

Committee: Development	Date: 10th November 2010	Classification: Unrestricted	Agenda Item Number: 7.5
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Report of: Director of Development and Renewal	Title: Town Planning Application and Listed Building Consent
Case Officer: Beth Eite	Ref No: PA/10/01683
	Ward: Spitalfields and Banglatown

1. APPLICATION DETAILS

Location:	Christchurch Primary School, 47A Brick Lane, London, E1 6PU
Existing Use:	Primary School
Proposal:	Remodelling, restoration and extension to existing primary school including the provision of 6 classrooms, a full size main hall, full service kitchen, group rooms, meeting rooms, staff rooms and storage.
Drawing Nos:	03.08.2010, A001, A061, A062, A010, 01, A151, A310, A208, A206, A050, A160, A060, A161, A120, A121, A150, A122,
Documents:	Design and access statement Conservation Management Plan, Consultation report, Arboricultural Tree Report, Mechanical electrical and public health scheme design report stage D, BB93 Acoustic design report stage D, Structural condition and design appraisal report
Applicant:	Trustees of Christ Church Spitalfield C of E Primary School
Ownership:	Applicant
Historic Building:	Grade II Listed
Conservation Area:	Fournier Street/Brick Lane

2. SUMMARY OF MATERIAL PLANNING CONSIDERATIONS

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

- 2.1 The proposal seeks to alter and extend the existing school to provide additional education space. It is considered that the proposal is acceptable in land use terms and would be in accordance with policies 3A.18 and 3A.24 of the London Plan 2008 (Consolidated with Alterations since 2004) (London Plan) and SP07 of the adopted Core Strategy 2010 which seeks to improve and expand existing primary and secondary schools.
- 2.2 The design and layout of the proposal would improve the internal arrangement of the school,

allowing disabled access to parts of the school that are currently inaccessible, would allow for the onsite cooking of school meals and would not lead to any reduction in the recreation space available to pupils which is in accordance with policies DEV1 and EDU7 of the Unitary Development Plan 1998 (as saved September 2007), DEV2, DEV3 and SCF2 of the Interim Planning Guidance for the purposes of Development Control (2007) and SP07 of the adopted Core Strategy 2010

- 2.3 The extension and alterations to the Grade II listed building are considered to in part preserve the historic character of the building and in part enhance. The restoration of the hall and main rear window are considered to enhance and with the appropriate use of the materials the extension to the courtyard is considered to preserve the building. The other internal alterations are minor in nature and would have no significant impact upon the fabric and integrity of the listed building. The extension is also considered to preserve the appearance of the Brick Lane and Fournier Street conservation area in accordance with policies DEV37 of the Unitary Development Plan 1998 (as saved September 2007), CON1 and CON2 of the Interim Planning Guidance for the purposes of Development Control (2007) and SP10 of the adopted Core Strategy (2010).
- 2.4 The proposed extension is considered to be a sufficient distance away from any neighbouring residential properties to mitigate any direct impacts in terms of a loss of privacy of light. The increase in pupil numbers are not considered to have any significant impact upon the surrounding residents due to the nature of this busy location and any potential impacts from the mechanical equipment required for the kitchen can be suitably dealt with by the imposition of planning conditions in accordance with policies DEV2 of the Unitary Development Plan 1998 (as saved September 2007) and DEV1 of the Interim Planning Guidance for the purposes of Development Control (2007).

3. RECOMMENDATION

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

3.3 Conditions for full planning application

1. Time Limit – three years
2. Development to be carried out in accordance with the approved plans
3. Ventilation details/ extraction system details/location of the flue
4. Contaminated Land
5. Archaeological watching brief on the development when all excavation of footings or other below ground works take place
6. No construction or storing of materials within the root protection area of the trees.
7. Construction management plan
8. Construction Hours (8am – 6pm Monday to Friday, 9am – 1pm Saturday only)

