

Committee: Development	Date: 13 th March 2013	Classification: Unrestricted	Agenda Item No: 6.1
Report of: Corporate Director Development & Renewal		Title: Listed Building Application & Full Planning Application (– deferral item)	
Case Officer: Elaine Bailey & Richard Humphreys		Ref No: PA/12/02317 & PA/12/02318	
		Ward: Weavers	

1.0 APPLICATION DETAILS

1.1 **Location:** Club Row Building, (Rochelle Centre) Rochelle School, Arnold Circus, London, E2 7ES.

1.2 **Existing Use:** D1 (Art Gallery and Exhibition Space)

1.3 **Proposal:** Change of use from D1 (Non-residential institution) to mixed A1 (Shop), B1 (Business) and D1 (Non-residential institution) with the construction of an extension to rear, internal alterations (including installation of mezzanine floor space and new staircases), external alterations (including new doorways & windows & roof parapet raising & roof replacement) and alterations to Club Row boundary wall.

1.4 **Documents & Drawing Nos:**

- Covering letter dated 08.08.12
- Site location plan 001 Rev D
- Existing ground floor 101 Rev E
- Existing first floor 103 Rev F
- Existing roof plan 104 Rev F
- Existing North and South Elevation 110 Rev F
- Existing East and West Elevation 111 Rev F
- Existing Street Elevation 112 Rev B
- Proposed Ground Floor Plan 201 Rev F
- Proposed Ground Floor Plan 201 Rev F (dated 29/1/13 showing indicative cycle storage options).
- Proposed mezzanine plan 202 Rev F
- Proposed First Floor Plan 203 Rev F
- Proposed Roof Plan 204 Rev F
- Proposed North and South Elevation 210 Rev D
- Proposed East and West Elevation 211 Rev D
- Proposed Street Elevation 212 Rev C
- Proposed Section A-A 220 Rev C
- Proposed Sectional Roof & Window Details 230 Rev D
- View of Proposed from Club Row 240 (indicative)
- Sample materials (provided direct by Quinn Architects)
- Design Statement (Aug 2012) Quinn Architects
- Impact Statement (Aug 2012) Indigo Planning
- Impact Statement Addendum (03.08.12) Indigo Planning
- Proposed Sectional Roof and Window Details 230 Rev D

- View of Proposed from Club Row 240 (indicative)
- Sample materials (provided direct by Quinn Architects)
- Design Statement (Aug 2012) Quinn Architects
- Impact Statement (Aug 2012) Indigo Planning
- Impact Statement Addendum (03.08.12) Indigo Planning
- Indigo letter dated 26.10.12 and enclosures:
- Letter from Donald Insall Associates 25.10.12
- Letter from Indigo Planning responding to objections 26.10.12
- Email from KW to RH dated 27.11.12 – final response to consultation comments plus Indigo Briefing Note dated 27.11.12

- 1.5 **Applicant:** Mr James Moores
- 1.6 **Owner:** Mr James Moores
- 1.7 **Historic Building:** Grade II Listed
- 1.8 **Conservation Area:** Boundary Estate Conservation Area

2.0 BACKGROUND

2.1 These applications for planning permission and listed building consent were reported to Development Committee on 13th February 2013, with an officer recommendation for approval. The Committee resolved NOT TO ACCEPT the recommendation to GRANT permission.

2.2 Copies of the case officers' report and update report containing the summary of material planning considerations, site and surroundings, policy framework, planning history and material planning considerations are attached as Appendix 1 & 2 of this report.

2.3 The minutes of the development committee meeting state that Members were minded not to accept the application due to concerns over:

- Loss of heritage value in respect of the roof and former roof top play Space
- Overall impact on the uniqueness of the building.

2.4 In accordance with the Constitution and the Development Procedure Rules, these applications were deferred to a future meeting of the Planning Committee to enable officers to present a supplementary report setting out reasons for refusal and the implications of the decision.

3.0 CONSIDERATION OF REASONS

3.1 Officers consider that the two areas of concern (as highlighted in paragraph 2.3 above) are closely intertwined, and that they are best expressed as single reason for refusal – that encompasses both the points.

3.2 Officers note that there was some discussion around 'loss of playspace' at the meeting. It is important to clarify for Members that the play space at roof level has not been used since the building ceased its former educational use in the 1970's and is not in any way amenity space. The roof level is enclosed, and is used in conjunction with the ground

3.3 floor to provide D1 space.

Officers have interpreted the comments made about the loss of the playspace as a reference to the loss of the historic roof building form. Officers consider that the uniqueness of the roof form, and its former use to provide playspace is an important part of the building's historic character. Officers consider that acceptability of the loss of this roof form is a matter of judgement, and one that could be defended on appeal.

4.0 PROPOSED REASONS FOR REFUSAL.

- 4.1 The proposal, by reason of the loss of the original roof and other alterations resulting in loss of historic fabric, would detract from the unique historical importance of the building. The proposed roof and other alterations do not relate sufficiently well to the host building and fail to pay special regard to the desirability of preserving the building, its setting and features of special architectural or historic interest. On balance, the benefits of renovating parts of the building are not sufficient to outweigh the harm caused by the proposal.

The proposal is therefore contrary to policy saved policy DEV37 of the Unitary Development Plan (1998), adopted policy SP10 of the Core Strategy 2010 and emerging policies DM24 and DM27 of the Development Management Plan (Submission Version 2012 with post EiP Modifications).

Officer's Comments

- 4.2 The recommendation made to Members on the night of committee was finely balanced. It is open for Members to take a different view on the relative importance of promoting the adaptation of listed buildings to allow new uses to take place and the desirability of preserving features of historic interest. Officers consider that this reason for refusal could be defended on appeal.

5.0 ADDITIONAL REPRESENTATIONS

- 5.1 Since the deferral of the committee item, the Council has received no additional representation from local residents or the wider community.

6.0 CONCLUSIONS

- 6.1 Officers consider that the above reason for refusal can be defended at appeal given the finely balanced assessment outlined in the main committee report and given the special architectural and historic character of the application site.

7.0 IMPLICATIONS OF DECISION

- 7.1 Should Members decide to re-affirm their previous resolution and refuse planning permission and listed building consent, there are a number of possibilities open to the Applicant. These would include (though not limited to):-

1. Applicant could enter into discussions with LPA to discuss an amended scheme to address the reason for refusal.
2. Applicant could submit an appeal against refusal and officers would defend this appeal.

8.0 OFFICER RECOMMEDNATION

- 8.1 Officer's original recommendation remains unchanged, however should Members decide to re-affirm their previous resolution and refuse permission Members are recommended to resolve to REFUSE permission and listed building consent for the reason set out paragraph 4.1 of this report.

9.0 APPENDICES

- 9.1 Appendix One - Committee Report to Members on 13th Feb 2013
Appendix Two – Update Report to Members on 13th Feb 2013