

LONDON BOROUGH OF TOWER HAMLETS

DEVELOPMENT COMMITTEE

12<sup>th</sup> September 2013

UPDATE REPORT OF HEAD OF PLANNING AND BUILDING CONTROL

INDEX

Agenda item no	Reference no	Location	Proposal
7.1	PA/13/00188	15-19 Rigden Street	Provision of an additional storey to incorporate 1 x 2 bed flat and alterations to the front elevations at first and second floors to provide new balconies.
7.3	PA/13/01647	Units 24, 26, 28, 30 & 32, Mastmaker Road, London, E14 9UB	<p>Variation to condition 5 (student numbers) and condition 6 (hours of operation) of planning permission dated 10 July 2013, reference PA/13/00116 for the <i>"Change of use of existing light industrial units (Use Class B1) (numbers 24, 26, 28, 30 and 32) to a secondary school (Use Class D1) offering vocational courses for 14-19 year olds."</i></p> <ul style="list-style-type: none"> <li>• Variation of Condition 5 (Student Numbers) to limit the maximum number of students on site to 490.</li> <li>• Variation of Condition 6 (Hours of Operation) staggering the arrival time of staff and students as follows: <ul style="list-style-type: none"> <li>• Teachers and staff - 07:00 - 23:00</li> <li>• 14 - 16 year old students - 09:30 - 15:00</li> <li>• 16 - 19 year old students - 10:00 - 15:30</li> <li>• Social enterprise units - 10:00 - 18:00</li> </ul> </li> </ul>
7.4	PA/13/01607	85 - 87 New Road, London, E1 1HH	Change of use at 85 New Road from shop (A1 use class) to restaurant (A3 use class) with rear extension to provide waiting area, toilets (including one disabled) and seating for the existing restaurant at 87 New Road.
AOB	n/a	All wards	New Homes Bonus

<b>Agenda Item number:</b>	7.1
<b>Reference number:</b>	PA/13/00188
<b>Location:</b>	15-19 Rigden Street
<b>Proposal:</b>	Provision of an additional storey to incorporate 1 x 2 bed flat and alterations to the front elevations at first and second floors to provide new balconies.

## **1.0 CLARIFICATIONS AND CORRECTIONS**

- 1.1 A further petition was received on 11th September 2013 containing 23 signatures. It is noted that the concerns expressed by the objectors are similar in nature to the petitions already received and reported in the main report. It is noted that no further issues were raised which were not addressed in the main report.

### **RECOMMENDATION**

- 1.2 Officers' recommendation remains as outlined in the main report

<b>Agenda Item number:</b>	7.3
<b>Reference number:</b>	PA/13/01647
<b>Location:</b>	Units 24, 26, 28, 30 & 32, Mastmaker Road, London, E14 9UB
<b>Proposal:</b>	<p>Variation to condition 5 (student numbers) and condition 6 (hours of operation) of planning permission dated 10 July 2013, reference PA/13/00116 for the "<i>Change of use of existing light industrial units (Use Class B1) (numbers 24, 26, 28, 30 and 32) to a secondary school (Use Class D1) offering vocational courses for 14-19 year olds.</i>"</p> <ul style="list-style-type: none"> <li>• Variation of Condition 5 (Student Numbers) to limit the maximum number of students on site to 490.</li> <li>• Variation of Condition 6 (Hours of Operation) staggering the arrival time of staff and students as follows: <ul style="list-style-type: none"> <li>• Teachers and staff - 07:00 - 23:00</li> <li>• 14 - 16 year old students - 09:30 - 15:00</li> <li>• 16 - 19 year old students - 10:00 - 15:30</li> <li>• Social enterprise units - 10:00 - 18:00</li> </ul> </li> </ul>

