LONDON BOROUGH OF TOWER HAMLETS

MINUTES OF THE DEVELOPMENT COMMITTEE

HELD AT 7.00 P.M. ON WEDNESDAY, 16 NOVEMBER 2011

COUNCIL CHAMBER, TOWN HALL, MULBERRY PLACE, 5 CLOVE CRESCENT, LONDON, E14 2BG

Members Present:

Councillor Helal Abbas (Chair)

Councillor Craig Aston
Councillor Helal Uddin
Councillor Kosru Uddin
Councillor Marc Francis
Councillor Md. Maium Miah

Other Councillors Present:

Officers Present:

Pete Smith	–	Development Control Manager, Development and Renewal
Richard Murrell	–	(Deputy Team Leader, Development and Renewal)
Fleur Brunton	–	(Senior Lawyer - Planning Chief Executive's)
Benson Olaseni	–	(Deputy Team Leader, Development and Renewal)
Zoe Folley	–	(Committee Officer, Democratic Services Chief Executive's)
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1. APOLOGIES FOR ABSENCE

Apologies for absence were submitted on behalf of Councillor Shiria Khatun.

2. DECLARATIONS OF INTEREST

Councillor	Item(s)	Type of interest	Reason
Md. Maium Miah	7.2	Personal	Ward Member.
Helal Uddin	7.2	Prejudicial	Council

			representative - Board of East End Homes
Kosru Uddin	7.4	Personal	Ward Member.
Marc Francis	7.4	Personal	Had received correspondence from interested parties.
Helal Abbas	7.4	Personal	Had received correspondence from interested parties.

3. UNRESTRICTED MINUTES

The Committee **RESOLVED**

That the unrestricted minutes of the meeting of the Committee held on 19th October 2011 be agreed as a correct record and signed by the Chair subject to the inclusion of Councillor Zara Davis in the list of Members present.

4. RECOMMENDATIONS

The Committee **RESOLVED** that:

1) In the event of changes being made to recommendations by the Committee, the task of formalising the wording of those changes is delegated to the Corporate Director, Development and Renewal along the broad lines indicated at the meeting; and

2) In the event of any changes being needed to the wording of the Committee's decision (such as to delete, vary or add conditions/informatives/planning obligations or reasons for approval/refusal) prior to the decision being issued, the Corporate Director, Development and Renewal is delegated authority to do so, provided always that the Corporate Director does not exceed the substantive nature of the Committee's decision.

5. PROCEDURE FOR HEARING OBJECTIONS

The Committee noted the procedure for hearing objections, together with details of persons who had registered to speak at the meeting.

6. DEFERRED ITEMS

Nil Items.

7. PLANNING APPLICATIONS FOR DECISION

7.1 Regents Wharf, Wharf Place, London E2 9BD (PA/11/00834)

Update Report Tabled.

Pete Smith (Development Control Manager, Planning Services) introduced the report concerning Regents Wharf, Wharf Place, London E2 9BD.

The Chair then invited registered speakers to address the meeting.

Graham Hindley spoke in objection as a resident and Chair of the Regents Wharf Residents Association. He objected over the loss of car parking spaces. The spaces to be removed were not disused as suggested in the report. The reduced manoeuvring space fell short of policy requirements. The proposal also contravened the occupiers lease agreement granting them the right to park in the basement. The steel steps would be noisy and out of keeping with the canal setting. The gaps in the building would create security issues. The drawings were inaccurate. There was no evidence that Conservation Area Consent had been sought. The external windows would be out of keeping with the Conservation Area.

Furthermore, Building Control had yet to approve the plans in respect of ventilation. There was no evidence that British Waterways had looked at the scheme. The scheme contradicted policy and with 37 objections should be refused.

In reply to questions, Mr Hindley clarified his concerns over the car park. The plans would restrict the area used for turning and therefore would hinder manoeuvring. It also was unclear where the planned new parking spaces would be located.

