

Meeting of the

DEVELOPMENT COMMITTEE

Wednesday, 7 May 2008 at 7.30 p.m.

A G E N D A

VENUE

Council Chamber, 1st Floor, Town Hall, Mulberry Place, 5 Clove
Crescent, London, E14 2BG

Members:	Deputies (if any):
Chair: Councillor Rofique U Ahmed Vice-Chair: Councillor Helal Abbas	
Councillor Shahed Ali Councillor Lutfa Begum Councillor Alibor Choudhury Councillor Rupert Eckhardt Councillor Tim O'Flaherty Councillor Ahmed Adam Omer Councillor Lutfur Rahman	Councillor Anwara Ali, (Designated Deputy representing Councillors Rofique U. Ahmed, Helal Abbas, Alibor Choudhury, Ahmed Omer and Lutfur Rahman) Councillor Tim Archer, (Designated Deputy representing Councillor Rupert Eckhardt) Councillor Stephanie Eaton, (Designated Deputy representing Councillor Tim O'Flaherty) Councillor Ahmed Hussain, (Designated Deputy representing Councillor Lutfa Begum) Councillor Waiseul Islam, (Designated Deputy representing Councillors Rofique U. Ahmed, Helal Abbas, Alibor Choudhury, Ahmed Omer and Lutfur Rahman) Councillor Dr. Emma Jones, (Designated Deputy representing Councillor Rupert Eckhardt) Councillor Azizur Rahman Khan, (Designated Deputy representing

Councillor Tim O'Flaherty)
Councillor Harun Miah, (Designated Deputy representing Councillor Shahed Ali)
Councillor Abjol Miah, (Designated Deputy representing Councillor Shahed Ali)
Councillor Abdul Munim, (Designated Deputy representing Councillor Shahed Ali)
Councillor Oliur Rahman, (Designated Deputy representing Councillor Lutfa Begum)
Councillor Mohammed Abdus Salique, (Designated Deputy representing Councillors Rofique U. Ahmed, Helal Abbas, Alibor Chowdhury, Ahmed Omer and Lutfur Rahman)

[Note: The quorum for this body is 3 Members].

If you require any further information relating to this meeting, would like to request a large print, Braille or audio version of this document, or would like to discuss access arrangements or any other special requirements, please contact: Louise Fleming, Democratic Services, Tel: 020 7364 4878, E-mail:louise.fleming@towerhamlets.gov.uk

LONDON BOROUGH OF TOWER HAMLETS

DEVELOPMENT COMMITTEE

Wednesday, 7 May 2008

7.30 p.m.

1. APOLOGIES FOR ABSENCE

To receive any apologies for absence.

2. DECLARATIONS OF INTEREST

To note any declarations of interest made by Members, including those restricting Members from voting on the questions detailed in Section 106 of the Local Government Finance Act, 1992. See attached note from the Chief Executive.

	PAGE NUMBER	WARD(S) AFFECTED
3. UNRESTRICTED MINUTES		
To confirm as a correct record of the proceedings the unrestricted minutes of the ordinary meeting of Development Committee held on 9 th April 2008.	3 - 8	
4. RECOMMENDATIONS		
To RESOLVE that, in the event of amendments to recommendations being made by the Committee, the task of formalising the wording of any amendments be delegated to the Corporate Director Development and Renewal along the broad lines indicated at the meeting.		
5. PROCEDURE FOR HEARING OBJECTIONS		
To note the procedure for hearing objections at meetings of the Development Committee.	9 - 10	
6. DEFERRED ITEMS	11 - 12	
7. PLANNING APPLICATIONS FOR DECISION	13 - 14	
7.1 23 Bartlett Close, London, E14 6LH	15 - 22	Limehouse
7.2 1 Hawksmoor Mews, London E1 0DG	23 - 28	Shadwell
7.3 Docklands Medical Centre, 100 Spindrifft Avenue, London E14 9WU	29 - 36	Millwall

Agenda Item 2

DECLARATIONS OF INTERESTS - NOTE FROM THE CHIEF EXECUTIVE

This note is guidance only. Members should consult the Council's Code of Conduct for further details. Note: Only Members can decide if they have an interest therefore they must make their own decision. If in doubt as to the nature of an interest it is advisable to seek advice **prior** to attending at a meeting.

