.66 In terms of sunlight, the LBTH Daylight and Sunlight Officer is satisfied that the site will retain good levels of sunlight to the existing surrounding properties and to the properties of the consented scheme at 34 Bow Common Lane (ref no: PA/07/1338), given the context of the site. In addition, the proposal will not result in an undue loss of sunlight to surrounding developments. Moreover, it should be noted that no objections have been received on loss of daylight and sunlight grounds.

8.67 The proposal therefore adequately complies with policies 4B.9 of the London Plan; DEV 2 of the Unitary Development Plan; DEV 1 of the IPG (Oct 2007) & SP02 of the Core Strategy submission document (Dec 2009).

Privacy/ Overlooking

8.68 The assessment of overlooking is to be considered in line with Policy DEV2 of the UDP, where new developments should be designed to ensure that there is sufficient privacy for residents. Given the close proximity (approx 6 metres) of building A to Park View Court, the reviews proposed on this elevation will be obscured. This will ensure that the amenity of residents is sufficiently protected.

Sense of Enclosure/ Loss of Outlook

- 8.69 Unlike sunlight and daylight assessments or privacy, these impacts cannot be readily assessed in terms of a percentage. Rather, it is about how an individual feels about a space. It is consequently far more difficult to quantify and far more subjective. Nevertheless, given the proximity of block A to Park View Court, it is acknowledged that the development may result in an increased sense of enclosure to properties at Park View Court on Devon's Road. However, a reason for refusal based on these grounds is not considered to be sustainable. In addition, the site of block A and its relationship with Park View Court has already been agreed under planning reference PA/07/1338.

Highways

Access

- 8.71 The site is accessed along Bow Common Lane & Furze Street. The vehicle access off Furze Street comprises of a reinstated dropped kerb. The existing parking spaces lost by the introduction of the vehicular access to the site will be replaced, with potential for additional parking. The proposed shared pedestrian and cycle route connecting Furze Street to Bow Common Lane is acceptable.
- 8.72 The site is not gated and as such is accessible to all.

Current Car Parking Standards

- 8.73 For development control purposes, parking standards set out in the UDP have now been superseded by those set out in Planning Standard 3: Parking of the Core Strategy and Development Control (November 2006 Submission Document. The development proposes residential and commercial development and the table below set out the acceptable range of maximum car parking and minimum car parking provision.

8.74

Lane Use	Maximum car/motorcycle	Minimum cycle parking
C3 Dwelling Houses	Car free housing up to 0.5 dwelling	1 space per unit + 10 units for visitors.
B1 Offices and Light	No parking	1 spaces per 250m ² or a minimum of 2 spaces

Table 3: Tower Hamlets Borough Parking Standards

- 8.75 One disabled car parking space and no other car parking spaces ARE proposed. The disabled car parking space provided to the standard dimension as required by the IPG. The position of the proposed disabled space is acceptable as the vehicle can enter and leave the site in a forward direction.

Cycle Parking

- 8.76 The policy requirement is 130 cycle parking spaces (129 for residential & 1 for

commercial). The proposal makes provision for 142 spaces which thus exceeds the Council's policy requirement. There are 142 spaces of secure undercover bicycle parking provided throughout the site. This is in line with Council policy.

- 8.77 Furthermore, all proposed cycle storage is provided in accessible, well lit, safe, sheltered and secure areas.

Servicing

- 8.79 Servicing along Bow Common Lane is not considered acceptable. LBTH Highways department note that Bow Common Lane is narrow in width and has a signalised junction located a few metres away. As such any servicing of the site on-street would not be acceptable. As such, all servicing must take place on site on Bow Common Lane. A condition will be attached to the application which restricts servicing on Bow Common Lane.
- 8.80 The applicant has not provided information on the servicing arrangements for the proposed office use. This will be required by way of condition.
- 8.81 LBTH Highways note that off site refuse storage areas is not acceptable. The location where refuse bins are to be located on collection day should not be on public highway. The applicant will be required to submit details of refuse and recycling facilities for both the residential and commercial uses.

