

DEVELOPMENT COMMITTEE

Wednesday, 7 May 2014 at 7.00 p.m.

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

The meeting is open to the public to attend.

Members:

Chair: Councillor Helal Abbas

Vice Chair :

Councillor Judith Gardiner, Councillor Kosru Uddin, Councillor Khaled Uddin Ahmed,
Councillor Tim Archer, Councillor Gulam Robbani and Councillor Harun Miah

Deputies:

Councillor Rajib Ahmed, Councillor Denise Jones, Councillor Carli Harper-Penman,
Councillor Zara Davis, Councillor Peter Golds, Councillor Md. Maium Miah and
Councillor Fozol Miah

[The quorum for this body is 3 Members]

Public Information.

The deadline for registering to speak is **4pm Friday, 2 May 2014**

Please contact the Officer below to register. The speaking procedures are attached.

The deadline for submitting material for the update report is **Noon Tuesday, 6 May 2014**

Contact for further enquiries:

Zoe Folley, Democratic Services,
1st Floor, Town Hall, Mulberry Place, 5 Clove Crescent, E14 2BG
Tel: 020 7364 4877
E-mail: zoe.folley@towerhamlets.gov.uk
Web: <http://www.towerhamlets.gov.uk/committee>

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agenda



Public Information

Attendance at meetings.

The public are welcome to attend meetings of the Committee. However seating is limited and offered on a first come first served basis.

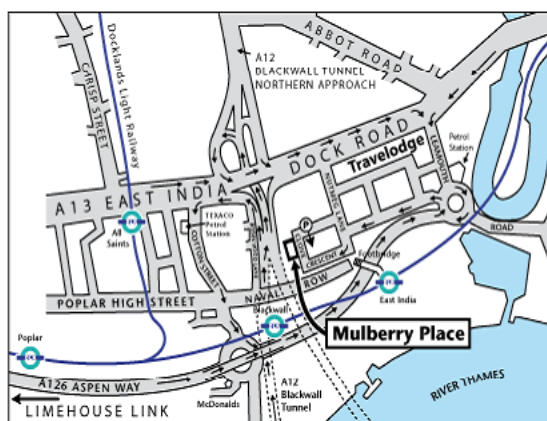
Audio/Visual recording of meetings.

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display parking at the Town Hall (free from 6pm)

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Meeting access/special requirements.

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Fire alarm

If the fire alarm sounds please leave the building immediately by the nearest available fire exit without deviating to collect belongings. Fire wardens will direct you to the exits and to the fire assembly point. If you are unable to use the stairs, a member of staff will direct you to a safe area. The meeting will reconvene if it is safe to do so, otherwise it will stand adjourned.

Electronic agendas reports and minutes.

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To access this, click www.towerhamlets.gov.uk, 'Council and Democracy' (left hand column of page), 'Council Minutes Agendas and Reports' then choose committee and then relevant meeting date.

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QR code for smart phone users

APOLOGIES FOR ABSENCE

1. ELECTION OF VICE-CHAIR

To elect a Vice-Chair of the Development Committee.

2. DECLARATIONS OF DISCLOSABLE PECUNIARY INTERESTS (Pages 1 - 4)

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 Monitoring Officer.

3. MINUTES OF THE PREVIOUS MEETING(S) (Pages 5 - 12)

To confirm as a correct record the minutes of the meeting of the Development Committee held on 9th April 2014.

4. RECOMMENDATIONS

To RESOLVE that:

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

5. PROCEDURE FOR HEARING OBJECTIONS AND MEETING GUIDANCE (Pages 13 - 14)

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

6. DEFERRED ITEMS

Nil Items.

7. PLANNING APPLICATIONS FOR DECISION

15 - 16

7 .1 638 Commercial Road/Limehouse Library (PA/13/2580 & PA/13/2581)

17 - 46

Limehouse

Proposal:

PA/13/2580: Conversion and extension of existing vacant library to provide part 3-5 storey building with a kitchen, laundry and gymnasium facilities at basement level; study/lecture rooms at ground floor ; 64 self contained student accommodation units at ground and upper floors and 73 bicycle spaces.

PA/13/2581: Listed Building Consent for the conversion and extension of existing vacant library to provide part 3-5 storey building with a kitchen, laundry and gymnasium facilities at basement level; study/lecture rooms at ground floor; 64 self contained student accommodation units at ground and upper floors and 73 bicycle spaces.

Recommendations:

To GRANT planning permission subject to a legal agreement conditions and informatives.

To GRANT Listed Building Consent subject to conditions.

8. OTHER PLANNING MATTERS

47 - 48

8 .1 Former Professional Development Centre, English Street, London, E3 4TA (PA/14/00245)

49 - 56

**Mile End &
Globe Town**

Proposal:

Alterations to glazed screens, repositioning of screens/doors and associated works to facilitate improved access and escape from the building.

Recommendation:

That the Committee resolve to refer the application to the National Casework Unit with the recommendation that the Council would be minded to grant Listed Building Consent subject to conditions set out in the report.

Next Meeting of the Development Committee

Wednesday, 25 June 2014 at 7.00 p.m. in the Council Chamber, 1st Floor, Town Hall, Mulberry Place, 5 Clove Crescent, London, E14 2BG

Agenda Item 2

DECLARATIONS OF INTERESTS - NOTE FROM THE MONITORING OFFICER

This note is for guidance only. For further details please consult the Members' Code of Conduct at Part 5.1 of the Council's Constitution.

Please note that the question of whether a Member has an interest in any matter, and whether or not that interest is a Disclosable Pecuniary Interest, is for that Member to decide. Advice is available from officers as listed below but they cannot make the decision for the Member. If in doubt as to the nature of an interest it is advisable to seek advice **prior** to attending a meeting.

Interests and Disclosable Pecuniary Interests (DPIs)

You have an interest in any business of the authority where that business relates to or is likely to affect any of the persons, bodies or matters listed in section 4.1 (a) of the Code of Conduct; and might reasonably be regarded as affecting the well-being or financial position of yourself, a member of your family or a person with whom you have a close association, to a greater extent than the majority of other council tax payers, ratepayers or inhabitants of the ward affected.

You must notify the Monitoring Officer in writing of any such interest, for inclusion in the Register of Members' Interests which is available for public inspection and on the Council's Website.

Once you have recorded an interest in the Register, you are not then required to declare that interest at each meeting where the business is discussed, unless the interest is a Disclosable Pecuniary Interest (DPI).

A DPI is defined in Regulations as a pecuniary interest of any of the descriptions listed at **Appendix A** overleaf. Please note that a Member's DPIs include his/her own relevant interests and also those of his/her spouse or civil partner; or a person with whom the Member is living as husband and wife; or a person with whom the Member is living as if they were civil partners; if the Member is aware that that other person has the interest.

Effect of a Disclosable Pecuniary Interest on participation at meetings

Where you have a DPI in any business of the Council you must, unless you have obtained a dispensation from the authority's Monitoring Officer following consideration by the Dispensations Sub-Committee of the Standards Advisory Committee:-

- not seek to improperly influence a decision about that business; and
- not exercise executive functions in relation to that business.

If you are present at a meeting where that business is discussed, you must:-

- Disclose to the meeting the existence and nature of the interest at the start of the meeting or when the interest becomes apparent, if later; and
- Leave the room (including any public viewing area) for the duration of consideration and decision on the item and not seek to influence the debate or decision

When declaring a DPI, Members should specify the nature of the interest and the agenda item to which the interest relates. This procedure is designed to assist the public's understanding of the meeting and to enable a full record to be made in the minutes of the meeting.

Where you have a DPI in any business of the authority which is not included in the Member's register of interests and you attend a meeting of the authority at which the business is considered, in addition to disclosing the interest to that meeting, you must also within 28 days notify the Monitoring Officer of the interest for inclusion in the Register.

Further advice

For further advice please contact:-

Meic Sullivan-Gould, Monitoring Officer, Telephone Number: 020 7364 4801

APPENDIX A: Definition of a Disclosable Pecuniary Interest

(Relevant Authorities (Disclosable Pecuniary Interests) Regulations 2012, Reg 2 and Schedule)

Subject	Prescribed description
Employment, office, trade, profession or vacation	Any employment, office, trade, profession or vocation carried on for profit or gain.
Sponsorship	<p>Any payment or provision of any other financial benefit (other than from the relevant authority) made or provided within the relevant period in respect of any expenses incurred by the Member in carrying out duties as a member, or towards the election expenses of the Member.</p> <p>This includes any payment or financial benefit from a trade union within the meaning of the Trade Union and Labour Relations (Consolidation) Act 1992.</p>
Contracts	<p>Any contract which is made between the relevant person (or a body in which the relevant person has a beneficial interest) and the relevant authority—</p> <p>(a) under which goods or services are to be provided or works are to be executed; and</p> <p>(b) which has not been fully discharged.</p>
Land	Any beneficial interest in land which is within the area of the relevant authority.
Licences	Any licence (alone or jointly with others) to occupy land in the area of the relevant authority for a month or longer.
Corporate tenancies	<p>Any tenancy where (to the Member's knowledge)—</p> <p>(a) the landlord is the relevant authority; and</p> <p>(b) the tenant is a body in which the relevant person has a beneficial interest.</p>
Securities	<p>Any beneficial interest in securities of a body where—</p> <p>(a) that body (to the Member's knowledge) has a place of business or land in the area of the relevant authority; and</p> <p>(b) either—</p> <p>(i) the total nominal value of the securities exceeds £25,000 or one hundredth of the total issued share capital of that body; or</p> <p>(ii) if the share capital of that body is of more than one class, the total nominal value of the shares of any one class in which the relevant person has a beneficial interest exceeds one hundredth of the total issued share capital of that class.</p>

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LONDON BOROUGH OF TOWER HAMLETS

MINUTES OF THE DEVELOPMENT COMMITTEE

HELD AT 7.00 P.M. ON WEDNESDAY, 9 APRIL 2014

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

Members Present:

Councillor Helal Abbas (Chair)
Councillor Judith Gardiner
Councillor Khaled Uddin Ahmed
Councillor Tim Archer
Councillor Gulam Robbani
Councillor Harun Miah
Councillor Rajib Ahmed (Substitute for
Councillor Kosru Uddin)

Other Councillors Present:

Councillor Joshua Peck

Apologies:

Councillor Kosru Uddin

Officers Present:

Paul Buckenham	– (Development Control Manager, Development and Renewal)
Piotr Lanoszka	– (Planning Officer, Development and Renewal)
Robert Lancaster	– (Planning Officer, Development and Renewal)
Elaine Bell	– (Legal Advisor, Directorate, Law, Probity and Governance)
Zoe Folley	– (Committee Officer, Directorate Law, Probity and Governance)

1. DECLARATIONS OF DISCLOSABLE PECUNIARY INTERESTS

No declarations of disclosable pecuniary interests were made.

2. MINUTES OF THE PREVIOUS MEETING(S)

The Committee **RESOLVED**

That the minutes of the meeting of the Committee held on 12th March 2014 be agreed as a correct record and signed by the Chair.

3. 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

4. PROCEDURE FOR HEARING OBJECTIONS AND MEETING GUIDANCE

The Committee noted the procedure for hearing objections, together with details of persons who had registered to speak at the meeting.

5. DEFERRED ITEMS

5.1 Coborn Arms, 6-10 Coborn Road, London, E3 2DA (PA/13/02287)

Paul Buckenham (Development Manager, Development and Renewal) introduced the item to extend the premises at Coborn Arms, 6-10 Coborn Road, London.

The Chair advised that, in view of the changes to the application, that public speaking would be allowed on this item. The Chair then invited registered speakers to address the Committee.

Roy Sully spoke in objection to the application. He considered that the proposed extension, despite the amendments, would still expand the premises and therefore worsen the existing problems in terms of noise and anti-social behaviour from the comings and goings. Therefore would affect residential amenity. There had been a lack of proper consultation with residents about the proposal aside from the consultation meeting. The aims of the initiative could be achieved within the existing parameters.

Shirley Day spoke in objection the application. She described the character of the area that was mainly residential in nature and family orientated. The community enjoyed having a local public house that was in keeping with the area. It should remain so, rather than be converted to a 'town centre' style public house to protect residential amenity. She expressed concern at the prospect of families and children having to walk past this extended public house. In response to Members, Ms Day considered that the plans would put additional pressure on the outside forecourt and therefore disturb residents.

Councillor Joshua Peck also spoke in objection. He objected to the impact the increase in customers and coming and going would have on neighbours, especially as their bedrooms were very near the premises. Despite the changes, the plans would still increase the size of the premises and its customer base by a significant percent and therefore worsen the existing amenity impact. Councillor Peck requested that the Committee confirm their previous decision to refuse the application.

Steve Gallagher (Applicant's Agent) spoke in support of the scheme. Mr Gallagher explained the business case for the plans. The premises was a well managed public house with no history of nuisance. He outlined the key features of the revised proposal, including the new dining area at the rear, to keep the public house itself local at heart. The new customer base would mostly be customers of the restaurant. So the plans were unlikely to increase anti-social behaviour. In reply to Members, he confirmed that there were no plans to expand the outside forecourt. He disagreed that the extension would result in disturbance due to the nature of the plans and new customer base.

