

<b>Committee:</b> Development	<b>Date:</b> 10 <sup>th</sup> February 2011	<b>Classification:</b> Unrestricted	<b>Agenda Item Number:</b> 8.1
<b>Report of:</b> Corporate Director of Development and Renewal		<b>Title:</b> Town Planning Application	
<b>Case Officer:</b> Nasser Farooq		<b>Ref No:</b> PA/10/1963	
		<b>Ward:</b> Bow West	

## 1. APPLICATION DETAILS

- Location:** Phoenix School, 49 Bow Road, London, E3 2AD
- Existing Use:** Phoenix special needs mixed school
- Proposal:** Alterations in connection with erection of two structures (including canopy and greenhouse) and formation of a new external access into an existing teaching room.
- Drawing Nos:** 100-00, 100-10,, 100-12 01 and 100-15.
- Applicant:** LBTH Children Services Directorate.
- Owner:** LBTH
- Historic Building:** Grade II\* Listed.
- Conservation Area:** Adjoining Tredegar Square Conservation Area.

## 2. SUMMARY OF MATERIAL PLANNING CONSIDERATIONS

- 2.1 The local planning authority has considered the particular circumstances of this application against the Council's approved planning policies contained in the London Borough of Tower Hamlets adopted Core Strategy (2010) Unitary Development Plan, the Council's Interim Planning Guidance (2007), associated supplementary planning guidance, the London Plan and Government Planning Policy Guidance and has found that:
- 2.2 Given the well concealed courtyard locations and the existence of similar structures, the proposed structures and new access door are considered acceptable in terms of design, scale, siting and height, as they relates satisfactorily to the listed school building. As such, the proposal would preserve the character and appearance of the adjoining Tredegar Square Conservation Area and the character, fabric and identity of the listed building. This proposal therefore meets the requirements outlined in Policy SP10 of the adopted Core Strategy (2010) and saved policies DEV1 and DEV37 of the Unitary Development Plan (1998) as well as policy DEV2, of the Council's Interim Planning Guidance (2007).

## RECOMMENDATION

3. That the Committee resolve to refer the application to the Government Office for London with the recommendation that the council would be minded to grant Listed Building Consent subject to conditions as set out below.

- 3.1 1. The development allowed by this permission must begin within three years from the date of this decision.
2. The development hereby permitted shall be carried out in accordance with the approved plans listed in the schedule to this planning permission.

#### **4. PROPOSAL AND LOCATION DETAILS**

##### **Proposal**

- 4.1 The council seeks listed building consent for the erection of two structures (including canopy and greenhouse) and formation of a new external access into an existing teaching room.
- 4.2 The council is prohibited from granting itself listed building consent. Regulation 13 of the Planning (Listed Building and Conservation Areas) Regulations 1990 requires that such applications are referred to the Secretary of State, together with any representations received following statutory publicity.
- 4.3 During the course of the application, amended drawings showing the design of the door and omitting an extension were submitted to the Council. Given the changes had a minimal design and amenity impact, the amended drawings were accepted without the need to reconsult.

##### **Site and Surroundings**

- 4.4 Phoenix School is located at the northern end of Bow Road, adjacent to Bow Road Station. The site itself is fairly concealed by properties from Alfred Street to the east and Harley Grove to the west.
- 4.5 The school was constructed in 1952 and was listed in 1993. The listing is based on the main spine plan running north-south with series of attached two storey pavilions to east and west, forming open courtyards. A new extension was constructed in the late 1990's, enclosed the courtyards.
- 4.6 The school consists of a concrete frame with stock brick infill and low pitched copper roofs, with large windows and painted metal frames.
- 4.7 The west, southern and part of the east curtilage of the site forms the boundary of the Tredegar Square conservation area. The site itself is not located within the conservation area.
- 4.8 To the north is Byas House accessed from Benworth Street

##### **Relevant Planning History**

- 4.9 Planning permission has been granted on 22/11/2010 for the works proposed in this listed building consent, reference PA/10/01962. (N.B: this application did not require consent to be obtained by the Secretary of State nor did it need to be brought to the attention of committee members).
- 4.10 The site has an extensive planning history, with the earliest application in 1971. Of

these applications the following is the most relevant.