Sustainability

- 8.82 The consolidated London Plan (2008) energy policies aim to reduce carbon emissions by requiring the incorporation of energy efficient design and technologies, and renewable energy technologies where feasible.
- 8.83 The consolidated London Plan (2008) energy policies 4A.1 - 4A.7 aim to reduce carbon emissions by requiring the incorporation of energy efficient design, decentralised energy systems and renewable energy technologies where feasible.
- 8.84 Policy 4A.1 sets out the Energy Hierarchy to be followed for developments to ensure they make the fullest contribution to the mitigation of and adaptation to climate change and to minimise emissions of carbon dioxide.
- 8.85 Policy 4A.3 requires all developments to meet the highest standards of sustainable design and construction through measures such as minimising energy use through design, supplying energy efficiently and incorporating decentralised energy systems, and use renewable energy where feasible. Policy 4A.3 also includes a requirement for developments to make the most effective and sustainable use of water, aggregates and other resources and procure materials sustainably using local suppliers wherever possible.
- 8.86 Policy 4A.6 requires all developments to demonstrate that their heating, cooling and power systems have been selected to minimise carbon dioxide emissions.
- 8.87 Policy 4A.7 adopts a presumption that developments will achieve a reduction in

carbon dioxide emissions of 20% from onsite renewable energy generation (which can include sources of decentralised renewable energy) unless it can be demonstrated that such provision is not feasible.

8.88 With reference to Energy, proposals include energy efficiency measures and a CHP system to reduce CO2 emissions on site which is supported by officers. Notwithstanding, LBTH Energy team have recommended that conditions be attached to the approval which requires the following:

- 8.89
- Detailed CHP communal heating feasibility study including thermal loads and CO2 emission reduction
 - Detailed renewable energy technology study and specification of technologies to be integrated into the proposals.
 - A heat network supplying all residential unit shall be installed and sized to the space heating and domestic hot water requirements

These conditions are to mitigate climate change and minimise carbon emissions.

8.90 With reference to sustainability, it is proposed that residential units will meet Code Level 4 for Sustainable Homes. Notwithstanding, a condition will be attached which requires the applicant to have a minimum of Code 4 to ensure the highest levels of sustainable design and construction.

Section 106 contributions

8.91 Saved Policy DEV4 of the UDP, policy IMP1 of the Interim Planning Guidance and policy SP13 of the CS state that the Council will seek planning obligations or financial contributions to mitigate for the impact of the development. Reference is also made to Community Infrastructure Levy Regulations which were adopted in April 2010 and give statutory force to the policy tests set out in Circular 05/05.

8.92 To mitigate for the impact of this development, on local infrastructure and community facilities the following financial contributions have been agreed.

- Affordable housing provision of 37% of the proposed habitable rooms with a 81/19 split between rented/ intermediate to be provided on site.
- A contribution of £154, 801 to mitigate the demand of the additional population on health care facilities
- A contribution of £197,472 to mitigate the demand of the additional population on education facilities
- A financial contribution of £23,000 towards signage and pedestrian and cyclist routes in the vicinity
- A contribution of £150,000 towards improvements to park and open spaces
- A contribution of £65,000 towards leisure facilities

Affordable housing

8.93 The provision of 37% affordable housing by habitable rooms would assist the Council in meeting its housing targets and deliver much needed affordable housing within the borough.

Health

- 8.94 Primary Care Trust seek to secure a capital contribution of £154,801. This development is within Local Partnership 6. The nearest current practice is St Paul's Way. The anticipated population growth in Bromley by Bow ward (where the development is located) is estimated rise from 15,747 in 2009 to 21,053 in 2015, an increase of over 33%. To accommodate the expected population growth in the area, a locality hub is planned for the Ryan's Yard site (which is planned to include the current St Paul's Practice). The contribution would go toward the long lease or 'fit out' costs for this new development.

Education

- 8.95 The proposed dwelling mix has been assessed for the impact on the provision of primary school places. The mix is assessed as requiring a contribution towards the provision of 16 additional primary school places @ £12,343= £197,472. This funding will be pooled with other resources to support the Local Authority's programme for the borough of providing additional places to meet need.

Transport infrastructure

- 8.96 LBTH Highways department have not attributed a cost towards transport improvement works. However, it should be noted that £20,000 was secured for transport management improvement measures in the extant permission (ref no: PA/07/1338). The contribution of £23,000 (increase of £3,000 from the extant permission) will go towards transport management improvement measures. The money will be spent on signage, pedestrian and cyclist routes in the vicinity of the site.

Parks and open spaces

- 8.97 The increased permanent population generated by the development will increase demand for open space. The contribution of £150,000 towards parks and open spaces is considered sufficient to mitigate the impact on existing open spaces within the area.