Piotr Lanoszka (Planning Officer, Development and Renewal) presented the detailed report. Mr Lanoszka reminded the Committee that Members previously considered the application at its February 2014 meeting where Members were minded to refuse the application due to the concerns over the impact on the proposal on local amenity. Since that time, the applicant had met with residents and had amended the scheme to address the concerns. Mr Lanoszka described in detail these amendments and the outcome of the further round of local consultation on the proposal. Officers considered that the amendments were a significant improvement to the scheme and considered that any impacts would be minor in nature. The Officers recommendation remained to grant planning permission. However, should Members be minded to refuse the scheme, Members were directed to consider the draft reasons for refusal set out in the Committee report, drafted by Officers in light of the February 2014 meeting.

On a vote of 2 in favour of the Officer recommendation to approve planning permission and 3 against, it was resolved that the recommendation not be accepted.

On a vote of 3 in favour to refuse planning permission and 2 against the Committee **RESOLVED**:

That planning permission at Coborn Arms, 6-10 Coborn Road, London, E3 2DA (PA/13/02287) be **REFUSED** for the erection of single storey side extension to existing kitchen at rear with new extract system; partial demolition of existing side extension at rear and erection of new extension to form new orangery dining area and herb garden; erection of single storey side/rear extension to existing bar; installation of new air-conditioning units and condensers onto existing flat roof for the following reasons

The proposed extension to the public house would result in an increase in late evening noise, disturbance and general activity within the forecourt and in the vicinity of the premises and thus lead to an unacceptably harmful effect on the

living conditions and amenity of the adjoining residential occupiers. This would be contrary to the general principles of the National Planning Policy Framework (2012), policy 7.15 of the London Plan (2011), policy SP03(2B) of the Core Strategy (2010), and policies DM8 and DM25 of the Managing Development Document (2013). These policies require development to protect, and where possible improve, the amenity of surrounding existing and future building occupants, as well as the amenity of the surrounding public realm.

Councillor Khales Uddin Ahmed did not vote on this application having not been present at the previous Committee meeting where the item was considered.

5.2 375 Cable Street, London, E1 0AH (PA/13/02251)

Update Report tabled.

Paul Buckenham (Development Manager, Development and Renewal) introduced the item regarding 375 Cable Street to extend the opening hours of the premises.

Piotr Lanoszka (Planning Officer, Development and Renewal) presented the detailed report. Mr Lanoszka reminded the Committee that Members previously considered the application at its February 2014 meeting with an Officer recommendation to refuse the planning permission. At that meeting, Members were minded to approve the application.

Mr Lanoszka drew attention to the evidence from the Shadwell Safer Neighbourhood Team as detailed in the update report about youths loitering outside the premises. Despite the concerns, the Police had no formal records of incidents being reported. Nevertheless, the Police were also of the view that the residents would experience an increase in litter, youths congregating, minor ASB and nuisance at later hours that would affect the residents quality of life. The evidence from the Council's Anti-Social Behaviour Team about drug taking in the vicinity was inconclusive.

Members were also reminded of the nature of the objectors. The main concern was that the premises already harmed residential amenity. The plans would worsen these problems. The surrounding area was mainly residential contrary to the setting of most other take-ways in the Borough.

Officers also highlighted the planning history to the case. In particular, the Planning Inspector's decision to restrict the opening hours as at present to protect amenity. This was a material planning consideration and should be given significant weight.

In view of the above, the Officer recommendation remained to refuse planning permission. However, should Members be minded to approve the scheme, Members were directed to impose the condition set out in report.

In response to Members, Officers confirmed the response of Eastend Homes stating that they were aware of and supported the residents concerns. Officers also explained in further detail the Inspector's decision requiring that the opening hours be restricted as at present. The Inspector considered that this was an essential condition. Any decision contrary to this could be open to challenge.

Mr Lanoszka also confirmed the position regarding the waste bins outside the shop, given the discussion about this at the last meeting. He explained the source of their evidence showing the presence of such bins and when the photographs were taken. He also highlighted the contents of the complaints log (as mentioned in the report). Officers could not confirm that the material directly related to activities from the premises due to the generic nature of the evidence. Any incidences of non-compliance with the existing planning conditions would be investigated by relevant Council Officers.

A Member commented that the proposed closing hours were similar to those of other takeaways. Therefore, was minded to look favourable on this application. It was also acknowledged that the evidence regarding crime in the vicinity was inconclusive.

On a vote of 2 in favour of the Officer recommendation to refuse planning permission and 4 against, it was resolved that the recommendation not be accepted.

On a vote of 4 in favour to approve planning permission and 2 against the Committee **RESOLVED**:

That planning permission at 375 Cable Street, London, E1 0AH (PA/13/02251) be **GRANTED** for the variation of condition 3 of planning permission granted by the Secretary of State for Communities and Local Government on 30th March 2011, reference APP/E5900/A/10/2141935/NWF, LBTH reference PA/07/03290, to allow opening hours from 9am - 10pm Sunday to Thursday and 9am - 11pm Fridays and Saturdays SUBJECT to the following condition:

The premises shall be closed to customers outside the following times: 09:00 to 22:00 Sunday to Thursday; and 09:00 to 23:00 on Fridays and Saturdays.

Councillor Khales Uddin Ahmed did not vote on this application having not been present at the previous Committee meeting where the item was considered.

5.3 93 New Road, London, E1 1HH (PA/13/02318)

Councillor Haran Miah left the meeting before the consideration of this item.

Update Report tabled.

Paul Buckenham (Development Manager Development and Renewal) introduced the item at 93 New Road, London for the proposed change of use from a retail shop A1 into a restaurant A3.

Adrian Walker (Planning Officer, Development and Renewal) presented the report. Mr Walker reminded the Committee that Members previously considered the application at its March 2014 meeting with an Officer recommendation to grant planning permission. At that meeting, Members were minded to refuse the application due to concerns over the over concentration of restaurant uses in the area having regard to residential amenity.

The Committee were also reminded of their recent decision on a similar application at 85 New Road where Members decided to approve that scheme. It was considered that there was a lack of evidence of an over concentration of such uses in the area in view of the lack of policy tests for determining this.

It was reported that consistency in decision making was a material planning consideration.

There had been no major policy changes since the earlier decision.

Officers considered that the inference from the Committee was that this additional restaurant would be 'one too many' in area at which the levels of overconcentration would become unacceptable.

It should also be noted that this decision would be a material consideration in considering future restaurant proposals along New Road.

The Officers recommendation remained to grant planning permission. However, should Members be minded to refuse the scheme, Members were directed to considered the draft reasons for refusal set out in the Committee report, drafted in light of the March 2014 meeting.

On a vote of 1 in favour of the Officer recommendation to approve planning permission and 4 against, it was resolved that the recommendation not be accepted.

On a vote of 4 in favour of refusal and 1 against the Committee **RESOLVED**:

That planning permission at 93 New Road, London, E1 1HH (PA/13/02318) be **REFUSED** for the proposed change of use from a retail shop A1 into a restaurant A3 and Installation of extract flue at rear for the following reason:

The proposed restaurant would add to the proliferation this use along New Road. This will result in an over-concentration of this type of use and detract from the objectives of Core Strategy policy SP01, which seeks to promote a vibrant mix of uses in the designated Tower Hamlets Activity Area. The over-concentration of restaurant uses in the area will lead to adverse impacts on residential occupiers of the area in terms of increased noise & disturbance from patrons coming and going and Anti-Social Behaviour arising from the activities based on the evidence of local residents. The proposal is therefore contrary to the objectives of policies SP01(2c) of the adopted Core Strategy (2010) and policy DM1(4) of the adopted Managing Development (2013).

Councillor Gulam Robbani did not vote on this item having not been present at the previous meeting when the item was discussed.

6. PLANNING APPLICATIONS FOR DECISION

6.1 Wood Wharf, Preston's Road E14 (PA/13/02974)

Update Report Tabled.

Paul Buckenham (Development Manager Development and Renewal) introduced the report regarding Wood Wharf, Preston's Road for a temporary change of use.

Robert Lancaster (Planning Officer, Development and Renewal) presented the report. He explained the site location, the nature of the proposals including the controls in the management plan and the condition around the hours of use amongst other issues. The application was recommended for approval.

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

That planning permission at Wood Wharf, Preston's Road E14 (PA/13/02974) be **GRANTED** for the temporary change of use to Class D1 (non-residential institution) and D2 (assembly and leisure), up to 2,400 sq.m of Class A3 (restaurants and cafes) and A4 (drinking establishments) floor space (including food markets) and sui generis (theatre, outdoor exhibition/sporting uses (falling outside of Class D1) and ancillary uses to comprise no more than 14,999 sq.m of enclosed floor space; erection of a temporary bridge; erection of temporary structures; works of hard and soft landscaping, parking and other works incidental to the application for a limited period until 28th February 2016 SUBJECT to conditions and informatives and S106 Obligations set out in the Committee Report.

7. OTHER PLANNING MATTERS

Nil Items.

The meeting ended at 8.40 p.m.

Chair, Councillor Helal Abbas
Development Committee

Guidance for Development Committee/Strategic Development Committee Meetings.

Who can speak at Committee meetings?

Members of the public and Councillors may request to speak on applications for decision (Part 6 of the agenda). All requests must be sent direct to the Committee Officer shown on the front of the agenda by the deadline – 4pm one clear working day before the meeting. Requests should be sent in writing (e-mail) or by telephone detailing the name and contact details of the speaker and whether they wish to speak in support or against. Requests cannot be accepted before agenda publication. Speaking is not normally allowed on deferred items or applications which are not for decision by the Committee.

The following may register to speak per application in accordance with the above rules:

Up to two objectors on a first come first served basis.	For up to three minutes each.
Committee/Non Committee Members.	For up to three minutes each - in support or against.
Applicant/ supporters. This includes: an agent or spokesperson.	Shall be entitled to an equal time to that given to any objector/s. For example: <ul style="list-style-type: none"> • Three minutes for one objector speaking. • Six minutes for two objectors speaking. • Additional three minutes for any Committee and non Committee Councillor speaking in objection.
Members of the public in support	It shall be at the discretion of the applicant to allocate these supporting time slots.

What if no objectors register to speak against an applicant for decision?

The applicant or their supporter(s) will not be expected to address the Committee should no objectors register to speak and where Officers are recommending approval. However, where Officers are recommending refusal of the application and there are no objectors or members registered, the applicant or their supporter(s) may address the Committee for 3 minutes.

The Chair may vary the speaking rules and the order of speaking in the interest of natural justice or in exceptional circumstances.

Committee Members may ask points of clarification of speakers following their speech. Apart from this, speakers will not normally participate any further. Speakers are asked to arrive at the start of the meeting in case the order of business is changed by the Chair. If speakers are not present by the time their application is heard, the Committee may consider the item in their absence.

This guidance is a précis of the full speaking rules that can be found on the Committee and Member Services webpage: www.towerhamlets.gov.uk/committee under Council Constitution, Part.4.8, Development Committee Procedural Rules.

What can be circulated?

Should you wish to submit a representation or petition, please contact the planning officer whose name appears on the front of the report in respect of the agenda item. Any representations or petitions should be submitted no later than noon the working day before the committee meeting for summary in the update report that is tabled at the committee meeting. No written material (including photos) may be circulated at the Committee meeting itself by members of the public including public speakers.

How will the applications be considered?

The Committee will normally consider the items in agenda order subject to the Chair's discretion. The procedure for considering applications for decision shall be as follows:
Note: there is normally no further public speaking on deferred items or other planning matters



- (1) Officers will announce the item with a brief description.
- (2) Any objections that have registered to speak to address the Committee
- (3) The applicant and or any supporters that have registered to speak to address the Committee
- (4) Committee and non- Committee Member(s) that have registered to speak to address the Committee
- (5) The Committee may ask points of clarification of each speaker after their address.
- (6) Officers will present the report supported by a presentation.
- (7) The Committee will consider the item (questions and debate).
- (8) The Committee will reach a decision.

Should the Committee be minded to make a decision contrary to the Officer recommendation and the Development Plan, the item will normally be deferred to a future meeting with a further Officer report detailing the implications for consideration.

How can I find out about a decision?

You can contact Democratic Services the day after the meeting to find out the decisions. The decisions will also be available on the Council's website shortly after the meeting.

For queries on reports please contact the Officer named on the front of the report.

<p>Deadlines. To view the schedule of deadlines for meetings (including those for agenda papers and speaking at meetings) visit the agenda management timetable, part of the Committees web pages. Visit www.towerhamlets.gov.uk/committee - search for relevant Committee, then 'browse meetings and agendas' then 'agenda management timetable'.</p>	 <p>Scan this code to view the Committee webpages.</p>
<p>The Rules of Procedures for the Committee are as follows:</p> <ul style="list-style-type: none">• Development Committee Procedural Rules - Part 4.8 of the Council's Constitution (Rules of Procedure).• Terms of Reference for the Strategic Development Committee - Part 3.3.5 of the Council's Constitution (Responsibility for Functions).• Terms of Reference for the Development Committee - Part 3.3.4 of the Council's Constitution (Responsibility for Functions).	 <p>Council's Constitution</p>

Agenda Item 7

Committee: Development	Date: 7 th May 2014	Classification: Unrestricted	Agenda Item No:
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 HEAD OF 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 London Plan 2011
 - the Tower Hamlets Core Strategy Development Plan Document 2025 adopted September 2010
 - the Managing Development Document adopted April 2013
- 3.2 Other material policy documents include the Council's Community Plan, supplementary planning documents, government planning policy set out in the National Planning Policy Statement and planning guidance notes and circulars.
- 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:
Application, plans, adopted UDP, Interim
Planning Guidance and London Plan

Tick if copy supplied for register:

Name and telephone no. of holder:
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 The Equality Act 2010 provides that in exercising its functions (which includes the functions exercised by the Council as Local Planning Authority), that the Council as a public authority shall amongst other duties have due regard to the need to-
- (a) eliminate discrimination, harassment, victimisation and any other conduct that is prohibited under the Act;
 - (b) advance equality of opportunity between persons who share a relevant protected characteristic and persons who do not share it;
 - (c) foster good relations between persons who share a relevant protected characteristic and persons who do not share it.
- 3.7 The protected characteristics set out in the Equality Act are: age, disability, gender reassignment, pregnancy and maternity, race, religion or belief, sex and sexual orientation. The Equality Act acknowledges that compliance with the duties set out may involve treating some persons more favourably than others, but that this does not permit conduct that would otherwise be prohibited under the Act.
- 3.8 In accordance with Article 31 of the Development Management Procedure Order 2010, Members are invited to agree the recommendations set out in the reports, which have been made on the basis of the analysis of the scheme set out in each report. This analysis has been undertaken on the balance of the policies and any other material considerations set out in the individual reports.

