

<b>ADDRESS:</b> The City Academy (u/c), Homerton Row, London, E9 6EB	
<b>WARD:</b> Chatham	<b>REPORT AUTHOR:</b> Rokos Frangos
<b>APPLICATION NUMBER:</b> 2009/0790	<b>VALID DATE:</b> 06/04/2009
<b>DRAWING NUMBERS:</b> Submitted with this application:  LA/WS/L/90/01 rev. 1  Approved drawings submitted under application ref. 2007/2226:  LA/WS/L/92/04, 1156 P01 rev. B, 1156 P 02 to 013 (all rev. A), 1156 PL 14 to 17	<b>ACCOMPANYING DOCUMENTS:</b> N/A
<b>APPLICANT:</b> The City Academy KPMG 1-2 Dorset Rise London EC4Y 8EN	<b>AGENT:</b> Studio E Architects Palace Wharf Rainville Road London W6 9HN
<b>PROPOSAL:</b> Variation of condition 9 (secure bicycle parking) of planning permission ref. 2007/2226 to reduce the number of cycle parking spaces from 220 to 130, of which 50 will be in place on opening, with the remaining 80 to be provided within three years.	
<b>NOTE TO MEMBERS:</b> The committee report for application ref. 2007/2226 and the relevant pages from the minutes of the 23 January 2008 Planning Sub-Committee are attached for members' information.	
<b>RECOMMENDATION SUMMARY:</b> Approve variation of condition and grant planning permission under Section 73 of the Town and Country Planning Act 1990.	

**ANALYSIS INFORMATION**

ZONING DESIGNATION:	(Yes)	(No)
CPZ	X	
Conservation Area		X
Listed Building (Statutory)		X
Listed Building (Local)		X
DEA		X

LAND USE DETAILS:	Use Class	Use Description	Floorspace
Approved	D1	Education	10,900 sqm
Proposed	D1	Education	10,900 sqm

## **CASE OFFICER'S REPORT**

### **1. SITE DESCRIPTION**

- 1.1 The application site comprises land that formerly contained the Homerton College of Technology, where construction work is currently taking place to implement the planning permission approved in 2008 (application ref: 2007/2226; see paragraph 3.1 of this report). The new Academy will accommodate 210 places and the Principal estimates that one third of students will live within 400m of the academy.

### **2. CONSERVATION IMPLICATIONS**

- 2.1 The site is not located in a conservation area, but it is located adjacent to the Clapton Square Conservation Area. There are several statutory listed buildings in the area, including 23 Homerton High Street (adjacent to the application site) and Sutton House (opposite the application site), a National Trust property dating from 1535 and regarded as the oldest house in East London.

### **3. HISTORY**

- 3.1 14/02/2008: Planning permission granted for the demolition of former Homerton College of Technology buildings and erection of a new four-storey building to accommodate a new academy, including sports hall, associated hard play areas, recreation areas and entrance plazas, and basement parking for 24 cars, with vehicle access from Furrow Lane (2007/2226).
- 3.2 17/04/2007: Planning permission granted (but not implemented) for temporary change of use of former main college building to office accommodation for 600 staff from Hackney Social Services, and of separate building ancillary to former college to transport fleet depot for 40 staff from Hackney Social Services (ref: 2006/3237).
- 3.3 23/07/2002: Planning permission refused for the removal of a public footpath through the school site and external alterations including new perimeter walls, repaving, formation of a new walled garden, new playground shelter, new lighting, reconfiguration of the service yard, landscaping, new gates, a vehicle crossover, binstores and the demolition of the caretakers house (ref: 2001/1729).

### **4. CONSULTATIONS**

- 4.1 Date statutory consultation period started: 24/02/2008
- 4.2 Date statutory consultation period ended: 17/03/2009

4.3 Site notice: No

4.4 Press advert: No

**4.5 Neighbours**

No letters were sent out to adjoining occupiers.

**4.6 Statutory Consultees**

N/A

**4.7 Local Consultees**

Transport for London: No response received.

**4.8 Other Council Departments**

Traffic and Transport: The Council can only apply the TfL cycle parking standards – one cycle parking space per ten staff and students – or cycle provision to match demand. Traffic and Transport are unaware of the exact staffing number and the student population are but it is assumed that 129 cycle parking places comprises the ten per-cent cycle parking places required. The demand for cycle parking can be determined when the school undertakes the travel survey as part of the School Travel Plan (STP) within the first year of operation.