3.4 Informatives

1. This planning application should be read in conjunction with listed building consent PA/10/01684

3.5 Conditions for listed building consent

1. Time limit
2. Development to be carried out in accordance with the approved drawings

3. Materials to be submitted

3.6 Informatives

1. This Listed Building Consent should be read in conjunction with planning application PA/10/01683

4. PROPOSAL AND LOCATION DETAILS

Proposal

- 4.1 The application seeks planning permission and listed building consent for a two storey infill extension to the courtyard on the northern side of the school. It would provide an additional classroom at ground floor and a kitchen at first floor.
- 4.2 The extension would be constructed out of London yellow stock brick, would have a pitched roof that is hipped on both sides. The ridge height would be slightly lower than the most recent extension at the rear of the building, however the eaves would be in line. The window arrangement and exposed steel lintel have been brought through from the building behind.
- 4.3 A flat roof section would connect the existing building to the extension and rooflights in the flat roof would provide light to the first floor corridor.
- 4.4 Internally, works involve restoring the hall back to its original proportions along with restoration of the central window which would now be visible from inside the school (previously partly obscured by the lower flat roof extension of the 1940s extension). A new passenger lift to make the school more accessible is also proposed.
- 4.5 Other internal works involve improving openings in a number of locations such as allowing direct access between the kitchen and the servery and creating full size classrooms where there are currently undersized teaching rooms, these are as follows:
- The first floor of the 1940's extension would see two undersized classrooms converted into one full sized classroom and one food science room.
 - The first floor of the 1980's extension would provide one full sized classroom and a group room where there are currently two undersized classrooms.
 - On the ground floor of the 1980's extension two undersized classrooms would be turned into one full sized classroom and pupil toilets.
 - There are also minor alterations to the original school building including the creation of staff room with shower facilities and group rooms.

Site and Surroundings

- 4.6 The application site relates to Christchurch Primary School located on the western side of Brick Lane. The school is Grade II listed and positioned within the Fournier Street and Brick Lane conservation area. Christ Church itself is located at the western end of the site and has an associated garden to the south 'Christchurch gardens' the church itself is Grade I listed.
- 4.7 Christ Church Primary School was built in 1873-4 and designed by architects James Tolley and Robert Dale in a mix of the Gothic and Tudor styles - in a typical Victorian red brick with a blue brick diapering pattern, all under steep slate roofs. Its got a U-shaped frontage set back from Brick Lane with substantial and interesting railings to this frontage. Originally, as built, the centre section of the building of two storeys and half-dormered windows was set over an open arcaded covered playground (designed not to disturb earlier existing graves on

the site, from Christ Church Grave Yard). The projecting wings each side were for the resident school master and school mistress. All this arrangement has now changed, the arcade being infilled with glazing and the associated playspace incorporated into the school, as well as the former residences, and the building extensively extended to the rear at various dates.

- 4.8 The school currently provides education for children aged 3-11, with 21 places at the nursery and 163 children at the school. The school is currently operating below its capacity, and in addition many of the classrooms fall below the standard set out in Building Bulletin 99 which is a government document providing guidance on current educational accommodation standards. Given the small size of the school there is no capacity to cook hot lunchtime meals on site.
- 4.9 The school has been extended a number of times, the building at the front of the site remains original, the later additions are further into the site with the adding of classrooms in the 1940s at the rear of the main building which currently comprises of two classrooms at ground and first floor level. The second main addition was in the 1980s and was also a two storey extension beyond the 1940's one.
- 4.10 To the south of the school site is a high brick boundary wall which separates the school from the Seven Stars Public House yard. Beyond this area are residential properties on Fournier Street.

Planning History

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

PA/03/00789	Alterations and refurbishment to a Grade II listed building – Approved 21/08/03
PA/03/01259	Construction of a veranda to south side of nursery (rear of school) Approved 1/12/03
PA/07/01562	Erection of a new environmental centre in existing courtyard. Alterations to external façade including new doors and windows to front elevation. Approved 8/8/07
PA/07/02950	Erection of a wooden building for use as an office and storage area for school staff. Approved 3/1/09
PA/08/02529	Construction of a single storey shelter play structure within the school playground. Approved 20/1/09.

