

Committee: Development	Date: 9 th March 2016	Classification: Unrestricted	Agenda Item Number:
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Report of: Director of Development and Renewal	Title: Applications for Planning Permission
Case Officer: Chris Stacey-Kinchin	Ref No: PA/15/02917
	Ward: Bow East

1.0 APPLICATION DETAILS

Location: Bow Boys Secondary School, Paton Close, London, E3 2QD

Existing Use: Class D1 (Non-Residential Institution)

Proposal: Creation of a new 3FE primary school (630 places) and 3 class Nursery (75 places) (use class D1) on a former secondary school site, including demolition of existing temporary structures and outbuildings, alterations and internal refurbishment of a locally listed board school.

Drawings and documents: BW-01, Rev A
 BW-02, Rev A
 BW-03, Rev A
 BW-04, Rev B
 BW-05, Rev B
 BW-06, Rev B
 BW-07, Rev B
 BW-08, Rev A
 BW-20, Rev B
 BW-21, Rev A
 BW-22, Rev B
 BW-23, Rev B
 BW-24, Rev A
 BW-25, Rev B
 BW-26, Rev A
 BW-27, Rev A
 BW-28, Rev A
 BW-29, Rev A
 BW-30, Rev B
 BW-31, Rev B
 BW-32, Rev B
 BW-33, Rev B
 BW-34, Rev B
 BW-35, Rev B

BW-350
BW-36, Rev B
BW-37, Rev B
BW-38, Rev B
BW-39, Rev B
BW-40, Rev B
BW-41, Rev A
BW-42, Rev A
BW-43, Rev B
BW-45, Rev A
KAI-0051-E-00-100, P01
Air Quality Neutral Assessment, Rev 01
Amendments Tracker, 08/09/2015
BREEAM Pre-Assessment + Tracker, Sep 2015
Below Ground Drainage & SUDS Report for Planning,
Rev 1
Design & Access Statement, Version 2.1, Feb 2016
Energy & Sustainable Design (ESD) Statement, Sep
2015
Energy Assessment, Feb 2016
Environmental Noise Survey, A601/R01B
External Lighting Design Statement, 18/02/2016
Ground Contamination Planning Application
Statement, BJJ/12066 Contamination
Heritage Statement, 12/0793, Feb 2016
Phase 1 Desk Top Study Report, 11446
Phase 2 Environmental Report, 11446
Transport Statement, Issue 003
Ventilation Design Statement, 09/09/2015

Applicant: LBTH Children's Services
Ownership: London Borough of Tower Hamlets
Historic Building: School Building is Locally Listed
Adjacent to application site: 19-49 Fairfield Road is
Locally Listed
Conservation Area: Fairfield Road Conservation Area

2.0 EXECUTIVE SUMMARY

- 2.1 This application is reported to the Development Committee as the proposal would result in the demolition of unlisted buildings within a conservation area on a site owned by the Council.
- 2.2 This application has been considered against the Council's approved planning policies contained in the London Borough of Tower Hamlets adopted Core Strategy (2010) and Managing Development Document (2013) as well as the London Plan

(Consolidated with Alterations since 2013) (London Plan 2015) and the National Planning Policy Framework and all other material considerations.

- 2.3 The proposal is for the creation of a new 3FE primary school (630 places) and 3 class nursery (75 places) (Use Class D1), including the demolition of existing temporary structures and outbuildings, alterations and the internal refurbishment of the locally listed board school along with the construction of a new three storey building with a glazed link structure and associated external landscape works.
- 2.4 The creation of a new primary school in this location is considered acceptable given the need for additional primary school places in the Borough in accessible locations such as this and accords with Policy 3.18 of the London Plan (2015), Policy SP07 of the Core Strategy 2010 and Policy DM18 of the Managing Development Document 2013.
- 2.5 The proposed design and layout is considered satisfactory within the context of the site. The development would make a number of sensitive alterations to the locally listed board school building and would retain the caretaker's lodge, which whilst unlisted is considered to positively contribute to the Fairfield Road conservation area. The proposed new school building is considered acceptable in design terms and will contribute towards the diverse architecture present within the Fairfield Road conservation area. The proposal therefore accords with Policies 7.4, 7.6 and 7.8 of the London Plan (2015), Policies SP10 and SP12 of the Core Strategy 2010 and Policies DM24 and DM27 of the Managing Development Document 2013.
- 2.6 Subject to the management of the impacts through the use of conditions and the implementation of a Travel Plan, the proposed school would not unacceptably impact on the public transport network or the highway. This would accord with Policies 6.3, 6.9 and 6.13 of the London Plan (2015), Policy SP09 of the Core Strategy 2010 and Policies DM20 and DM22 of the Managing Development Document 2013.
- 2.7 Subject to conditions, it is considered that the development would not have an unacceptable impact on the amenity of adjoining residents in terms of noise, overlooking, natural light and construction impacts in accordance with Policy SP10 of the Core Strategy 2010 and Policy DM25 of the Managing Development Document 2013.
- 2.8 The proposed design and layout is considered acceptable in access terms in accordance with Policy 7.2 of the London Plan (2015), Policy SP10 of the Core Strategy 2010 and Policy DM23 of the Managing Development Document 2013.
- 2.9 The refuse provision on site is generally considered to be acceptable in accordance with Policy 5.17 of the London Plan (2015), Policy SP05 of the Core Strategy 2010 and Policy DM14 of the Managing Development Document 2013.
- 2.10 Subject to conditions, it is considered that the proposed development does not raise any adverse issues with respect to environmental considerations. This would accord with Policies 5.2, 5.3, 5.7, 5.11, 5.21 and 7.14 of the London Plan (2015), Policies SP03, SP04 and SP11 of the Core Strategy 2010 and Policies DM9, DM11, DM29 and DM30 of the Managing Development Document 2013.