Leisure facilities contribution

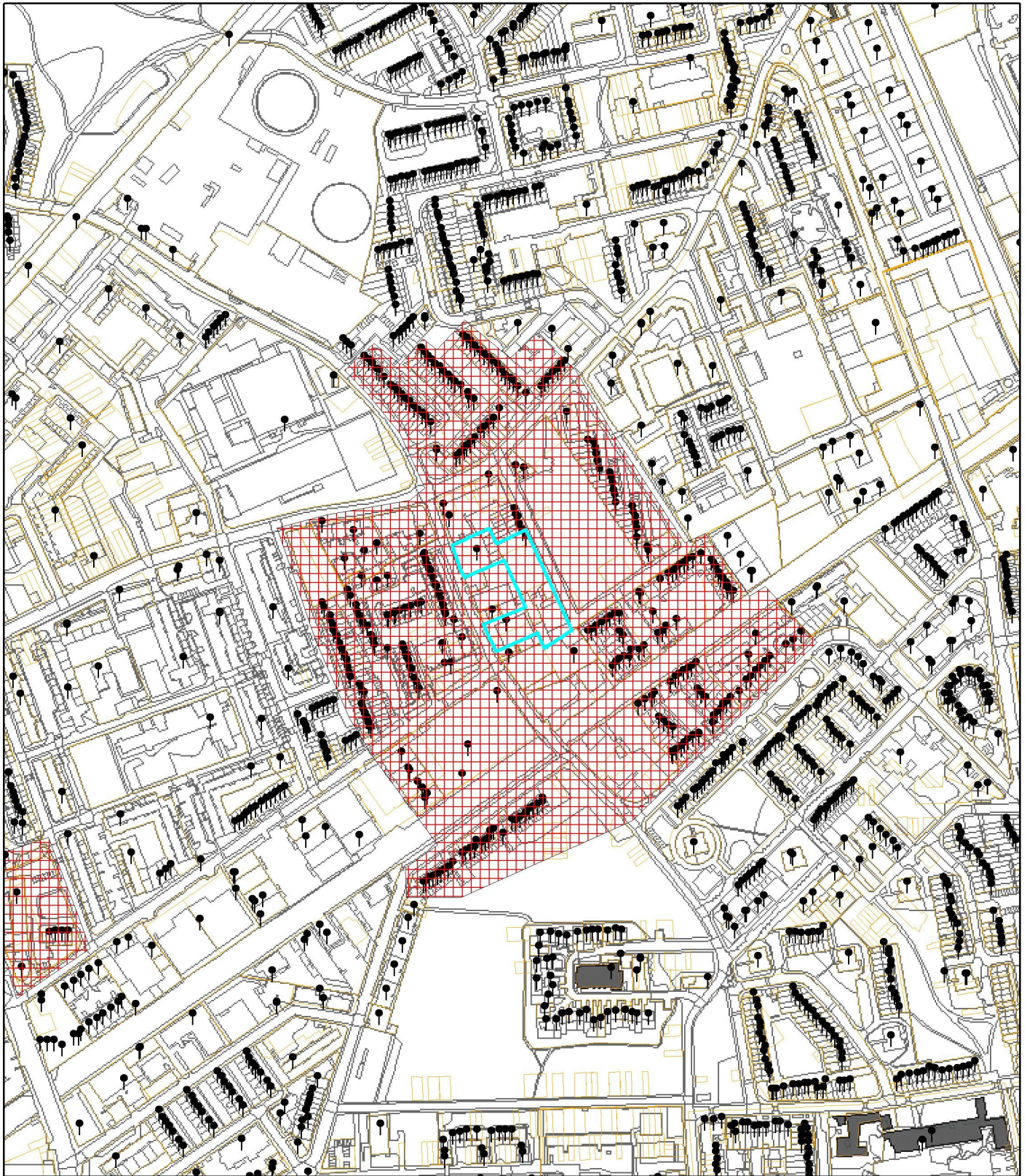
- 8.98 The increased permanent population generated by the development will be increase demand for open space. £65,000 towards leisure facilities such as swimming pools, sports halls and pitches in the area.
- 8.99 On overall terms Officer's consider that the level of agreed financial contributions is appropriate and that they adequately mitigate for the impacts of the development.


