

LONDON BOROUGH OF TOWER HAMLETS

DEVELOPMENT COMMITTEE

13TH October 2010 at 7:00 pm

UPDATE REPORT OF HEAD OF PLANNING AND BUILDING CONTROL

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| Agenda item no | Reference no | Location | Proposal |
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| 7.1 | PA/10/00037 | Rochelle School, Arnold Circus, London, E2 7ES | Continued use of Rochelle Canteen (Use Class A3), independent of the Rochelle Centre with ancillary off - site catering operation. |

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| Agenda Item number: | 7.1 |
| Reference number: | PA/10/00037 |
| Location: | Rochelle School, Arnold Circus, London, E2 7ES |
| Proposal: | Continued use of Rochelle Canteen (use class A3), independent of the Rochelle Centre, with an ancillary off - site catering operation. |

1.0 Site visit

1.1 A member's site visit took place on 12th October 2010.

2.0 Additional information received.

2.1 Following the publication of the committee report the Council has received a petition, an additional letter of objection and two letters of support.

2.2 The objection letter raises the following concerns;

- The site is already in breach of previous planning conditions
- Proposal will result in addition noise.

2.3 The letters of supports state that the Canteen only operates during the day and off-site. It has no impact on the night-time noise pollution, drunken and anti social behaviour that pass through from the late licensed premises on the other side of Shoreditch High Street in Hackney and late bars on Redchurch Street and at the top of Brick Lane.

2.4 In addition to this, a petition opposing the application containing 219 signatures has been received by the Council. The petition is on the following grounds;

1. Increase in noise.
2. Increase in litter.
3. Odours and smoke will increase.
4. The serving of alcohol will create a late night nuisance and drunken behaviour nuisance in this densely populated area and result in anti-social behaviour from groups of people.
5. Proposal will result in the blocking up of the pavement.
6. The use will have a detrimental Impact on parking because of the increase in deliveries and patrons to the site.
7. Detrimental impact on the Conservation Area.
8. Believe a future application will seek increased opening hours and turn the canteen into a bar.

The applicant has provided the following response to this petition;

2.5 1. Increased noise is neither likely nor feasible as the use of the canteen is as

existing.

2. Canteen does not have an alcohol licence. If customers occasionally bring a bottle of wine, then they leave it when empty in the Canteen where there is a special bin for recycling glass.
3. A state-of-the-art extractor fan (as advised by the Council) has been installed and means that emissions are kept to the minimum.
4. The Canteen is not open in the evenings so there is no '*increase public nuisances late into the night, promoting drunken behaviour*'. CCTV does not show any such behaviour coming from Rochelle Canteen – in particular because it is closed at night-time.
5. The visitors to the site do not loiter on pavements.
6. Deliveries come in small vans and not lorries. Many of the deliveries are for the School and other School occupants and not for the Canteen. No increase in activity is planned for the Canteen so there will be no increase in vehicles from what has been the case now for several years.
7. The Boundary Estate was built as a mixed-use environment, not purely as a 'residential cocoon'. It has shops, workshops and light industrial buildings in the heart of it.
8. There is no plan to extend hours or change the canteen to a bar use.

3 **RECOMMENDATION**

- 3.1 These representations have been taken into consideration and the officer's recommendation remains unchanged.

4.0 **List of Conditions**

Condition 1. Development approved in accordance with the plans

The development hereby permitted shall be carried out in accordance with the approved plans listed in the Schedule to this planning permission

Reason: For the avoidance of doubt and in the interests of proper planning.

Condition 2. Hours of operation

The use hereby approved must only be carried out within the following times:-

Canteen: 9.30am to 4pm Monday to Fridays

Off-site catering: 7.30am to 9pm.

Reason: To safeguard the amenity of adjacent residents and the area generally, in accordance with the following policies in the London Borough of Tower Hamlets Unitary Development Plan (adopted December 1998):

DEV2 , DEV50 Noise and HSG15 Preservation of Residential Character

Condition 3. Restriction on covers

The maximum number of covers allowed for dining at the canteen should not exceed 56 (36 indoor and 20 within the outdoor seating area) unless agreed in writing by the local planning authority.

Reason: To safeguard the amenity of adjacent residents and the area generally and to meet the requirements of the following saved policies in the London Borough of Tower Hamlets Unitary Development Plan (adopted December 1998), DEV2, DEV50 and HSG15.

Condition 4 Restriction on loading/servicing

All loading/ unloading and servicing required to facilitate this development should only take place between the hours of 8am until 9pm and should only take place within the Club Row parking area within the school walls or the Arnold Circus entrance.

Reason: To ensure the development does not have an adverse impact on residential amenity and to meet the requirements of the following saved policies in the London Borough of Tower Hamlets Unitary Development Plan (adopted December 1998), DEV2, DEV50 and HSG15.