3.0 RECOMMENDATION

- 3.1 That the Committee resolve to **GRANT** planning permission subject to:

- a) That the Corporate Director of Development & Renewal is delegated authority to recommend the following conditions and informatives in relation to the following matters:

3.2 Conditions on planning permission

1. Time limit
2. Development to be built in accordance with the approved plans (*compliance*)
3. Construction management plan (*pre-commencement*)
4. Scheme of surface water drainage (*pre-commencement*)
5. Contaminated land desk study report and site investigation report (*pre-commencement*)
6. Further design details: cladding, details and samples (*prior to superstructure*)
7. Landscaping, boundary treatments, external lighting and biodiversity enhancements, external lighting (*prior to superstructure*)
8. Scheme of highways improvements (S.278) (*prior to superstructure*)
9. DLR radio communications (*prior to superstructure*)
10. Details of measures taken to reduce internal noise levels (*prior to superstructure*)
11. Details of sustainable design features (*prior to superstructure*)
12. Contaminated land remediation (*pre-occupation*)
13. Details of plant and machinery (*pre-occupation*)
14. Travel plan (*pre-occupation*)
15. School management plan (*pre-occupation*)
16. Servicing management plan (*pre-occupation*)
17. BREEAM certificates (*post-occupation*)
18. Cycle parking (*compliance*)
19. Refuse (*compliance*)
20. Hours of construction works (*compliance*)

3.3 Informatives on planning permission

1. Contact DLR

4.0 LOCATION AND PROPOSAL DETAILS

Site and Surroundings

- 4.1 The application site relates to a rectangular plot of land approximately 0.4 hectares in size sited in between Paton Close and Hartfield Terrace directly to the east of the DLR and to the west of a number of terraced properties which front Fairfield Road.
- 4.2 The site falls within the Fairfield Road conservation area (designated September 1989) and is surrounded by a number of both locally and statutory listed buildings. The residential terraced properties which sit to the north of the site on Hartfield Terrace and to the east of the site on Fairfield Road are all locally listed, whilst to the south of the site sits the Grade II listed former Poplar Town Hall.
- 4.3 The surrounding area is predominantly residential in character, however some non-residential uses are also present within the surrounding area, notably the other former Bow School site and the former Poplar Town Hall which is currently in use as a business development centre.
- 4.4 The application site previously housed Bow School of Computing and Science, a 600 place 5FE secondary school which was located both on the proposal site as well as

an adjacent site to the south side of Paton Close. This school moved to a new site at Bow Lock in June 2014 and has since expanded.

- 4.5 There are currently 4 permanent buildings on the site in addition to a number of temporary classroom cabins. These buildings include: the locally listed board school in the northern part of the site which is 4 storeys in height and was constructed in 1913; the former caretakers lodge (built in the same style as the board school building) in the south east corner of the site which is 2 storeys in height and also constructed in 1913; the existing science block in the south west corner of the site which is 3 storeys in height and constructed in the 1960s, and; the former design technology shed in the north west of the site which is a single storey structure and was constructed in the 1990s.
- 4.6 The site does not sit within a flood zone or an archaeology priority area and does not feature any trees within its curtilage. The site has a PTAL rating of 6a indicating an excellent level of public transport accessibility and is located within controlled parking zone B2 which is operation between 8:30am to 5:30pm Monday to Friday with residents parking bays.

Proposal

- 4.7 This applicant seeks full planning permission for the creation of a new 3FE primary school (630 places) and 3 class nursery (75 places), including the demolition of existing temporary structures and outbuildings, alterations and the internal refurbishment of the locally listed board school along with the construction of a new three storey building with a glazed link structure and associated external landscape works.
- 4.8 The buildings to be demolished include the temporary classroom cabins located to the south and the west of the board school building, the 1960s science block which is located within the south west corner of the site, and the 1990s design technology shed which is located in the north west corner of the site.
- 4.9 The existing locally listed board school is to be retained and sensitively refurbished with a number of minor external alterations, and will accommodate the majority of the facilities required for the 3FE primary school. Internally a number of reconfiguration works are proposed which will include the removal of some existing walls and the construction of some new partition walls. The existing caretakers lodge is also to be retained (an amendment to the original proposal which would have seen this building demolished), however its future use is currently undecided by the applicant, and any future amendments to this building will be subject to a separate planning application.
- 4.10 A new 3 storey building which will accommodate the 3 class nursery, the main reception area, ancillary facilities (such as school offices), the school hall and a rooftop multi-use games area (MUGA) is proposed to be located in the south west corner of the site and will be connected into the existing board school building by a 3 storey high glazed link.
- 4.11 In addition to the above it is also proposed to re-landscape the site to suit the new use of the site, however it should be noted that the landscaping currently proposed is purely illustrative and the final landscaping scheme for the site will be secured via condition.

Relevant Planning History

- 4.12 PA/59/00253 – Outline of planning permission - erection of three storey science block as shown on the plan No.316/12. (Permission granted 10/03/1960)
- 4.13 PA/76/00293 – Workshop extension. (Permission granted 29/09/1976)
- 4.14 BW/89/00162 – ERECTION OF A DOUBLE HUTTED CLASSROOM IN SCHOOL YARD. (Permission granted 21/09/1989)
- 4.15 BW/91/00144 – CHANGE OF USE OF OFFICE BUILDING TO FORM EXTENSION OF BOW SCHOOL INCLUDING NEW BOUNDARY TREATMENT AND LANDSCAPED PLAY AREAS. (Permission granted 18/08/1993)
- 4.16 BW/92/00089 – ERECTION OF TECHNICAL STORE AND WORKSHOP. (Permission granted 17/12/1992)
- 4.17 BW/93/00082 – ERECTION OF A ROOF EXTENSION TO MAIN SCHOOL BUILDING TO PROVIDE A NEW GYMNASIUM AND THE CONSTRUCTION OF A THREE STOREY EXTENSION TO THE SCIENCE BLOCK FOR TEACHING FACILITIES WITH LANDSCAPING. (Permission granted 28/10/1993)
- 4.18 BW/93/00101 – DEMOLITION OF REAR PITCHED ROOFS TO MAIN SCHOOL BUILDING, SINGLE STOREY EXTENSION TO SCIENCE BLOCK, EXTERNAL W.C.'S GARAGE AND STAIRCASE. (Permission granted 28/10/1993)
- 4.19 BW/94/00103 – New entrance gates, wall and perimeter fencing to School. (Permission granted 18/10/1994)
- 4.20 PA/01/01034 – External and internal remodelling including additional fencing, general repairs, demolition of former commercial building on Paton Close and extension of hard play area. (Permission granted 10/09/2001)
- 4.21 PA/01/01035 – External and internal remodelling including additional fencing, general repairs, demolition of former commercial building on Paton Close and extension of hard play area. (Permission granted 10/09/2001)
- 4.22 PA/06/01752 – Replacement of existing timber windows and doors with UPVC sliding sashes and casement windows and UPVC doors. (Permission refused 26/12/2006)
- 4.23 PA/07/01922 – Erection of a two storey extension to existing learning support unit. (Permission granted 17/12/2007)

