

# LONDON BOROUGH OF TOWER HAMLETS

## DEVELOPMENT COMMITTEE

09 October 2013

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

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6.1	PA/13/633 & PA/13/634	65 Tredegar Square	Erection of 8 no self contained houses with 2 no on site car parking spaces. (Full planning permission PA/13/633)  &  Demolition of existing warehouse. (Conservation Area Consent PA/13/634)
6.2	PA/13/01433	Dame Colet House and Haileybury Centre, Ben Jonson Road, E1	Demolition of Dame Colet House and Haileybury Centre and erection of two four storey residential blocks to provide 40 affordable housing units together with the erection of a three storey youth, sport and community centre building with associated landscaping, car parking and other ancillary works.
6.3	PA/13/01432	Old Poplar Baths and rear ball court, East India Dock Road & Lawless Street, London E14	Demolition of existing garages and ball court and erection of 10 storey residential block to provide 60 affordable housing units; internal and external alterations and refurbishment to Poplar Baths to reinstate the main pool and create a new learner pool; demolition of chimney and associated ancillary works to provide indoor wet and dry sports and leisure facilities, roof top games area plus ancillary landscaping and vehicular parking.
6.4	PA/12/02661 PA/12/03383	Shoreditch Station, Pedley Street, London E1	Partial demolition of former Shoreditch Station building, with retention of brick facade, and erection of a new 6 storey building to include retail, cafe, office, and art display and studio space (Use Class A1, A3, B1 and D1) at lower ground, ground and first floor level and 9 residential units (Use Class C3) at second to fifth floor level, comprising 2 x 1 bed, 4 x 2 bed and 3 x 3 bed units (amended proposal).

7.1	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.
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<b>Agenda Item number:</b>	6.1
<b>Reference number:</b>	PA/13/633 & PA/13/634
<b>Location:</b>	65 Tredegar Square
<b>Proposal:</b>	Erection of 8 no self contained houses with 2 no on site car parking spaces. (Full planning permission PA/13/633)  &  Demolition of existing warehouse. (Conservation Area Consent PA/13/634)

## 1. CLARIFICATIONS

- 1.1 Paragraph 9.30 should read: "There is an over reliance on light wells to provide daylight and sunlight within the development. Two of the lightwells would be used as a source of natural light to bedrooms (although they would have a secondary source of light) and the others are used to light hallways".

## 2. RECOMMENDATION

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

<b>Agenda Item number:</b>	6.2
<b>Reference number:</b>	PA/13/01433
<b>Location:</b>	Dame Colet House and Haileybury Centre, Ben Jonson Road, E1
<b>Proposal:</b>	Demolition of Dame Colet House and Haileybury Centre and erection of two four storey residential blocks to provide 40 affordable housing units together with the erection of a three storey youth, sport and community centre building with associated landscaping, car parking and other ancillary works.

## 1.0 CLARIFICATIONS AND CORRECTIONS

- 1.1 Since the publication of this report to committee, an error has been noted on page 57, paragraph 10.65. This paragraph should be amended to read:
- 1.2 *The POD rent levels should be at 65% of market rents for 1 beds, 55% of market rents for 2 beds, and 50% of market rents for 3 beds and larger.*
- 1.3 Please note that this proposal does not include any five bed units.

## RECOMMENDATION

- 1.4 Officers' recommendation remains as outlined in the main report.

<b>Agenda Item number:</b>	6.3
<b>Reference number:</b>	PA/13/01432
<b>Location:</b>	Old Poplar Baths and rear ball court, East India Dock Road & Lawless Street, London E14
<b>Proposal:</b>	Demolition of existing garages and ball court and erection of 10 storey residential block to provide 60 affordable housing units; internal and external alterations and refurbishment to Poplar Baths to reinstate the main pool and create a new learner pool; demolition of chimney and associated ancillary works to provide indoor wet and dry sports and leisure facilities, roof top games area plus ancillary landscaping and vehicular parking.

## 1.0 CLARIFICATIONS AND CORRECTIONS

- 1.1 Since the publication of this report to committee, an error has been noted on page 99 paragraph 10.78. This paragraph should be amended to read:
- 1.2 *The POD rent levels should be at 65% of market rents for 1 beds, 55% of market rents for 2 beds, and 50% of market rents for 3 beds and larger.*

## 1.3 CONSULTATION

A petition against the proposal was received on 30 September 2013 containing 20 names and 19 signatures. It is noted that the objectors simply opposed the erection of the 10 storey residential block at the Poplar Baths site.

The petition does not raise any additional issues over and above those reported and addressed in the main report.

## RECOMMENDATION

- 1.4 Officers' recommendation remains as outlined in the main report.

<b>Agenda Item number:</b>	6.4
<b>Reference number:</b>	PA/12/02661 and PA/12/03383
<b>Location:</b>	Shoreditch Station, Pedley Street, London E1
<b>Proposal:</b>	Partial demolition of former Shoreditch Station building, with retention of brick facade, and erection of a new 6 storey building to include retail, cafe, office, and art display and studio space (Use Class A1, A3, B1 and D1) at lower ground, ground and first floor level and 9 residential units (Use Class C3) at second to fifth floor level, comprising 2 x 1 bed, 4 x 2 bed and 3 x 3 bed units (amended proposal).