Nader Sarabadani spoke in support of the application. In terms of land use, the proposal complied with policy. The alterations would improve and fit in with the area. The concerns around the steel steps had been taken on board and they had been designed to prevent noise and fit in. The car park was underused and the issues around the leaseholders agreement fell outside the remit of the planning considerations. There would be adequate space for turning in the basement car park. In considering the Appeal, the Inspectorate did not considered that car parking was an issue. Flooding wasn't an issue due to the flats position. The Applicant planned to add new storage bins to accommodate the development.

Richard Murrell (Deputy Team Leader, Planning Services) presented the detailed report. Mr Murrell explained the site location and nature of the surrounding area. He explained the key features of the conversion including: the external windows replacing the ventilation grills, the steel staircase, the

access arrangements and amenity space by the canal. In relation to the loss of parking spaces, Officers were of the view that they were underused and the site had good public transport links. There was a condition requiring the car parks layout to be provided. In terms of the Conservation Area, the impact was felt to be acceptable given the changes were minimal and it was in keeping with the area. Mr Murrell referred to the Appeal decision for the similar scheme refused in 2010 (attached to the report).Following the revisions, only one matter remained an issue. The revised scheme sought to address this.

The other key planning issues concerned amenity and highways and on all these grounds the scheme was acceptable complied with policy and should be granted.

The Committee then raised questions regarding: the adequacy of the revised manoeuvring room in the car park, the policy permitting basement conversions, the impact on access to neighbouring flats and whether the flat would receive adequate natural light.

Mr Murrell referred to the proposed car park layout. The bays to be converted were currently underused and had already been sectioned off. The condition regarding its layout was to ensure it was safe on highway safety grounds. Due to the design, the flat would have clear outlooks over the canal and therefore provide a good standard of amenity. The windows were of an adequate size allowing sufficient levels of natural light. The leaseholder arrangements were separate from the planning matters. Officers did not consider there would be any impact on access to other units..

On a unanimous vote the Committee **RESOLVED**

1. That planning permission be **GRANTED** for erection of a new one bedroom dwelling within part of the basement parking area subject to conditions.

2. That the Corporate Director of Development & Renewal is delegated power to impose conditions [and informative] on the planning permission to secure the matters set out in the circulated report.

7.2 Land at North-west corner of Chapel House Street and Westferry Road, London, E14 (PA/11/01796)

Update Report Tabled.

Councillor Helal Uddin left the meeting at 7:30pm.

Update Report Tabled.

Pete Smith (Development Control Manager, Planning Services) introduced the report concerning Land at North-west corner of Chapel House Street and Westferry Road, London, E14.

The Chair then invited registered speakers to address the meeting.

Councillor Zara Davis spoke against the application. The scheme was out of keeping with the nearby Conservation Area. She considered it inappropriate to build a 3 storey building on its fringes given it was 2 storey in nature. It therefore undermined Council policy regarding the Conservation Area stressing the importance of its character and uniformity. Alongside this, the materials were out of keeping with the area. The design was poor. There would be overlooking and a loss of privacy to properties in Westferry Street and Chappell Street. The developers report showed that neighbouring properties would have much of their light blocked. There would be a loss of light to habitable rooms and a kitchen of nearby properties.

Members then asked questions of Councillor Davis. She considered that, whilst the site did not fall within the Conservation Area, any new development on its fringes should be respectful of its character. This scheme given its height was out of keeping with it. Other nearby developments had been sympathetic to the area.

Steve Inkpen (Applicant' Agent) spoke in support of the application. The scheme complied with policy in terms of overlooking and loss of privacy. The scheme would provide high quality homes and help meet housing targets. There would be adequate amenity space. This included retaining the mature trees with the exception of one. However it was planned to replant this via condition. The scheme would also be sustainable, environmentally friendly and be car free. It would make best use of an underused site and improve the area.

Members then asked questions about the affordable housing percentage. In reply Mr Inkpen referred to the fact that this development was part of a wider regeneration project and that other developments would provide additional social housing. He considered that the scheme offered the best mix of housing due to the site constraints.