5.0 POLICY FRAMEWORK

- 5.1 Section 38(6) of the Planning and Compulsory Purchase Act (2004) requires that the determination of these applications must be made in accordance with the plan unless material considerations indicate otherwise.
- 5.2 For details of the status of relevant policies see the front sheet for “Planning Applications for Determination” agenda items. The following policies are relevant to the application:

5.3 Government Planning Policy

National Planning Policy Framework 2012

5.4 London Plan (Consolidated with Alterations since 2011) 2015

- 3.16 – Protection and enhancement of social infrastructure
- 3.18 – Education facilities
- 3.19 – Sports facilities
- 5.2 – Minimising carbon dioxide emissions
- 5.3 – Sustainable design and construction
- 5.11 – Green roofs and development site environs
- 5.12 – Flood risk management
- 5.13 – Sustainable drainage
- 5.21 – Contaminated land
- 6.3 – Assessing effects of development on transport capacity
- 6.9 – Cycling
- 6.13 – Parking
- 7.1 – Lifetime neighbourhoods
- 7.2 – An inclusive environment
- 7.3 – Designing out crime
- 7.4 – Local character
- 7.6 – Architecture
- 7.8 – Heritage assets and archaeology
- 7.14 – Improving air quality

5.5 Core Strategy 2010

- SP03 – Creating healthy and liveable neighbourhoods
- SP04 – Creating a green and blue grid
- SP05 – Dealing with waste
- SP07 – Improving education and skills
- SP09 – Creating attractive and safe streets and spaces
- SP10 – Creating distinct and durable places
- SP11 – Working towards a zero-carbon borough
- SP12 – Delivering placemaking

5.6 Managing Development Document 2013

- DM8 – Community infrastructure
- DM9 – Improving air quality
- DM11 – Living buildings & biodiversity
- DM13 – Sustainable drainage
- DM14 – Managing waste
- DM18 – Delivering schools and early learning
- DM20 – Supporting a sustainable transport network
- DM22 – Parking
- DM23 – Streets and the public realm
- DM24 – Place-sensitive design
- DM25 – Amenity
- DM27 – Heritage and the historic environment
- DM29 – Achieving a zero carbon borough and addressing climate change
- DM30 – Contaminated land and development and storage of hazardous substances

5.7 Supplementary Planning Documents

Fairfield Road Conservation Area (designated September 1989) character appraisal

and management guidelines

6.0 CONSULTATION RESPONSE

6.1 The views of the Directorate of Development & Renewal are expressed in the MATERIAL PLANNING CONSIDERATIONS section below.

6.2 The following were consulted regarding the application:

20th Century Society

6.3 No comments received.

LBTH Design & Conservation

6.4 LBTH Design officers consider that the proposal is generally of a high architectural quality and support the proposal, however would request that details of the proposed cladding to the new building are given more thought and reserved by condition, as it is not considered as though the current cladding is successful. LBTH Conservation officers generally support the proposal, however would agree with Historic England's evaluation of the caretaker's lodge, and therefore would insist that it is retained.

DLR

6.5 DLR have no in principle objections to the application however have requested a number of conditions.

LBTH Education Development Team

6.6 The application has been submitted on behalf of this directorate.

LBTH Energy Efficiency Unit

6.7 No comments received.

LBTH Environmental Health – Air Quality

6.8 No objections.

LBTH Environmental Health – Contaminated Land

6.9 EH have no in principle objections to the application however have requested a number of conditions.

LBTH Environmental Health – Noise & Vibration

6.10 In the event that additional plant is proposed, details of said plant will need to be submitted for the approval of the LPA.

Historic England

6.11 The alterations proposed to the main school building and the design approach behind the new block are acceptable. The school keeper's lodge should be retained as it contributes to the conservation area.

LBTH School Development Advisor

6.12 No comments received.

LBTH Surface Water Run Off

6.13 No comments received.

TFL

6.14 TFL have no objection to the application in principle, however would wish to see cycle parking provided in line with the London Plan (2015) and would also request a Delivery and Servicing Plan and Construction Management Plan by condition as well as a Travel Plan by S.106.

LBTH Transportation & Highways

6.15 Officers have concerns surrounding the number of potential vehicle trips generated by the proposed primary school and the proposed turning area on Paton Close along with the width of the footways along Paton Close, however these issues can be mitigated by a stringently monitored robust travel plan which will need to be in place prior to the occupation of the school. Cycle parking should be provided in line with FALP standards and provision should also be made for scooters and buggies. Both a Service Management Plan and a Construction Management Plan should also be requested by condition.

LBTH Waste Policy & Development

6.16 No objections.

7.0 LOCAL REPRESENTATION

7.1 A total of 159 letters were sent to neighbours and interested parties. A site notice was also displayed on site and the application was advertised in 'East End Life'.

7.2 The number of representations received in response to notification and publicity of the application is as follows:

No of individual responses:	Objecting: 4
	Supporting: 1

No of petition responses:	Objecting: 0
	Supporting: 0

7.3 The following issues were raised in objection to the proposal:

- No details relating to the existing brick boundary wall have been provided. If this wall is to be demolished it would have an impact on the conservation area and on neighbouring resident's amenity.
- The proposed demolition of the caretakers lodge would be detrimental to the conservation area and its demolition appears unnecessary given that no structure will replace it and the play area which is to replace it does not seem to be an appropriate use of this portion of the site.

- The proposed new building will lead to the loss of light in the living rooms of the adjacent houses on Fairfield Road in the afternoon and evening.
- The corridors on the eastern façade of the building which sit behind a transparent façade will act as viewing platforms causing overlooking of the properties on the western side of Fairfield Road. This building should be rotated by 30 degrees in order to mitigate this issue.

7.4 The following issues were raised in support of the proposal:

- The opening of a new school in this location will help to serve an area which has a large number of families with young children and will enhance an already strong community.