Declaration of interests for Members

Where Members have a personal interest in any business of the authority as described in paragraph 4 of the Council's Code of Conduct (contained in part 5 of the Council's Constitution) then s/he must disclose this personal interest as in accordance with paragraph 5 of the Code. Members must disclose the existence and nature of the interest at the start of the meeting and certainly no later than the commencement of the item or where the interest becomes apparent.

You have a **personal interest** in any business of your authority where it relates to or is likely to affect:

- (a) An interest that you must **register**
- (b) An interest that is not on the register, but where the well-being or financial position of you, members of your family, or people with whom you have a close association, is likely to be affected by the business of your authority more than it would affect the majority of inhabitants of the ward affected by the decision.

Where a personal interest is declared a Member may stay and take part in the debate and decision on that item.

What constitutes a prejudicial interest? - Please refer to paragraph 6 of the adopted Code of Conduct.

Your personal interest will also be a prejudicial interest in a matter if (a), (b) and either (c) or (d) below apply:-

- (a) A member of the public, who knows the relevant facts, would reasonably think that your personal interests are so significant that it is likely to prejudice your judgment of the public interests; AND
- (b) The matter does not fall within one of the exempt categories of decision listed in paragraph 6.2 of the Code; AND EITHER
- (c) The matter affects your financial position or the financial interest of a body with which you are associated; or
- (d) The matter relates to the determination of a licensing or regulatory application

The key points to remember if you have a prejudicial interest in a matter being discussed at a meeting:-

- i. You must declare that you have a prejudicial interest, and the nature of that interest, as soon as that interest becomes apparent to you; and
- ii. You must leave the room for the duration of consideration and decision on the item and not seek to influence the debate or decision unless (iv) below applies; and

- iii. You must not seek to improperly influence a decision in which you have a prejudicial interest.
- iv. If Members of the public are allowed to speak or make representations at the meeting, give evidence or answer questions about the matter, by statutory right or otherwise (e.g. planning or licensing committees), you can declare your prejudicial interest but make representations. However, you must immediately leave the room once you have finished your representations and answered questions (if any). You cannot remain in the meeting or in the public gallery during the debate or decision on the matter.

LONDON BOROUGH OF TOWER HAMLETS

MINUTES OF THE DEVELOPMENT COMMITTEE

HELD AT 7.30 P.M. ON WEDNESDAY, 9 APRIL 2008

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

Members Present:

Councillor Rofique U Ahmed (Chair)

Councillor Helal Abbas (Vice-Chair)

Councillor Alibor Choudhury

Councillor Ahmed Adam Omer

Councillor Lutfur Rahman

Councillor Stephanie Eaton

Councillor Oliur Rahman

Other Councillors Present:

Officers Present:

- | | |
|----------------|--|
| Suki Binjal | – (Interim Head of Non-Contentious Team, Legal Services) |
| Megan Crowe | – (Planning Solicitor, Legal Services) |
| Stephen Irvine | – (Development Control Manager, Planning) |
| Michael Kiely | – (Service Head, Development Decisions) |
| Louise Fleming | – Senior Committee Officer |

1. APOLOGIES FOR ABSENCE

Apologies were received from Councillors Shahed Ali, Lutfu Begum, Rupert Eckhardt and Tim O'Flaherty. Councillor Oliur Rahman deputised for Cllr Begum and Councillor Stephanie Eaton deputised for Cllr O'Flaherty.

2. DECLARATIONS OF INTEREST

Councillors made declarations of interest in the items included on the agenda as follows:

Councillor	Item	Type of interest	Reason
Stephanie Eaton	7.2	Personal	Site is within Councillor's Ward

Stephanie Eaton 7.3 Personal

Site is within Councillor's
Ward

3. UNRESTRICTED MINUTES

The minutes of the meeting held on 12th March 2008 were agreed as a correct record.

4. RECOMMENDATIONS

The Committee RESOLVED that, in the event of amendments to recommendations being made by the Committee, the task of formalising the wording of any amendments be delegated to the Corporate Director of Development & Renewal along the broad lines indicated at the meeting.

5. PROCEDURE FOR HEARING OBJECTIONS

The Committee noted the procedure and those who had registered to speak.

6. DEFERRED ITEMS

The Committee noted the position relating to deferred items.