## 1.0 CONSULTATION

- 1.1 A letter of objection has been received from a Councillor this week. The following issues were raised:
- 1.2 Concern about the high number of students which will result in congestion on public transport in the area which is already stressed.
- 1.3 **[Officer Comment:** The main report deals with this matter in full at paragraphs 6.3 – 6.12 and 8.5 8.21. To summarise by staggering the start time and arrival times of students TfL are satisfied that this would ensure that it would not result in congestion on the public transport network.]
- 1.4 Concern about the impact of people coming and going to the social enterprise units including hairdressers and the café. It would all add to the human traffic and congestion in the area.
- 1.5 **[Officer Comment:** The main report deals with this matter in full at paragraphs 8.1 – 8.3. To summarise, the principle of the social enterprises was accepted and approved under PA/13/00116 which was considered by Members at the Development Committee in May. This application does not seek to change this part of the proposal. Government advice states that in assessing applications for variation of condition the focus should be on any material planning considerations which have changed (for example policy) and the changes sought. Given, consent was granted in July 2013 it is not necessary to revisit the principles of the application again.]
- 1.6 Concern about an increase in anti-social behaviour which is an existing problem arising from more people is coming to use the shops in the social enterprise units on top of the 490 students.

- 1.7 **[Officer Comment:** The main report deals with his matter in full at paragraph 8.14. Concerns about anti-social behaviour were discussed in full at the May 2013 committee and it was agreed that the hours of operation of the social enterprise units would be restricted to 9 am to 6pm to address these concerns. As advised at paragraph 1.5 the application does not seek to amend this element of the application. It is also worth noting that officers do not consider there is a direct link between anti-social behaviour and such uses. In fact the reverse is often common with more street activity creating safer streets.]
- 1.8 Queried what the projected figure usage wise would be for the social enterprise units.
- 1.9 **[Officer Comment:** Notwithstanding, that this element of the application is not subject to review as part of this application officers did request this information from the applicant who has advised the follow. The school doesn't know how many local residents will choose to use the social enterprise units. However, they do not expect them to be heavily used. The social enterprise units are primarily to provide work experience placements for learners, rather than profit. These enterprises are very much designed to provide opportunities to train young people.]
- 2.0 RECOMMENDATION**
- 2.1 Officers' recommendation remains as outlined in the main report.

<b>Agenda Item number:</b>	7.4
<b>Reference number:</b>	PA/13/01607
<b>Location:</b>	85 - 87 New Road, London, E1 1HH
<b>Proposal:</b>	Change of use at 85 New Road from shop (A1 use class) to restaurant (A3 use class) with rear extension to provide waiting area, toilets (including one disabled) and seating for the existing restaurant at 87 New Road.

## 1. CLARIFICATIONS AND CORRECTIONS

- 1.1 Since the publication of this report to committee, an error has been noted on page 142 paragraph 8.10. This paragraph should be amended to read:

*There are other restaurants already trading within the vicinity of the site. These include 131 New Road, 119 New Road, 97 New Road, 95 New Road, 87 New Road (Needoo), and 49-53 (Sahara Grille) New Road. There is also a large restaurant on Fieldgate Street (Tayabbs).*

- 1.2 Two additional commercial units within the area surveyed by the officer have been added to the results.