5. POLICY FRAMEWORK

- 5.1 For details of the status of relevant policies see the front sheet for “Planning Applications for Determination” agenda items. The following policies are relevant to the application:

Core Strategy Development Plan Document 2025 (adopted September 2010)

Policies	SP03	Creating healthy and liveable neighbourhoods
	SP04	Creating a green and blue grid
	SP07	Improving education and skills
	SP10	Creating distinct and durable places
	SP12	Delivering placemaking

Unitary Development Plan 1998 (as saved September 2007)

Policies	DEV1	Design requirements
	DEV2	Environmental Requirements
	DEV14	Tree Preservation Orders
	DEV37	Alteration of listed building
	DEV51	Soil tests
	EDU7	Loss of school play space

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

Policies	DEV1	Amenity
	DEV2	Character and design
	DEV3	Accessible and inclusive design
	DEV16	Walking and cycling routes and facilities
	DEV22	Contaminated Land
	SCF2	School recreation space
	CON1	Listed buildings
	CON2	Conservation areas

Spatial Development Strategy for Greater London (London Plan) 2008

	3A.17	Addressing the needs of London's diverse population
	3A.18	Protection and enhancement of social infrastructure and community facilities
	3A.24	Education facilities
	3C.1	Integrating transport and development
	3C.2	Matching development to transport capacity
	3C.22	Improving conditions for cycling
	4B.1	Design principles for a compact city
	4B.5	Creating an inclusive environment
	4B.8	Respect local context and communities

Government Planning Policy Guidance/Statements

	PPS 1	Sustainable development and climate change
	PPS 5	Planning and the historic environment

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

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

6. CONSULTATION RESPONSE

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

Environmental Health (Noise & vibration / smell)

6.3 Noise / extract equipment

1. As a full service kitchen is proposed details of any plant and equipment to be used, including provision of a three stage filtration system should be submitted for consideration. This should demonstrate that any extract system would be mitigated to below 10dB below the lowest background noise levels. Reference also needs to be made to the means by which odour nuisance would be prevented from the operation of the kitchen and discharge of

vitiating air by the extract system.

(Officer response: This matter would be conditioned to ensure a suitable system is used and is sited in an appropriate location.)

2. The application does not stipulate alternative accommodation for the school children during construction work.

(Officer response: There is no temporary accommodation proposed for the construction period, pupils and staff will be moved around the building as construction work takes place when necessary.)

3. Ensure that construction is undertaken only during the following hours and that the noise generated from any construction work does not cause a nuisance under the Environmental Protection Act 1990:

Monday – Friday : 8am to 6pm

Saturday: 9am to 1pm

Sunday and Bank Holidays: No work permitted

(Officer response: The hours of working would be conditioned.)

Environmental Health (Contaminated Land)

6.4 Our records show that the site has been subjected to former industrial uses and it is recommended you condition this application to ensure the developer carries out a site investigation to identify and potential contamination and undertake remediation works if appropriate?

(Officer response: A condition in this regard has been recommended)

Education development team

6.5 This application has been made in conjunction with this Directorate as part of the Directorate capital investment programme. The proposal is part of our Primary Capital Programme to support improvement in primary education in Tower Hamlets. The Directorate supports the proposal. The school has significantly deficient accommodation which was identified as a priority for our programme. These proposals aim to address the deficiencies and will greatly benefit the pupils.

Highways

6.6 Cycle parking to be provided in accordance with Planning Standard 3: Parking whereby 1 space per 10 staff/pupils is required. This means 8 cycle spaces should be provided and the prospect of locating them to the front of the school should be considered.

(Officer response: Whilst there is space within the forecourt to the front of the school it is not considered appropriate to locate cycle parking, along with the associated enclosures to the front of the site because of the visual impact upon the listed building No cycle parking is therefore proposed.)