7. PLANNING APPLICATIONS FOR DECISION

7.1 7 to 11a Rampart Street, London

Mr Michael Kiely, Head of Development Decisions, introduced the site and proposal for the redevelopment of 7 to 11a Rampart Street.

Mr Stephen Irvine, Development Control Manager, presented a detailed report on the application, outlining the proposals and the reasons why it had been recommended for approval.

Members expressed concern over potential overlooking of the adjacent school and whether it would affect the future use of the carpark for classrooms or a playground. Mr Irvine advised the Committee that the issue had been carefully considered. However, the distances involved would not sustain a reason for refusal on grounds of overlooking. In the event that the school's carpark was redeveloped, effective screening measures could be put in place.

The Committee RESOLVED that

- (i) Conservation Area Consent for the demolition of part ground, part first floor rear additions facing Kinder Street at 7 to 11a Rampart Street be GRANTED subject to

Conditions

- 1) Time Limit
 - 2) Condition preventing demolition prior to let of contract for rebuild; and
- (ii) Planning Permission for
- a) the demolition of part ground, part first floor rear additions and erection of 3 x three bedroom terrace houses with rooftop amenity space facing Kinder Street; and
 - b) the refurbishment of existing terrace to provide 4 x three bedroom terrace houses facing Rampart Street and Barnett Street. Works involve masonry to be sandblasted, installation of new windows and doors on ground and first floor (north and west elevations), and various other external maintenance and repair work
- at 7 to 11a Rampart Street be GRANTED subject to

Conditions

- 1) Time Limit for Full Planning Permission
- 2) Full Details of External Finishes
- 3) A Car Free Agreement
- 4) Any other planning condition(s) considered necessary by the Corporate Director Development & Renewal.

Informatives

- 1) S106 Car Free Agreement
- 2) S278 Agreement
- 3) Any other informatives considered necessary by the Corporate Director Development & Renewal.

7.2 452 Hackney Road, London, E2 9EG

Mr Michael Kiely, Head of Development Decisions, introduced the site and proposal for the redevelopment of 452 Hackney Road, London E2 9EG.

Mr Stephen Irvine, Development Control Manager, presented a detailed report on the application, outlining the reasons which it had been recommended for approval. He drew Members' attention to the planning history of the site.

Members asked questions relating to the modification which had taken place to mitigate any overlooking of the Peabody Estate. The Committee was advised that balconies had been removed from the scheme.

The Committee RESOLVED that planning permission for the demolition of existing petrol filling station and redevelopment of the site to provide part three, part four and part six storey mixed use development comprising one retail unit at ground/basement floors (Use Class A1) with 4 x 1 bed, 8 x 2 bed,

5 x 3 bed and 1 x 4 bed recycling units (18 in total) on upper floors with cycle spaces, refuse and recycling storage at ground floor level at 452 Hackney Road, London E2 9EG be GRANTED subject to the prior completion of a legal agreement to secure the following planning obligations:

- a) 35% Affordable Housing
 - b) Car Free Agreement
 - c) Any other planning obligations considered necessary by the Corporate Director Development & Renewal
- and that the Corporate Director Development & Renewal be delegated authority to negotiate the legal agreement indicated above.

If within 3 months of the date of this Committee the legal agreement has not been completed to the satisfaction of the Assistant Chief Executive (legal services), the Corporate Director Development & Renewal be delegated authority to refuse planning permission.

The Corporate Director Development & Renewal be delegated authority to impose conditions and informatives on the planning permission to secure the following matters:

Conditions

- 1) Full time limit
- 2) Materials in accordance with approved schedule
- 3) Building works hours of operation
- 4) Window details and specification
- 5) Land contamination investigation and remediation
- 6) Sustainable homes strategy
- 7) Highways S278 agreement
- 8) Any other conditions considered necessary by the Corporate Director Development & Renewal.

7.3 Sotherby Lodge, Sewardstone Road, London, E2 9JQ

Mr Michael Kiely, Head of Development Decisions, introduced the site and proposal for the demolition of the existing 3 storey building, 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) at Sotherby Lodge, Sewardstone Road, London E2 9JQ.

Mr Sam Henderson spoke on behalf of the local residents. He did not object to the principle of redevelopment. However, he felt that the site was unique and had much potential which was not being maximised by the proposal. He believed that a legacy could be created on the site.