4. PUBLIC SPEAKING

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

5. RECOMMENDATION

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

Agenda Item 7.1

Development Committee	Date: 7 May 2014	Classification: Unrestricted	Agenda Item
Report of: Corporate Director of Development and Renewal		Title: Planning Application for Decision	
Case Officer: Shay Bugler		Ref No: PA/13/2580 & PA/13/2581	
		Ward(s): Limehouse	

1. APPLICATION DETAILS

- 1 **Location:** 638 Commercial Road/Limehouse Library
- 1.2 **Existing Use:** Vacant library
- 1.3 **Proposal:** PA/13/2580: Conversion and extension of existing vacant library to provide part 3-5 storey building with a kitchen, laundry and gymnasium facilities at basement level; study/lecture rooms at ground floor ; 64 self contained student accommodation units at ground and upper floors and 73 bicycle spaces.
- PA/13/2581: Listed Building Consent for the conversion and extension of existing vacant library to provide part 3-5 storey building with a kitchen, laundry and gymnasium facilities at basement level; study/lecture rooms at ground floor; 64 self contained student accommodation units at ground and upper floors and 73 bicycle spaces.
- 1.4 **Drawing Nos:** 1004-04; 1004-05; 1004-06; 1004-07; 1004-08 Rev A; 1004-09 Rev E; 1004-10 Rev C; 1004-11 Rev C; 1004-12 Rev C; 1004-13 Rev C; 1004-14; 1004-05 Rev A; 1004-16; 1004-17; 1004-18
- 1.5 **Supporting documentation**
- Design and Access Statement dated 11 October 2013
 - Heritage Statement by Barley Wood Planning Consultancy
 - Daylight and Sunlight report dated 30 August 2013 by Right of Light Consultancy
 - Transport Statement dated October 2013
 - Energy Statement dated July 2013 for Hazev Ltd
 - Noise Assessment by Cass Allen Associates
 - Sustainability Statement dated July 2013 by XCO2 Energy
- 1.6 **Applicant:** Hazev Ltd
- 1.7 **Owner:** Hazev Ltd
- 1.8 **Historic Building:** Grade II Listed
- 1.9 **Conservation Area:** St Anne's Church Conservation Area

2. Executive summary

- 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 adopted Core Strategy (2010), Managing Development Document (2013), the London Plan (2011) and Government Planning Policy Guidance and has found that:
- 2.2 The proposed loss of the library facility is considered to be acceptable as the replacement uses bring the building back into use, and provide the most appropriate land use for the site.
- 2.3 The proposed teaching facility and student accommodation use would be the most appropriate use on the site. It does not compromise the supply of land for new homes or the Council's ability to meet its housing targets. The proposal meets the needs for student housing for an accredited third level college, and it would not place excessive pressure on existing social and physical infrastructure.
- 2.4 The proposed ancillary gym would provide an important leisure facility for students and promote health and wellbeing. The gym use is also an employment generating use. It provides an appropriate ancillary use for the student accommodation and teaching facilities.
- 2.5 The overall design, height, scale and bulk and appearance of the extension is of high design quality, and would not have an adverse impact on the character and appearance of St Anne's Church Conservation Area.
- 2.6 The proposal provides significant benefits to the site in terms of restoration of this Grade II Listed building, and the frontage of the building, which is the key heritage asset would remain unaltered.
- 2.7 The proposal would not result in undue loss of daylight and sunlight to surrounding properties including 74 Island Row; 80-82 Island Row, Norway Wharf; 10-24 Norway Place, 1a-2a Norway Place and Our lady Immaculate Church. As such, the proposal would not have an unacceptable impact on the amenity of surrounding properties.
- 2.8 The proposal achieves a 'good' standard of noise insulation and therefore the students would not be exposed to undue noise disturbance from the highway. The applicant would be required to submit a 'Building Management Statement' for approval to ensure that students would not create undue noise disturbance to surrounding residents.
- 2.9 The proposal does not provide any car parking spaces which is acceptable as the site is highly accessible by public transport. The proposal makes provision for 73 cycle spaces in secure and accessible locations.
- 2.10 The proposed Energy and Sustainability Strategy is acceptable subject to appropriate conditions and a financial contribution to offset the shortfall in CO2 emission reductions.
- 2.11 Appropriate planning obligations have been secured to ensure the proposal is sufficiently mitigated against and that the proposal does not place undue pressure on local and social physical infrastructure.

3 **RECOMMENDATION**

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

A. The prior completion of a legal agreement, to the satisfaction of the Heal of Legal Services, to secure the following:

3.2 Financial contributions

£11,854 towards Idea Stores, Libraries and Archives

£30, 069 towards leisure facilities

£75,493 towards Public Open Space

£1,411 towards smarter travel contribution

£17,940 towards CO2 emission reduction shortfall

£58,624 towards health facilities

£7,332 towards employment/enterprise contribution at construction phase

£4,884 towards employment/enterprise contribution at end phase

£53,976 towards realm public improvements

£ 3,094 towards Monitoring

Total financial contribution proposed and sought is £264,677

3.3 Non financial obligations

Car free Agreement

Travel Plan

Enterprise, Employment, Apprentice, Training and End User Engagement Strategy

Access to employment (20% Local Procurement; 20% Local Labour in Construction; 20% end-user phase local jobs)

3.4 That the Service Head - (Legal Services) is delegated power to complete the legal agreement.

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

3.6 CONDITIONS & INFORMATIVES

Compliance conditions

1. Permission valid for 3 years
2. Development in accordance with approved plans
3. Materials
3. Hours of construction
4. Hours of hammer driven piling works
5. No skip/construction materials shall be kept on the footway/carriageway at A13 Commercial Road
6. Energy efficiency and decentralised technologies shall be implemented in accordance with approved plans
7. Installation of a heat network supplying all spaces within the development shall be installed and sized to the space heating

8. Hours of operation – roof terrace

Prior to commencement conditions

9. Submission of details of all proposed external facing material
10. Submission of ground contamination- investigation, remediation and verification;
11. Submission of a Building Management Plan
12. Submission of a Secure by Design Statement
13. Submission of Construction Environment Management Plan
14. Submission of noise insulation and ventilation measures for residential accommodation to meet “Good” standard of BS8233
15. Submission of delivery and servicing plan
16. Submission of Code for Sustainable Homes Level 4 certification
17. Hearing enhancement system to be installed
18. Access Strategy for all proposed facilities.

Any other condition(s) considered necessary by the Head of Development Decisions

Informatives

1. Section 106 agreement required (car free & affordable housing)
 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
 8. Metropolitan Police Advice
- 3.7 Any other informative(s) considered necessary by the Head of Development Decisions.
- 3.8 That, if within three months of the date of this committee the legal agreement has not been completed, the Corporate Director Development & Renewal is delegated power to refuse planning permission.
- 3.9 That the Committee resolve to GRANT Listed Building Consent subject to the conditions listed below:
- 3.10
1. Time Limit.
 2. Completion in accordance with approved drawings.
 3. Full details of materials and finishes

4. APPLICATION SITE AND SURROUNDINGS

- 4.1 The application site is known as the Limehouse library building or 638 Commercial Road and is currently unoccupied. This Grade II listed building dates from around 1900 and was designed by J & S.F Clarkson Architects as the Passmore Edwards District Public Library for Limehouse. The original building, with its distinctive shaped gables in stone and stone brick, lies in the north part of the site (fronting Commercial Road). The original building was centrally extended in 1930, and comprised the main library. It was then further extended in the 1950s to the rear, with the extension containing a flat roof.

- 4.2 To the west side the library is bounded by Norway Place and 'Our Lady Immaculate Limehouse Roman Catholic Church'. To the south is the Docklands Light Railway viaduct.
- 4.3 To the east is Wharf Lane on the east side of which is a vacant site, previously a petrol filling station. This site has planning permission (2nd April 2013) for the erection of a five storey residential building. Behind is a relatively recent block of flats comprising Park Heights Court, Grosvenor Court, and Docklands Court. There is a large block of flats to the north side of Commercial Road.
- 4.4 The site is located in St Anne's Church Conservation Area. The land use character of the area is mixed, comprising public buildings such as St Anne's Church and Limehouse Town Hall, amongst a predominantly residential land use with commercial uses are found at ground level along Commercial road.
- 4.5 The site has a Public Transport Accessibility Level (PTAL) rating of 6a (on a scale of 1-6b) with 6b being the highest attainable rating. The site is bounded by Commercial Road (for which TfL are the Highway Authority); Norway Place (for which LBTH is the Highway Authority) and Wharf Lane (which is a private road).

Relevant Planning History

- 4.6 Planning ref no: PA/01/1337: Listed Building consent was approved on 10/04/2002 for alterations in association with conversion for use as Information Technology Training Centre (Class D1). This permission was never implemented.
- 4.7 Planning ref no: PA/01/1338: Full permission was approved on 10/04/2002 for works of internal and external alterations to a Listed Building in association with conversion for use as an Information Technology Training Centre. This permission was never implemented.

5.0 DETAILS OF PROPOSAL

- 5.1 The proposal involves the conversion and extension of the existing vacant library building to provide lecture room facilities, 64 self contained student accommodation units and ancillary uses.
- 5.2 The existing basement would be converted and extended to provide kitchen and storage facilities to the rear, and a fitness gym and laundry to the front of the building. The gymnasium and laundered facilities would only be available to residents of the student accommodation. The applicant notes that the study kitchen at basement level would provide teaching facilities for healthy food. The basement would have disabled platforms fitted at the front light well.
- 5.3 The proposed ground floor would contain 2 study/lecture room facilities with a capacity of 72 students respectively to the front of the building. This facility would be utilised by London Docklands Academy which are an accredited third level college in Canary Wharf, seeking to expand. The college offers undergraduate and post graduate diploma programmes in business management, hospitality, travel and tourism, and advanced English courses.
- 5.4 A canteen would be used solely by the students that use the building, which would provide basic food facilities, and includes a further seating area provided at a first floor roof terrace. A front reception and computer area for students is also at ground level. There are 9 self contained student accommodation units located to the centre

and rear at ground floor.

- 5.5 The first floor contains a communal terrace area to the front of the building and 17 self contained student units to the centre and rear of the development. The second, third and fourth floors contain the remaining 38 self contained student accommodation units. The units vary in size to accommodate a mixture of single beds, double beds and twin beds.
- 5.6 The principal exterior changes would include extending the middle part of the site by an extra storey, but retaining the pitched roof form. The roof to the existing rear would be removed to provide an additional three floors.
- 5.7 The principle access to the building would be from Commercial Road as existing. The development would have low thresholds thereby allowing ease of access for those in a wheelchair and other disabled persons.
- 5.8 The proposal provides 73 cycle parking spaces located in secure locations and basement and ground floor level. The refuse and recycling facilities are located at ground floor level.

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 The London Plan (2011)

- 3.1 Ensuring equal life chances for all
- 3.2 Improving health and addressing health inequalities
- 3.8 Housing choice
- 3.16 Protection and enhancement of social infrastructure
- 3.17 Health and social care facilities
- 3.18 Education facilities
- 3.19 Sports Facilities
- 5.1 Climate change mitigation
- 5.2 Minimising carbon dioxide emissions
- 5.3 Sustainable approach and construction
- 5.4 Retrofitting
- 5.7 Renewable energy
- 5.9 Overheating and cooling
- 5.13 Sustainable drainage
- 6.1 Strategic approach
- 6.3 Assessing effects of development on transport capacity
- 5.1 Climate change mitigation
- 5.2 Minimising carbon dioxide emissions
- 5.3 Sustainable design and construction
- 5.5 Decentralised energy networks
- 5.6 Decentralised energy networks in development proposals
- 5.7 Renewable energy
- 5.8 Innovative energy technologies
- 5.9 Overheating and cooling
- 5.10 Urban greening

5.11	Green roofs and development site environs
5.12	Flood Risk Management
5.13	Sustainable drainage
5.14	Water quality and wastewater infrastructure
5.16	Waste self sufficiency
5.17	Waste capacity
5.21	Contaminated land
6.1	Strategic approach
6.2	Providing public transport capacity and safeguarding land for transport
6.4	Enhancing London's transport connectivity
6.9	Cycling
6.10	Walking
6.13	Parking
7.1	Building London's neighbourhoods and communities
7.2	An Inclusive environment
7.3	Designing out crime
7.4	Local character
7.5	Public realm
7.6	Architecture
7.7	Location and design of tall and large buildings
7.8	Heritage assets and archaeology
7.14	Improving air quality
7.15	Reducing noise and enhancing soundscapes
7.18	Protecting local open space and addressing local deficiency
8.2	Planning Obligations
8.3	Community Infrastructure Levy

6.3 Core Strategy (adopted 2010)

SP1	Refocusing on our town centres
SP02	Urban living for everyone
SP03	Address the impact of noise pollution
SP05	Provide appropriate refuse and recycling facilities
SP07	Support the growth and expansion of further and higher education facilities
SP08	Making connected places
SP10	Protect and enhance heritage assets and their settings; protect amenity and ensure high quality design in general
SP11	Energy and Sustainability
SP12	Delivering Placemaking
SP13	Planning Obligations

6.4 Managing Development Document (2013)

The MDD has full weight as part of the Council's Development Plan in determining applications.