Benson Olaseni (Deputy Team Leader, Planning Services) presented the detailed report. He drew attention to the outcome of the consultation and the issues raised in representation. He explained the site and surrounding area including the plans regarding the trees. The main planning matters were land use, housing, design, amenity and transport impacts.

In terms of land use and amenity, the scheme was considered acceptable and complied with policy. The site had no current or historic designation as a formal child play area or a car park and was underused. It was also proposed to re - landscape the outdoor area.

The design and materials matched the area. The height of 3 stories fitted in with the area not exceeding surrounding heights.
In terms of daylight, whilst there would be some loss of light, the levels of light to neighbouring properties was considered acceptable. The design and distance between the buildings would protect privacy and prevent overlooking. There were also conditions controlling construction noise and a Section 106

agreement preventing future occupiers from applying for on street parking spaces.

In conclusion, the scheme would provide much needed housing and make best use of the site with no significant impact on the area

Members then asked questions about the impact on traffic and the receipt of representations from the Mosque opposite. Questions were also raised about the threshold for affordable housing, the density assessment and the weight that should be put on the nearby conservation area.

Mr Olaseni responded that Highways had considered the scheme and had concluded that there were no traffic implications. He also referred to the scope of the consultation that covered the Mosque. All representations received were listed in the report.

In terms of the density calculation, the lower figure in the report included the outdoor amenity area. It was important to take this amenity space into account when considering the scheme. Overall, it was considered that the density was acceptable given the positive benefits and lack of adverse impacts.

The scheme was one of a number of new developments in the area. It was anticipated that these schemes would provide additional social housing. The scheme would blend in well with the surrounding properties situated outside the conservation area. Therefore should be considered on these grounds.

On a vote of 2 in favour, 1 against and 2 abstentions the Committee **RESOLVED**

1. That planning permission be **GRANTED** for the erection of three storey building to provide 8 self contained residential units (5 x 1 bed, 2 x 2 bed and 1 x 3 bed) together with cycle parking, private amenity space and improvements to existing public open space subject to the imposition of conditions and informatives.

2. That the Corporate Director Development & Renewal is delegated power to impose conditions and informatives on the planning permission to secure the matters set out in the circulated report.

7.3 Sotherby Lodge, Sewardstone Road, London , (E2 9JQ PA/11/01592 & PA/11/01593)

Councillor Helal Uddin returned to the meeting at 8:05pm for the remaining items of business.

Councillor Kosru Uddin left the meeting at 8:05pm.

Pete Smith (Development Control Manager, Planning Services) presented the report regarding Sotherby Lodge, Sewardstone Road, London. The

application was to extend the time limit attached to the previously granted planning permission and conservation area consent for the site. Mr Smith explained the nature of the proposal in relation to the surrounding area. He also explained the outcome of the consultation and the concerns raised. It was important to note that the scheme had already been approved in principle. However it was necessary to reconsider this in light of any policy changes that may have occurred since then.

In terms of land use, the continued use of residential remained acceptable. Mr Smith also explained the housing tenure mix including 35% affordable housing in accordance with policy. The height, scale and design remained policy compliant. The site possessed a good Public Transport Level Rating. The scheme would complement and enhance the character of the area. Subject to a Section 106 agreement permission should be granted.

In reply, reference was made to the entrance to Victoria Park. Members sought assurances that the scheme would protect this. Members also queried the suitability of the density given the site's position in the Conservation Area.

In terms of density, Officers explained that, whilst the scheme exceeded the range for the site, this needed to be balanced against the overall benefits. For instance, the proposal would be car free, would provide adequate private amenity space with no signs of overdevelopment. On these grounds, the scheme was appropriate in terms of density and would make the best use of the site.

Due to its design and the orientation of the buildings, the impact on neighbouring properties would be minimal. In terms of the Conservation Area, the application adequately addressed any concerns. The issues around this subject had not substantially changed since the permission was originally approved. Officers noted the need to protect the entrance to Victoria Park and felt that through the condition the application would secure this.