8.0 MATERIAL PLANNING CONSIDERATIONS

8.1 This application has been assessed against all relevant policies under the following report headings:

1. Land Use
2. Design
3. Transportation & Highways
4. Amenity
5. Access
6. Refuse
7. Environmental Considerations

Land Use

- 8.2 The proposed development does not result in any change of use on this site, however through the demolition of existing redundant buildings and provision of new buildings results in a net loss of 251sqm of D1 floorspace.
- 8.3 Policy 3.18 of the London Plan (2015) states that development proposals which enhance education and skills provision will be supported, including new build, expansion of existing or change of use to educational purposes. Furthermore those proposals which address the current and projected shortage of primary school places will be particularly encouraged.
- 8.4 The Council's Core Strategy policy SP07 (2) seeks to increase the provision of both primary and secondary education facilities to meet an increasing population.
- 8.5 The Council's Managing Development Document policy DM18 supports the development of schools or children's centres or extensions to existing schools or children's centres in appropriate locations.
- 8.6 The previous school on this site (Bow School of Computing and Science) vacated this site in June 2014, since when the buildings which occupy the site have been vacant, due to the constraints of this site. Whilst this site was not considered appropriate for another secondary school, feasibility studies undertaken by LBTH educational services found that the continued educational use of the site through the development of a 3FE primary school with associated nursery was appropriate in this location and would contribute towards the acute problems faced by the Borough in planning to meet the growth in need for school places.

- 8.7 Considering the above, officers conclude that the proposed development can be supported in land use terms, as it can be seen to be in accordance with the relevant policies as set out above

Design

- 8.8 The application proposes to demolish the existing science block and design technology shed along with the temporary classroom cabins, retains the caretakers lodge, internally reconfigure portions of the existing locally listed board school building and make a number of minor external alterations to this building, and construct a new 3 storey building with an associated glazed link. Whilst proposed landscaping has been illustrated within the submission, it should be noted that this is purely illustrative and the final landscaping scheme for the site will be secured via condition.
- 8.9 Policies 7.4, 7.6 & 7.8 of the London Plan (2015) seek to ensure that proposed buildings are of a high architectural quality and relate well to their surroundings. Where proposals affect the setting of heritage assets, they should be sympathetic to their form, scale, materials and architectural detailing.
- 8.10 The Council's Core Strategy policy SP10 seeks to ensure that proposals promote good design principles to create buildings, spaces and places that are high-quality, sustainable, accessible, attractive, durable and well-integrated with their surrounds. Proposals should also project and enhance heritage assets such as statutory listed buildings and their settings.
- 8.11 The Council's Managing Development Document policies DM24 and DM27 seek to ensure that development will be designed to the highest quality standards, incorporating principles of good design. Development is also required to protect and enhance the borough's heritage assets, their setting and their significance as key elements of developing the sense of place of the borough's distinctive 'Places'.
- 8.12 As part of the proposed development it is envisaged to demolish the temporary classroom cabins located to the south and the west of the board school building, the 1960s science block which is located within the south west corner of the site, and the 1990s design technology shed which is located in the north west corner of the site. None of the buildings to be demolished are of any architectural significance nor contribute positively to either the Fairfield Road conservation area or the setting of the locally listed board school building. As such the demolition of these buildings can be considered to be accepted in design and conservation terms.
- 8.13 The original proposal for the site sought permission to demolish the existing 1913 caretaker's lodge which was built at the same time as the locally listed board school building in a matching architectural style. The building which is located within the south east corner of the site was to be demolished as it is deemed surplus to the proposed school's requirements and would also allow the space that it currently sits upon to form part of the play space provision for the school. Whilst officers appreciate this position and the fact that the building is not either statutory or locally listed, it is considered that it contributes positively to the conservation area and should therefore be retained as the justification for its loss is does not outweigh the harm caused to the conservation area, this view has been shared by Historic England. After further discussions with the applicant during the application process it was subsequently agreed that the caretaker's lodge would be retained, however its future use is currently unclear and may be subject to a separate planning application in the future.

- 8.14 The existing board school building which housed Bow School of Computing and Science is to be internally reconfigured and altered externally in order to accommodate the 3FE primary school and bring the building up to modern teaching standards. The primary alterations involve: the demolition of a number of existing internal walls along with the insertion of new partitions which largely reverse some of the previous less sympathetic alterations to the building; the reinstatement of the existing 'marching corridors' to their original form at each level; the conversion of the second floor hall to create 6 classrooms, and; the replacement of a number of windows at ground floor level with doors to allow for direct access to the playground. Both the Council's conservation officer and Historic England are in agreement that the proposed alterations to the existing board school building are both sympathetic to the locally listed building and also necessary in order to allow the building to be used as a 3FE primary school.
- 8.15 It is proposed to construct a 3 storey building with an associated glazed link connecting the new building to the existing board school building in the south west corner of the site. The proposed building will measure 26.5m in width, 18m in depth and 15m in height (inclusive of the 1.25m high mesh 'hat' to the MUGA) and is of a contemporary appearance. The main portion of the building is rectangular in form and features a recessed ground floor level which is clad in curtain walling comprising of both glazing and cladding panels and accommodates the school reception entrance on the building's south east corner adjacent to the main entrance to the site. The upper levels of the building are also to feature external cladding panels, however the exact details of the proposed cladding is to be reserved by condition as it requires further design development in collaboration with the Council's design officer. There are few window openings on the upper levels of the building, however a number of ventilation louvers for the school hall do help to break up the overall mass of the façade. Directly above the 4m high parapet walls around the MUGA sits a mesh 'hat' to the building which is 1.25m in height and has been proposed in order to prevent balls or other equipment from the MUGA escaping this space. On the west elevation of the building (fronting the DLR lines) is the fire escape staircase which is clad by a 12.5m high mesh clad tower. The overall form and scale of the proposed new building is generally acceptable as it is subservient to the existing board school building. It is also considered that subject to the relevant conditions being imposed (subject to permission being granted) that the overall design and appearance of the proposed new building is also acceptable.
- 8.16 The glazed link to the east elevation of the building is inset from the south elevation of the building by 3.5m and runs the entire length of the building connecting it to the existing board school building. The link creates a covered route beneath it which allows users to gain access to the board school building from the main entrance of the school on Paton Close largely undercover and features two vertically stacked sloping internal corridors (to address the differences in height between the new and existing buildings) which connect the MUGA and school hall to the board school building along with vertical circulation routes at its southern most end. The link is glazed and features slender angled steel columns giving it a transparent and lightweight appearance and steps down in height at its northern end to better address its junction with the existing board school building. Whilst the exact details of the link will be reserved by condition it is also likely to feature a number of coloured glazed panels to give it more visual interest. The Council's design officers were very supportive of the proposed glazed link and were of the opinion that it was of a high quality design and sensitively connected the new and old buildings on site.
- 8.17 Whilst the proposed landscaping strategy for the site is currently indicative (full details of which will be secured by condition), the proposed design will likely feature a