Policies:	DM3	Delivering Homes
	DM8	Community Infrastructure
	DM11	Living Buildings and Biodiversity
	DM13	Sustainable Drainage
	DM14	Managing Waste

DM15	Local Job Creation and Investment
DM18	Delivering Schools and Early Learning
DM19	Further and Higher Education
DM22	Parking
DM23	Streets and Public Realm
DM24	Place Sensitive Design
DM25	Amenity
DM26	Building Heights
DM27	Heritage and Historic Environment
DM29	Achieving a Zero-Carbon borough and addressing Climate Change
DM30	Contaminated Land & Hazardous Installations

St Anne's Church Conservation Area Character Appraisal

7.0 CONSULTATION

External consultees

English Heritage (Historic Environment)

- 7.1 The approach to concentrate the most significant changes to the building at the middle and rear of the site is acceptable in principle and the internal works are considered acceptable.
- 7.2 In terms of the middle and rear parts of the site, these are of lesser historical significance and therefore there is more scope for change here. The architectural approach to use brick and slate in a "warehouse aesthetic" seems appropriate in the immediate context. The loss of the double height reading wall would cause some harm to the listed building by removing an element of modest architectural, but considerable historical and communal value. However, the proposed development does retain an element of the double height space within the new design and is therefore considered acceptable.
- 7.3 *(Officers comment: The above comments are also echoed by the Councils Conservation team and have been considered in section 9 of the report).*

Environment Agency

- 7.4 The proposal does not fall within a flood risk zone and therefore the Environment Agency have confirmed they do not wish to make representation.

Transport for London (TfL)

- 7.5
- The site is situated on A13 Commercial Road, which forms part of the Transport for London Road Network (TLRN).
 - As the building has been vacated, TfL consider the gross impact arising from the proposed development.
 - The trip generation and mode share assessment for the student accommodation part of the proposal is accepted; however further robust assessment is needed for the lecturing facilities which would further draw visitors/students/staff from outside on a regular basis.

(Officer comment: The trip generation of the proposal as a whole has been assessed by LBTH's highways section, and the proposal is considered acceptable in this respect)

- Servicing for the site would be undertaken from a side road, away from Commercial Road which is welcomed. A delivery & servicing plan (DSP) should be submitted for TfL and the council's approval prior to the occupation of the site.
- A travel plan for both students/ staff should be produced, secured by s106 agreement and implemented.
- TfL welcomes that the site would be designated 'car free'. The applicant shall ensure through an appropriate legal mechanism that future residents of the site are prevented from obtaining local parking permits.
- A construction management plan and construction logistics plan shall be submitted and approved by TfL and the council prior to building works commencing. All construction and servicing must be undertaken away from the TLRN, with vehicles entering and exiting A13 Commercial Road in forward gear. The applicant shall also provide measure to ensure no vehicles will wait/ pick up or drop off on the TLRN at any time.
- No skip/construction materials shall be kept on the footway/carriageway of A13 Commercial Road at any time. This should form a compliance condition to the decision.
- The applicant must obtain relevant licences/agreement from TfL/its agency for hoarding/scaffolding and temporary loading arrangements prior to construction commencing on site. This should form a compliance condition.

7.6 Subject to the above conditions being met, the proposal as it stands would not result in an unacceptable impact to the Transport for London Road Network (TLRN).

7.7 *(Officers comment: The applicant would be required to submit the following to be approved in writing by the Local Planning Authority prior to the commencement of works onsite:*

- *A Delivery and Service Management Plan*
- *A Construction Plan and a Logistics Management Plan*

The above would be secured by way of conditions. Furthermore, the compliance conditions recommended in the TfL comments will be attached to the decision notice)

London Metropolitan Police

7.8 London Metropolitan Police do not raise any formal objections. A Secure by Design is sought prior to the commencement of works onsite.

7.9 *(Officer comment: The applicant would be required to submit a Secure by Design Assessment. This would be secured by way of condition)*

London Fire & Emergency Authority

7.10 No comments received.

Primary Care Trust

7.11 No comments received.

LBTH Communities, Localities & Culture

- 7.12 Communities, Localities and Culture note that the increase in population as a result of the proposed development will increase demand on the borough's open spaces, sports and leisure facilities and on the borough's Idea stores, libraries and archive facilities. The increase in population will also have an impact on sustainable travel within the borough.

The comments and requests for s106 financial contributions set out below are supported by the Planning Obligations Supplementary Planning Document (SPD). Appendix 1 of the Planning Obligations SPD outlines the Occupancy Rates and Employment Yields for new development.

- £8,442 towards Idea Stores, Libraries and Archives
- £30,069 towards leisure facilities
- £75,493 towards Public Open Space
- £1,411 towards smarter travel contribution

(Officers comment: The above contributions would be secured in the Section 106 Agreement).

LBTH Refuse and Recycling Management

- 7.13 The proposed waste management plan is acceptable.

LBTH Energy and Sustainability

- 7.14 The proposed sustainability and energy strategy is acceptable subject to following:

- The energy efficiency and decentralised energy technologies shall be implemented in accordance with the approved plans.
- A heat network supplying all spaces within the development shall be installed and sized to the space heating and domestic hot water requirements of the development.
- A final BREEAM certificate to be submitted to demonstrate the scheme has achieved a BREEAM Excellent rating which shall be certified by the awarding body.
- A carbon offset figure of £17,940 should be secured for the LBTH carbon offsetting fund as the proposals do not meet the development plan target for reducing carbon dioxide emissions of 50% against a Building Regulation 2010 baseline.

- 7.15 *(Officers comment: The above conditions and Section 106 obligation have been agreed with the applicant).*

LBTH Environment Health (Daylight and sunlight)

- 7.16 The Daylight and Sunlight assessment is acceptable and Environmental Health are satisfied for planning permission to be considered.

LBTH Environment Health (noise)

- 7.17 The noise report meets BS8233 internal levels of the 'good' standard and are

therefore satisfied for planning permission to be considered.

LBTH Enterprise and Employment

- 7.18 To ensure local businesses benefit from this development; 20% goods/services procured during the construction phase should be achieved by businesses in Tower Hamlets. The Council would support the developer in achieving this target by ensuring they work closely with the council to access businesses on the approved list, and via the East London Business Place.
- 7.19 The Council would seek to secure a financial contribution of £7,332 to support and/or provide the training and skills needs of local residents in accessing the job opportunities created through the construction phase of all new development. This contribution will be used by the Council to provide and procure the support necessary for local people who have been out of employment and/or do not have the skills set required for the jobs created.
- 7.20 The council seeks a monetary contribution of £4,884 towards the training and development of unemployed residents in Tower Hamlets to access either:
i) jobs within the uses of the development
ii) jobs or training within employment sectors relating to the final development
Monitoring for all obligations will be discussed and agreed with the developer prior to commencement of works.
- 7.21 *(Officers comment: The above contributions would be secured in the Section 106 Agreement).*

LBTH Highways

- 7.22
- The proposed provision for cycle storage is acceptable. The cycle spaces are located in safe and secure locations.
 - Prior to the commencement of works onsite, the applicant should submit a Construction Management Plan.
 - Servicing this development from Norway Place would be unacceptable as the road is unsuitable for the likely servicing needs of student accommodation particularly during the move in/move out periods and the possible use during holiday periods. The narrowness of the road would mean that any service vehicles parked there would likely cause an obstruction and this could have an adverse effect on road users, particularly the emergency services.
- 7.23 *(Officers comment: The Construction Management Plan would be secured by way of condition. With reference to servicing, the only possible places to service the site are from Commercial Road, and the side road at Norway Place. Servicing the development off Commercial Road would be unacceptable given that the A13 road is one of the busiest roads in London. On balance, Officers acknowledge that whilst Norway Place is narrow, it is the preferred option, and through measures discussed within paragraph 9.82 of this report, the approach is considered acceptable).*

LBTH Access Officer

- 7.24
- All proposed uses are fully accessible to all potential students. However, a detailed access strategy for all facilities should be submitted and approved in writing prior to commencement of development.
 - A hearing enhancement system should be installed in the development. This

would be secured by way of condition.

7.25 *(Officer comment: The above recommended conditions would be secured in the decision notice).*

8. LOCAL REPRESENTATION

8.1 A total of 101 neighbouring properties within the area shown on the map appended to this report were notified about the application and invited to comment. Site notices were displayed and the application was advertised in the local press.

8.2 No. of individual responses: 43 Objecting: 42 Supporting: 1

8.3 The following issues have been raised which are material to the determination of the application:

Objections

- The proposed use would generate a large number of additional people to the site and therefore would put increased pressure on public transport and would have a negative impact on traffic.
- The proposed design and uses result in overdevelopment of the site.
- The proposal would contribute to the overdevelopment of the area generally.
- This building was originally a philanthropic gift by both Passmore Edwards and Clement Attlee to the community. The proposal would result in the loss of a community facility albeit a disused facility.
- The proposed design would have a detrimental impact on this Grade II Listed Building.
- The proposal would put greater pressure on local services such as health care facilities.

8.4 *(Officers comment: The above matters are discussed in section 9 of the committee report).*

Support

8.6 • The proposal would bring back Limehouse Library into use.

8.7 The following issues have been raised which are non-material to the determination of the application:

- The applicant did not provide much public consultation.

8.8 *(Officer Comment: The applicant undertook some public consultation prior to submission. Whilst the view of some representees is that this was not enough, there is no statutory obligation for applicants to carry out consultation pre-submission, although it is encouraged by officers)*

8.9 All representations received are available to view at the committee meeting upon request. The response to concerns raised in the representations are set out within the relevant material considerations section of the report.

9. MATERIAL PLANNING CONSIDERATIONS

9.1 The main planning issues raised by the application are as follows:

1. Land use
2. Design and layout
3. Amenity
4. Transport
5. Sustainability and Energy efficiency
6. Planning Obligations

Land Use

9.2 In assessing land use matters, it is advised that members should consider the following:

- The loss of the library facilities
- The proposed student accommodation onsite
- The proposed study/lecture facilities
- The proposed ancillary canteen, gym and laundrette facilities

The loss of the library use

9.3 Policy SP03 of the Core Strategy (2010) builds upon 3.1 of the London Plan (2011) and supports the provision of high quality social and community facilities. Policy DM8 of the Managing Development Document (2013) stipulates that community facilities would be protected where they meet an identified local need and the buildings are considered acceptable for their use. The loss of a community facility would only be considered if it can be demonstrated that there is no longer a need for the facility within the local community and the building is no longer suitable, or the facility is being adequately re-provided elsewhere in the Borough.

9.4 DM8 (1) seeks to protect community facilities where there is an identified local need and the building is not considered suitable for their use. The library use within the subject building ceased in 2003, and since that time the site has been placed on the Buildings at Risk register, meaning it is in a poor state of repair and should be restored as soon as possible.

9.5 There is a general move away from general libraries to Idea Store facilities. In 1999, a A Library and Lifelong Learning Development Strategy for Tower Hamlets was devised. This was a strategy developed by the Customer Services and Education Directorates for the Arts, Leisure, Sports and Youth and Community Services Committees. This document is also known as the Idea Store Strategy for Tower Hamlets. This document identifies Limehouse Library as an unsuitable site for continued library use, and found that the adoption of the Idea Store Strategy would serve to re-provide library facilities within the Borough in a more suitable way. It states that:

“Whilst the building has good public transport links, it is cut off from much of Whitechapel Community by a complex and difficult system of wide and heavily trafficked roads. The building in its current form is inaccessible to disabled people and is not located in an area that represents the focus of the Whitechapel Community. Access for people with disabilities is poor”.

9.6 It is considered that the building can be brought back into an active use more

effectively through the mix of uses proposed. It is considered that the replacement proposal, which includes lecture/teaching facilities and student accommodation, follows the historic educational nature of the previous uses, would sit comfortably within the host building and surrounding area generally.