Mr Robin Watchman spoke on behalf of the applicant. He agreed with the objector on many points relating to the potential of the site, and believed that the objective had been achieved through working closely with officers relating to design and sustainability.

Mr Stephen Irvine, Development Control Manager, presented a detailed report on the application. He advised that the main issue for consideration was the design of the proposal. He felt that it would enhance the area, as the current site was in need of upgrading.

Members asked questions relating to the financial contribution towards education provision and expressed concern over whether the design fit in with the area. Mr Irvine advised Members that the education contribution was worked out based on government figures which were applied nationally. To ask the applicant for a larger contribution would require the demonstration of a significant shortage in the area. Education officers in Children's Services had not advised of a problem. Mr Kiely advise that Census date was used in the calculation and advised to approve the application in line with the recommendation. However, after consideration Members proposed that officers be delegated authority to negotiate with the applicant further contribution equal to two additional school places.

The Committee RESOLVED that planning permission for the demolition of the existing 3 storey building, erection of a part 5, part 6 storey building to provide 40 flats (15 x one bedroom, 16 x tow bedroom and 9 x three bedroom) at Sotherby Lodge, Sewardstone Road, London E2 9JQ be GRANTED subject to the prior completion of a legal agreement to secure the following planning obligations

- a) 35% Affordable Housing
- b) Car Free Agreement
- c) Education Contribution £61,710
- d) Any other planning obligations considered necessary by the Corporate Director Development & Renewal

and that the Corporate Director Development & Renewal be delegated authority to negotiate the legal agreement as indicated above, with the addition of a further education contribution equal to 2 school places, but if agreement cannot be reached then the planning obligation to be as set out above.

That if within three months of the date of the Committee, the legal agreement has not been completed to the satisfaction of the Assistant Chief Executive (legal services), the Corporate Director Development & Renewal be delegated the authority to refuse planning permission.

The Corporate Director Development & Renewal be delegated authority to impose conditions and informatives on the planning permission for secure the following:

Conditions

- 1) Three year time limit for development to occur
- 2) Materials to be submitted and approved
- 3) Building works hours of operation (8am to 6pm Mon-Fri, 8am to 1pm Sat)

- 4) Energy and sustainability strategy to be approved
- 5) Obscure glazing up to 1.8m in height from internal floor level in all proposed windows in the south east elevation facing Reynolds House
- 6) Details, location and method of refuse collection to be agreed prior to commencement of development
- 7) Protection of all adjacent trees covered by Tree Preservation Order
- 8) Landscaping details required
- 9) 10% Wheelchair accessible units to be provided
- 10) Highways S278 Agreement
- 11) Any other conditions considered necessary by the Corporate Director Development & Renewal

The meeting ended at 8.15 p.m.

Chair, Councillor Rofique U Ahmed
Development Committee

Agenda Item 5

DEVELOPMENT COMMITTEE STRATEGIC DEVELOPMENT COMMITTEE

PROCEDURES FOR HEARING OBJECTIONS AT COMMITTEE MEETINGS

Provisions in the Council's Constitution (Part 4.8) relating to public speaking:

- 6.1 Where a planning application is reported on the "Planning Applications for Decision" part of the agenda, individuals and organisations which have expressed views on the application will be notified by letter that the application will be considered by Committee at least three clear days prior to the meeting. The letter will explain these provisions regarding public speaking.
- 6.2 When a planning application is reported to Committee for determination the provision for the applicant/supporters of the application and objectors to address the Committee on any planning issues raised by the application, will be in accordance with the public speaking procedure adopted by the relevant committee from time to time (see below).
- 6.3 All requests to address a committee must be made in writing or by email to the committee clerk by 4pm on the Friday prior to the day of the meeting. This communication must provide the name and contact details of the intended speaker. Requests to address a committee will not be accepted prior to the publication of the agenda.
- 6.4 After 4pm on the Friday prior to the day of the meeting the Committee clerk will advise the applicant of the number of objectors wishing to speak.
- 6.5 The order of public speaking shall be as stated in Rule 5.3, which is as follows:
 - An objector who has registered to speak
 - The applicant/agent or supporter
 - Non-committee member(s) may address the Committee for up to 3 minutes
- 6.6 Public speaking shall comprise verbal presentation only. The distribution of additional material or information to members of the Committee is not permitted.
- 6.7 Following the completion of a speaker's address to the committee, that speaker shall take no further part in the proceedings of the meeting unless directed by the Chair of the Committee.
- 6.8 Following the completion of all the speakers' addresses to the Committee, at the discretion of and through the chair, committee members may ask questions of a speaker on points of clarification only.
- 6.9 In the interests of natural justice or in exceptional circumstances, at the discretion of the chair, the procedures in Rule 5.3 and in this Rule may be varied. The reasons for any such variation shall be recorded in the minutes.
- 6.10 Speakers and other members of the public may leave the meeting after the item in which they are interested has been determined.