mixture of both hard and soft landscaping and will be zoned to allow for a variety of play spaces which provides the opportunity for large and small group teaching and social activities without being prescriptive with regards to function and age, and maximises the flexibility of the space. It is also proposed to stagger play/lunch time arrangements in order to maximise group play activities throughout the school day. To the front of the site (adjacent to Paton Close) an enlarged area of public realm has been proposed in the form of a shared surface area in order to provide a more generous gathering space for parents, pupils and staff to congregate before and after school. Whilst this element of the site will primarily feature hard landscaping, it is proposed to introduce additional trees into this area in order to soften its overall appearance. Officers consider that the general approach to landscaping including the play space provision and public realm to the front of the site (adjacent to Paton Close) is generally acceptable and further details will be secured by condition.

- 8.18 The existing boundary treatment to the site primarily comprises of a 2-2.5m high brick wall with a 3-5m high mesh fence above. Bar the Paton Close frontage of the site, the applicant seeks to retain the existing boundary treatment to the site and introduce elements of soft landscaping around the edges of the site, an approach which officers consider to be acceptable. Along the Paton Close edge of the site the applicant proposes to erect a new 2.8m high secure boundary fence along with a large sliding gate within the boundary fence which facilitate the large amount of pedestrian movement in and out of the site at both the start and end of the school day. It is also proposed to incorporate a defensible box hedge directly in front of the southern elevation of the new building in order to soften the boundary condition of the site. Subject to further details of the proposed boundary treatments to the front of the site (adjacent to Paton Close) which will be secured via condition officers are content with the proposed boundary treatment of the site.
- 8.19 Careful consideration has been given by the applicant to ensure that the proposed design of the school incorporates secure by design principles which aim to reduce opportunities for criminal behaviour and disorder. The applicant has consulted with the Crime Prevention Officer regarding the scheme and their comments have been incorporated to assist in designing out crime. Measures incorporated in the scheme include a secure gate on Paton Close, a carefully positioned school office which allows for the natural surveillance of the entrance and surrounding site and appropriate lighting. Officers consider that the measures taken are appropriate for this site and therefore satisfy the requirement for the scheme to be designed in mind of secure by design principles.
- 8.20 Considering the above, officers conclude that the proposed development is acceptable in design terms, and can therefore be seen to be in accordance with the relevant policies as set out above.

Transportation & Highways

- 8.21 The application proposes to modify the main entrance to the site and make alterations to Paton Close including the introduction of a turning area. It is also proposed to incorporate cycle parking, scooter parking and disabled car parking within the scheme.
- 8.22 Policy 6.3 of the London Plan (2015) states that development proposals should ensure that impacts on transport capacity and the transport network, at both a corridor and local level, are fully assessed and that development should not adversely affect safety on the transport network. Policy 6.9 states that developments should provide secure, integrated, convenient and accessible cycle parking facilities

in line with the minimum cycle parking standards which are set out in a table which forms a part of policy 6.13.

- 8.23 The Council's Core Strategy policy SP09 (3) seeks to ensure that all new development does not have an adverse impact upon the capacity of the road network.
- 8.24 The Council's Managing Development Document policy DM20 (2) states that development must be able to demonstrate that it is properly integrated with the transport network and has no unacceptable impacts on the capacity and safety of the transport network. Policy DM22 (1 & 4) both state that development will be required to comply with the Council's minimum parking standards in order to ensure suitable provision for cyclists, however it should be noted that these standards have now been superseded by the parking standards set out within the recently adopted London Plan (2015), which this application is being assessed against.
- 8.25 The applicant has submitted a transport assessment with the application which outlines the likely impacts of the proposed school. This document concludes that the total number of vehicular trips generated by the proposed primary school will increase by 68 trips in the morning and 79 trips in the afternoon (when compared to the existing secondary school). Due to the fact that the majority of these vehicular trips will be generated within short timeframes both within the morning and the afternoon it is considered that the proposal does have the potential to result in increased congestion around the school, especially on Paton Close which is a relatively narrow 'dead-end' street. LBTH transport and highways officers have reviewed this document, and whilst they do have some concerns over the potential trip generation of the proposal they are of the opinion that a robust travel plan which adopts a zero car policy and encourages the use of walking, cycling and public transport can mitigate any potential adverse impacts of the proposed school upon the local highway network. It should be noted that the site has a PTAL rating of 5 meaning that its accessibility to public transport can be considered 'very good' which will aid in reducing the sites dependency on car use.
- 8.26 The proposed scheme seeks to make amendments to Paton Close and introduce an area for vehicle turning (i.e. for visitors/parents vehicles using disabled parking spaces, delivery vehicles and refuse vehicles) to the front of the two proposed disabled parking spaces. Officers do not have an in principle objection to this element of the proposal subject to a robust travel plan being in place which would minimise any vehicular trips to the school. In order to better understand how the proposed vehicle turning area will work in practice, further details of the servicing arrangements for the school should be provided within a Servicing Management Plan, which would be secured by a condition.
- 8.27 No car parking is provided as part of the proposal except for two disabled parking spaces to the front of the site adjacent to Paton Close which is welcomed by officers. It is envisaged that the school will employ 35 full time staff and 45 part time staff, the equivalent of 57.5 full time staff. FALP cycle parking standards require 1 cycle parking space per 8 staff meaning that this proposal would need to provide a minimum of 7 cycle parking spaces in order to be policy compliant. A total of 10 undercover secure cycle parking spaces adjacent to the staff entrance have been provided for staff which exceeds the FALP standards and this is welcomed by officers. The proposed school will house a total of 705 pupils (630 primary and 75 nursery). FALP cycle parking standards require 1 cycle parking space per 8 students meaning that this proposal (when at full capacity) would need to provide a minimum of 88 cycle spaces in order to be policy compliant, although these standards make no

mention of scooter parking which is an increasingly popular mode of travel for primary school pupils.