9. Conclusions

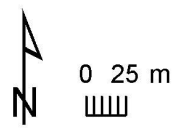
- 9.1 All other relevant policies and considerations have been taken into account. Planning permission should be granted for the reasons set out in the SUMMARY

OF MATERIAL PLANNING CONSIDERATIONS and the details of the decision are set out in the RECOMMENDATION at the beginning of this report.

Planning Application Site Map



-  Planning Application Site Boundary
-  Other Planning Applications
-  Consultation Area
-  Land Parcel Address Point



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Agenda Item 10

Committee: Development	Date: 16 June 2010	Classification: Unrestricted	Agenda Item No: 10
Report of: Corporate Director Development and Renewal		Title: Other Planning Matters	
Originating Officer: Owen Whalley		Ref No: See reports attached for each item	
		Ward(s): See reports attached for each item	

1. INTRODUCTION

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

2. FURTHER INFORMATION

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

3. PUBLIC SPEAKING

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

4. RECOMMENDATION

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

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

Brief Description of background papers:
See individual reports

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Agenda Item 10.1

Committee: Development	Date: 16 th June 2010	Classification: Unrestricted	Agenda Item: 10.1
Report of: Corporate Director of Development and Renewal		Title: Listed Building Application	
Case Officer: Nasser Farooq		Ref No: PA/10/100	
		Ward: Mile End and Globe Town	

1.0 APPLICATION DETAILS

- 1.1 **Location:** Bancroft Local History And Archives Library, 277 Bancroft Road, London, E1 4DQ
- 1.2 **Existing Use:** Local History Library and Archives (Use Class D1)
- 1.3 **Proposal:** Works in connection with the upgrade of fire escape, works to doors & screens, and fire compartmentalisation of basement. Upgrade of mechanical and electrical services and fire alarms with emergency lighting and escape signage. Provision of a new wc for disabled persons. Alterations to front entrance consisting of a new lobby and ramp.
- 1.4 **Drawing Nos:** 194/11A, 194/20, 194/100B 194/101a, 194/102B,194/103B, 194/104B, 194/110, 194/200, 194/300, 194/301D, 194/302C, 194/303E, 194/304B, 194/305, 194/306B, 194/307, 194/308A, 194/400B, 194/401A,194/402B, 194/L/500, 194/AL(2-)100DRAFT 4, 194/AL(2-)101A, 194/AL(2-)102A, 194/AL(2-)103A, 194/AL(2-)104A, 194/AL(2-)105A, and 194/301/SK6
- 1.5 **Applicant:** Tower Hamlets Local History Library and Archives
- 1.6 **Owner:** LBTH
- 1.7 **Historic Building:** Grade II Listed.
- 1.8 **Conservation Area:** Carlton Square Conservation Area.

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, the Council's Interim Planning Guidance (2007), the Core Strategy Development: Development Plan Document 2025, associated supplementary planning guidance, the London Plan and Government Planning Policy Guidance and has found that:

- 2.2 1. The proposed works contribute to the long-term preservation of the building by improving accessibility. The works are appropriate in terms of design and use of materials, and as such accord with the aims of saved policy DEV37 of the adopted Tower Hamlets Unitary Development Plan

1998, policies CP49 and CON1 of the Interim Planning Guidance October 2007 and policies 4B.11 and 4B.12 of the London Plan (Consolidated with Alterations since 2004) February 2008, which seek to ensure works to Listed structures preserve features of special historic and architectural interest.

RECOMMENDATION

3. That the Committee resolve to refer the application to the Government Office for London with the recommendation that the Council would be minded to grant Listed Building Consent subject to conditions as set out below.
 - 3.1
 1. Time Limit.
 2. Completed in accordance with approved drawings.
 3. Samples of materials used for construction of ramp.
 4. Proposed brick to block up doorway to be match existing.

4. BACKGROUND

- 4.1 This application for Listed Building Consent is required for proposed works to the Bancroft Local History Library. The Library is Grade II Listed, and is owned by the Council. The Council's scheme of delegation requires that where the Council is applying for works to a Listed Building that it owns, the application must be brought before Members.
- 4.2 The Council cannot determine applications for Listed Building Consent for works to buildings that it owns. Regulation 13 of the Planning (Listed Building and Conservation Areas) Regulations 1990 requires that such applications are referred to the Secretary of State, together with any representations received following statutory publicity.
- 4.3 The purpose of this report is to allow Members to recommend to the Secretary of State that the Council would be minded to grant Listed Building Consent, were it empowered to do so itself.