- 9.7 Policy DM8 (2) stipulates that where development proposals are likely to adversely impact on existing community facilities, the re-provision of the existing facility would be required. In this instance, the re-provision of a library elsewhere would not be required as there isn't currently an existing active library facility onsite. And further, explained in para 9.5 above, the Council has adopted an approach toward providing Idea Stores to meet the needs of the Borough in this respect.
- 9.8 Policy DM8 (3) stipulates that the loss of a community facility would only be considered if it can be demonstrated that there is no longer a need for the facility within the local community and the building is no longer suitable, or the facility is being adequately re-provided elsewhere in the borough. As noted above, the Idea Store Strategy identifies that there is no longer a need for a library on this site and that the Idea Store Strategy identifies library facilities in appropriate locations. There is an existing Idea Store at Watney Market, 260 Commercial Road, which is within walking distances from this subject site. There is also an Idea Store on Whitechapel Road which again is not far from the subject site.
- 9.9 Policy DM8(4) encourages Community facility such as a library to be located in or at the edge of town centres to ensure the continued sustainability of those centres and make facilities accessible to the widest number of people. The application site is located outside a town centre. The closest neighbourhood centres are at Salmon Lane and Limehouse neighbourhood centres which are located some distance from the site. The site is therefore deemed inappropriate for a library use.
- 9.10 A financial contribution of £11,854 towards library and Idea store facilities would be secured in the Section 106 Agreement to mitigate against the impacts of the introduction of new student accommodation floorspace. Idea Stores, Libraries and Archives together provide a range of services to the community, including traditional library and archives services, adult learning, career support, meeting areas, café, arts and leisure activities.
- 9.11 The proposal re-provides a D1 use by way of a study/lecture room facility at ground floor. In addition, the proposal presents an opportunity to restore the existing building with appropriate uses, and a financial contribution would be secured for library and Idea store facilities in the Borough. As such, it is considered that the proposal adequately complies with policy DM8 of the Managing Development Document (2013) which seeks to ensure that community facilities are protected where appropriate.

The proposed student accommodation

- 9.12 Policy 3.8 of the London Plan (2011) stipulates that strategic and local requirements for ensuring student housing meets a demonstrable need are addressed by working closely with stakeholders in higher and further education. The policy further notes that *'While there is uncertainty over future growth and its accommodation needs, there could be a requirement for some 18,000- 27,000 places over the 10 years to 2021'*. In addition to the London Plan, the Housing SPG paragraphs 3.1.59-62 further reiterates the policy regarding boroughs meeting a strategic need as well as a local need. Paragraph 3.1.61 *"In considering LDF policy approaches to, and proposals for new student accommodation, boroughs should not constrain provision which meets strategic as well as local needs"*.

- 9.13 Policy DM6 of the Managing Development Document (2013) stipulates that any proposal for student accommodation would need to demonstrate that:
1. It does not compromise the supply of land for new homes and the Council's ability to meet its housing targets;
 2. It contributes to the provision of affordable housing if not providing accommodation specifically for accredited universities within the borough;
 3. It does not create an over-concentration of student accommodation in the local area or cause harm to residential amenity; and
 4. It does not place excessive pressure on existing social and physical infrastructure
- 9.14 In relation to policy DM6(1) it is not considered that the site is suitable for delivering new homes and thus the proposal does not preclude the Council's ability to meet its housing targets. This is due to the fact that a residential development of this scale would be required to deliver communal amenity space and child playspace, and the site itself is constrained in this regard. Further, the site could not provide on-site parking, and the internal alterations necessary to facilitate residential use would likely impact significantly on the internal fabric of the Listed Building.
- 9.15 In relation to policy DM6(2) Docklands Academy London is accredited by the British Accreditation Council for independent further and higher education, and this accreditation is valid until 31 October 2014. Accordingly a contribution towards affordable housing would not be required by DM6.
- 9.16 In relation to policy DM6(3) the Council's Strategic Planning team note that student accommodation developments which are completed and under construction from 2005-2013 have been concentrated in the Spitalfields and Banglatown, Mile End and Whitechapel wards. It appears the Limehouse ward does not have an over concentration of student accommodation in terms of completed developments when comparing this to the provisions in nearby wards.
- 9.17 In relation to policy DM6(4) the site has a PTAL rating of 6a which means it is highly accessible by public transport for students and given the historic educational use of the site, it is considered that the educational nature of the proposal is well-suited on this site. It is not considered that the proposal would place excessive pressure on physical infrastructure, and through the application of the Council's s106 Financial Contributions SPD, contributions have been secured to mitigate impacts of the proposed development – as discussed within paragraphs 9.92-9.94 of this report.
- 9.18 Overall, it is considered that the proposal accords with policies 3.8 of the London plan (2011) and DM6 of the Managing Development Document (2013) which seeks to ensure that student accommodation is provided in appropriate locations.

The proposed study rooms/lecture facility

- 9.18 Policy 3.18 of the London Plan 2011 supports proposals which maximise multiple use of educational facilities for community or recreational use. A study/room/lecture facility falls within the D1 use class in land use terms and as such, planning permission is not required to change the use from a library to this use.
- 9.20 The proposal makes provision for 2 study/lecture room facilities with a capacity for 72 students collectively. The lecture facilities would be utilised by students from the

accredited Docklands Academy London. Students studying at Docklands Academy would primarily be on 2 year courses. The courses offered are diplomas in business, travel and tourism, hospitality and management. It is considered that the lecture study facility would provide a positive additional 3rd level facility to the Limehouse Area. This proposal would also improve skills and training for local people and promote local enterprise, in accordance with policy 3.18 of the London Plan which seeks to encourage appropriate educational facilities.

Gymnasium

- 9.21 The proposed ancillary D2 (gym) use would be accessible to the students occupying the student_units and/or those students who use the lecture/study facilities. It is considered to be an important leisure facility for the students and will serve to promote health and well being. The proposed gym would also generate employment which is supported by the Council.

Laundrette

- 9.22 The propose laundrette use provides a valued facility for the students and is a typical ancillary use to student accommodation. The laundrette facility would only be utilised by the students at the development and not by the general public.

Conclusion on land use matters

- 9.23 Overall, it is considered that the conversion of the disused library to provide a mix of student accommodation, teaching facilities and ancillary uses would make the most efficient and suitable use of land for the site in accordance with policies 3.8 of the London Plan (2011), SP03 of the Core Strategy (2010) and DM6 of the Managing Development Document (2013) which seek to ensure that appropriate local community facilities are protected where they met a local need and where student accommodation is proposed in an appropriate location.

Design

- 9.24 The National Planning Policy Framework attaches great importance to the design of the built environment. In accordance with paragraph 58 of the NPPF, new developments should:

- function well and add to the overall quality of the area,
- establish a strong sense of place, creating attractive and comfortable places to live,
- respond to local character and history, and reflect the identity of local surroundings and materials,
- create safe and accessible environments, and
- be visually attractive as a result of good architecture and appropriate landscaping

- 9.25 Chapter 7 of the London Plan places an emphasis on robust design in new development. Policy 7.4 specifically seeks high quality urban design having regard to the pattern and grain of the existing spaces on streets. Policy 7.6 seeks highest architectural quality, enhanced public realm, materials that complement the local character, quality adoptable space, optimising the potential of the site.

- 9.26 The Council's policy SP10 sets out the broad design requirements for new

development to ensure that buildings, spaces and places are high-quality, sustainable, accessible, attractive, durable and well integrated with their surrounds. Further guidance is provided through policy DM24 of the Managing Development Document. Policy DM26 gives detailed guidance on tall buildings and specifies that building heights should be considered in accordance with the town centre hierarchy, and generally respond to the predominant local context. Policies SP09 and DM23 seek to deliver a high-quality public realm consisting of streets and spaces that are safe, attractive and integrated with buildings that respond to and overlook public spaces. The place making policy SP12 seeks to improve, enhance and develop a network of sustainable, connected and well-designed neighbourhoods across the borough through retaining and respecting features that contribute to each neighbourhood's heritage, character and local distinctiveness.

- 9.27 Core Strategy policy SP10 and policy DM23 and DM24 of the Managing Development Document (2013) seek to ensure that all new developments are sensitive to the character of their surroundings in terms of design, bulk, scale and seek to ensure that buildings, spaces and places are high-quality, sustainable, accessible, attractive, durable and well integrated with their surrounds.

Scale, height and massing

- 9.28 The existing building comprises 3 storeys to the front and rear, with one to two storeys within the central element of the building. The scheme proposes the addition of three storeys within the central part of the building (5 storeys in total), and the addition of two storeys at the rear of the building.
- 9.29 The Edwardian part of the building incorporates a three storey front section and remains untouched in terms of additional storeys. A single storey section separates the front section from the larger rear additions. The exterior of the front (Edwardian) section would be very largely unaltered but the mass of the rear (interwar) section of the library would be substantially enlarged. The nature of the overall proposal means that this enlarged mass is visually separated from the front section by the retained Edwardian single storey element. It is considered that the altered rear section would not dominate the Edwardian section of the building.
- 9.30 The prevailing heights of buildings in the immediate context range from 3-11 storeys. The residential development to the east of the site ranges from 5-11 storeys in height. Also to the east sits 640 Commercial Road, which received planning permission for a 5 storey building in 2013. To the west of the site is Our Lady Immaculate Church which ranges from 2-3 storeys, with a narrow 5 storey element fronting Commercial Road. Also to the west are buildings ranging from 2-4 storeys in height at Norway Place. To the north of the site on Commercial Road, heights range from 4-6 storey and to the immediate south, residential buildings at Island Row range from between 2-4 storeys. As such, the proposed height is considered acceptable and in keeping with its context.
- 9.31 Overall it is considered that the scale height and mass is acceptable in design and heritage terms, in that the massing is separated from the Edwardian frontage of the building, and the general height is in keeping with the pattern of surrounding development.

Extent of works and material palette

- 9.32 The proposal involves a number of internal and external works to the building which are outlined in the following paragraphs below:

9.33 *External works to the front of the original building*

- All the Portland stones would be cleared and repaired by specialist to preserve the original character of the building.
- All windows would receive a complete overhaul. The existing doors and windows would be refurbished and cleaned in the same colour.
- The existing roof to the original front building would be replaced with matching materials.
- Existing damaged brickwork would be replaced with identical second hand yellow bricks. Some minor pointing is missing due to weathering.
- All existing gutters soffits and fascia boards would be retained.
- The existing two lanterns would be retained. Refurbishment of these would be undertaken to stop any water leaks on joints.

9.34 *External works to the centre of the building*

- The existing service shaft which links both of the basements would be retained.
- The existing Juvenile Library room in the ground floor is proposed to be split into student accommodation. The existing windows would remain as existing and all the proposed rooms are designed so that no further windows are installed into the existing walls.
- At the first floor level the communal area would have a roof terrace as an amenity space. The existing roof would remain as existing.
- The remaining floors would be extended to accommodate rooms for student accommodation.
- In the centre of the building a communal staircase with a lift would be constructed to be used by the residents of the student accommodation.

9.35 *External works to the rear of the building*

- All existing walls, doors, windows and stonework would be retained up to the roof level.
- The existing roof would be removed in order to extend. The property would receive part two part three storey.
- The existing Welsh roof tiles would be set aside for reuse and once the proposed extension with dormer windows are inserted into the roof structure, all existing Welsh slates will be reused.
- The major structural cracking to the rear would be repaired from inside of the property. The existing brickwork will be replaced with identical second hand yellow bricks. Re-pointing to the brickwork will be undertaken to cracked walls. These would be repointed in same colour and same pattern.
- The existing flat roof to the rear extension and the courtyard would be removed and extended to level the entire building.
- The rear extension would be matching yellow bricks and window shapes will also be matched to blend in with the rest of the building.
- The proposed extension would be constructed from matching brickwork and thereafter the roof profile will commence.
- The extended floor would receive some timber grilled shading panels to the side of the window.
- The roof structure would receive two additional floors. The first floor would be constructed with large dormer windows with cedar boarding which will turn light grey in the winter periods. This would blend in with the roof tiles and the style of the existing roof.
- The top floor would have some small dormer windows lined with powder zinc

finish. This would also be light grey colour so that it would blend in with the rest of the roof.

9.36 *Internal works to the front of the original building*

- The existing basement has been divided with partitions to create a staff rest room. These partitions would be removed and a large open plan room is proposed to be formed so that the study kitchen can be constructed.
- The kitchen extractor fans would be formed inside the existing chimney flues in the building by lining the inside of the flues. This would keep the existing character of the building and avoid fitting any large mechanical flues externally.
- The basement would also receive male and female toilets to be used by the students.
- In the ground, first and second floor the existing internal fittings of the entire property would be retained. All the architectural features such as doors, windows, skirting boards and ceilings would be retained to be used as part of the proposed works.
- There are alterations to the proposed front doors, kitchens and bathrooms to each unit.

9.37 In summary, the Edwardian part of the exterior would be fully restored. The proposed extension would be constructed in yellow brick with Welsh slate roof. The roof top elements of the building would incorporate Cedar board cladding and flat metal panels. The applicant would be required to submit further details of the materials samples and specification to be approved in writing by the Local Planning authority prior to the commencement of works onsite. This would be secured by way of condition.

Impact on the Listed building

9.38 The National Planning Policy Framework emphasises the importance of preserving heritage assets and requires any development likely to affect a heritage asset or its setting to be assessed in a holistic manner. The main factors to be taken into account are the significance of the asset and the wider social, cultural, economic and environmental benefits arising from its preservation, the extent of loss or damage as result of the development and the public benefit likely to arise from proposed development. Any harm or loss to a heritage asset requires clear and convincing justification.

9.39 Policy 7.8 of the London Plan specifies that developments affecting heritage assets and their setting should preserve the assets significance by being sympathetic to their form, scale, materials and architectural detail

9.40 The Council's Core Strategy Strategic objective SO22 aims to "Protect, celebrate and improve access to our historical and heritage assets by placing these at the heart of reinventing the hamlets to enhance local distinctiveness, character and townscape views". This is to be realised through strategic policy SP10 which aims to protect and enhance the Borough's heritage assets to enable creation of locally distinctive neighbourhoods with individual character and context. Further policy guidance is also provided by policy DM27 of the Managing Development Document.