- 4.11 Under planning references BW/95/0001 and BW/95/0002 planning permission and listed building consent was granted on 05/04/1995 for the erection of single storey extension with covered walkway to provide classrooms and ancillary support facilities to school.
- 4.12 The implementation of the above extension enclosed the courtyards and forms the location of the current proposals.

## **5. POLICY FRAMEWORK**

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

### **5.2 Government Planning Policy Guidance/Statements**

PPS5- Planning and the historic Environment.

### **5.3 Adopted Core Strategy (2010)**

SP07 - Improving education and skills  
SP10 - Creating distinct and durable places

### **5.4 Unitary Development Plan (UDP)(as saved September 2007)**

Policies:           DEV1 Design Requirements  
                          DEV2 Environmental Requirements  
                          DEV27 Impact of minor alterations in conservation area on the building in question and the conservation area  
                          DEV37 Alterations to listed buildings to preserve special architectural or historic interest of the building, repair original features and replace missing items, traditional materials

### **5.5 Interim Planning Guidance for the purposes of Development Control (IPG)(Oct 2007)**

Policies           DEV 1 Amenity  
                          DEV 2 Design  
                          CON 1 Listed buildings  
                          CON 2 Conservation Areas.

## **6. CONSULTATION RESPONSE**

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

### **English Heritage**

- 6.2 Following concerns originally expressed in our letter of 18th November 2010, the Conservatory element will be omitted from the proposed development. We are

content with the other elements of the proposal.

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

## **7. LOCAL REPRESENTATION**

- 7.1 A total of 116 neighbouring addresses were consulted by letter, a site notice was erected on 18<sup>th</sup> October 2010 and a press notice published 11<sup>th</sup> October 2010. No responses have been received.

## **8.0 MATERIAL PLANNING CONSIDERATIONS**

### **Land Use**

- 8.1 There are no land use issues. The proposals are to upgrade the school facilities in line with national, regional and local policies.

### **Design and Impact on the setting of the Listed building.**

- 8.2 Adopted Core Strategy policy SP10 encourages development that preserves and enhances development that the heritage value of the immediate and surrounding environment. This is supported by saved Policy DEV 1 of the Unitary Development Plan (UDP) which states all development proposals should take into account and be sensitive to the character of the surrounding area in terms of design, bulk, scale and the use of materials.
- 8.3 Policies DEV 27 and DEV37 seek to ensure that development is appropriate to the setting of conservation areas and listed buildings. The policies state that new proposals should not have an adverse impact on the character, fabric or identity on the historic buildings.
- 8.4 Policy CON1 and CON2 of the Interim Planning Guidance (IPG) seeks to ensure development will not have an adverse impact on the character, fabric or identity of the listed building, and that it preserves or enhances the setting of the boroughs conservation Areas.
- 8.5 The proposed canopy would be free-standing and would be 6.5 metres in height and 14.7 metres in length. The structure would be created from white metal with glazing panels and would be located adjacent to an existing canopy of the same materials. It is considered that the proposal would be in keeping with the existing school, its surroundings and the character and appearance of the conservation area.
- 8.6 The proposed greenhouse would be created from a timber frame with non-coloured polycarbonate cladded walls and roof, which would be in the form of a monopitch. The proposal would be 5.5 metres in length and 8 metres in width. It is considered that this structure is of appropriate materials for its location and is of a scale which would be in context with the existing buildings on site.
- 8.7 The proposed access door is located on the north eastern side of would allow for one further access into an existing teaching room where there is currently only one. This would allow access to the teaching room without having to disturb pupils

undertaking lessons. The proposal would consist of a new concrete landing with a metal rail leading to a new white aluminium framed half-glazed door and side screen with a concrete lintel.

- 8.8 Taking the above into account it is considered that the proposal conforms to saved UDP policies DEV 27 and DEV 37 and CON1 and CON2 of the IPG which seek to ensure that development preserves the conservation areas and listed buildings and that new proposal does not have an adverse impact on the character, fabric or identity of the building.