5. PROPOSAL AND LOCATION DETAILS

Proposal

- 5.1 The proposals are for various internal and external works to Bancroft Library.
- 5.2 The external works include
 - i) removal of the existing ramp and handrails at the front entrance of the library (facing Bancroft Road),
 - ii) the provision of a new side facing ramp with a landing and the widening of the fire escape door in south elevation (between library yard and university campus),
 - iii) Works to the side yard adjacent to Queen Mary University consisting of the blocking up of an existing door and the widening of the existing door for

an emergency exit.

- 5.3 Internal works are in connection with the upgrade of fire escape facilities, works to doors and fire compartmentalisation of basement.
- 5.4 A new WC for disabled persons is also proposed in the Vestry Hall.

Site and Surroundings

- 5.5 The Bancroft Local History and Archives Library was Grade II Listed in 1973. English Heritage state the northern end of the building was built in 1865.
- 5.6 The building itself is two storeys in height and has an elegant front façade with distinctive cornices and fenestration detailing.
- 5.7 The application site and the surrounding area form part of the Carlton Square Conservation Area.
- 5.8 The Bancroft History Library, and the nearby London Hospital are the only Grade II listed buildings within the Carlton Square Conservation Area.
- 5.9 The Conservation Area appraisal describes the Library as follows:

Bancroft Road is the library which was built in two parts, with the northern end built in 1865 and the southern part probably built earlier. Two storeys in scale, the library building is constructed of white stone with heavy eaves cornice. Presented with banding between storeys, the ground floor is rusticated and has central round arched windows and its door flanked by Tuscan pilasters.

- 5.10 Queen Mary University is located to the south of the site. Immediately adjacent to the site is a residential terrace.

Relevant Planning History

- 5.11 An associated application for Planning Permission (reference PA/10/0101) has also been submitted to the Council. Under the Council's scheme of delegation this application does not have to be brought before Member's for a decision. Officer's will make a decision on this application after this committee meeting.

6. POLICY FRAMEWORK

- 6.1 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:

6.2 Unitary Development Plan (UDP)(as saved September 2007)

Policies:

DEV37 Alterations to listed buildings to preserve special architectural or historic interest of the building, repair original features and replace missing items, traditional materials.

6.3 Interim Planning Guidance for the purposes of Development Control (IPG)(Oct 2007)

Core Strategies	CP49	Protect and enhance the historic environment including character and setting of conservation areas
Policies	CON 1	Listed buildings

6.4 Government Planning Policy Guidance/Statements

PPS5 Planning for the Historic Environment

6.5 Core Strategy and Development Plan Document 2020

SP10: Protect and enhance heritage assets

6.6 Community Plan 2008/09: The following Community Plan Objectives relate to the application.

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7. CONSULTATION RESPONSE

7.1 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

7.2 English Heritage have made the following comments:-

- The original porch was removed in the 1930's. The existing door, though clearly of some age appears may have been altered following facade alterations; the top of the door appearing almost absurdly low in relation to the cills of the ground floor windows.

7.3 - The existing fan light arrangements over the door are clumsy and inelegant; the two lower panes of the fanlight appear to be a later insertion. It would seem sensible, rather than replicating the alteration, to reconsider the design at this stage.

7.4 - The existing ramp at the main entrance is a crude addition. It is important that the details of any reconfigured ramp are carefully considered. As proposed, the steps would be constructed of stone paving on an exposed concrete base; we would suggest that the steps should appear to be constructed of solid stone i.e. the riser should be stone faced.

7.6 - If the Authority is minded to grant consent comments and relevant documents should be sent to the Government Office for London for consideration on behalf of the Secretary of State.

7.7 *(Officer comment: The fanlight does not form part of these works; and therefore*

cannot be considered as part of this application. However, the applicant has agreed that it should be considered in later phases when further funding is available.)

- 7.8 The proposal to face the ramp edge in stone is fully endorsed by the applicant and this change has been adopted as shown on amended drawing 194 301 Rev D.

8. LOCAL REPRESENTATION

- 8.1 A total of 12 neighbouring addresses were consulted by letter, a site notice was posted on 27th February. Following the submission of amended plans a further site notice was posted on 14 April 2010. A press notice was published on 15th February 2010.