9.41 Further to the aforementioned policies, in considering whether to grant planning permission for a development which affects the setting of a listed building, according to Section 66 of the Planning (Listed Buildings and Conservation Areas) Act 1990, the Local Planning Authority is required to have special regard to the desirability of preserving the setting of the building and any features of special architectural or

historic interest which it possesses. In accordance with Section 72 of the above Act, special attention shall also be paid to the desirability of preserving or enhancing the character and appearance of designated conservation areas. As a statutory requirement, consideration of the harm to the setting of a listed building and the desirability of preserving or enhancing the character and appearance of a conservation area should be given considerable weight in the decision making process.

- 9.42 The building was listed at Grade II in 1973. The list description states '*1900. Messrs Clarkson architects. Originally Passmore Edwards Library. White stone and yellow brick. 2 storeys, basement and attic. 5 windows, end bays advanced. Ground floor of rusticated white stone with vermiculated quoins, cornice above. Outer upper bays of yellow brick with engaged side pillars under stone cornice and stone coped Flemish gable. Ground floor windows, round headed casements with fanlights, above, casements with mullions and transom flush with adjoining masonry.*
- 9.43 *The 'Gate Piers and Iron Railings' were separately listed at Grade II in 1973. The relevant list description states 'Circa 1900. Rusticated white stone gate piers with cast iron lamp holders above. Modern iron railings.'*
- 9.44 The Library is a substantial building on a long narrow site. To the rear of the Edwardian frontage section are large interwar additions. The architectural significance of the listed building is centred very much on the front (Edwardian) part of the building. The remainder of the building is of much lesser architectural quality but is nevertheless of some interest in that it demonstrates the evolution of this important public building over the twentieth century.
- 9.45 The building's use as a library ceased some years ago and since that time it has been vacant and was recently been occupied by squatters. The building is currently included on the English Heritage Register of Heritage at Risk.
- 9.46 The proposal contains few alterations to the Edwardian part of the building. Significant interiors within this section of the Library would be retained and restored as part of the proposal, and they would form key communal spaces. The restoration of historic fabric, proposed as part of this application is welcomed. Should the proposal be approved and the works carried out, it would result in the removal of the former Library from the English Heritage Register of Heritage at Risk.
- 9.47 The original library was extended several times in the interwar period. These extensions would be subject to very significant alterations as part of the current proposal. Large areas of the external walls of this interwar section would be retained but would be subject to significant alteration by the insertion of new window openings to facilitate the change of use. The roof of the interwar section would be removed and three additional floors added. In terms of the exterior of the listed building it is felt that the new additions are acceptable as their impact on the Edwardian section of the library is limited.
- 9.48 The loss of a large interwar reading room with its mural is regrettable but it is felt that, on balance, the significant benefits of the current proposal in terms of the restoration of the highly significant Edwardian section of the building outweighs this loss.

Conclusion on design and heritage matters

- 9.49 Conditions would be attached to any permission with regard to the detailed design and materials in relation to the retained, altered and new fabric of the building. Subject to these conditions, it is considered that the proposed restoration, refurbishment and

alterations to Limehouse Library would protect the special historic and architectural interest of the highly significant Edwardian element of the listed building. The proposals therefore accord with the requirements of the National Planning Policy Framework, policies 7.4, 7.6 & 7.8 of the London Plan (2011), Policy SP10(2) of the Council's adopted Core Strategy (2010) and Policy DM27 of the Council's adopted Managing Development Document (2013) and government guidance set out in Section 12 of the National Planning Policy Framework (2012) which seeks to ensure developments are of high design quality ; sensitive and well integrated to the character of their surroundings.

Effect on residential amenity

- 9.50 Policy SP10(4) of the adopted Core Strategy (2010) and policy DM25 of the Managing Development Document (2013) require development to protect and where possible improve the amenity of surrounding existing and future residents and building occupants, as well as protect the amenity of the surrounding public realm. Residential amenity includes such factors as a resident's access to daylight and sunlight, microclimate, outlook, privacy and a lack of disturbance through noise and vibration.

Daylight and sunlight

- 9.52 Guidance relating to daylight and sunlight is contained in the Building Research Establishment (BRE) handbook 'Site Layout Planning for Daylight and Sunlight' (2011).
- 9.53 Policy DM25 of the Managing Development Document (2013) seeks to protect amenity, by ensuring development does not result in an unacceptable material deterioration of the sunlight and daylight conditions of surrounding development. Policy DM25 also seeks to ensure adequate levels of light for new residential developments.

Daylight

- 9.54 For calculating daylight to neighbouring properties affected by a proposed development, the primary assessment is the vertical sky component (VSC) method of assessment, together with no sky line (NSL) assessment where internal room layouts are known or can reasonably be assumed. The 2011 BRE guide emphasises the VSC assessment as the primary method of assessment.
- 9.55 The applicant submitted Daylight and Sunlight assessment which was reviewed by the Council's Environmental Health officer. The submitted daylight and sunlight report assesses the impact of the proposed development upon the following neighbouring properties:
- Norway Wharf
 - 74 Island Row
 - 80-82 Island Row
 - 10 to 24 Norway Place
 - 1a & 2a Norway Place
 - Our Lady Immaculate Church
- 9.56 At Norway wharf, only 7 of the 166 windows tested fall below the VSC levels. The degree of non compliance is marginal, less than 20% below the VSC guidelines.
- 9.57 All windows tested at 74, 80, 81 and 82 Island Row comply with BRE guidelines.

- 9.58 At 10-24 Norway Place, 12 out of 14 windows do not meet the VSC test. At 1a Norway Place, 4 out of 6 windows assessed do not meet the VSC test and at 2a Norway Place 4 out of the 6 windows tested do not achieve BRE compliance. The degree of non-compliance in these three sites would be less than 20% below the VSC guidelines.
- 9.59 At Our lady Immaculate Church, out of the 77 windows tested, 9 of the windows do not achieve VSC levels in accordance with BRE Guidelines. The reduction of VSC levels to these 9 windows would be less than 30% below the VSC guideline.
- 9.60 The loss of daylight levels to 29 out of 103 windows tested within the surrounding context of the site is considered marginal, in that the failures are between 20% and 30% beyond the VSC criteria, and would therefore not be significant enough to warrant a refusal given the urban context of the site. LBTH Environmental Health daylight officer has reviewed the daylight and sunlight report and is satisfied that the proposal does not present any undue concerns, and on balance adequate daylight and sunlight levels will be retained to surrounding properties.

Sunlighting

- 9.61 Sunlight is assessed through the calculation of the annual probable sunlight hours (APSH). This method of assessment considers the amount of sun available in the summer and winter, for windows within 90 degrees of due south. The results of the sunlight analysis demonstrate that the majority of windows assessed comply with the BRE guidelines. There are some windows which do not achieve BRE guidelines, however as noted by the Councils Environment Health Officer, the degree of non-compliance is not significant and given the urban context of the site, a reason for refusal could not be sustained on this ground.
- 9.62 All windows which face within 90 degrees of due south have been tested for direct sunlight. All windows pass both the total annual sunlight hours test and the winter sunlight hours test. The proposed development therefore satisfies the BRE direct sunlight to windows requirements.

Privacy and outlook

- 9.63 Policy DM25 of the Managing Development Document (2013) stipulates new developments should be designed to ensure that there is sufficient privacy and that they do not enable an unreasonable level of overlooking between habitable rooms. It is recommended that a distance of approximately 18 metres between windows of habitable rooms should be sought. Officers do however note that this can be difficult to achieve in urban locations, particularly in Tower Hamlets.
- 9.64 The properties within the immediate vicinity of the site were examined to consider the impact the proposal has on the privacy currently enjoyed by residents at 10-14 Norway Place to the east of the site and windows which face the property at Norway wharf located to the west of the site. The separation distance between proposed windows on the east elevation and 10-24 Norway Place is approximately 7.9 metres and the separation distance between proposed windows on the west elevation and windows at Norway Wharf is approximately 6.9 metres. Whilst the distances are less than 18 metres, there would be no direct inter-visibility of habitable rooms. As such, the proposal would not present undue concerns in terms of loss of privacy to surrounding properties.

Noise

- 9.65 Policy 7.15 of the London Plan (2011) sets out guidance in relation to noise for new developments and in terms of local policies SP03 and SP10 of the Core Strategy (2010) and policy DM25 of the Managing Development Document (2013) seek to minimise the adverse effects of noise.
- 9.66 The applicant submitted a noise report which was assessed by the Councils Environment health (noise officer) who noted that the proposal meets BS8233 internal levels of the 'good' standard and therefore consider that the proposed student units would not suffer from undue noise disturbance.

The assessment of noise associated with a student accommodation use

- 9.67 The assessment of noise from activities attributed to the movement of students to and from the student accommodation building is not specifically dealt with by a single planning standard or guideline. Where statutory nuisance are deemed to occur, the Local Authority has statutory power under the Noise Act 1996 (as amended) and the Environmental Protection Act 1990 to deal with such matters.
- 9.68 The control of potential noise including anti-social behaviour of students would be provided in the applicant's 'Building Management Statement' which would be submitted as an Approval of Detail application. The Building Management Statement would be required to be implemented in perpetuity, and would include the following:
- Details of security;
 - Details of a Management Code of Conduct which forms part of a tenancy agreement by which each student would have to abide;
 - Details of CCTV arrangements.
- 9.69 Conditions are also recommended which restrict construction hours and noise emissions and requesting the submission of a Construction Management Plan which would further assist in ensuring noise control.
- 9.70 With relation to noise breakout for existing surrounding residential units, the proposed roof terrace has the potential to lead to noise disturbance for neighbouring residents. In order to ensure that neighbouring residential amenity is protected in this respect, it is recommended that a condition is attached to ensure the roof terrace is not in use early morning or late evening.

Conclusion of amenity matters

- 9.71 Environment Health indicates that the overall picture shows a very limited impact on surrounding properties and does not object on amenity grounds. The proportion of properties affected and the level of any losses in excess of BRE guidelines is considered to be relatively low particularly in an urban context. Subject to conditions it is considered that the future occupiers and surrounding properties would not suffer from undue noise disturbance. The proposal therefore complies with Core Strategy policy SP10 and policy DM25 of the Managing Development Document (2013), which seeks to protect amenity of future and existing residents.

Transport and access

- 9.72 The NPPF and policy 6.1 of the London Plan 2011 seek to promote sustainable modes of transport and accessibility and reduce the need to travel by car. Policy 6.3 also requires transport demand generated by new development to be within the relative

capacity of the existing network.

- 9.73 CS Policies SP08 and SP09 and Policy DM20 of the Managing Development Document (2013) together seek to deliver an accessible, efficient and sustainable transport network, ensuring new development has no adverse impact on safety and road network capacity, requires the assessment of traffic generation impacts and also seeks to prioritise and encourage improvements to the pedestrian environment.
- 9.74 As detailed earlier in the report, the subject site has a Public Transport Accessibility Level of 6a which means it is highly accessible by public transport. A trip generation assessment has been carried out to assess the change in trip attraction of the site under the development proposals. The traffic impact of the development is expected to be minimal and insignificant on the adjoining highways.

Car parking

- 9.75 Policies 6.13 of the London Plan, SP09 of the Core Strategy and DM22 of the Managing Development Document (2013) seek to encourage sustainable non-car modes of transport and to limit car use by restricting car parking provision and refers to the parking standards set out in appendix 2 for the provision of parking for different types of development.
- 9.76 The proposal does not make provision for car parking onsite, and the applicant has agreed to sign up to a car free requirement, meaning that residents will not be able to apply for an on street parking permit. This is supported by Officers.

Cycle parking

- 9.77 Policy 6.1 of the London Plan (2011) seeks to promote sustainable modes of transport and reduce the need to travel by car. Policy 6.3 also requires transport demand generated by new development to be within capacity.
- 9.78 The Managing Development Document (2013) sets out the requirements for cycle parking for various land uses which include the following:
- D1 use - 1:8 staff or students
Student accommodation - 1:1 therefore a minimum of 64
Gym use – 1:10 staff and 1:20 peak period visitors
- 9.79 As such, the proposal should therefore make provision for 73 cycle spaces in accordance with the policy requirement. Of the 73 cycle spaces proposed- 57 cycle spaces are located to the rear of the development at ground floor level; 12 cycle spaces are located to the front and 4 cycle spaces to the store room in the courtyard at the basement
- 9.80 The Barclays Cycle Hire scheme is also available for students in the following locations which are all within walking distance to the site:
- Salmon Lane, Limehouse – approximately 350m to the north of the site with a total capacity of 32 bicycle
 - Flamborough Street, Limehouse – approximately 450m to the west of the site with a total capacity of 25 bicycles
 - Canton Street, Poplar – approximately 600m to the east of the site with a total capacity of 23 bicycles

Servicing

- 9.81 There are two options as to how the site can be serviced. The first option is off Commercial Road and the second from Norway Place. TfL and LBTH Highways section both agree that servicing should not take place off Commercial Road given that the A13 road is one of the busiest roads in the Borough and obstructing this highway could impact upon the safe and freeflow of traffic, as well as pedestrian safety. TfL welcome servicing off Norway Place. LBTH Highways team are not supportive of this arrangement and note that Norway Place has waiting restrictions on both sides between 7am-7pm Monday to Saturday and has loading restrictions between 7am-7pm on Monday-Saturday. They advise that any servicing from here is likely to cause an obstruction. Norway Place leads into a private road (Wharf Lane) for which the applicant has not shown that they have right of way for through traffic, and Highways are of the view that Norway Place is not wide enough to allow a service vehicle to turn around and exit the road in a forward gear. LBTH Highways section further add that the narrowness of the road could mean that any service vehicles parked there would likely cause an obstruction and this could have an adverse effect on other road users, particularly the emergency service.
- 9.82 Officers have considered the views of the Councils Transport section, and have weighed up the merits the options for servicing, being either Commercial Road or Norway Place. Whilst Norway Place is narrow, and will be challenging in terms of servicing, on balance this is considered to be the most pragmatic servicing route. Through the provision of a stringent Delivery and Service Management Plan to be secured by condition, detailing the timing of deliveries off peak, vehicular tracking and control measures for general servicing, it is considered that the servicing concerns can be adequately resolved.

