LONDON BOROUGH OF TOWER HAMLETS

DEVELOPMENT COMMITTEE

13th February 2013 at 7.00pm

UPDATE REPORT OF HEAD OF PLANNING AND BUILDING CONTROL

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Agenda item no	Reference no	Location	Proposal
7.1	PA/12/02317 & PA/12/02318	Club Row Building, (Rochelle Centre) Rochelle School, Arnold Circus, London E2 7ES	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.
7.2	PA/12/02852	Land at North East Corner of Butley Court	Demolition of existing drying rooms and erection of four storey infill block comprising of 4 x one bedroom apartments.
7.3	PA/12/02860	Land at North East Corner of Jossiline Court	Demolition of existing drying rooms and erection of four storey infill block comprising of 4 x one bedroom apartments.
7.4	PA/11/03216	55 Poplar High Street, London, E14 0DJ	Change of use from minicab office (sui generis) to internet cafe and ancillary office space (Use Class A1/A2).

Agenda Item number:	7.1
Reference number:	PA/12/2317 & PA/12/2318
Location:	Club Row Building, (Rochelle Centre) Rochelle School, Arnold Circus, London E2 7ES
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.

1.0 CORRECTIONS

1.1 At paragraph 4.3 of the main committee report, a figure of 2,400sqm is incorrectly referred to. The figure should read 836sqm and refers to the existing floorspace for the Rochelle Centre building over both floors.

1.2 At paragraph 8.72 of the main committee report, the refuse and waste arrangement is proposed as being shared between the Rochelle Centre and St Hilda's Community Centre next door. However, the applicant has confirmed that St Hilda's are unable to provide an agreement to this. Drawing No. 201 Rev F shows the omission of the gate between both sites. As such, the refuse and storage remains to the rear of the Rochelle Centre, with no connection with St Hildas and the refuse will be collected from the street via existing collection services. The detail design of the waste storage facility should be conditioned as recommended in the main committee report.

1.3 Section 7.4 of the report refers incorrectly to St Hilda's 'School'. This should read St Hilda's 'Community Centre'.

2.0 FURTHER REPRESENTATION

2.1 An additional 25 signatures was received on 12 Feb 2013 to the petition.

2.2 Further comments were received from the Greater London Industrial Archaeology Society (GLIAS) on 12th Feb and emailed to Members (copying in case officers). This is available on the file.

2.3 A further petition was received from the East End Waterway Group with 127 signatures today (13th Feb) with some additional comments. The petitions object to the applications, objects to the change of use (to include shops) and major alterations to the unique 1879 former infants' school in Club Row, which would cause substantial harm to the national significance of the listed building and the Boundary Estate conservation area (as set out in a letter of 7 Oct and a letter of 6 Nov 2012 with four attachments).

2.4 St Hilda's Community Centre have made a further representation via email on 8th Feb 2013 following publication of the committee report. Further objections and comments are made and St Hilda's have expressed that these be brought to Member's attention. The issues are summarised as follows:

Inappropriate Development to a Listed Building

2.5 St Hilda's claim that the main committee report does not make a balanced judgement as required by the NPPF. They wish to draw the Committee's attention to Saved UDP Policy DEV37 which aims to preserve the *architectural* as well as the historical significance of listed buildings and claims that neither the applicant's impact statement nor the committee report has regard to this objective. St Hilda's also describe the alterations as substantial and claim that the proposals do not show appropriate sensitivity to the architectural significance of the building as specifically required by Policy DEV37.

2.6 In response to this, it is the officer's view that sufficient consideration has been given to both the architectural and historic interest of the listed building in line with all relevant conservation and design policies. Officers do not agree that the alterations are substantial considering the extent of retention proposed and the scale of refurbishment in the application. The alterations proposed are considered to be in keeping with the architectural interest of the building due to the scale, detailed design, and choice of materials proposed. It is also officers' view that the applicant's Impact Statement and their Design and Access Statement provides sufficient justification for the proposed works from an architectural perspective.

Harm to the Boundary Estate Conservation Area

2.7 In their recent email, St Hilda's Community Centre claim that the proposed works would substantially and detrimentally alter the character of the conservation and with the Boundary Estate being one of the first municipal housing development in the country, the committee report fails to take due account of the residential character and historic significance of the area. Furthermore, St Hilda's objection states that the proposed retail use would be incompatible with the area they draw and attention to Core Strategy Policy SO22 (which aims to protect, celebrate and improve access to our historical and heritage assets) and the objectives and principles of the Delivering Placemaking annex for Shoreditch.

2.8 In response to this – officers draw Member's attention to Paragraph 8.55 of the main committee report which has regard to The Boundary Estate and the Rochelle School site complex as being renowned nationally and locally as one of the first Council built developments in the country. Secondly, Paragraph 8.2 of the main committee report acknowledges the prevailing character of the area as being "predominantly residential, with commercial uses confined to Calvert Avenue". Furthermore, and in relation to the consideration of the proposal retail uses, Paragraphs 8.7-8.11 discuss the proposal retail impact specifically.