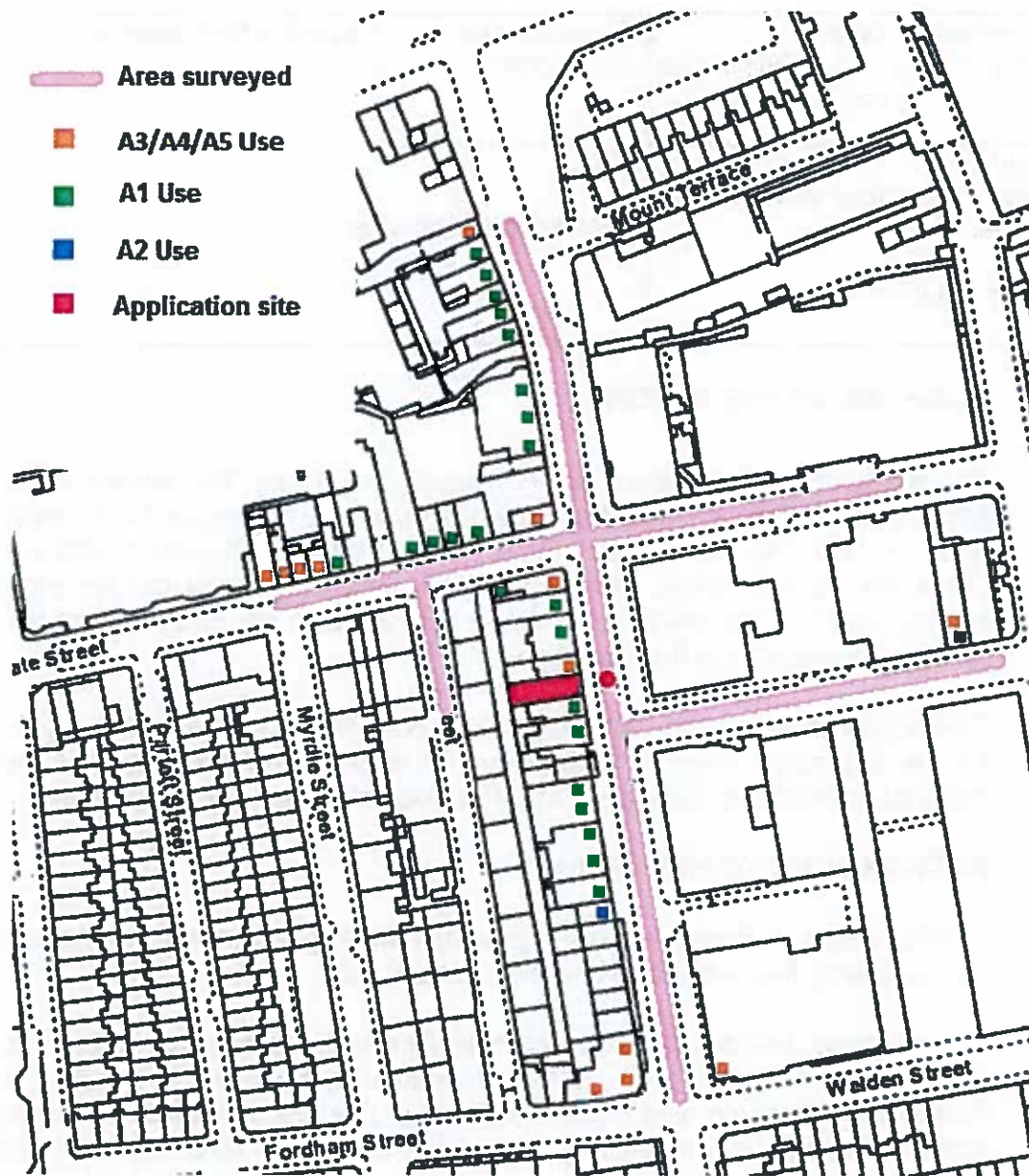
The additional units consist of The Griff Inn a restaurant/bar currently falling within Use Class A3/A4 and the Queen Mary University of London Student Union Shop falling within Use Class A1. These units increase the percentage of A3/A4/A5 units from 33% to 34% and decrease the percentage of A1 units from 64% to 63%.

- 1.3 The details of which can be found below.

119 New Road	El Restaurant	A3
117 New Road	Zaza's	A1
115 New Road	Grate Fame	A1
113 New Road	Amani	A1
111 New Road	Marakech Café	A1
109 New Road	Danis	A1
105 New Road	ETI Style	A1
103 New Road	Shiv Fashions	A1
97 New Road	Maza Desi	A3/A5
109 Fieldgate Street	ARS Catering City	A1
107 Fieldgate Street	ARS Catering City	A1
105 Fieldgate Street	ARS Catering City	A1
103 Fieldgate Street	Hussain Meat	A1
95a Fieldgate Street	Fieldgate News	A1
99 Fieldgate Street	Marakech Café	A1
91 Fieldgate Street	Bayt-Al Attar	A1
89 Fieldgate Street	Tayyabs	A3
87 Fieldgate Street	Tayyabs	A3
85 Fieldgate Street	Tayyabs	A3