Conclusion on transport/highway matters

- 9.83 Subject to conditions and appropriate S106 contributions, transport matters, including vehicular and cycle parking, vehicular and pedestrian access are acceptable and the proposal should not have a detrimental impact on the public highway in accordance with National Planning Policy Framework (NPPF); 6.1 and 6.3 of the London Plan (2011), SP08 and SP09 of the Core Strategy (2010) and DM20 of the Managing Development Document (2013).

Energy efficiency and sustainability

- 9.84 At a national level, the National Planning Policy Framework sets out that planning plays a key role in delivering reductions to greenhouse gas emissions, minimising vulnerability and providing resilience to climate change. The NPPF also notes that planning supports the delivery of renewable and low carbon energy and associated infrastructure. At a strategic level, the climate change policies as set out in Chapter 5 of the London Plan 2011, London Borough of Tower Hamlets Core Strategy (SO24 and SP11) and the LBTH Managing Development Document Policy DM29 collectively require developments to make the fullest contribution to the mitigation and adaption to climate change and to minimise carbon dioxide emissions.
- 9.85 The proposals follows the energy hierarchy and seek to minimise CO2 emissions through energy efficiency and energy supply (CHP 5.5KWe) to achieve a 40% reduction in CO2.
- 9.86 The proposals do not include the use of any renewable energy technologies to provide

additional reduction of carbon emissions. In this specific instance only the omission of renewable energy technologies is considered acceptable. This is due to the buildings listed status and the impacts that incorporating a renewable energy technology, that is complimentary with the proposed CHP (eg PV array), would have on the development, in terms of both structural and visual impacts and access requirements.

9.87 However, the Managing Development Document Policy DM29 includes the requirement to achieve a minimum 50% reduction in CO2 emissions above the Building Regulations. The current proposal falls short of this policy requirements by 10% which equates to 13 tonnes of regulated CO2.

9.88 The Planning Obligations SPD includes the mechanism for any shortfall in CO2 to be met through a cash in lieu contribution for sustainability projects. This policy is in accordance with Policy 5.2 (E) of the London Plan 2011 which states:

‘...carbon dioxide reduction targets should be met on-site. Where it is clearly demonstrated that the specific targets cannot be fully achieved on-site, any shortfall may be provided off-site or through a cash in lieu contribution to the relevant borough to be ring fenced to secure delivery of carbon dioxide savings elsewhere.’

9.89 It was therefore recommended by the Council’s Sustainability officer that the shortfall in Co2 emission reductions on this project be offset through a cash in lieu payment. The current identified cost for a tonne of CO2 is £1,380 per tonne of CO2. This figure is recommended by the Greater London Authority (GLA Sustainable Design and Construction SPG 2013 and the GLA Planning Energy Assessment Guidance) and is also based on the London Legacy Development Corporation’s figure for carbon offsetting. This equates to a contribution of £17,940 for carbon offset projects in the vicinity of the proposed development. The applicant has agreed to this contribution as further expanded upon within sections 9.93-9.94 of this report.

Planning Obligations

9.90 As set out in Circular 05/2005, planning obligations should only be sought where they meet the 5 key tests. The obligations should be:

- (i) Relevant to planning;
- (ii) Necessary to make the proposed development acceptable in planning terms;
- (iii) Directly related to the proposed development;
- (iv) Fairly and reasonably related in scale and kind to the proposed development; and
- (v) Reasonable in all other respects.

9.91 Regulation 122 of CIL Regulations 2010 brings the above policy tests into law, requiring that planning obligations can only constitute a reason for granting planning permission where they meet such tests.

9.92 Securing appropriate planning contributions is supported by policy SP13 of the Core Strategy which seeks to negotiate planning obligations through their deliverance in kind or through financial contributions to mitigate impacts of the development.

9.93 The Council’s Supplementary Planning Document on Planning Obligations was adopted in January 2012. This SPD provides further guidance on the planning obligations policy SP13. The SPG also sets out the Borough’s key priorities:

- Affordable Housing
- Employment, Skills, Training and Enterprise
- Community Facilities
- Education
- Public Realm
- Health
- Sustainable Transport
- Environmental Sustainability

9.94 In order to ensure that the impacts of the proposed development are sufficiently mitigated, the following contributions would be sought if permission was granted:

£11,854 towards Idea Stores, Libraries and Archives
 £30,069 towards leisure facilities
 £75,493 towards Public Open Space
 £1,411 towards smarter travel contribution
 £17,940 towards CO2 emission reduction shortfall
 £58,624 towards health facilities
 £7,332 towards employment/enterprise contribution at construction phase
 £4,884 towards employment/enterprise contribution at end phase
 £53,976 towards realm public improvements
 £3,094 towards Monitoring

Total financial contribution proposed and sought is £264,677

9.95 As such, the proposal adequately complies with policies 8.2 of the London Plan (2011) and SP13 in the Core Strategy (2010) and the Councils SPD on seeking to negotiate planning obligations through their deliverance in kind or through financial contributions.

Human Rights Considerations

9.96 In determining this application the Council is required to have regard to the provisions of the Human Rights Act 1998. In the determination of a planning application the following are particularly highlighted to Members:-

9.97 Section 6 of the Human Rights Act 1998 prohibits authorities (including the Council as local planning authority) from acting in a way which is incompatible with the European Convention on Human Rights. "Convention" here means the European Convention on Human Rights, certain parts of which were incorporated into English law under the Human Rights Act 1998. Various Convention rights are likely to be relevant, including:-

- Entitlement to a fair and public hearing within a reasonable time by an independent and impartial tribunal established by law in the determination of a person's civil and political rights (Convention Article 6). This includes property rights and can include opportunities to be heard in the consultation process;
- Rights to respect for private and family life and home. Such rights may be restricted if the infringement is legitimate and fair and proportionate in the public interest (Convention Article 8); and
- Peaceful enjoyment of possessions (including property). This does not impair the right to enforce such laws as the State deems necessary to control the use of property in accordance with the general interest (First Protocol, Article 1). The European Court has recognised that "regard must be had to the fair balance that has to be struck between the competing interests of the individual

and of the community as a whole".

- 9.98 This report has outlined the consultation that has been undertaken on the planning application and the opportunities for people to make representations to the Council as local planning authority.

Members need to satisfy themselves that the measures which are proposed to be taken to minimise, inter alia, the adverse effects of noise, construction and general disturbance are acceptable and that any potential interference with Article 8 rights will be legitimate and justified.

- 9.99 Both public and private interests are to be taken into account in the exercise of the Council's planning authority's powers and duties. Any interference with a Convention right must be necessary and proportionate.

- 9.100 Members must, therefore, carefully consider the balance to be struck between individual rights and the wider public interest.

- 9.101 As set out above, it is necessary, having regard to the Human Rights Act 1998, to take into account any interference with private property rights protected by the European Convention on Human Rights and ensure that the interference is proportionate and in the public interest.

- 9.102 In this context, the balance to be struck between individual rights and the wider public interest has been carefully considered. Officers consider that any interference with Convention rights is justified. Officers have also taken into account the mitigation measures governed by planning conditions and the associated section 106 agreement to be entered into.

Equalities Act Considerations

- 9.103 The Equality Act 2010 provides protection from discrimination in respect of certain protected characteristics, namely: age, disability, gender reassignment, pregnancy and maternity, race, religion or beliefs and sex and sexual orientation. It places the Council under a legal duty to have due regard to the advancement of equality in the exercise of its powers including planning powers. Officers have taken this into account in the assessment of the application and the Committee must be mindful of this duty inter alia when determining all planning applications. In particular the Committee must pay due regard to the need to:

1. eliminate discrimination, harassment, victimisation and any other conduct that is prohibited by or under the Act;
2. advance equality of opportunity between persons who share a relevant protected characteristic and persons who do not share it; and
3. foster good relations between persons who share a relevant protected characteristic and persons who do not share it.

- 9.104 The contributions towards various community assets/improvements and infrastructure improvements addresses, in the short-medium term, the potential perceived and real impacts of the construction workforce on the local communities, and in the longer term support community wellbeing and social cohesion.

- 9.105 Furthermore, the requirement to use local labour and services during construction enables local people to take advantage of employment opportunities.

Localism Act (amendment to S70(2) of the TCPA 1990)

9.106 Section 70(1) of the Town and Country Planning Act 1990 (as amended) entitles the local planning authority (and on appeal by the Secretary of State) to grant planning permission on application to it. From 15th January 2012, Parliament has enacted an amended section 70(2) as follows:

In dealing with such an application the authority shall have regard to:

- a) The provisions of the development plan, so far as material to the application;
- b) Any local finance considerations, so far as material to the application; and
- c) Any other material consideration.

9.107 Section 70(4) defines “local finance consideration” as:

- a) A grant or other financial assistance that has been, or will or could be, provided to a relevant authority by a Minister of the Crown; or
- b) Sums that a relevant authority has received, or will or could receive, in payment of Community Infrastructure Levy

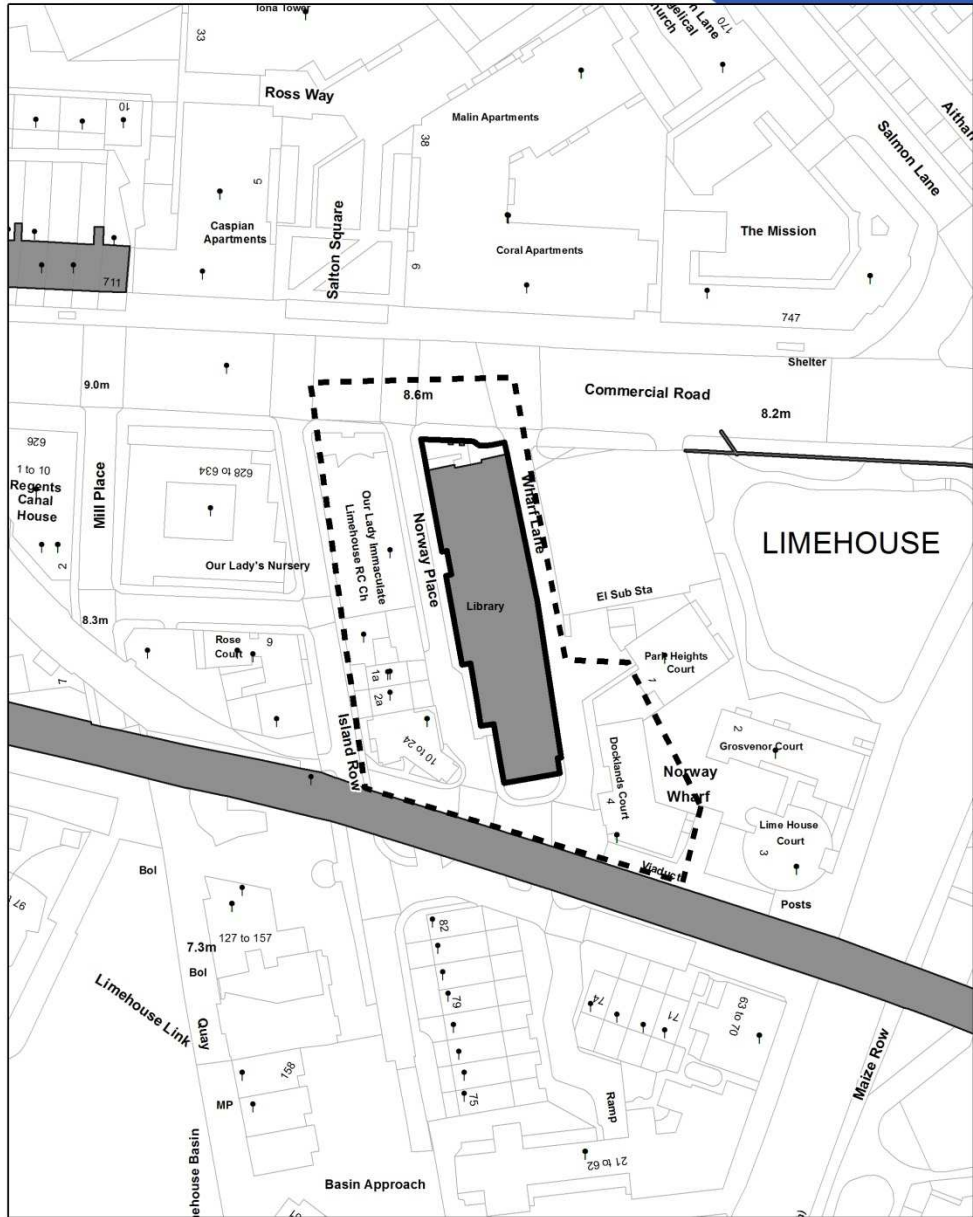
Community Infrastructure Levy

9.108 With regard to Community Infrastructure Levy considerations, following the publication of the Inspector’s Report into the Examination in Public in respect of the London Mayor’s Community Infrastructure Levy, Members are reminded that that the London mayoral CIL became operational from 1 April 2012 and will be payable on this scheme. The likely CIL payment associated with this development would be in the region of £53,415.

