

# LONDON BOROUGH OF TOWER HAMLETS

## DEVELOPMENT COMMITTEE

25<sup>th</sup> November 2015

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

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6.2	PA/15/00360	Site south west of the junction of Glenworth Avenue and Saunders Ness Road, E14 3EB	Construction of a 1,705 GIA sq. m. 3-storey primary school to accommodate 280 pupils and approximately 30 staff.
6.3	PA/14/03547	Wickham House, 69-89 Mile End Road and 10 Cleveland Way, London, E1	Refurbishment of former Wickham's department store comprising: retention of facade of former Spiegelhaite's shop at 81 Mile End Road to provide new entrance, change of use of second floor to office (Use Class B1), change of use of ground and basement floors to a flexible retail/leisure use (Use Class A1/A2/A3/A4/B1/D1/D2) and erection of roof extensions at third and fourth storey levels to provide 1,481sqm (GIA) of additional office space (Use Class B1); as well as reconfiguration of internal layout, restoration of external features and other associated works.
6.4	PA/15/02554 and PA/15/02555	Balfon Tower, 7 St Leonards Road, E14 0QR	External and internal physical alterations and refurbishment works to Balfon Tower, including: new fenestration; alterations to flat layouts; erection of cornice; replacement of boiler house flues; alterations to car parking, cycle parking and refuse storage arrangements; lighting; hard and soft landscaping and associated works.

6.5	PA/15/02156	Attlee House, Sunley House, Profumo House and College East, 10 Gunthorpe Street, London	Demolition of Attlee House, Sunley House and College East (Excluding part facade retention of College East) and construction of ground, basement plus part 3, part 4 and part 5 storey buildings providing 63 Class C3 residential units and 264 sq m (GIA) Class B1 office floorspace. Demolition of Profumo House and construction of a new building comprising basement, ground and 4 storey building comprising 990 sq m (GIA) Class B1 office floorspace 418 sq m (GIA) Tonybee advice services. Provision of car and cycle parking, amenity and play space, with associated plant and works.
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<b>Agenda Item number:</b>	6.1
<b>Reference number:</b>	PA/15/01601
<b>Location:</b>	Vic Johnson House Centre, 74 Armagh Road, London, E3 2HT
<b>Proposal:</b>	Part demolition, part refurbishment, part new build (extension) to total 60 age restricted apartments (over 55s) sheltered housing scheme, including new communal areas (lounge, function room, hair salon and managers office), and associated landscape gardens. The proposed use remains as existing. The scheme is on part 2, part 3 and part 4 storeys.

## **1.0 Additional representations**

- 1.1 A further 20 signatures have been received as an addendum to the existing petition. Therefore the total number of signatures objecting to the proposal is 152 and not 132 as stated at paragraph 9.1 of the committee report.
- 1.2 In addition, the total number of signatures attracted by the petition is therefore 183 signatures and not 163 signatures as stated at paragraph 9.2 of the committee report.

## **2.0 Housing**

- 2.1 In an email dated 20.11.2015 the applicant has confirmed that the rents for existing residents will remain at social rents. The service charges are in addition to these rents. All new units and void 1 bed units will be let at affordable rent of £185 per week. This is inclusive of service charges.

## **3.0 Construction**

- 3.1 Additional information has been submitted by the applicant on 20.11.15 in relation to the construction works on the site. The additional documents and drawings are as follows:

### List of plans

APL 025 Construction work phase I  
 APL 026 Construction work phase II  
 APL 027 Construction work phase III  
 APL 028 Construction work phase IV  
 APL 029 Decant and resident occupation drawing – existing ground floor plan  
 APL 030 Decant and resident occupation drawing – existing first floor plan  
 APL 031 Decant and resident occupation drawing – existing second floor plan

### Documents

Vic Johnson House Events and Service Mitigation Framework  
 Vic Johnson House Activity Options – Existing social events program

- 3.2 The documentation demonstrates a range of mitigation measures put in place by Gateway Housing to alleviate the stress to residents who are remaining on site during the construction works. Such initiatives include lunch clubs at nearby Appian Court, creation of a respite area on site, free scheme day trips,

liaison officer etc. There is also a range of weekly activities within the local area at nearby Gateway sheltered housing schemes.