- 8.28 It is envisaged that the number of pupils at this site will build up over time and as such the full quota of cycle parking spaces has not been proposed at this time, although it should be noted that there is sufficient space to provide this full quota if necessary in the future. The applicant has instead proposed 36 cycle parking spaces along with additional space for scooter parking (which as previously mentioned is an increasingly popular mode of travel for primary school pupils) for the time being, and as numbers of pupils increase, additional space for both cycle parking and scooter parking will be provided as required. Officers consider that such an approach is acceptable as a sufficient level of cycle parking and scooter parking for the evolving school can be monitored through the travel plan and secured by way of condition. It should also be noted that in addition to the above, 4 cycle parking spaces for the use of visitors have also been provided which is welcomed by officers.
- 8.29 In order to understand the potential impacts upon the highway network during the construction phase of the proposal and how they will be mitigated against, the submission of a Construction Management Plan will be conditioned.
- 8.30 Considering the above, and subject to the necessary conditions, officers conclude that the proposed development is acceptable in highways terms, and therefore can be seen to be in accordance with the relevant policies as set out above.

Amenity

- 8.31 Officers have assessed the amenity implications of the proposal, including the proposed use of the site, the alterations to the existing building, and the construction of a new 3 storey building with an associated glazed link.
- 8.32 According to paragraph 17 of the NPPF local planning authorities should always seek to secure a good standard of amenity for all existing and future occupants of land and buildings.
- 8.33 The Council's Core Strategy policy SP10 (4) states that the Council will ensure that all development protects the amenity of surrounding building occupiers.
- 8.34 The Council's Managing Development Document policy DM25 states that development should seek to protect, and where possible improve, the amenity of surrounding existing and future residents and building occupants by not creating unacceptable levels of noise, vibration, artificial light, odour, fume or dust pollution during the construction and life of the development.
- 8.35 The proposed development is for the creation of a 3FE primary school (630 places) and 3 class nursery (75 places). Up until June 2014 the site housed Bow School of Computing and Science, a 600 place 5FE secondary school. Considering that the site was last in use as a school, officers do not consider as though the principle of the development (i.e. the proposed use of the site as a primary school) raises any additional amenity concerns, especially considering that school uses are generally considered compatible within residential areas.
- 8.36 Whilst the exact hours of the school day for both the primary school and nursery have not yet been decided, it is proposed that the school will open at 8am for the breakfast club and close at 6pm after all after-school activities have finished. It is not proposed to open the school on evenings or weekends except in exceptional

circumstances and when in need by the School. Given the limited hours of use of the site, which are primarily limited to the daytime, officers do not consider that residents of nearby houses will be subject to noise disturbances during unsociable hours.

- 8.37 The alterations proposed to the existing board school building are limited to internal alterations and the installation of a number of new doors in place of existing windows at ground floor level. Given the nature of these works officers do not consider that they raise any additional amenity concerns.
- 8.38 The new 3 storey building with an associated glazed link which is to accommodate the nursery, school hall and MUGA and is to be sited in the south west corner of the site will measure 26.5m in width, 18m in depth and 15m in height (inclusive of the 1.25m high mesh 'hat' to the MUGA). The proposed building (inclusive on the glazed link) is located 22.5m from the rear boundaries of the properties which front onto Fairfield Road and 30m from the rear of the properties themselves. The position of the new building has been carefully considered in relation to the locally listed terraced houses which front onto Fairfield Road to avoid any loss of daylight or sunlight and falls beneath the BRE 25 degree line which is taken from the centre point of the lowest window from the nearest property affected (see page 64 of the design and access statement), meaning that the proposal is unlikely to result in any adverse daylight and sunlight impacts for the terraced houses which front onto Fairfield Road.
- 8.39 Concerns have been raised by neighbouring residents as to the levels of overlooking that they may be subjected to as a result of the new building, particularly the glazed link which sits on the eastern side of the building. It should be noted however that the glazed link merely acts as a corridor connecting the existing board school building to the proposed new building meaning that it is unlikely that users of the school will be lingering in this space. Furthermore it should also be noted that the nearest habitable windows of the properties that front onto Fairfield Road are 30m from the proposed glazed link. Given the above officers consider that the proposed new building does not raise any significant concerns with regard to the overlooking of neighbouring residents who reside in the properties which front onto Fairfield Road.
- 8.40 The top level of the proposed new building is to feature a multi-use games area (MUGA) which will be open during the same times as the school (8am-6pm Monday-Friday), and may also be open outside of these hours to members of the local community which is welcomed. In order to protect the amenity of neighbouring residents officers will impose a condition requiring the submission of a school management plan prior to the occupation of the school which will be required to set out the hours of use of the MUGA to be agreed, to ensure that it is not used during sensitive hours. It should be noted that the proposed MUGA does involve floodlighting however due to the nature of the design of the new building which features 4m high parapet walls surrounding the MUGA, the proposed floodlighting will be attached to the inside edge of the parapet walls down-lighting the space meaning that the impact of light pollution from the proposed MUGA on neighbouring residents will be minimal.
- 8.41 In addition to the floodlighting proposed for the MUGA, a degree of external lighting is also proposed around the site, primarily in the form of low energy luminaires and lamp fittings. The proposed external lighting has been positioned well away from the adjacent residential properties to avoid light spillage.
- 8.42 The proposed new building is likely to feature mechanical plant, however the accompanying environmental noise survey stipulates that the proposed plant noise

limits will be set 10dB below the measured background noise levels which is considered an acceptable approach in order to ensure that surrounding residents and building occupiers are not adversely affected by noise pollution. A condition requesting full details of any proposed mechanical plant will be imposed in the event that permission is granted.

- 8.43 In order to protect the amenity of future users of the proposed school measures to minimise the levels of noise experienced internally will be undertaken, however it is recognised that there is a limit to the levels of work practicable for the existing board school building. Full details of the measures undertaken to reduce noise levels internally will need to be submitted as part of a condition to be imposed on the proposal in the event that permission is granted.
- 8.44 In order to ensure that the proposed development does not cause significant adverse impacts upon the surrounding residents and building occupiers during its construction phase, a condition will be imposed requiring the submission of a construction management plan in the event that permission is granted.
- 8.45 Considering the above, officers conclude that the proposed development is acceptable in amenity terms, and therefore can be seen to be in accordance with the relevant policies as set out above.