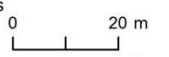
10. Conclusions

10.1 All other relevant policies and considerations have been taken into account. Planning permission and Listed Building Consent should be granted for the reasons set out in the EXECUTIVE 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
PA/13/02580



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



This Site Map displays the Planning Application Site Boundary and the neighbouring Occupiers / Owners who were consulted as part of the Planning Application process.
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Agenda Item 8

Committee: Development	Date: 7 th May 2014	Classification: Unrestricted	Agenda Item No: 8
Report of: Corporate Director Development and Renewal		Title: Other Planning Matters	
Originating Officer:		Ref No: See reports attached for each item	
		Ward(s): See reports attached for each item	

1. INTRODUCTION

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

2. FURTHER INFORMATION

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

3. PUBLIC SPEAKING

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

4. RECOMMENDATION

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

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

Brief Description of background papers:
See individual reports

Tick if copy supplied for register:

Name and telephone no. of holder:
See individual reports

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Agenda Item 8.1

Committee: Development	Date: 7 th May 2014	Classification: Unrestricted	Agenda Item:
Report of: Corporate Director of Development and Renewal		Title: Listed Building Application	
Case Officer: Brett McAllister		Ref No: PA/14/00245	
		Ward: Mile End and Globe Town	

1.0 APPLICATION DETAILS

1.1 **Location:** Former Professional Development Centre, English Street, London, E3 4TA

Existing Use: The building is no longer functioning as Professional Development Centre (PDC) which provided a base for school-focused activities and training for teachers and managers. Block A, which this application refers to is currently vacant.

Proposal: Alterations to glazed screens, repositioning of screens/doors and associated works to facilitate improved access and escape from the building.

Documents: Document entitled 'Design and Access Statement Heritage Statement Impact Statement' by Camal Architects & Designers (January 2014).
Page showing 4 photographs of the school.

Drawing Nos: BON-CAM-GA-001 (24.05.2012)
BON-CAM-SCH-004000-AB2 (25.11.2013)
BON-CAM-SCH-004001-H (16.09.2013)
BON-CAM-SCH-004002-H (16.09.2013)
BON-CAM-SCH-004003-AB1 (17.11.2013)
BON-CAM-DET-004005-D (27.01.2014)

Applicant: Tower Hamlets- Children, School and Families Directorate.

Owner: LBTH

Historic Building: Grade II Listed.

Conservation Area: Ropery Street 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 Core Strategy (2010), The London Borough of Tower Hamlets Managing Development Document (2013) the London Plan (2011) and National Planning Policy Framework (2012) and has found that:

2.2 1. The proposed works contribute to the long-term preservation of the Grade II

listed building whilst allowing it to comply with building regulations demanded of it owing to its new primary school use.

3. RECOMMENDATION

3.1 That the Committee resolve to refer the application to the National Casework Unit with the recommendation that the Council would be minded to grant Listed Building Consent subject to conditions as set out below.

- 3.2
1. Time Limit.
 2. Completion in accordance with approved drawings.
 3. All materials/ finishes to match existing unless specified on submitted drawings.

4. BACKGROUND

4.1 This application for Listed Building Consent is required for proposed works to the Professional Development Centre (PDC) as part of its reversion back to a school. The building 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

5.1 Proposal

Listed Building Consent is sought for the alterations of glazed screens, repositioning of screens and doors and associated works within the building.

5.2 Site and Surroundings

The application site is a former public elementary school site consisting of two large school buildings (Blocks A and B) and three smaller single storey outbuildings (Blocks C,D and E)

5.3 Both the main buildings are grade II listed with the rest of the buildings listed by association. The internal works applied for in this application would be within Block A, the largest of the buildings.

5.4 English Street, running perpendicular to the northern boundary of the site provides the main access to the site although other access gates exist to the southern boundary of the site at Ropery Street.

5.5 The site is also located within the Ropery Street Conservation Area which was designated in 1987. The Conservation Area's main characteristic is the uniform

group of terraces, dating back to the mid-late 19th century.

- 5.6 Residential properties are located to the north, south and west of the site. Tower Hamlets Cemetery is located to the east of the site across Southern Grove Road.

5.7 **Relevant Planning History**

- 5.8 There have been a number of applications associated with the reversion of the buildings on the site from the Professional Development Centre back to a school. These include:

- 5.9 PA/14/701 and PA/14/702

Planning and listed building consents pending a decision at the time of writing for various external works to create play areas.

- 5.10 PA/13/02245

Planning consent granted on 9th January 2014 for the provision of a new play and activity area on redundant wasteland.

- 5.11 PA/13/02241 and PA/13/02242

Planning and listed building consents granted on 6th January 2014 and 6th February 2014 respectively for the repair and refurbishment works to external store (Block D) to include removal of existing non original windows and replacement with new external infill walls.

- 5.12 PA/12/03098 and PA/12/03099

Planning and listed building consents granted on 6th February 2013 for repair and refurbishment of redundant and derelict toilet block into external playground store including a new roof.

- 5.13 PA/12/02459

Planning consent granted on 23rd October 2012 for the provision of two temporary buildings for educational use for a period of five months from December 2012 until April 2013.

- 5.14 PA/12/01671 and PA/12/01672

Planning and listed building consents granted on 4th September and 9th September 2012 respectively for the refurbishment, repair and alteration of existing buildings together with the provision of external canopies in order to provide new primary school & nursery facilities to create an annex site for Bonner Primary School.

- 5.15 In addition to these applications, the earliest applications on the site are from 1991 and there have been some other planning and listed building applications since 2000. However, these were for relatively minor works which are not relevant to the current proposals.

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 National Planning Policy Framework 2012 (NPPF)

Sections: 7 Requiring Good Design
 12 Conserving and Enhancing the Historic Environment

6.3 Spatial Development Strategy for Greater London (London Plan 2011) (LP)

7.8 Heritage assets and archaeology

6.4 Core Strategy Development Plan Document (2010) (CS)

Policies: SP10 Creating Distinct and Durable Places

6.5 Managing Development Document (2013) (MDD)

Policies: DM27 Heritage and the Historic Environment

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

A Better Place for Living Well

7. CONSULTATION

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:

7.1 English Heritage

English Heritage have considered the information received and do not wish to offer any comments on this occasion.

Officer comment: This has been noted.

8. LOCAL REPRESENTATION

8.1 A total of 17 neighbouring addresses were consulted by letter, a site notice was posted and the application was published in the East End Life. No letters of representation have been received in support or objection to the proposals.

9 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 works are appropriate in this respect.

9.3 Impact on Special Architectural and Historic Character of the Listed Building.

- 9.4 London Plan policy 7.8 requires development to identify, value, conserve, restore, re-use and incorporate heritage assets, where appropriate and requires development affecting heritage assets and their settings to conserve their significance, by being sympathetic to their form, scale, materials and architectural detail.
- 9.5 Adopted CS Policy SP10 seeks to protect and enhance the boroughs Heritage Assets.
- 9.6 Policy DM27 states development will be required to protect and enhance the borough's heritage assets, their setting and their significance as key elements of developing the sense of place of the borough's distinctive 'Places'.

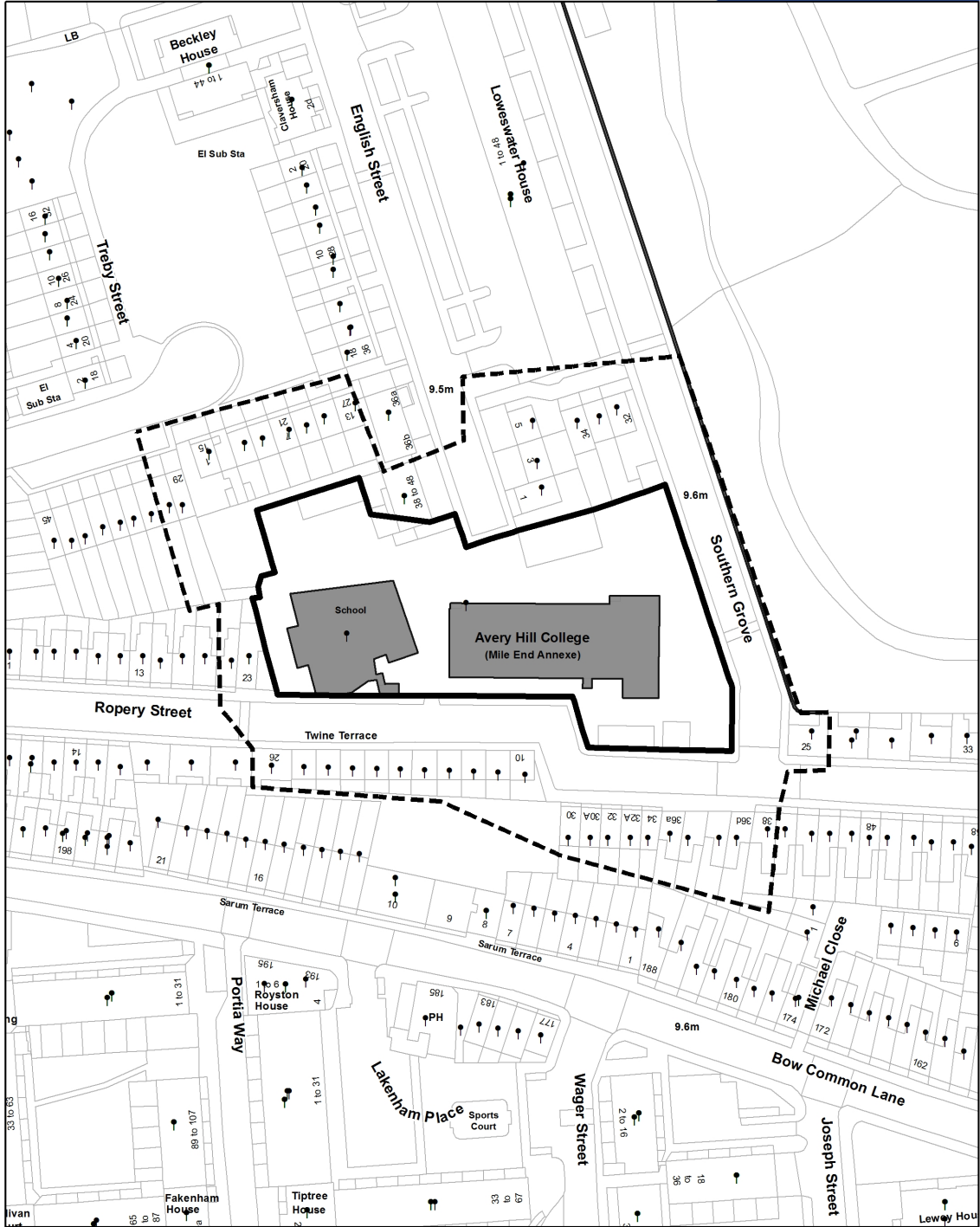
Applications for the alteration, extension, change of use, or development within a heritage asset will only be approved where:

- a. it does not result in an adverse impact on the character, fabric or identity of the heritage asset or its setting;
 - b. it is appropriate in terms of design, scale, form, detailing and materials in its local context;
 - c. it enhances or better reveals the significance of the asset or its setting;
 - d. opportunities to mitigate or adapt to climate change through the re-use or adaptation are maximised; and
 - e. in the case of a change of use, a thorough assessment should be carried out of the practicability of retaining its existing use and the wider benefits of the proposed use.
- 9.7 The applicant is seeking to improve the access, escape and fire protection of the building as the building's design is no longer suitable for health and safety reasons for its new use as a school. This would include altering the existing glass screens, positioned between the rooms of the building and the stair lobbies (including reception area) to staircases A, B and C so that they are covered. Many of the existing doors to these stair lobbies would be repositioned to provide enlarged lobbies. The purpose of the enlarged lobbies is to improve circulation in the existing staircases and improve fire protection from the main corridors.
- 9.8 The proposals would retain the original fabric of the building by covering the glass screens in partition board and plastering over that. Some original doors and screens would be preserved by being carefully repositioned in the newly created partition walls.
- 9.9 The original glass screens between the classrooms and corridors are an important part of the character of the listed building. By leaving the outline of the covered screens, the original use and arrangement of the glass screens is able to remain legible. By simply covering the screens in partition board and plastering over this a future owner and use of the building could feasibly restore the original screens to their original state. The original doors could also be moved back into their original position.
- 9.10 The proposed works are considered to be minor in nature and the Council's Conservation Officer has reviewed the proposal and considers that the proposal would not significantly harm the character and the setting of the listed building and is satisfied with the proposed works.

10 CONCLUSION.

- 10.1 These proposals would allow the building to return to its original function as a school while keeping the impact on the historic fabric of the building to a minimum. The arrangement of the screens would still be partially visible and the restoration to the original state could be achieved at a later stage should the use of the building change. The works are considered to preserve the special historical and architectural character and appearance of the Grade II Listed Building. As such, the proposal accords with the aims of Sections 7 and 12 of the NPPF, 7.8 of the London Plan, policy SP10 of the CS, policy DM27 of the MD DPD, which seek to ensure works to listed structures preserve features of special historic and architectural interest.
- 10.2 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 Map
PA/14/00245



	Planning Application Site Boundary		Locally Listed Buildings		Land Parcel Address	0	20 m
	Consultation Area		Statutory Listed Buildings		OSLine		

This Site Map displays the Planning Application Site Boundary and the neighbouring Occupiers / Owners who were consulted as part of the Planning Application process.
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