- 8.2 Five objections have been received as a result of the consultation process. The issues raised overlap between the planning and listed building applications. However, for the benefit of members a summary of all the issues raised are given below:-

- 8.3 The issues raised are as follows:

- 8.4 i) Scheme proposes limited access for disabled users (*Officer comment: This matter is considered under the application for planning permission. It is noted that disabled (wheelchair or frail) users currently do not benefit from appropriate access to either floors of the existing building, as the front entrance and lobby are not compliant with Part M of the Building Regulations. The proposed scheme [Part M compliant entrance lobby, accessible toilet and accessible means of escape] makes the ground floor fully accessible to wheelchair users for the first time. This approach is supported by the Councils Access Officer.*)

- 8.5 ii) New WC in G4 - Loss of original Vestry Hall room. (*Officer comment: English Heritage did not object to this element of scheme. In addition to this, the applicant has confirmed that G4 is a small narrow room, which was adapted at the turn of the 20th century to provide access to external lean-to toilets, now disused. The master plan proposed that these lean to toilets be demolished to form a new alternative means of escape from the building - an external pathway running down the side of the building into the front yard. To provide access to this new exit route, it is proposed that G4 be adapted to become a hallway, housing a new staircase from the upper floors. Therefore, using some of its available space for the siting of new public toilets at this stage makes sense and is an investment in the future use of the building.*)

- 8.6 iii) Lack of historical background, research and local context in Listed Building Application (*Officer comment: It is considered that the application has provided all the relevant information required to validate and assess this application.*)

- 8.7 iv) Loss of former Lending Library upstairs for alteration and conversion to hold "events" and to "hire out" - as outlined in Listed Building Application. (*Officer comment: Providing the 'events' and 'hire out' are ancillary to the use of site as a library, planning permission is not required. The management arrangements at the library are not a planning matter*)

- 8.8 v) Proposed new ramp, rails and new entrance are not sympathetic to

the original building. *(Officer comment: This is addressed in part 8 of this report.*

- 8.9 vi) No involvement in proposed DDA (Disability Discrimination Act) alterations by an Access Officer, a consultant or a community panel representing disabled users *(Officer Comment: This is not material to the determination of this application for Listed Building Consent. However, it is noted that the Council's Access Officer has been consulted and is supportive of the proposals.*

9.0 MATERIAL PLANNING CONSIDERATIONS

- 9.1 When determining listed building consent applications, section 16 of the Planning (Listed Buildings and Conservation Areas) Act 1990, requires that special regard should be paid to the desirability of preserving the building or its setting, or any features of special interest.
- 9.2 The main issue for Members' to consider is whether the proposed restoration works are appropriate in this respect.

Design and Impact on the Listed Building.

- 9.3 London Plan (Consolidated with Alterations since 2004) February 2008 policies 4B.11 and 4B.12 state that Boroughs should seek to enhance and protect the historic environment and promote the beneficial use of built assets.
- 9.4 Saved policy DEV37 of the Unitary Development Plan 1998 (UDP) states that proposals to alter listed buildings or structures will be expected to preserve the special architectural or historic interest of the building. In particular, it requires that alterations retain and repair original architectural features and that any works are undertaken with traditional materials.
- 9.5 Policies CP49 and CON1 of the Interim Planning Guidance October 2007 (IPG) state that any works to listed buildings will only be supported if they do not have an adverse impact on the character, fabric or identity of the building and if they are appropriate in terms of design scale, detailing and materials.
- 9.6 The proposal is to carry out the following works:
- Demolition of existing concrete access ramp and installation of a new access ramp to improve access.
- 9.7 The existing concrete ramp is located perpendicular at the front of the building and provides direct access down from the door to towards Bancroft Road. The proposal is to remove this ramp and construct a new ramp that leads outwards to the side of the building.
- 9.8 The proposed ramp and landing would be constructed from Yorkstone paving with a Portland stone band at the base (samples of which are proposed to be conditioned to ensure appropriate materials are used). The landing measures 2.2 metres by 2.4 metres, with a new ramp measuring 2 metres in length and runs along the side of the building.

- 9.9 The existing ramp is constructed of concrete and detracts from the appearance of the building.
- 9.10 The position of the proposed ramp is a compromise. It is acknowledged that a ramp leading straight onto the highway may be visually more appropriate. However, this is not possible, as it would not comply with the gradient and level-landing requirements of the Building Regulations.
- 9.11 Locating the ramp to the side allows it to conform to building control regulations. Facilitating improved disabled access to the building contributes to the longer term future of the Listed building. The design of the ramp and proposed materials represent a sympathetic addition that preserves the special historic interest of the host building.
- 9.12 It is noted that objections have been raised on this item from local residents in terms of both the design and impact on the listed building, and also its suitability in terms of access for disabled persons. However, Officers consider that the ramp is satisfactory in these regards.