Access

- 8.46 The applicant has provided details on how the proposed school has been designed with inclusivity in mind. These details are outlined on pages 77-79 of the design and access statement.
- 8.47 Policy 7.2 of the London Plan (2015) seeks to ensure that development demonstrates how it has incorporated the principles of inclusive design, including the specific needs of older and disabled people.
- 8.48 The Council's Core Strategy policy SP10 (4) seeks to ensure that development promotes good design principles to create buildings that are accessible, flexible and adaptable to change.
- 8.49 The Council's Managing Development Document policy DM23 (1) states that development should be should be easily accessible for all people by incorporating the principles of inclusive design.
- 8.50 The proposed development has been designed to be fully compliant with Building Regulations Approved Document Part M and features level thresholds throughout, level access by lift to each upper floor level, level changes between the new building and the existing building and wheelchair accessible sanitary facilities on each floor. It should also be noted that users with disabilities enjoy the same access/circulation arrangements as other users.
- 8.51 Two disabled car parking spaces are to be provided at the main entrance to the school off of Paton Close which is welcomed by officers. It is also considered that the main entrance itself has been well designed in terms of accessibility as it is highly visible from Paton Close and features level access from the public highway to all ground floor areas of the school.

- 8.52 Considering the above, officers conclude that the proposed development is acceptable in access terms, and can therefore be seen to be in accordance with the relevant policies as set out above.

Refuse

- 8.53 A large refuse store has been located within the south west corner of the site which is located within close proximity to the vehicle turning area at the end of Paton Close which is to be used by refuse and servicing vehicles.
- 8.54 Policy 5.17 of the London Plan (2015) states that all developments should plan for waste management, and should minimise waste and achieve a high level of performance with respect to reuse and recycling.
- 8.55 The Council's Core Strategy policy SP05 (1) states that the Council will ensure that development implements the waste management hierarchy of reduce, reuse and recycle by ensuring that building users reduce and manage their waste effectively.
- 8.56 The Council's Managing Development Document policy DM14 (2) states that development should demonstrate how it will provide appropriate storage facilities for residual waste and recycling as a component element to implement the waste management hierarchy of reduce, reuse and recycle.
- 8.57 LBTH waste officers have been consulted with on this application and have not raised any objections to the proposed waste strategy for this site. Officers consider that the refuse store is located in an appropriate location on site and is of a suitable size for such a proposal. Further details of the waste strategy for the site will need to be provided within a Servicing Management Plan which will be secured by condition.
- 8.58 Considering the above, and subject to the necessary conditions, officers conclude that the proposed development is acceptable in refuse terms, and therefore can be seen to be in accordance with the relevant policies as set out above.

Environmental Considerations

Air Quality

- 8.59 Policy 7.14 of the London Plan (2015) seeks to ensure that development minimises increased exposure to existing poor air quality and is at least 'air quality neutral' and does not lead to further deterioration of existing poor air quality.
- 8.60 The Council's Core Strategy SP03 seeks to ensure that development addresses the impact of air pollution in the Borough by minimising and mitigating the impacts of air pollution and managing and improving air quality wherever possible.
- 8.61 The Council's Managing Development Document policy DM9 states that applications for development will be required to submit details outlining practices to prevent or reduce associated air pollution during construction or demolition.
- 8.62 The applicant has submitted an Air Quality Neutral Assessment which concludes that as there are no adverse air quality impacts associated with the proposal development, no further mitigation measures in order to improve air quality and reduce air pollution are required. This document has been reviewed by LBTH air quality officers who have concluded that the submitted document is acceptable.

- 8.63 Considering the above, officers conclude that the proposed development is acceptable in terms of air quality, and therefore can be seen to be in accordance with the relevant policies as set out above.

Biodiversity

- 8.64 Policy 5.11 of the London Plan (2015) seeks to ensure that development proposals are designed to include roof, wall and site planting, especially green roofs and walls where feasible.
- 8.65 The Council's Core Strategy SP04 seeks to ensure that development protects and enhances biodiversity value through the design of open spaces and buildings.
- 8.66 The Council's Managing Development Document policy DM11 states that development will be required to provide elements of a 'living building' and that existing elements of biodiversity value should be protected or replaced within the development and additional habitat provision made to increase biodiversity value.
- 8.67 Whilst neither the existing nor proposed buildings incorporate elements of a 'living building', due to the historic nature of the existing board school building and the fact that the proposed new building features a MUGA on its roof, officers do not consider it practical in this instance to propose elements of a 'living building'.
- 8.68 In order to meet the Council's policy requirements of enhancing biodiversity, the applicant has instead proposed a number of 'habitat areas' around the site's boundary which will take the form of soft landscaping. It is proposed that these areas may be used to encourage connections between the pupils and nature enabling pupils to further their understanding of nature and health and nutrition, and would feature raised growing beds, set at low levels to provide access for all pupils to participate, along with wild meadow plants encouraging natural wildlife. Officers support such an approach, however a condition requiring further details of the proposed biodiversity enhancements to the site will be imposed in the event that permission is granted.
- 8.69 Considering the above, officers conclude that the proposed development is acceptable in terms of biodiversity, and therefore can be seen to be in accordance with the relevant policies as set out above.

Contaminated Land

- 8.70 Policy 5.21 of the London Plan (2015) seeks to ensure that appropriate measures are taken to ensure that development on previously contaminated land does not activate or spread contamination.
- 8.71 The Council's Managing Development Document policy DM30 states that where development is proposed on contaminated land or potentially contaminated land, a site investigation will be required and remediation proposals agreed to deal with the contamination.
- 8.72 The site lies in an area which is considered to be potentially contaminated. The applicant has submitted both a desk top study and a site investigation report which identify the extent to which the site is contaminated and the measures which will be taken in order to decontaminate the site. In order to ensure that the necessary works have been undertaken prior to the occupation of the site conditions will be imposed in order to control this based on the advice of a LBTH Contaminated Land officer.

- 8.73 Considering the above, and subject to the necessary conditions officers conclude that the proposed development is acceptable in terms of contaminated land, and therefore can be seen to be in accordance with the relevant policies as set out above.