3.3 During the construction phase, 18 residents will remain at the site within the central spine of Vic Johnson House. Flat 31 which is located at the second floor on the northern elevation will be used as a resident's day lounge to allow respite during the construction works.

3.4 Gateway proposes four phases to the construction works as follows:

- Phase 1 - hoarding and minor internal reconfiguration. During this phase residents will be decanted from the bungalows fronting Armagh Road and buffers around the central spine of the site
- Phase 2 – demolition of bungalows fronting Armagh Road, communal lounge and detached property

#### 4.0 RECOMMENDATION

4.1 Officer's recommendation to **GRANT** planning permission remains unchanged.

<b>Agenda item number:</b>	6.2
<b>Reference number:</b>	PA/15/00360
<b>Location:</b>	Site south west of the junction of Glenworth Avenue and Saunders Ness Road, E14 3EB
<b>Proposal:</b>	Construction of a 1,705 GiA sq. m. 3-storey primary school to accommodate 280 pupils and approximately 30 staff.

## 1.0 Additional representation

- 1.1 A further letter of support been received from a pair of local parents as follows:

*"We are local parents in a situation that like all parents we would dearly like our child to have a good education, of which there are very limited spaces available on the Isle of Dogs. All schools here are grossly oversubscribed and we fear we may have to move elsewhere in London in order to find a school place or go into option of the local authority bussing to another local authority area.*

*The infrastructure on the Isle of Dogs cannot withstand the amount of residential buildings without the other services that people need in order to live, like health care and education. It is crucial to support this initiative to help provide additional School places on the Isle of Dogs."*

- 1.2 Therefore the total number of responses supporting the proposal is 264.
- 1.3 A representation has also been received on behalf of the Saunders Ness Empire and Grosvenor Association (the Petitioners) requesting the Committee postpone consideration of the planning application. This is because notification of the Committee date, and the invitation to address the Committee, was not received until Friday 20<sup>th</sup> November 2015, leaving insufficient time to organize a proper presentation. Other petitioners have not received notification.
- 1.4 In accordance with the Committee's procedures, the Council's notification letter was sent by 1<sup>st</sup> class post on 17<sup>th</sup> November 2015, giving at least five clear working days prior to the Committee meeting.
- 1.5 Three hundred and six individual notification letters were sent to all respondents that made representations on the application advising of the Committee meeting to be held on 25 November. It is established practice not to write to individual petitioners as addresses are not always supplied. Instead it is requested that the head petitioner informs those who have signed the petition.
- 1.6 Officers are satisfied that proper and adequate notice has been given to respondents. Two representative of the Saunders Ness Empire and Grosvenor Association have registered to address the Committee this evening.

## 2.0 RECOMMENDATION

- 2.1 Officer's recommendation to **GRANT** planning permission remains unchanged.

<b>Agenda Item number:</b>	6.3
<b>Reference number:</b>	PA/14/03547
<b>Location:</b>	Wickham House, 69-89 Mile End Road and 10 Cleveland Way, London, E1
<b>Proposal:</b>	Refurbishment of former Wickham's department store comprising: retention of facade of former Spiegelhalter's shop at 81 Mile End Road to provide new entrance, change of use of second floor to office (Use Class B1), change of use of ground and basement floors to a flexible retail/leisure use (Use Class A1/A2/A3/A4/B1/D1/D2) and erection of roof extensions at third and fourth storey levels to provide 1,481sqm (GIA) of additional office space (Use Class B1); as well as reconfiguration of internal layout, restoration of external features and other associated works.

## **1.0 Update following further site visit**

1.1 The case officer has carried out a further site visit on Monday 23/09/2015. This visit has revealed that the radio masts at roof level have been removed. It is understood that the works have been carried out for safety reasons. The principle of removal of the masts is discussed in paragraph 8.95 (i) of the Committee Report.

## **2.0 Further information on planning enforcement history**

2.1 Paragraphs 4.9 to 4.15 of the Committee Report described the most relevant planning and enforcement background. For information, below is a summary of other enforcement cases relating to the application site:

- a) ENF/12/00247 and ENF/14/00354 installation of illuminated fascia signage to Tesco and Sports Direct units

Breach resolved with respect of the Tesco unit, awaiting implementation of new, approved signage for the Sports Direct unit.