Please provide further information surrounding the wider community uses of the proposed community centre and on-site cycle parking

(Officer response: The application does not seek permission for the community centre so

there is unlikely to be any significant impact upon the wider community as a result of the school extension.)

Tree Officer

- 6.7 Providing the recommendations of the BS5837(2005) report are complied with, I have no objections to the works proceeding

(Officer response: None of the construction works are within close proximity of any of the trees, however a condition requiring that no materials are stored within the root protection areas of the trees is recommended with this application.)

Transport for London

- 6.8 TfL does not believe that the proposal would have an unacceptable impact on the Transport for London Road network.

Crossrail Safeguarding

- 6.9 Did not wish to make comments on this scheme

English Heritage

- 6.10 This application should be determined in accordance with national and local policy guidance, and on the basis of your specialist conservation advice.

7. LOCAL REPRESENTATION

- 7.1 A total of 59 neighbouring properties within the area shown on the map appended to this report were notified about the application and invited to comment. [The application has also been publicised in East End Life and on site.] The number of representations received from neighbours and local groups in response to notification and publicity of the application were as follows:

No of individual responses: 31 Objecting: 21 Supporting: 10
No petitions received

- 7.2 The following local groups/societies made representations:

- Conservation Area Design Advisory Group
- The Spitalfields Historic Buildings Trust
- The Friends of Christchurch Spitalfields
- The Spitalfields Society

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

- The applications only deal with the alterations to the existing building facing Brick Lane and it is understood that there are also proposals to build a new building on the site of the Old Youth Club. This is integral to the current planning application but has not been included. This application should be withdrawn until the proposals for the whole scheme can be considered.

- The argument that the two planning applications are required to enable building works to be phased to cause minimum disruption is disingenuous as building works can be phased on one application without any time limit providing works start within 3 years of consent being granted.
- Christchurch is a Grade I listed building and any developments in close proximity to the church could affect its setting, especially and proposals to development the gardens
- The arboricultural report submitted with the application has the following description of development: 'The existing youth centre is to be demolished and a new building erected in its place within Christchurch Gardens. In light of this and of all the policy guidance dealing with matters of this kind we see no justification for reaching a planning assessment of the school building in isolation.

(Officer response: The planning department can only determine applications as they are submitted and cannot delay the decision on one application in anticipation of another proposal for a separate part of the site. The approval of the extension to the school does not prejudice or provide support for the redevelopment of the youth centre or Christchurch Gardens.

The application for the school has been submitted prior to the application for the youth centre due to a small window for funding which may be lost if planning permission is not gained. At the time of writing the report the scheme for the youth centre has not be finalised nor comments sought from the local community.

It is not considered that the extension to the school and the associated internal works would have any impact upon the Grade I listed church and the assessment of the proposal would focus on the impact upon the school itself and its immediate environs including the neighbouring properties)

7.4 The following matters were raised in support:

- The children would benefit from having a kitchen which can cook healthy meals
- It would be a joy to see the school hall restored to its original size.
- The funding for the project comes from a government grant which expires in March 2011. The government cut backs means it is unlikely that the school will get another chance to obtain a grant in future years.
- The school is an integral part of the local area and is valued by many parents of different ethnic and religious backgrounds. The current facilities are significantly below capacity for the numbers of children served and also far below the potential for the role this school could have in the lives of parents and others in the community
- The plans appear to have been well thought out and there is not likely to be significant disruption to the neighbours or surrounding area.

8. MATERIAL PLANNING CONSIDERATIONS

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

1. Principle of the Land Use
2. Design and Layout of the Development.
3. Impact on the listed building and conservation area
4. Impact on the amenity of adjoining occupiers and the surrounding area
5. Impact of the proposal on the development of the rest of the site.