Energy and Sustainability

- 8.74 Policies 5.2, 5.3 and 5.7 of the London Plan (2015) seek to ensure that development proposals make the fullest contribution to minimising carbon dioxide emissions, demonstrate that sustainable design standards are integral to the proposal and integrate on-site renewable energy generation, where feasible.
- 8.75 The Council's Core Strategy SP11 seeks to ensure that carbon emission are reduced in non-domestic buildings by supporting non-domestic developments that promote the use of renewable energy technologies and reducing the carbon emissions of all public buildings in the Borough.
- 8.76 The Council's Managing Development Document policy DM29 states that all development will be required to be accompanied by an Energy Assessment to demonstrate its compliance with the Borough's carbon reduction targets and will also need to demonstrate that climate change mitigation measures are maximised within development.
- 8.77 The applicant has submitted a BREEAM Pre-assessment and tracker, an Energy and Sustainable Design (ESD) Statement, and an Energy Assessment as part of the application. The applicant is targeting a BREEAM 'very good' rating for the proposed works to the existing building, however it is recognised that there is a likely chance of the proposed works achieving a BREEAM 'excellent' rating. Given the constraints of the existing building officers consider that this approach is acceptable. Due to the scale of the proposed extension, a BREEAM pre-assessment has not been carried out for this element of the proposal. A condition requiring the submission of the relevant final certificates within a set period of occupation will be imposed.
- 8.78 The Energy and Sustainable Design (ESD) Statement submitted outlines the measures that are being taken in order for the proposal to contribute towards the Council's sustainability goals. This includes: a range of passive cooling measures including a building fabric in excess of building regulations 2013, low solar transmittance glazing, and a combination of natural and mechanical ventilation; a 46% reduction in site wide regulated CO2 emissions resulting from a combination of demand reduction, energy efficiency and renewable technology measures; and water saving measures including low flow appliances and fittings, metering and flow control devices. This document also notes that if the planned district heating zones were extended or amended then a future connection to such a system could be possible.
- 8.79 The Energy Assessment submitted outlines the proposed strategy for the proposal with regard to reducing CO2 emissions. The proposed development will exceed the LBTH target of reducing CO2 emission by at least 45% through focusing on an energy efficient design for both the refurbished heritage block and new build extension coupled with a new photovoltaic (PV) array approximately 27sqm in size located on the bridge link and new build extension along with an air source heat pump to provide low carbon space heating for the new build extension. Officers consider that the proposed measures are acceptable, and further details of these will be requested via condition.

8.80 Considering the above, and subject to the necessary conditions, officers conclude that the proposed development is acceptable in energy and sustainability terms, and therefore can be seen to be in accordance with the relevant policies as set out above.

9.0 HUMAN RIGHTS CONSIDERATIONS

9.1 In determining this application the Council is required to have regard to the provisions of the Human Rights Act 1998. In the determination of a planning application the following are particularly highlighted to Members:

9.2 Section 6 of the Human Rights Act 1998 prohibits authorities (including the Council as local planning authority) from acting in a way which is incompatible with the European Convention on Human Rights. "Convention" here means the European Convention on Human Rights, certain parts of which were incorporated into English law under the Human Rights Act 1998. Various Convention rights are likely to be relevant, including:-

- Entitlement to a fair and public hearing within a reasonable time by an independent and impartial tribunal established by law in the determination of a person's civil and political rights (Convention Article 6). This includes property rights and can include opportunities to be heard in the consultation process;
- Rights to respect for private and family life and home. Such rights may be restricted if the infringement is legitimate and fair and proportionate in the public interest (Convention Article 8); and
- Peaceful enjoyment of possessions (including property). This does not impair the right to enforce such laws as the State deems necessary to control the use of property in accordance with the general interest (First Protocol, Article 1). The European Court has recognised that "regard must be had to the fair balance that has to be struck between the competing interests of the individual and of the community as a whole".

9.3 This report has outlined the consultation that has been undertaken on the planning application and the opportunities for people to make representations to the Council as local planning authority.

9.4 Both public and private interests are to be taken into account in the exercise of the Council's planning authority's powers and duties. Any interference with a Convention right must be necessary and proportionate.

9.5 Members must, therefore, carefully consider the balance to be struck between individual rights and the wider public interest.

9.6 As set out above, it is necessary, having regard to the Human Rights Act 1998, to take into account any interference with private property rights protected by the European Convention on Human Rights and ensure that the interference is proportionate and in the public interest.

10.0 EQUALITIES ACT CONSIDERATIONS

10.1 The Equality Act 2010 provides protection from discrimination in respect of certain protected characteristics, namely: age, disability, gender reassignment, pregnancy and maternity, race, religion or beliefs, gender and sexual orientation. It places the

Council under a legal duty to have due regard to the advancement of equality in the exercise of its powers including planning powers. Officers have taken this into account in the assessment of the application and the Committee must be mindful of this duty inter alia when determining all planning applications. In particular the Committee must pay due regard to the need to:

- eliminate discrimination, harassment, victimisation and any other conduct that is prohibited by or under the Act;
- advance equality of opportunity between persons who share a relevant protected characteristic and persons who do not share it; and
- foster good relations between persons who share a relevant protected characteristic and persons who do not share it.

11.0 FINANCIAL CONSIDERATIONS

Localism Act (amendment to S70(2) of the TCPA 1990)

11.1 Section 70(1) of the Town and Country Planning Act 1990 (as amended) entitles the relevant authority to grant planning permission on application to it. Section 70(2) requires that the authority shall have regard to:

- The provisions of the development plan, so far as material to the application;
- Any local finance considerations, so far as material to the application; and,
- Any other material consideration.

11.2 Section 70(4) defines “local finance consideration” as:

- 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
- Sums that a relevant authority has received, or will or could receive, in payment of Community Infrastructure Levy.

11.3 In this context “grants” might include New Homes Bonus. This is not applicable to this application.

11.4 As regards Community Infrastructure Levy considerations, Members are reminded that that the London mayoral CIL became operational from 1 April 2012 however proposals for D1 uses (non-residential institutions) are not liable for Mayoral CIL.

11.5 The Borough’s Community Infrastructure Levy came into force from 1st April 2015. Again, the proposal would not be liable for Borough CIL as proposals for D1 uses (non-residential institutions) do not attract CIL payments.

12.0 CONCLUSION

12.1 All other relevant policies and considerations have been taken into account. Planning permission should be GRANTED for the reasons set out in the MATERIAL PLANNING CONSIDERATIONS section of this report.

13.0 SITE MAP