- b) ENF/13/00291 installation of canopy structure at 2<sup>nd</sup> floor level

Breach resolved with canopy removed.

- c) ENF/14/00121 installation of UPVC windows within flank and rear elevations

Awaiting outcome of this planning application – new metal windows to match existing would be installed as part of the refurbishment works removing the breach.

- d) ENF/14/00634 Foxtroft and Ginger café unit operating as a restaurant

Case closed – not expedient to enforce given the predominant café use and the new permitted development rights for change of use from A1 to A3.

- e) ENF/15/00046 use of basement as an entertainment venue (Generation Z theatre)

Planning application ref PA/15/00188 was subsequently submitted with enforcement action put on hold awaiting determination of the application. The theatre use ceased during the summer and the planning application was withdrawn, removing the breach.

- f) ENF/15/00335 noise nuisance resulting from operation of D2 banqueting suite (the Waterlily)

This investigation is on-going. This case has been opened further to the main planning enforcement case ENF/09/00515 which is described in detail in paragraph 4.12 of the Committee Report.

### **3.0 Additional condition**

- 3.1 Condition W has been incorrectly omitted from the list of suggested conditions in paragraph 3.3 of the Committee Report.
- 3.2 In line with paragraph 8.15, condition W would secure submission of full details of auditorium capacity, location within the building and a management plan to mitigate amenity and highway impacts.

### **4.0 Consultation responses**

- 4.1 The summary of consultation responses in the Committee Report did not refer to the following response received from the London and Middlesex Archaeological Society on 8<sup>th</sup> September 2015:

*This Committee met and discussed the above case at its meeting on Tuesday, 25 August 2015 and made the following observations:*

*The Committee were delighted that this scheme retains the Spiegelhalter's façade but thought the rooftop glazed extension to the main building should be lower, in line with the top of base to the tower i.e. above the arched voussoir window.*

### **3.0 RECOMMENDATION**

- 3.1 Officer's recommendation to **GRANT** planning permission remains unchanged.

<b>Agenda Item number:</b>	6.4
<b>Reference number:</b>	PA/15/02554 and PA/15/02555
<b>Location:</b>	Balfroon Tower, 7 St Leonards Road, E14 0QR
<b>Proposal:</b>	External and internal physical alterations and refurbishment works to Balfroon Tower, including: new fenestration; alterations to flat layouts; erection of cornice; replacement of boiler house flues; alterations to car parking, cycle parking and refuse storage arrangements; lighting; hard and soft landscaping and associated works.

## **1.0 Amendments to the application**

1.1 Following further discussions on the removal of the quarry tile the applicant has agreed to a condition requiring the existing quarry tiles in the corridors to be removed carefully to allow for enough of these to be retained and re-laid in the access gallery on the ground floor.

1.2 Officers welcome this further measure of retaining part of the original material and recommend a condition is imposed to secure this.

## **2.0 Typographical errors**

2.1 Paragraph 4.10 – The Committee Report states that the ownership transferred from LBTH to Poplar HARCA in 1998. This is incorrect. The date of the transfer was December 2007.

2.2 Paragraph 9.39 – The Committee Report states there are 7 flat types proposed. To clarify, there are six flat types plus the heritage flats. The heritage flats represent one of the six types.

2.3 Paragraph 9.42 – The Committee Report states that the fenestration changes will result in some minor modifications to the layout. To clarify, whilst the layout of the majority of the flats is proposed to change, this is not a result of the proposed changes to the fenestration.

2.4 Paragraph 9.48 – The Committee Report states that standard tiles in the same size are proposed. To clarify, standard tiles in the metric equivalent size are proposed.

2.5 Paragraph 9.51 – The committee report states that the original entrance doors were steel. This is not correct. The original entrance doors to flats were timber and they are to be replaced in timber.

2.6 Appendix 1 'Site Plan' – The site plan incorrectly identifies the '*Planning Application Red Line Boundary*' as being directly around the Balfroon Tower building only. The submitted red line plan also includes the landscaping around Balfroon Tower and Carradale House, although Carradale House itself along with the shop building and community building are outside of the red line.