On average, the level of cycling to school across the borough is usually about two per cent of the student population. Current cycle targets in many of the current school travel plans submitted to the Council are about five per cent, which suggests that ten per-cent provision is presently an aspiration. However, it is sensible to cater for growth in future demand, so ten per-cent cycle parking provision is the minimum provision.

With regards to the provision of fifty cycle parking places in the year of opening and the remainder within three years, we have no objections. As there will not be a full intake of students within the first year of operation, this level of cycle parking should be adequate until demand increases in the later years. However, the requirement is that the physical space for the total cycle parking provision must be provided from the year of opening.

In summary, the cycle parking provision of ten per cent complies with the TfL cycle parking standards for this type of development and therefore there are no strong policy grounds to object to this level of provision. However, through the STP annual travel survey the demand for cycle parking will be determined and the level of cycle parking to match demand must be provided. We do not object to the provision of fifty cycle parking places in the year of opening and provision of the remainder in three years, as long as the physical space is provided to accommodate the total cycle parking provision.

**5. POLICIES**

**5.1 Hackney Unitary Development Plan (UDP) (1995) (saved)**

EQ1 - Development Requirements

**5.2 London Plan (Consolidated with Alterations since 2004)**

3A.24 - Education facilities

3C.22 - Improving conditions for cycling

**6. COMMENT**

6.1 Planning permission is sought to vary condition 9 of the planning permission for the approved scheme (which required the provision of 220 cycle-parking spaces), in order to reduce the number of cycle-parking spaces to 130. Of these, 50 will be provided on opening, with the remaining 80 to be installed within three years.

6.2 The exact wording of the condition is as follows:

‘Secure, covered parking shall be provided for 220 bicycles in the form of Sheffield stands (or an alternative approved in writing by the Local Planning Authority), as shown on the plans hereby approved, before use of the development hereby permitted commences.’

6.3 Originally, the planning application for the City Academy (ref. 2007/2226) proposed only 30 cycle parking spaces. Transport for London (TfL) was among the consultees for that planning application and its response stated that a minimum of 129 spaces should be provided. The applicant offered 110 instead, and the proposal was recommended to committee on that basis. Committee members identified that the TfL minimum of 129 wasn't being met and applied an extra 91 spaces (to make a total of 220) as a condition for approving the application.

6.4 The City Academy now seeks to reduce the number of spaces by 90, as the requirement to provide 220 spaces “will place unnecessary demands on budget, space and operational systems when we open”.

6.5 The “vast majority” of pupils will walk to and from the school, it is argued. Furthermore, “the cost of installing bike racks which will not be used at any time in the foreseeable future is placing an unnecessary cost and burden on the project.”

6.6 The academy therefore proposes 50 racks on opening, which would “more than satisfy demand in the first years of operation.” The remaining 80 would

be installed within three years of the date on any decision notice granting approval, thereby bringing the total number of cycle parking spaces to 130: just over the minimum recommended by TfL, and a hundred spaces more than was originally proposed.

**7. CONCLUSION**

- 7.1 It is considered that variation of the condition to comply with the minimum number of spaces required by TfL is acceptable and will provide a sufficient number of cycle parking spaces such as would encourage the use of cycling as a means of transport, thereby upholding the Council's Sustainable Transport objectives. Accordingly, it is recommended that the application be approved.

**8. RECOMMENDATION**

- 8.1 **That planning permission be granted under Section 73 of the Town and Country Planning Act 1990, subject to the following conditions:**

8.1.1 **SCM9 – No extraneous pipework**

No soil stacks, soil vent pipes, flues, ductwork or any other pipework shall be fixed to the (street) elevations of the building other than as shown on the drawings hereby approved.

REASON: To ensure that the external appearance of the building is satisfactory and does not detract from the character and visual amenity of the area.

8.1.2 **SCI3 – No roof plant**

No plant (including all external enclosures, machinery and other installations; excluding solar water-heating and/or photovoltaic cells) shall be placed upon or attached to the roof or other external surfaces of the building, other than as shown on the drawings hereby approved, unless planning permission for such is sought and granted separately.

REASON: To ensure that the external appearance of the building is satisfactory and does not detract from the character and visual amenity of the area.

8.1.3 **SCH3 – Containment of parking**

No parking of vehicles arriving at or departing from the premises shall take place other than within the curtilage of the premises.

REASON: To ensure that the proposed development does not prejudice the free flow of traffic or public safety along the neighbouring highway(s).