Public speaking procedure adopted by this Committee:

- For each planning application up to two objectors can address the Committee for up to three minutes each. The applicant or his/her supporter can address the Committee for an equivalent time to that allocated for objectors (ie 3 or 6 minutes).
- For objectors, the allocation of slots will be on a first come, first served basis.
- For the applicant, the clerk will advise after 4pm on the Friday prior to the meeting whether his/her slot is 3 or 6 minutes long. This slot can be used for supporters or other persons that the applicant wishes to present the application to the Committee.
- Where a planning application has been recommended for approval by officers and the applicant or his/her supporter has requested to speak but there are no objectors or non-committee members registered to speak, the chair will ask the Committee if any member wishes to speak against the recommendation. If no member indicates that they wish to speak against the recommendation, then the applicant or their supporter(s) will not be expected to address the Committee.

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Agenda Item 6

Committee: Development	Date: 7 th May 2008	Classification: Unrestricted	Agenda Item No: 6
Report of: Corporate Director of Development and Renewal		Title: Deferred items	
Originating Officer: Michael Kiely		Ref No: See reports attached for each item	
		Ward(s): See reports attached for each item	

1. INTRODUCTION

- 1.1 This report is submitted to advise the Committee of planning applications that have been considered at previous meetings and currently stand deferred.
- 1.2 There are currently no items that have been deferred.

2. RECOMMENDATION

- 2.1 That the Committee note the position relating to deferred items.

LOCAL GOVERNMENT ACT 2000 (Section 97)
LIST OF BACKGROUND PAPERS USED IN THE DRAFTING OF THIS REPORT

Brief Description of background papers:	Tick if copy supplied for register	Name and telephone no. of holder:
Application, plans, adopted UDP. draft LDF and London Plan	✓	Eileen McGrath (020) 7364 5321

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Agenda Item 7

Committee: Development	Date: 7 th May 2008	Classification: Unrestricted	Agenda Item No: 7
Report of: Corporate Director Development and Renewal		Title: Planning Applications for Decision	
Originating Officer: Michael Kiely		Ref No: See reports attached for each item	
		Ward(s): See reports attached for each item	

1. INTRODUCTION

- 1.1 In this part of the agenda are reports on planning applications for determination by the Committee. Although the reports are ordered by application number, the Chair may reorder the agenda on the night. If you wish to be present for a particular application you need to be at the meeting from the beginning.
- 1.2 The following information and advice applies to all those reports.

2. FURTHER INFORMATION

- 2.1 Members are informed that all letters of representation and petitions received in relation to the items on this part of the agenda are available for inspection at the meeting.
- 2.2 Members are informed that any further letters of representation, petitions or other matters received since the publication of this part of the agenda, concerning items on it, will be reported to the Committee in an Addendum Update Report.

3. ADVICE OF ASSISTANT CHIEF EXECUTIVE (LEGAL SERVICES)

- 3.1 The relevant policy framework against which the Committee is required to consider planning applications comprises the development plan and other material policy documents. The development plan is:
 - the adopted Tower Hamlets Unitary Development Plan (UDP) 1998 as saved September 2007
 - the adopted London Plan 2004 (as amended by Early Alterations December 2006)
- 3.2 Other material policy documents include the Council's Community Plan, Interim Planning Guidance (adopted by Cabinet in October 2007 for Development Control purposes) Planning Guidance Notes and government planning policy set out in Planning Policy Guidance & Planning Policy Statements.
- 3.3 Decisions must be taken in accordance with section 70(2) of the Town and Country Planning Act 1990 and section 38(6) of the Planning and Compulsory Purchase Act 2004. Section 70(2) of the Town and Country Planning Act 1990 requires the Committee to have regard to the provisions of the Development Plan, so far as material to the application and any other material considerations. Section 38(6) of the Planning and Compulsory Purchase Act 2004 requires the Committee to make its determination in accordance with the Development Plan unless material planning considerations support a different decision being taken.