On a vote of 3 in favour, 1 against and 1 abstention the Committee **RESOLVED**

1. That planning permission be **GRANTED** for Conservation Area Consent for the demolition of the existing 3 storey building and Full Planning Permission for the erection of a part 5, part 6 storey building to provide 40 flats (15 x one bedroom, 16 x two bedroom and 9 x three bedroom) subject to:

2. All parties, including all mortgagees, with an interest in the site entering into a deed under s106 and/or s106A of the Town and Country Planning Act 1990 to transfer the planning obligations imposed in connection with the original permission to the new permission PA/11/01592, such deed to be to the satisfaction of the Assistant Chief Executive (Legal Services) and to secure the following:

   a) 35% Affordable Housing
   b) Car Free Agreement

c) Education contribution £61,710
d)Any other planning obligation(s) considered necessary by the Corporate Director Development & Renewal
(as secured with Permission PA/08/00153)

3. That the Corporate Director Development & Renewal is delegated power to negotiate the legal agreement as indicated above.

4. That, if by 16th February 2012, the legal agreement has not been completed to the satisfaction of the Assistant Chief Executive (Legal Services), the Corporate Director of Development and Renewal be delegated the authority to refuse planning permission on the grounds that in the absence of a legal agreement, the proposal fails to secure appropriate planning obligations to mitigate its potential impacts

5. That the Corporate Director Development & Renewal is delegated power to impose conditions and informatives on the planning permission and conservation area consent to secure the matters set out in the circulated report.

7.4 40-50 Southern Grove, London E3 4PX (PA/11/01919)

Update Report Tabled.

Pete Smith (Development Control Manager, Planning Services) presented the report regarding 40-50 Southern Grove, London.
Members were advised that this agenda item should have appeared on the 'Other Planning Matters' part of the agenda. This was because the Council owned the property and therefore the application had to be referred to the Secretary of State for a decision, Members role was to make a recommendation whether or not they would be minded to grant consent.

The application sought conservation area consent to demolish the Southern Grove Lodge extension, a building within the Tower Hamlets Cemetery Conservation Area. The demolition was required to facilitate the provision of a new premises for the Beatrice Tate School, a special needs school. The demolition would make available additional teaching space to accommodate the increase in pupil numbers at the school.

Officers had carefully considered the merits of removing the building and felt that this was necessary given the substantial public benefits. A heritage assessment had also been carried out and this supported the findings of the report.

In reply to Members, Officers clarified the position of the boiler house attached to the main part of the building. Due to the lodge's location, it was appropriate to apply for Conservation Area consent for its removal.

Members also noted the subject buildings historical merit and questioned whether it could be retained when redeveloped. In response, Officers emphasised the major constraints of the site. (For example, the site was lacking a vehicle drop of/ pick up space for pupils which was a paramount safety issue). It also required additional specialist facilities so that it was fit for purpose. The plans would make available room for such facilities.

Members also felt that the demolition required careful handling. It was therefore requested that, where possible, the materials removed be kept on site for reuse when the building was redeveloped. Accordingly, Councillor Marc Francis proposed an additional condition agreed by the Committee that an approved plan of demolition be submitted covering the removal and retention of materials from the existing buildings and the making good of the lodge.

On a unanimous vote the Committee **RESOLVED**

1. That the application for the demolition of all existing buildings to the south of the Victorian Southern Grove Lodge be referred to the Secretary of State with the recommendation that the Council would be minded to grant Conservation Consent subject to conditions and informatives set out in the circulated report AND the additional condition agreed by the Committee requiring a plan of demolition to be submitted covering the retention of materials from the existing buildings and the making good of the lodge.

8. OTHER PLANNING MATTERS

8.1 Planning Appeals Report

Pete Smith, (Development Control Manager) presented the report. The report provided details of appeals, decisions and new appeals lodged against the Authority's Planning decisions.

On a unanimous vote, the Committee **RESOLVED**

That that details and outcomes of the appeals as set out in the report be noted.

The meeting ended at 8.50 p.m.

Chair, Councillor Helal Abbas
Development Committee