## 1.0 CLARIFICATIONS AND CORRECTIONS

- 1.1 Since the publication of this report to committee, the applicant has withdrawn their conservation area consent, reference PA/12/03383, on the grounds that they consider that planning permission for relevant demolition in a conservation area (formerly conservation area consent) is not required as the amended proposals would not result in the demolition of a structure with a volume greater than 115sqm. As such, the application for conservation area consent is no longer for consideration at committee.
- 1.2 Notwithstanding this point, details of the demolition works are provided at paragraph 8.41 of this report to committee. In their letter dated 23 August 2013, English Heritage state:
- 1.3 *"The revised drawings demonstrate that the scale of the building has been reduced, and elevations of the original station building are incorporated at ground level. However, incorporating these elements would likely involve the dountaking and rebuilding of the elevations, which we still consider to be substantial demolition" (my emphasis).*
- 1.4 Therefore, on the basis of the information provided in the application submission, together with the formal opinion of English Heritage that the proposals involve the substantial demolition of a building within a conservation area, officers consider that conservation area consent would be required for the proposed development.
- 1.5 Since the publication of this report to committee, the applicant has requested that the Use Class A3 restaurant/café use within the proposed mix of uses at ground floor level be omitted from the scheme.
- 1.6 Officers consider that the omission of A3 use could be secured by condition if planning permission were to be granted and on this basis the recommended reason for refusal for planning application reference PA/12/02661, made on grounds of over-concentration of A3/A4/A5 uses as cited at paragraphs 2.2 and 8.15 of this report to committee, is therefore no longer applicable.
- 1.7 Since the publication of this report to committee the applicant has also requested that the reason for refusal for planning application PA/12/02661 on noise and vibration grounds be omitted as they believe such matters could be addressed by condition. In addition, on the afternoon of the committee meeting the applicant provided further details of the predicted noise levels and noise insulation measures.

- 1.8 This information has been assessed by LBTH Environmental Health, who maintain their objection and confirm that the information does not address the vibration and ground borne noise issues adequately and that their recommendation for refusal on noise and vibration grounds remains. Officers accept that in the event of an approval it is likely that these matters could be dealt with by way of condition. However, on the basis of the information current submitted Offices are not satisfied that matters have been satisfactorily resolved and the reason for refusal should therefore stand.

### **RECOMMENDATION**

- 1.3 The Officers recommendation has been amended to remove the reason for refusal in relation to the proposed A3 use as this has been removed from the scheme and to omit the application for conservation area consent as this application has been withdrawn by the applicant. Officers therefore recommend the application for planning permission is REFUSED for the following reasons:

1. It is considered that the former Shoreditch Station building makes a positive contribution to the character and appearance of the Brick Land and Fournier Street Conservation Area and that the proposed demolition of substantial elements of the building would fail to protect and enhance the character and appearance of the Conservation Area. Furthermore, it is considered that the public benefits that would be brought by the proposed development are not sufficient to outweigh the harm to the Conservation Area that would be caused by the proposal. As such, the proposal is contrary to Policy SP10(2) of the Council's adopted Core Strategy (2010), Policy DM27(3) of the Council's adopted Managing Development Document (2013) and government guidance set out in Section 12 of the National Planning Policy Framework (2012).
2. Based on the information submitted, the proposed development would fail to adequately protect future residential occupants from unacceptable levels of noise and vibration, to the detriment of residential amenity. The proposal is therefore contrary to Policy SP10(4) of the Council's adopted Core Strategy (2010) and Policy DM25 of the Council's adopted Managing Development Document (2013) require development to protect, and where possible improve, the amenity of surrounding existing and future residents and building occupants, as well as the amenity of the surrounding public realm.

<b>Agenda Item number:</b>	7.1
<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. CONDITIONS

- 1.1 The original report to committee proposed a condition (number 3) requiring the submission of details of the external materials to be submitted to and approved by the council.

The applicant has now confirmed that the bricks that will be used for the proposed rear extension would match those of the extension at number 87 New Road. This material is considered acceptable and in keeping with the character and appearance of the Myrdle Street Conservation Area.

Officers therefore recommend that Condition 3 is amended to state:-

- 3. The bricks to be used for the rear extension of the development hereby permitted shall match those in the photograph received by The Council 03/10/2013.*

*Reason: To ensure that the external appearance of the building is satisfactory in accordance with the requirements of policy SP10(4) of the Tower Hamlets Core Strategy 2010.*

- 1.2 The original report to committee included a condition (number 4) requiring details of refuse and recycling storage facilities to be submitted to and approved by the council;

The applicant has also provided a plan of the basement showing a designated area for refuse and recycling that would be sufficient to accommodate the waste and recycling produced by the extension to the restaurant.

Officers therefore recommend that Condition 4 is amended to state:-

- 4. The refuse and recycling facilities shown on amended drawing No. 04 received on 03/10/2013 shall be provided prior to the occupation of the development and thereafter shall be made permanently available for the occupiers of the building.*

*Reason: To ensure adequate provision for the storage of refuse in accordance with the requirements of Tower Hamlets Core Strategy policy SP05(1).*

**2. SUBSEQUENT PLANNING APPLICATION RECEIVED**

2.1 Since the publication of the report to committee the Local Planning Authority has received an additional planning application for the 'Proposed change of use from a retail shop A1 into a restaurant A3' (PA/13/02318) at 93 New Road.

The outcome of the application at 85-87 New Road will become a material planning consideration when determining applications of a similar nature in the vicinity of the site.

**3. RECOMMENDATION**

3.1 The Officers recommendation remains as set out in the committee report, with alterations to the proposed conditions as above.