Principle of the land use

- 8.2 The application seeks permission to construct a two storey extension to provide an additional classroom and a new kitchen and also undertake a number of internal arrangements within the school. As the proposal would not result in a change of the use of the land from a school and its associated functions, the proposed development is not considered to impact on the land use of the site.
- 8.3 Policies 3A.18 and 3A.24 of the London Plan 2008 (Consolidated with Alterations since 2004) (London Plan) seek to provide appropriate and improved community and educational facilities, including schools, within easy reach by walking and public transport for the population that use them. Policy SP07 of the adopted Core Strategy (2010) (CS) also seeks to deliver the policy requirements of the London Plan. These policies also seek to increase the provision, both to deal with increased population and to meet existing deficiencies in order to achieve the best schools and facilities to support education excellence.
- 8.4 It is considered that the proposal would provide improved educational accommodation for the existing school in accordance with the aforementioned policies and is therefore acceptable in principle.

Design and layout of the development

- 8.5 The current classrooms within the school are smaller than the standards set out in Building Bulletin 99, the briefing framework for development of primary schools. It is the intention of this application, through the construction of an extension and re-arrangement of the internal layout to create a primary school which can function at full capacity for a one form entry, as the school is unable to operate efficiently or to its intended capacity at present.

Loss of play area

- 8.6 Improving the quality of the teaching spaces and expanding existing educational facilities is encouraged within the London Plan, however additional internal floorspace for a school should not be at the expense of outdoor recreation space. This is outlined in policies EDU7 of the Unitary Development Plan 1998 (as saved September 2007) (UDP) and SCF2 of the Interim Planning Guidance for the purposes of Development Control (2007) (IPG) which states that applications will not normally be granted for proposals which lead to a loss of play space or sports facilities.
- 8.7 In this case the courtyard area which is proposed to be infilled with the extension is not usable play space, it is overshadowed and enclosed by school building on all but the northern side where instead there is a high brick boundary wall. Due to this and the relatively small area the courtyard provides, it is not a usable space for the school. Currently the courtyard houses temporary structures for storage. As such it is considered the general improvement to the standard of educational facilities associated with the proposed extension outweighs the small loss of the school's external space.

Design and Layout

- 8.8 Policy DEV1 within the UDP requires all new developments to take into account and be sensitive to the character of the surrounding area in terms of design, bulk scale and the use of materials.
- 8.9 The design of the infill extension has taken its cue from the existing 1940's extension by retaining the same steel lintel and the window arrangements. The openings at ground floor level have been increased to allow more light into the classroom, however this would be

difficult to see from any angle given the close proximity of the boundary wall (between 2m and 2.5m away).

- 8.10 The removal of the second, lower flat roof extension to the northern side of the 1940's extension is considered an improvement to the design of the building and allows the central window serving the main hall to be fully realised again, currently the view out of the hall is partially obscured by the extension.
- 8.11 It is considered that the use of reclaimed London stock brick for the external material is acceptable, though a condition would be added to any Listed Building Consent requesting samples of this to ensure that it preserve the appearance of the listed building.
- 8.12 The application also involves some changes to the internal arrangement of the building, this is discussed further in paragraph 8.15 – 8.19. However it is useful to note the improvements that are proposed to the school, such as restoring the first floor hall to its original size (currently it is partitioned off to provide a re-heat kitchen and a staff room), providing a fully functional kitchen and of classrooms which meet current standards in terms of the floor space available would ensure the school is able to provide improved teaching and learning facilities.

Inclusive Access

- 8.13 Policy DEV1 of the UDP also identifies the need to provide adequate access for disabled people, with policy DEV3 of the IPG going further and stating that new buildings are required to incorporate inclusive design principles, ensuring it can be safely, comfortably and easily accessed by as many people as possible without undue effort, separation or special treatment. This application seeks to improve access throughout the building by installation of a lift, currently there is no lift within the building restricting access for disabled pupils and staff to the first floor.
- 8.14 Overall, it is considered that the design and layout of the proposal is acceptable and conforms to design policies DEV1 of the UDP, DEV2, DEV3, CON1 and CON2 of the IPG and although the proposal would result in the loss of external school space this is not used as an area for recreation so is in accordance with policies EDU7 of the UDP and SCF2 of the IPG.

