

LONDON BOROUGH OF TOWER HAMLETS

MINUTES OF THE STRATEGIC DEVELOPMENT COMMITTEE

HELD AT 6.30 P.M. ON WEDNESDAY, 20 NOVEMBER 2019

**COUNCIL CHAMBER, 1ST FLOOR, TOWN HALL, MULBERRY PLACE, 5 CLOVE
CRESCENT, LONDON, E14 2BG**

Members Present:

Councillor John Pierce (Chair)
Councillor Abdul Mukit MBE (Vice-Chair) (Item 6.1)
Councillor Kevin Brady
Councillor Val Whitehead
Councillor Rabina Khan (Item 6.1)
Councillor Sabina Akhtar (Item 6.1)
Councillor Tarik Khan

Other Councillors Present:

Councillor Dan Tomlinson (Item 6.1, left the meeting prior to the vote)

Apologies:

Councillor Zenith Rahman

Officers Present:

Solomon Agutu	(Interim Team Leader Planning, Legal Services, Governance)
Paul Buckenham	(Development Manager, Planning Services, Place)
Piotr Lanoszka	(Canary Wharf & Strategic Projects Lead, Place Directorate)
Adam Garcia	(Senior Planning Officer, West Area Team Place Directorate)
Gareth Gwynne	(Area Planning Manager (West), Planning Services, Place)
Simon Westmorland	(West Area Team Leader, Planning Services, Place)
Zoe Folley	(Committee Officer, Governance)

1. DECLARATIONS OF DISCLOSABLE PECUNIARY INTERESTS

The following Councillors declared a personal interest in agenda item 5.1, 96-98 Bromley High Street, London, E3 3EG. This was on the grounds that they knew Councillor Zenith Rahman who had a property interest in the land subject to the application and had objected to the application.

- Councillor Kevin Brady
- Councillor Tarik Khan
- Councillor John Pierce
- Councillor Val Whitehead

The Councillors made the declarations for transparency purposes only as they considered that they could determine the application with an open mind in accordance with the Council's Code of Conduct and they would participate in the consideration and voting on the application.

The following Councillors declared a personal interest in agenda item 5.1. 96-98 Bromley High Street, London, E3 3EG. This was on the grounds of their association with Councillor Zenith Rahman.

- Councillor Sabina Akhtar
- Councillor Rabina Khan
- Councillor Abdul Mukit MBE.

The Councillors indicated that they would leave the meeting room for the consideration and voting on this application.

2. MINUTES OF THE PREVIOUS MEETING(S)

The Committee **RESOLVED**

That the minutes of the meeting of the Strategic Development Committee held on 5th November 2019 be agreed as a correct record and signed by the Chair.

3. RECOMMENDATIONS AND PROCEDURE FOR HEARING OBJECTIONS AND MEETING GUIDANCE

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, Place 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, Place is delegated authority to do so, provided always that the Corporate Director does not exceed the substantive nature of the Committee's decision

- 3) To note the procedure for hearing objections at meetings of the Development Committee and the meeting guidance.

4. DEFERRED ITEMS

There are no items.

5. PLANNING APPLICATIONS FOR DECISION

5.1 96-98 Bromley High Street, London, E3 3EG (PA/19/00256)

Update report tabled.

Paul Buckenham introduced the application for the demolition of the existing two storey residential dwelling and the erection of a four storey residential development comprising 7 new residential units.

He advised that the application was previously considered at the Development Committee meeting on 10 October 2019, where it was deferred for a site visit. At that meeting, three Members of the Committee disqualified themselves from participating and voting on the application. The Council's Constitution requires that in such circumstances, the application is referred to the Strategic Development Committee.

Piotr Lanoszka presented the application, highlighting the site location and the character of the surrounding area. The site was not in a Conservation Area and the existing building added little to the setting of the area.

Ten representations in objection and a petition with 39 signatures had been received regarding amenity impacts and the overdevelopment of the site.

Regarding the land use, the proposed redevelopment would optimise the development potential of the site and contribute to the housing supply. The standard of accommodation would meet or exceed the minimum space requirements. The proposed housing mix was acceptable given the small scale of the proposal. The height and design of the building would be broadly in keeping and would reflect the local context. This was assisted by the step backs at the upper part of the development.

In terms of the amenity issues, Officers considered that the proposal was acceptable. The development would have obscured glazing to protect privacy and limit overlooking. The primary aspect of the habitable rooms would be positioned away from neighbouring properties. The building line would be broadly the same as the existing house, with the exception of the 2m extension at the south side of the property. Whilst a number of neighbouring properties would experience significant loss of daylight, as detailed in the report and update, the retained levels of daylight would remain acceptable for an urban setting. Further details of the impact on 1A Priory Street were set out in the update report. Overall the proposal would have a minor to moderate

adverse impact on daylight to the extension. Officers considered that the results did not justify a refusal of the application.