Renewal of the existing timber front doors to open inwards and associated alterations to the entrance lobby to improve access and means of escape.

- 8.14 The existing doors are double swing doors opening both in and out, in order to improve accessibility they are proposed to be powered. This would enable the doors to open with ease at a push of a button.
- 8.15 The initial proposal was to have both doors to the entrance of Bancroft Road to opening outwards. However, in response to the objections received to this element, the applicant, after discussions with the Fire Officer and Building Control, has amended both sets of doors to open inwards rather than outwards.
- 8.16 In terms of the impact on the Listed building it is considered that the doors opening inwards or outwards would have a neutral impact on the building.

Upgrading the existing rear escape door and gate to match the increased width of the frame, within the existing brick opening and the bricking up of adjacent doorway.

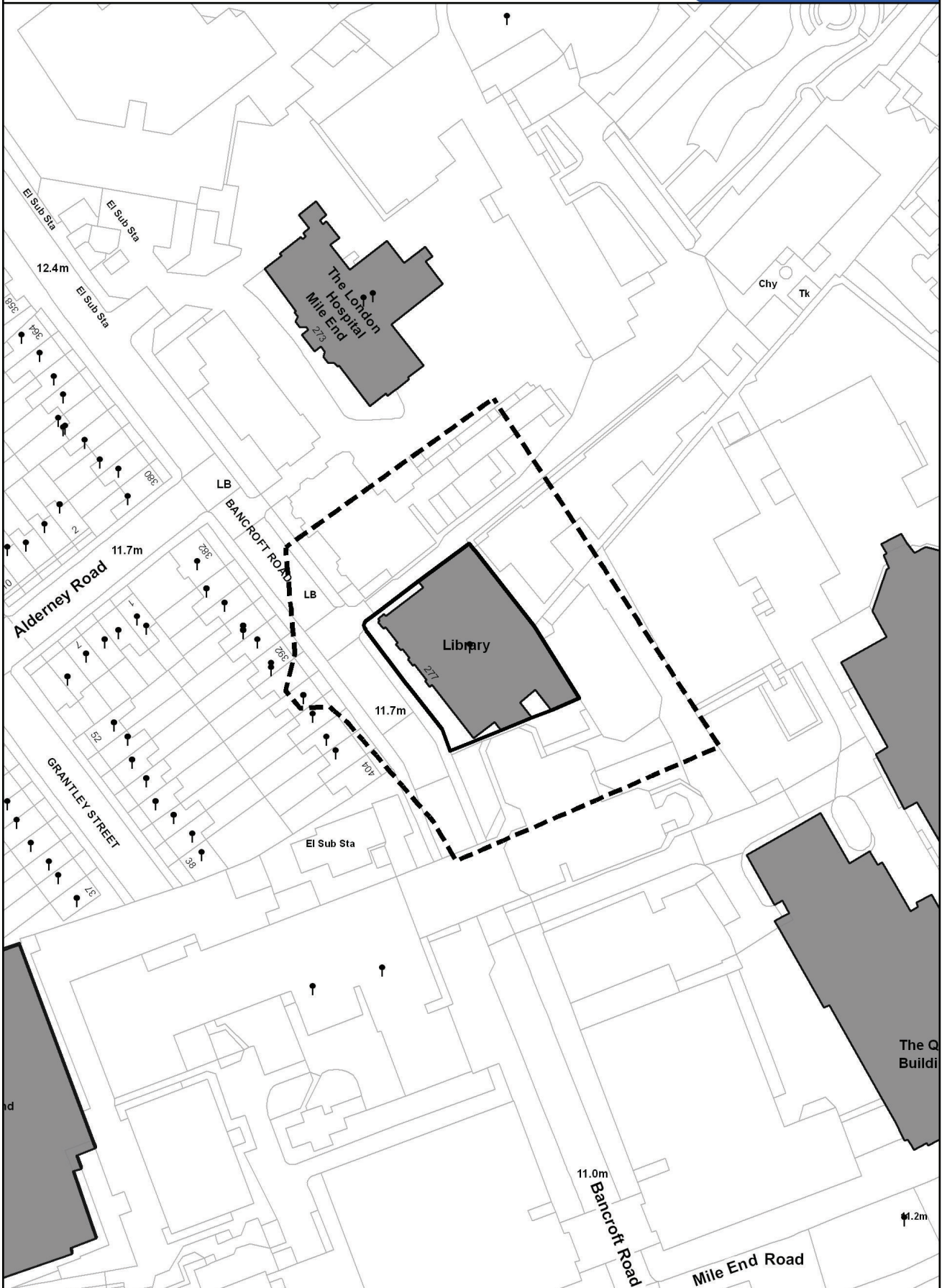
- 8.17 A rear courtyard is located to the southern boundary of the site adjoining the Queen Mary Chemistry Building. The courtyard currently has two black painted doors with lay-lights above. These are modern inward opening doors without any significant historic value.
- 8.18 The proposal is to upgrade one of the existing rear escape doors at the rear yard within the existing openings to open outwards and to ensure this door provide suitable emergency access to the rear yard, in an emergency situation. This element of the proposal is not considered to have an adverse impact on the historic fabric of the Listed Building.
- 8.19 The remaining door is currently a redundant door to the yard adjacent to Queen Mary University. The proposal is to block up this entrance, with matching brick. This is considered acceptable subject to a condition that the proposed brick matches the existing brick to ensure it is sympathetic to the historic fabric of the Listed Building.