Impact on the listed building and conservation area

- 8.15 Policy DEV37 of the UDP sets out a number of requirements which should be followed when altering a listed building. It is expected that proposals would preserve the special architectural or historic interest of the building by retaining the original plan form, retaining or repairing original external and internal features and if possible replacing any missing items, to use traditional materials in construction and to allow for the recording of any architectural and archaeological details. These requirements are echoed in policy CON1 of the IPG.
- 8.16 In the case of Christchurch Primary School it is considered that the overall special interest of the school lies in its frontage and relationship to Brick Lane, together with the remaining Victorian interior fabric and some of the rear elevation. However the rear elevation is much altered and added to, with a number of elements of no special interest, that detract from the overall special interest of the building.
- 8.17 Aside from the extension works there are a number of walls to be removed and openings created within the school building which all need to be considered in the context of policy as the whole building not just the frontage is listed. The removal of walls within the school building predominantly relate to stud partition walls which were not original and do not

required extensive works to remove, therefore retaining the original fabric of the building. In particular the removal of a number of stud walls within the first floor would allow the hall to be restored to its original size, which is considered to enhance the character and appearance of the listed building. The other internal changes are most to the rear parts of the building which do not form part of the original school and therefore the impact upon the historic character is minimal.

- 8.18 Overall the works of alteration and extension are not considered to be harmful to the special interest of the building. The rear of the school is already an amalgam of existing and later extensions, the proposals rationalise this to an extent, and propose judicious infill in a style in conformity with the rest of the architecture. There is some minor loss of historic fabric, but in the context of the scheme overall, and taking account of its secondary importance, it is considered that the proposal would be in accordance with policies DEV37 of the UDP and CON1 and CON2 of the IPG.

Impact on the amenity of adjoining occupiers and the surrounding area

- 8.19 Policy DEV2 of the UDP and DEV1 of the IPG seek to ensure that all new developments protect the amenity of residential occupiers within the surrounding area. There should be no significant loss of daylight or sunlight, no significant loss of outlook or loss of privacy, nor should any development create unacceptable levels of noise, vibration, artificial light, odour, fume or dust pollution throughout the lifetime of the development.
- 8.20 The proposed extension is a significant distance (approximately 25m) to the nearest neighbouring properties which are on Fournier Street. In addition, between the residential properties there is a high brick boundary wall and the yard of the Seven Stars Public House. It is therefore not considered that there would be any significant impact upon the neighbouring residential occupiers as a result of this extension or any other internal alteration.
- 8.21 There is a proposed increase in the capacity of the school, from 163 to 236, an increase of 73. The school serves a local catchment area and as a result the majority of pupils walk to school and the area surrounding the school is a busy central location. It is not considered that the increase in pupil numbers would have any significant impact upon the local area in terms of noise and disturbance or additional traffic to the site.
- 8.22 Environmental health have requested details of any mechanical ventilation and extract equipment required for the new kitchen demonstrating that there would be no odour or noise pollution resulting from the proposal. These details have been supplied however it is considered that the final location of the flue should be conditioned to ensure it is appropriately located on the building.
- 8.23 Overall, subject to conditions it is not considered that there would be any significant impact from the proposed works on the amenity of local residents or the surrounding area.

Impact of the proposal on the development of the rest of the site

- 8.24 A number of objections have been raised to this application on the basis that approving this development would lead to the inevitable redevelopment of the rest of the site to provide a community building which would also house the nursery and reception classrooms. There is no application before the planning department relating to the community building, nor for the redevelopment of Christ Church gardens adjacent to the Grade I listed Christ Church.
- 8.25 The local planning authority is under an obligation to determine all applications that are submitted and cannot delay the determination of a proposal on the basis that there may be a

second application submitted in the near future for another part of the site. Any proposals to redevelop the western part of the site would need to be assessed on its own merits, taking into account the setting of the Grade I listed building and comments from English Heritage.

Other Planning Issues

8.26 There are considered to be no additional planning considerations associated with this proposal.

Conclusions

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