In terms of the heritage issues, Officers were satisfied that the issues raised by Historic England Archaeology (GLAAS) could be managed by the conditions to safeguard the archaeological interest of the site

The proposal would be a car free development.

Officers were recommending that the application was granted planning permission.

Registered speakers – objectors.

Susan Christopher and Keith Cunningham expressed concerns about the amenity impacts on residents' properties, including:

- A loss of privacy and outlook, given the breach in the policy on separation distances.
- Increased traffic congestion and parking issues.
- Disturbance from the construction work, adding to the existing problems from other developments. The works would disrupt in particularly the amenity of vulnerable residents
- Increased ASB from the proposal.
- Daylight impacts. It was considered that the daylight assessment in the report was inaccurate. The property at 102 Bromley High Street would be adversely affected. Bedroom windows would be adversely affected.

In view of the above issues, it was considered that the siting of the proposal was ill considered given its proximity to the primary school.

Concerns were also expressed about the excessive height, scale and massing of the development. It would tower over residential properties. The objectors also expressed concerns about the excessive number of recent applications to redevelop the site

Councillor Dan Tomlinson, who was a Ward Councillor, also spoke on the application. He declared an interest in the application as he knew Councillor Zenith Rahman. Whilst not opposed to the development of the site in principle, he expressed concerns about the cumulative impacts from developments in the area, given the lack of parking. He also echoed the concerns about the daylight impacts to residents and the separation distance.

Applicant

The applicant's representative chose not to address the Committee but indicated they were available to respond to any question from the Committee.

Committee's questions.

The Committee asked questions about the design of the eastern elevation of the proposal, the massing and height and how this would affect the surrounding properties.

The Committee also asked questions about the amenity impacts on the neighbouring properties given the daylight failures and the proximity of the development to neighbouring properties - given the separation distance in some instances fell short of the recommended 18m

In response, Officers advised of the approach adopted to designing the development including the eastern elevation. Emphasis had been placed on protecting privacy and providing measures (such as screening and setting back the building) to safeguard residential amenity. It was therefore considered that these measures should in themselves safeguard outlook and privacy. It was considered that the impact in this regard would not be dissimilar to other developments in an urban area.

Regarding the 12.9 and 12.5m separation distances, these were broadly similar and typical to those for developments in an urban area.

Regarding the height of the building, it was noted that the area comprised a mixture of building heights. Given this and the setbacks in the design, the proposal did not give rise to any concerns in town scape terms.

Officers also provided further assurances about the impact on the extension to 1A Priory Street. The extension had a number of sources of light and the provision of the obscure glazing and screening would also preserve amenity. Overall Officers did not consider that the adverse impacts identified in the report justified a refusal of the application.

Members also asked questions about the impact on the highway. In response, it was confirmed that the application included a range of conditions in the report requiring amongst other things the submission of a Construction Environmental Management Plan.

Members also sought clarity about what the public benefits of the scheme were said to be and whether they could be considered as sufficient enough to outweigh the harm from the development, in terms of the height and massing, the sunlight and daylight issues and the design of the eastern elevation?

In response, the Committee were reminded of the need to balance the benefits of the development - the delivery of housing, with the potential impacts set out in the report, particularly the impacts identified in the daylight and sunlight assessment. In carryout this assessment, the Committee were advised to consider the test set out in DM 25 firstly whether there was a deterioration, secondly whether the deterioration was material and thirdly whether the material deterioration was unacceptable.. It was also pointed out

that, in law the provision of private housing by itself did not normally count as a public benefit.

On a vote of 0 in favour of the Officers recommendation, 4 against and 0 abstentions, the Committee were minded not to accept the officer recommendation to grant Planning Permission at 96-98 Bromley High Street, London, E3 3EG for:

- The redevelopment of 96-98 Bromley High Street, comprising the demolition of the existing building (two storey residential building) (use class C3) to construct a four storey residential building containing 4 x two bedroom units, 2 x one bedroom units and 1 x three bedroom unit with associated cycle parking spaces, private amenity space and other associated works(PA/19/00256)

Having not accepted the officer recommendation, Councillor Kevin Brady moved a motion that the application for planning permission be **REFUSED** (for the reasons set out below) and on a vote of 4 in favour of refusal, 0 against and 0 abstentions the Committee **RESOLVED**:

That the application for planning permission is **REFUSED**.

The Committee refused the application due to concerns over the following issues:

- Height, scale and massing of the development.
- Design of the development, particularly the eastern elevation.
- The adverse amenity impacts, particularly in terms of a loss of daylight to neighbouring properties.
- That there was no evidence of public benefits and the alleged public benefits were not significant enough to outweigh the harm caused by the development.

6. OTHER PLANNING MATTERS

6.1 Pre - Application Presentation: Bethnal Green Holder Station, Marian Place, London PF/19/00061

The Committee noted the contents of the report and pre-application presentation

The meeting ended at 8.40 p.m.

Chair, Councillor John Pierce
Strategic Development Committee