**Amenity:**

- 8.9 Amenity issues were assessed during the consideration of the full planning application, which was approved on 22<sup>nd</sup> November 2010. For clarity purposes the Council considered the proposal and its possible impacts on the amenity of neighbouring properties and found that:-

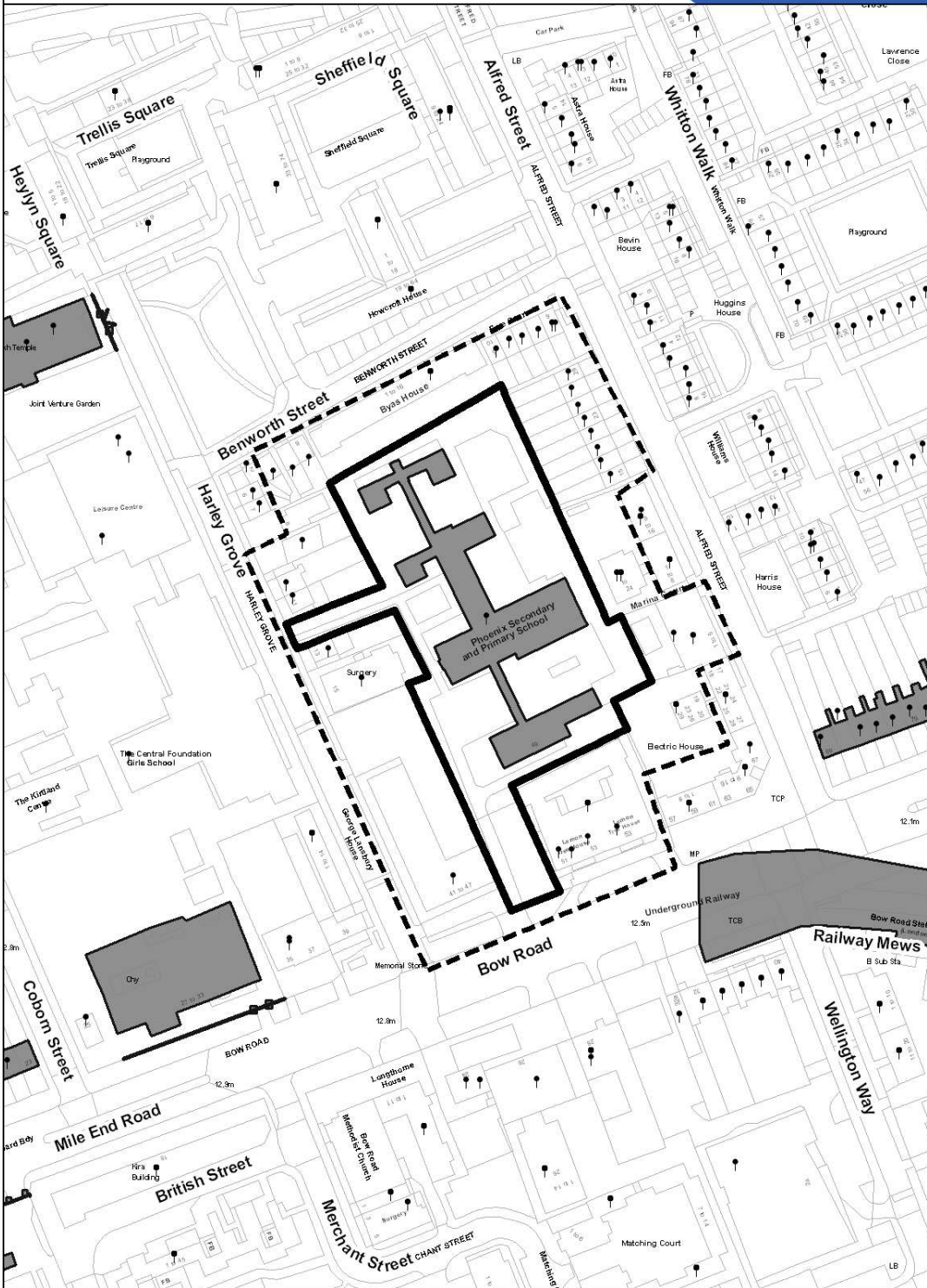
- 8.10 *The proposed structures would have a minimal impact upon neighbouring residential occupiers in terms of noise, disturbance, overlooking and a loss of privacy. This would be in accordance with Saved Policies DEV2 and DEV50 of the Unitary Development Plan (1998) and Policies DEV1 and DEV10 of the Interim Planning Guidance (2007), which seek to safeguard the amenity of existing residential occupiers in the Borough.*






- 8.11 This application is for listed building consent and it is not necessary to reconsider this issue.

**9 Conclusions**

- 9.0 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



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

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