LOCAL GOVERNMENT ACT 2000 (Section 97)

LIST OF BACKGROUND PAPERS USED IN THE DRAFTING OF THE REPORTS UNDER ITEM 7

Brief Description of background papers:	Tick if copy supplied for register:	Name and telephone no. of holder:
Application, plans, adopted UDP, Interim Planning Guidance and London Plan	✓	Eileen McGrath (020) 7364 5321

- 3.4 Under Section 66 of the Planning (Listed Buildings and Conservation Areas) Act 1990, in considering whether to grant planning permission for development which affects listed buildings or their settings, the local planning authority must have special regard to the desirability of preserving the building or its setting or any features of architectural or historic interest it possesses.
- 3.5 Under Section 72 of the Planning (Listed Buildings and Conservation Areas) Act 1990, in considering whether to grant planning permission for development which affects a conservation area, the local planning authority must pay special attention to the desirability of preserving or enhancing the character or appearance of the conservation area.
- 3.6 Whilst the adopted UDP 1998 (AS SAVED) is the statutory development plan for the borough (along with the London Plan), it will be replaced by a more up to date set of plan documents which will make up the Local Development Framework. As the replacement plan documents progress towards adoption, they will gain increasing status as a material consideration in the determination of planning applications.
- 3.7 The reports take account not only of the policies in the statutory UDP 1998 but also the emerging plan and its more up-to-date evidence base, which reflect more closely current Council and London-wide policy and guidance.
- 3.8 In accordance with Article 22 of the General Development Procedure Order 1995, Members are invited to agree the recommendations set out in the reports, which have been made on the basis of the analysis of the scheme set out in each report. This analysis has been undertaken on the balance of the policies and any other material considerations set out in the individual reports.

4. PUBLIC SPEAKING

- 4.1 The Council's constitution allows for public speaking on these items in accordance with the rules set out in the constitution and the Committee's procedures. These are set out at Agenda Item 5.

5. RECOMMENDATION

- 5.1 The Committee to take any decisions recommended in the attached reports.

Agenda Item 7.1

Committee: Development	Date: 7 th May 2008	Classification: Unrestricted	Agenda Item Number: 7.1
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Report of: Director of Development and Renewal	Title: Town Planning Application
Case Officer: Marie Joseph	Ref No: PA/07/03235
	Ward: Limehouse (February 2002 onwards)

1. APPLICATION DETAILS

Location:	23 Bartlett Close, London, E14 6LH
Existing Use:	Residential
Proposal:	Erection of roof extension to create a second floor and two additional bedrooms.
Drawing Nos/Documents:	Site Plan, 76-07 2000 Rev A
Applicant:	Giovanna Hussain
Ownership:	Owned by applicant
Historic Building:	n/a
Conservation Area:	n/a

2. SUMMARY OF MATERIAL PLANNING CONSIDERATIONS

- 2.1 a) The proposed extension would have no adverse impacts upon neighbouring and adjoining occupiers in terms of loss of light and would therefore adhere to Saved Policy DEV2 of the Unitary Development Plan (1998) and Policy DEV1 of the Interim Planning Guidance: Core Strategy and Development Control Plan (October 2007), which seek to retain the amenities of the occupiers of the Borough.
- b) The proposed extension would have no adverse impacts upon neighbouring and adjoining occupiers in terms of overlooking and a loss of privacy and would therefore adhere to Saved Policy DEV2 of the Unitary Development Plan (1998) and Policy DEV1 of the Interim Planning Guidance: Core Strategy and Development Control Plan (October 2007), which seek to retain the amenities of the occupiers of the borough.
- c) The proposed extension would have little impact upon the original architectural character and design of Bartlett Close as a whole therefore would have no adverse impacts in terms of design. For these reasons the proposal would adhere to Saved Policy DEV1 of the Unitary Development Plan (1998) and Core Policy CP4 and Policy DEV2 of the Interim Planning Guidance: Core Strategy and Development Control Plan (October 2007), which seek to ensure good design and to retain character within the Borough.
- d) It is considered that the proposed development would have an appropriate amount of amenity space and would adhere to the Council's guidelines regarding density ratios and therefore would be in accordance with Saved Policies DEV2 and HSG13 of the Unitary Development Plan (1998) and Core Strategies CP20 and CP25 and Policy DEV1 of the Interim Planning Guidance (October 2007) as well as the supplementary guidance found within 4B.7 of the London Plan, which seek to retain the amenities of the residents of the Borough, achieve sustainable residential space and respect local communities and their context.