83 Fieldgate Street	Tayyabs	A3
95 New Road	Shalamar	A3/A5
89 New Road	Rai Fashion	A1
91 New Road	Rai Fashion	A1
87 New Road	Needoo	A3
83 New Road	Blanco	A1
81 New Road	Junior Kids Ltd	A1
75 New Road	Kids Kemp	A1
73 New Road	NJW London	A1
71 New Road	NJW London	A1
69 New Road	NJW London	A1
67 New Road	NJw London	A1
65 New Road	Crystal Gate Consultant	B1
53 New Road	Sahara Grill	A3
51 New Road	Sahara Grill	A3
49 New Road	Sahara Grill	A3
42 New Road	Costa	A3
BLSA Building Newark Street	Student's Union Shop	A1
BLSA Building Newark Street	The Griff Inn Bar and Kitchen	A3/A4

1.4



1.5

A1 (Retail including sandwich/coffee shops)	24	63%
A2 (Financial and professional)	1	3%
A3/A4/A5 (Restaurants/Drinking Establishments / Takeaways)	13	34%

## 2. RECOMMENDATION

2.1 Officers' recommendation remains as outlined in the main report.

<b>Committee:</b> Development	<b>Date:</b> 12 September 2013	<b>Classification:</b> Unrestricted	<b>Agenda Item Number:</b> AOB
<b>Report of:</b> Director of Development and Renewal		<b>Title:</b>  <b>NEW HOMES BONUS</b>	
<b>Author:</b> Paul Buckenham			

## 1. PURPOSE OF THE REPORT

1.1 At Development Committee on 14 August, Councillor Tim Archer noted that committee reports on planning applications make reference to an estimated level of New Homes Bonus (NHB) grant that the Council might receive. Councillor Archer asked officers how the Council intends to use this grant funding and the Committee requested that a report be presented at the next meeting to respond to this question.

1.2 This report explains the principle behind New Homes Bonus, the legal basis for the estimated level of NHB linked to a proposed development being a material planning consideration and the Council's spending proposals.

## 2. BACKGROUND TO NHB GRANT

2.1 The New Homes Bonus is a grant paid by central government to local councils for increasing the number of homes and their use.

2.2 The principle behind the New Homes Bonus is to reward authorities that increase the housing stock, either through new build or by bringing empty properties back into use. Each additional Council tax band D equivalent property attracts grant funding equivalent to the band D tax rate and the funding lasts for six years.

2.3 On 15 January 2012 amendments made by the Localism Act to Section 70 of the Town and Country planning Act required that Councils must also have regard to "any local finance considerations, so far as material to the application." Local finance considerations are defined by the section as:

(a) a grant or other financial assistance that has been, or will or could be, provided to a relevant authority by a Minister of the Crown, or

(b) sums that a relevant authority has received, or will or could receive, in payment of Community Infrastructure Levy;

2.4 Therefore the level of New Homes Bonus (being a grant from a Minister of the Crown to the Council) is capable of being a material planning consideration.



- 2.5 When assessing the impact of building residential units, it is possible to estimate the likely level of the New Homes Bonus that may be received by the Council as a result of the increase in housing stock, if permission is granted and the development goes ahead. Hence an estimate of the likely NHB are included in any reports on planning applications where the proposed development would attract New Homes Bonus.
- 2.6 The amount of New Homes Bonus grant that the Council actually receives each year is calculated by, and paid to us by the government. In 2011/12 the council was allocated £4.287m per year for six years, in 2012/13 a further £5.822m, and in 2013/14 an additional £5.961m.

### **3. TOWER HAMLETS PRIORITIES FOR NHB GRANT**

- 3.1 New Homes Bonus is a non-ring fenced grant, and Members have agreed to set aside the first £11million received by the Authority to support investment in the Decent Homes Backlog programme and works to reduce condensation, damp and fuel poverty.
- 3.2 The balance of the anticipated New Homes Bonus funding has been included with other non-ring fenced core grants in the Council's medium-term financial plan, in order to support the on-going delivery of general fund services, as the level of New Homes Bonus reflects the fact that the Authority is experiencing the highest level of population growth in the country.
- 3.3 The 2013 Government Spending Round announced that the New Homes Bonus national funding pot will be top-sliced by 35% in 2015/16, with the money being channelled through regional and sub-regional Local Enterprise Partnerships as part of the Single Local Growth Fund. This was unexpected, and means that the Council will lose 35% of our whole allocation from 2015 onwards.

### **4. RECOMMENDATION**

- 4.1 That the content of the report be noted.