## **3.0 Further representations**

3.1 Several representations have been received from a previous objector listing a number of issues. These involve:

- Civil Matters between the objector and their landlord
- Concerns over the necessity of the works
- Concerns over the decanting whilst work takes place

(Officer comment: Consideration has been given to the matters addressed in the further representations however, these do not change the recommendation as presented in the report to committee.

#### **4.0 RECOMMENDATION**

- 4.1 Officer's recommendation to **GRANT** planning permission and listed building consent remain unchanged.

<b>Agenda Item number:</b>	6.5
<b>Reference number:</b>	PA/15/02156
<b>Location:</b>	Attlee House, Sunley House, Profumo House and College East, 10 Gunthorpe Street, London
<b>Proposal:</b>	Demolition of Attlee House, Sunley House and College East (Excluding part facade retention of College East) and construction of ground, basement plus part 3, part 4 and part 5 storey buildings providing 63 Class C3 residential units and 264 sq m (GIA) Class B1 office floorspace. Demolition of Profumo House and construction of a new building comprising basement, ground and 4 storey building comprising 990 sq m (GIA) Class B1 office floorspace 418 sq m (GIA) Tonybee advice services. Provision of car and cycle parking, amenity and play space, with associated plant and works.

## **2.0 Additional and Further Representations**

1.1 Following the publication of the committee report, additional representations were received from the Theatres Trust, who have raised the following concerns in relation to the proposed development:

- The close proximity of the proposed residential units to the Toynbee Studios theatre could jeopardise the operation of the theatre due to possible noise complaints from residents.
- It is unclear whether delivery lorries for the Toynbee Studios will still be able to access to loading area.
- Additional privacy screens should be provided on balconies on the upper levels of Attlee House and Sunley House to minimise views into the top floor of the studios.
- A condition should be included to secure a Construction Management and Method Statement, to be prepared in consultation with Arts Admin.

1.2 With regard to the above points, it should be noted that there are existing residential units within Sunley House, immediately adjacent to Toynbee Studios, and the proposals therefore do not represent a significant departure from the existing situation at the site. However, as set out in the committee report, conditions would be included to set internal noise limits for the new residential units and to secure a programme of post completion noise testing to ensure these limits are achieved. These conditions will ensure that the operation of the Toynbee Studios does not result in undue noise disturbance to neighbouring residents.

1.3 With regard to servicing access for the studios, the proposals would retain a two storey uncroft vehicular access from Gunthorpe Street to the servicing yard at the rear. The submitted Transport Statement includes a swept path plan that shows that a 7.5t box van is able to enter the servicing yard by reversing in from Gunthorpe Street. These details have been reviewed by LBTH Transportation & Highways and are considered to be acceptable. As such, it is considered that the proposals would not adversely impact on the delivery and servicing arrangements for the studios.

1.4 With regard to any possible overlooking from balconies into the top floor of the studios, which includes floor-to-ceiling glazing, the south-facing windows and

balconies within the replacement Attlee House are set back from the studios by approximately 40 metres. This separation distance is sufficient to prevent overlooking. However, it is noted that the replacement Sunley House includes balconies on the south-west corner of the building, which are located approximately 7 metres from the studio building. A condition could therefore be included to secure details of privacy screens to be installed on the south side of these balconies, which would prevent any direct overlooking into the studios.

- 1.5 With regard to the above proposed condition, as set out within the committee report, a Construction Environmental Management Plan (CEMP) would be secured by condition. It is recommended that an informative be included on the decision to advise the applicant to consult with Arts Admin during the preparation of the CEMP so to ensure that the construction works do not adversely impact on the operation of Toynbee Studios.
- 1.6 A further letter of representation has also been received from a neighbouring resident who has already objected to the scheme. In this new letter, the resident reiterates their objection on the grounds that the proposals would result in a loss of light and view to properties at 38 Commercial Street. Officers' responses to these points are provided in the committee report.

## **2.0 Typographical Errors**

- 2.1 The incorrect LBTH CIL figure is given at paragraph 8.253 of the committee report. The correct figure is £239,947.

## **3.0 RECOMMENDATION**

- 3.1 Officers' original recommendation to **GRANT** planning permission remains unchanged.

