

**BOROUGH OF TOWER HAMLETS**

# **DEVELOPMENT COMMITTEE**

10<sup>th</sup> November 2010 at 7:00 pm

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**UPDATE REPORT OF HEAD OF PLANNING AND BUILDING CONTROL**

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7.4	PA/10/1470	Site at 60 to 61 Squirres Street & 52 Florida Street, E2 6AJ	Erection of 2 x 2 bed duplex residential units on the roof space of the existing four-storey flatted building.
7.5	PA/10/01683 & PA/10/1684	Christchurch Primary School, 47A Brick Lane, London, E1 6PU	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.

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<b>Agenda Item number:</b>	7.3
<b>Reference number:</b>	PA/10/01486
<b>Location:</b>	Cutty Sark House, Undine Road, London
<b>Proposal:</b>	Demolition of existing building and erection of two buildings (1 x 4-storey and 1 x 5-storey) to provide 26 residential units and associated landscaping.

## 1.0 Point of clarification.

- 1.1 Further to publication of the Committee report, a formal consultation response has been received from National Grid. The Council has also received four additional written representations to the scheme from neighbours or their representatives. Three are in objection and one provides comment only.

## 2.0 Additional information received.

- 2.1 National Grid has no objection to the application.

- 2.2 The additional neighbour representations relate to the following matters:

- Construction of a wall along the western boundary of the site
  - Proximity of the development to the Gas Governor
  - Designation of site as Metropolitan Open Land
  - Servicing/refuse arrangements
  - Openness of site
  - Lifetime Homes/disabled car parking provision
  - Opposition of the local community to the scheme
- 2.3 • A security wall is currently being constructed along the boundary between the Gas Governor site and the application site, which the report takes no account of. This wall will compromise the amenity of the occupiers of the ground floor units of the western block.

*(Officer comment: From assessment of a site plan submitted by a representative of the Clippers Quay (Millwall) Management Company Limited, it appears that the wall currently under construction would not constitute permitted development and no planning application has been submitted to the Council. Case law shows that in order for a fence or wall to constitute permitted development under Part 2 of the General Permitted Development Order, it must fulfil the function of enclosure. From the site plan sent to the Council it is clear that the proposed wall would not perform such a function. As such the Planning Enforcement Team has been asked to investigate the alleged breach of planning control. Regardless, two of the affected ground floor units (at the northern and southern ends of the block) are duplex units and would have only one habitable room impacted by the wall. Both of those rooms enjoy other natural light and outlook sources, either to the north or south of the building. Thus only one unit would be materially affected by construction of the wall. Given that construction of the boundary wall as proposed would appear to be unlawful, little weight can be given to its potential impact upon the proposed development).*

- 2.4 • No response has been received from National Grid and to approve the scheme without a response could compromise the safety of future residents.

- *(Officer comment: A consultation response has now been received from National Grid, stating that they have no objections to the scheme)*
- 2.5
- The report misconstrues the issues concerning the Parliamentary Undertaking and Metropolitan Open Land (MOL) – the argument is not that the site should be MOL, but that it is MOL.
  - *(Officer comment – As a matter of fact the site is not designated as MOL and for the reasons stated in the main report it is highly unlikely to gain such a designation).*
- 2.6
- The report does not adequately deal with the issues of servicing or refuse collection. Servicing would not be allowed from Undine Road.
  - *(Officer comment – Undine Road could function perfectly well for the purpose of servicing the proposed residential units. Whether or not the applicant has, or would be granted, legal rights to use it for such purposes, is not a matter for the Local Planning Authority. In planning terms the use of Undine Road for servicing arrangements is acceptable).*
- 2.7
- The proposed security wall and the 0.5m set-in from the western boundary shown on the amended plans will have an impact upon the openness of the site not considered in the report.
  - *(Officer comment – The assessment in the Committee Report has been made on the basis of the amended plans, which show the 0.5m set-in. Regardless of whether or not the proposed security wall is lawful and fully constructed, it is considered the Cutty Sark House development would retain an acceptably open setting).*
- 2.8
- Disabled parking bays are not shown on the plans and the scheme is not Lifetime Homes compliant.
  - *(Officer comment - The proposed disabled bay is shown on the amended ground floor plan. It is located to the north of the site. A condition will ensure scheme is fully Lifetime Homes compliant).*
- 2.9
- Two public meetings have been held recently where this scheme has been discussed. There is strong opposition to the scheme from the local community.
  - *(Officer comment -The Council is fully aware of the staunch opposition to the scheme from some sections of the local community. However, the application has been assessed on its planning merits)*

### 3 RECOMMENDATION

- 3.1 The additional representations have been considered and the officer's recommendation remains unchanged.

## LONDON BOROUGH OF TOWER HAMLETS

<b>Agenda Item number:</b>	7.4
<b>Reference number:</b>	PA/10/1470
<b>Location:</b>	Site at 60 to 61 Squirres Street & 52 Florida Street, E2 6AJ
<b>Proposal:</b>	Erection of 2 x 2 bed duplex residential units on the roof space of the existing four-storey flatted building.

### 1.0 Clarifications

- 1.1 In table 4.1 of the report, the proposed areas of the two units are 73 m<sup>2</sup> and 83 m<sup>2</sup> respectively.
- 1.2 In paragraph 4.2, the word 'concrete' should be removed. As such, the first sentence should read "When the development is constructed, it is proposed to clad the solid external walls with metal material".
- 1.3 In paragraph 4.5, Johnson House which is located to the north of the site is 11 storeys in height and not 6 storeys in height.
- 1.4 In paragraph 8.6, the 3<sup>rd</sup> sentence should read " The buildings in the immediate area range from 2-11 storeys in height and primarily articulated in brick and/or render cladding"
- 1.5 In paragraph 8.8, the first sentence should read " The proposed living/dining areas are on the lower floors and the bedrooms are on the upper floors of the duplex units", as correctly identified in paragraph 4.1 of the report.

Agenda Item number:	7.5
Reference number:	PA/10/01683 & PA/10/1684
Location:	Christchurch Primary School, 47A Brick Lane, London, E1 6PU
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.

## 1.0 Additional information received.

- 1.1 Two additional letters have been received. These both relate to the removal of the temporary at the western end of the site. The letters are in support of the removal of the building but state that a new building should not be built in its place.

*(Officer response: These concerns do not relate to the current application and are therefore not considered to influence the officer's recommendation for the proposal.)*

One of the letters also raises concerns regarding the loss of classrooms that would occur if this development were approved.

*(Officer response: This has been addressed in point 7.3 of the committee report)*

## 2.0. Typographical Error

- 2.1 Within point 3.2 of the report the sentence should read:

That the Corporate Director Development & Renewal is delegated power to impose conditions [and informatives] on the planning permission and listed building consent to secure the following matters:

As such the **recommendation** is amended as follows:

## 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 and listed building consent 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