8.1.4 **SCH5 – Provision of parking, turning and unloading space**

No part of the development hereby approved shall be occupied until accommodation for car parking, turning and loading/unloading has been provided in accordance with the approved plans, and such accommodation shall be retained permanently for use by the occupiers and/or users of, and/or persons calling at, the premises only, and shall not be used for any other purposes.

REASON: To ensure that the proposed development does not prejudice the free flow of traffic or public safety along the neighbouring highway(s) and to ensure the permanent retention of the accommodation for parking/loading and unloading purposes.

**8.1.5 SCH8 – Parking for people with disabilities**

Before the use hereby permitted first commences, four car-parking spaces shall be marked and retained permanently for use by the vehicles of people with disabilities close to the entrance to the building.

REASON: In order to ensure that a reasonable minimum of parking spaces are located conveniently for use by people with disabilities.

**8.1.6 SCH10 – Secure bicycle parking**

Secure, covered parking shall be provided for fifty bicycles in the form of Sheffield stands (or an alternative approved in writing by the Local Planning Authority), before use of the development commences, with a further eighty spaces to be provided before the expiry of the school's third year of operation, details of the siting and appearance of all such bicycle-parking provision to be submitted to the local planning authority and approved in writing before use of the development commences.

REASON: To ensure that a reasonable provision is made within the site for the parking of bicycles in the interest of relieving congestion in surrounding streets and improving highway conditions in general.

**8.1.7 SCH11 – Adequate visibility**

Adequate visibility shall be provided to the highway within the application site above a height of one metre from footpath level for a distance of three metres on one/both side(s) of the permitted points of vehicular access, in accordance with details to be approved by the Local Planning Authority before any work on the site is commenced, and be so maintained.

REASON: To provide a suitable standard of visibility to and from the highway and to ensure that the use of the access does not prejudice the free flow of traffic and conditions of general safety along the neighbouring highway.

**8.1.8 NSC1 – Non-standard condition**

The building shall achieve a minimum BREEAM rating of 'Very Good', and certification to that effect shall be submitted to the Local Planning Authority and acknowledged in writing prior to occupation of the building.

REASON: In the interests of maximising the environmental performance of the building.

**8.1.9 NSC2 – Non-standard condition**

The applicant shall enter into a s278 agreement with Transport for London (TfL) to pay a contribution (to be specified by TfL) towards the estimated cost of highway works (including an upgrade of the existing zebra crossing, as well as making good any damage to footpaths on Urswick Road and Homerton High Street resulting from construction).

REASON: In the interests of making good the highway following construction of the development hereby approved.

**8.1.10 NSC3 – Non-standard condition**

The applicant shall enter into a separate s278 agreement with the Council and pay £172,424.00 towards works to Homerton Row, Fenn Street, Furrow Lane and the pedestrian passageway connecting Homerton Row and Homerton High Street.

REASON: In the interests of making good the highway following construction of the development hereby approved.

**8.1.11 NSC4 – Non-standard condition**

A school travel plan (STP) based upon – and including – a travel survey must be produced and submitted to the local planning authority within the first year of operation.

REASON: In order to establish demand for cycling and form a basis for providing an appropriate level of cycle-parking.

**8.1.12 NSC5 – Non-standard condition**

An updated school travel plan (STP) must be produced and submitted to the local planning authority before the expiry of the school's third year of operation, to include annual travel surveys taken since the first STP following the school's opening, and setting out where additional cycle-parking facilities will be provided.

REASON: In order to establish demand for cycling and form a basis for providing an appropriate level of cycle-parking.

**9. REASONS FOR APPROVAL**

9.1 The following policy contained in the Hackney Unitary Development Plan (1995) is relevant to the approved development/use and was considered by this Council in reaching the decision to grant planning permission: EQ1 - Development Requirements.

9.2 The following policy in the London Plan (Consolidated with Alterations since 2004) is relevant to the approved development/use and was considered by

this Council in reaching the decision to grant planning permission: 3A.24 - Education facilities and 3C.22 - Improving conditions for cycling.



Signed..... Date: 22 June 2009

**Steve Douglas**  
**INTERIM CORPORATE DIRECTOR, NEIGHBOURHOODS &**  
**REGENERATION DIRECTORATE**

NO.	BACKGROUND PAPERS	NAME/DESIGNATION AND TELEPHONE EXTENSION OF ORIGINAL COPY	LOCATION CONTACT OFFICER
1.	Hackney UDP	Rokos Frangos 8095	263 Mare Street, E8 3HT
2.	The London Plan	Rokos Frangos 8095	263 Mare Street, E8 3HT