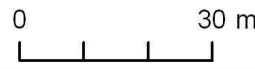
Construction of new unisex wheelchair accessible toilet on ground floor within G4.

- 9.20 Room G4 as labelled in the submitted drawing is a small narrow room, located at the northern end of the building at ground floor level. As part of the master plan it is envisaged that this room will provide access to a new exit route. Details of this exit route do not form part of this application. In order to facilitate this G4 part of G4 would become a hallway.
- 9.21 The proposal is to utilise the remaining part of this room to provide a fully accessible toilet facility at ground floor level which would be well located close to the reception and accessed off a circulation core.
- 9.22 The Council's Historic Building Officer and English Heritage have been consulted with regards to this application. No objections have resulted to this element of the proposal.
- 9.23 Other works include emergency repairs to the roof fabric to mitigate damage to the interior finishes and fittings, upgrading services including external emergency lighting and the removal of any asbestos required to facilitate the above works.
- 9.24 Given financial constraints the proposed works are minimal at this stage. Any historic features, leaded or tiled areas of the roof would not be altered. Any replacement pipe-work in visible areas would be cast Iron to match existing. The proposed works are envisaged to aid the preservation of this historic building by reducing the likelihood of any water leakages into the building.
- 9.25 The proposed emergency lighting is shown on the submitted drawings in various locations. The purpose of this lighting is to inform patrons of the site of the various exit routes. This is a fire safety requirement and is considered necessary as part of the modernisation works to the building.
- 9.26 These works are considered necessary and supported by the Planning Department, as they do not have an adverse impact on the historic fabric of the Listed Building.
- 9.27 These proposed works contribute to the long-term preservation of the building by improving accessibility. The works are appropriate in terms of design and use of materials, and as such accord with the aims of saved policy DEV37 of the adopted Tower Hamlets Unitary Development Plan 1998, policies CP49 and CON1 of the Interim Planning Guidance October 2007 and policies 4B.11 and 4B.12 of the London Plan (Consolidated with Alterations since 2004) February 2008, which seek to ensure works to Listed structures preserve features of special historic and architectural interest.

10.0 CONCLUSION.

- 10.1 All other relevant policies and considerations have been taken into account. The Secretary of State can be advised that this Council would have been minded to grant Listed Building Consent for the reasons set out in the SUMMARY OF MATERIAL PLANNING CONSIDERATIONS and the details of the decision are set out in the RECOMMENDATION at the beginning of this report.



 Planning Application Site Boundary	 Locally Listed Buildings	 Land Parcel Address	 1:1,250
 Consultation Area	 Statutory Listed Buildings		

This Site Map displays the Planning Application Site Boundary and the neighbouring Occupiers / Owners who were consulted as part of the Planning Application process. This map is based upon Ordnance Survey material with the permission of Ordnance Survey on behalf of the Controller of Her Majesty's Stationery Office © Crown copyright. Unauthorised reproduction infringes Crown copyright and may lead to prosecution or civil proceedings. 100019288, 2010.

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