2.9 As already discussed in the main report, whilst the site is situated is a predominantly residential area, it is also located on the edge of the Central Activities Zone and the City Fringe Activity Area where a mix of uses is promoted. This mix if uses is supported by the vision and principles for Shoreditch which St Hilda's draw attention to. As such officers support the proposal and do not consider the retail aspect to have any detrimental impacts on the character of the area However, in order to address the objection to the retail aspect, the applicant has offered to reduce the level of retail activity proposed to just one unit at ground floor level (measuring 114sqm) so that only one unit can benefit from a flexible A1/B1/D1 use and that all other units within the building will be restricted to B1/D1 uses only. This is considered a significant compromise by the applicant and welcomed by officers as a way in which to alleviate local concerns regarding retail and the impact on the character of the area.

Failure to Comply with Educational Policies

2.10 St Hilda's email claims that the application fails to take account of educational policies ST45 and EDU2 of the UDP. St Hildas also claim that in only considering the site's current use as an art gallery/ exhibition use, the committee report fails to have regard to the educational potential of the site as the building was originally designed for.

2.11 In response to this, officers can confirm that educational policies which seek to resist the change of use from educational purposes are not relevant to this application. The existing use of the site is D1 (Art Gallery/Exhibition) and has been and is the current use for some time. In land use terms, officers have considered the application proposal as submitted and it is not the role of the officers to have regard to the 'educational potential' of the site as originally designed. The Core Strategy and Managing Development DPD seeks to secure sites for educational purposes through other site specific designations of which Rochelle Centre, is not one. Rather, and more relevant to this application officers have given due consideration to the historic function of the building as a former Infants School and how this historic function contributes to the special interest of the listed building. This consideration is reflected in the applicant's amended plans which propose to retain as much of the internal layout and room proportions as possible, in order to preserve the historic interest of the building. As such, officers do not feel that the policies ST45 and EDU2 of the UDP are relevant policy considerations.

2007 Character Appraisal for the Boundary Estate

2.12 St Hilda's objection claims that Section 8.58 of the committee report fails to complete a paragraph quote from the 2007 Character Appraisal which states that *"Commercial value can be generated directly from the building, through its use as a dwelling or office, or through its role in increasing the attractiveness of the area to tourists and visitors"*. The remainder of the paragraph from the 2007 Appraisal continues as follows: *"However, it should be noted that economic reasons alone will not in themselves justify the demolition or alteration of a building in a Conservation Area"*.

2.13 In response to this - it is not the intention of the committee report to misquote a paragraph from the Appraisal but to merely to refer to relevant extracts. The extract quoted in the report emphases the Appraisal's encouragement of developments funding their own maintenance and refurbishment in order to secure the historic environment. Officers agree with St Hilda's and the Appraisal - that economic reasons alone will not in themselves justify the alteration of a building in a Conservation Area and this is why due consideration have been given in the report to the impact of the proposed alterations from an architectural and historic perspective.

Consultation

2.14 St Hilda's claim that the committee report cites 'no objection' from the Boundary Estate Tenants & Residents Association, which according to St Hilda's, do not exist). In response to this, the Boundary Estate Tenants & Residents Association is and has been a standard local consultee on all applications within the Boundary Estate considered by the Borough. If it is the case that the body no longer exist, it is recommended that they are removed from our local list of consultees.

2.15 St Hilda's state that the committee report does not address the reservations of the

Council's specialist advisors, CADAG. However, in response to this, officers draw Members' attention to paragraph 6.9 of the main report which summarised CADAG's views.

2.16 St Hilda's also claim that the reference in the consultation section of the report to 19 'copied' letters devalues the views of those who signed their letters. In response to this, the intention of emphasising the 'copied' letters was to differentiate the objections from individual objection letters and/or petitions.

2.17 St Hilda's note that further objections by local residents and groups were submitted in January which are not mentioned. The case officer can confirm that subsequent objections (dated 23 January 2013) were received by the Council on the 1st Feb and received by Planning Officers on 11th Feb. (Acknowledgement letters also sent 11th Feb).

2.18 St Hilda's state that a separate objection letter was submitted by the Women's Environmental Network (WEN) and acknowledged by LBTH, but this has been omitted from the consultation section of the report. In response to this, the case officer has not names every individual or body who as commented but can confirm that a letter from the WEN was received and acknowledged and as with all general consultee comments received, the objections are summarised in paragraph 7.3.

2.19 Finally, St Hilda's state that an objection letter was submitted by Boundary Community School but not mentioned in the committee report. Officer can confirm that they are not in receipt of a submission by the Boundary Community School at time of writing this addendum report. All representations received have been summarised in the main report and officers unfortunately cannot account for any objections which were not received.

3.0 CIL

The main planning report omitted a paragraph regarding the Mayor of London's CIL charging schedule and officers can now confirm that because the application proposal provides at least 100 square metres of gross internal floorspace , the scheme will be CIL liable. As such, due to the creation of 218sqm of gross internal floorspace, the scheme will be liable for £7,630 based on the CIL charging rate London Borough of Tower Hamlets which is £35 per square metre. It is recommended that the applicant be informed of this in the decision notice.

4.0 RECOMMENDATION

4.1 Officer's recommendation remains unchanged. All other relevant policies and considerations have been taken into account. Planning permission and listed building consent 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 the main report.