3. RECOMMENDATION

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

3.2 Conditions

- 1) Time Limit for Full Planning Permission
- 2) Full Details of External Finishes
- 3) Building Works Hours of Operation

4. PROPOSAL AND LOCATION DETAILS

Proposal

4.1 This application seeks permission for an extension at roof level to create an additional second floor that would include residential accommodation in the form of 2 bedrooms and 2 bathrooms at the existing property.

Site and Surroundings

4.2 The property is 23 Bartlett Close, an existing detached two storey dwelling currently comprising of 3 bedrooms and 2 bathrooms at first floor level. The property is located within a moderate sized plot and is located adjacent to Bartlett Park, an area of public open space. Other properties within Bartlett Park were built at the same time as number 23 and were part of a neighbourhood planning project

Planning History

4.3 The following planning decisions are relevant to the application:

PA/07/1869 Erection of roof extension to create a second floor and two additional bedrooms together with the installation of 3 balconies at rear, 2 at first floor level and 1 at second floor. Withdrawn, 1st October 2007.

5. POLICY FRAMEWORK

5.1 For details of the status of relevant policies see the front sheet for "Planning Applications for Decision" agenda items. The following policies are relevant to the application:

Unitary Development Plan 1998 (as saved September 2007)

Policies:	DEV1	Design and Character
	DEV2	Amenity
	T16	Traffic

Interim Planning Guidance for the purposes of Development Control

Core Strategies:	CP4	Good Design
	CP20	Title
	CP25	Housing Amenity Space
Policies:	DEV1	Amenity
	DEV2	Design and Character

Spatial Development Strategy for Greater London (London Plan)

4B.7 Respect Local Context and Communities

Government Planning Policy Guidance/Statements

PPS1 Urban Design

Community Plan The following Community Plan objectives relate to the application:

A better place for living well

6. CONSULTATION RESPONSE

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

6.2 The following were consulted regarding the application:

LBTH Environmental Health

- 6.3
- No bedroom to be below minimum floor area of 6.5 sqm.
 - Sufficient extract ventilation is required to internal kitchens, bathrooms, and w.c s.
 - Premises must comply with relevant statutory requirements including the Housing Act 2004, or comply with relevant Building Regulations.

Olympic Delivery Authority (Statutory Consultee)

- 6.4
- No comment in relation to the scheme.

7. LOCAL REPRESENTATION

7.1 A total of 23 neighbouring properties within the area shown on the map appended to this report were notified about the application and invited to comment. The number of representations received from neighbours and local groups in response to notification and publicity of the application were as follows:

No of individual responses:	9	Objecting:	9	Supporting:	0
No of petitions received:	2 objecting				
	1) containing 25 signatories from 20 properties within Bartlett Close				
	2) containing 27 signatories from 24 properties within Bartlett Close				

7.4 The following local groups/societies made representations:

- Bartlett Close Residents Association
- Alexander J L O Solicitors on behalf of Bartlett Close Residents Association

7.5 The following issues were raised in representations that are material to the determination of the application, and they are addressed in the next section of this report:

- Extension would lead to a loss of light at neighbouring dwellings
- Loss of privacy and overlooking

- Ratio of habitable rooms being altered within the property.
- Set a precedent within Bartlett Close for other alterations to properties.
- Pedestrian safety as a result of increased traffic.
- The properties in Bartlett Park were designed through a community led development scheme - the proposed extension will have an adverse impact on the design and appearance of the whole scheme.

7.6 The following issues were raised in representations, but they are not material to the determination of the application:

- Legal Matters: Concerns were raised in relation to the original transfer of ownership of the property and the title deeds which state that consent for any alterations will be required from the Bartlett Close Residents Association. [OFFICER COMMENT: This is a civil matter and one not material to planning decisions]

8. MATERIAL PLANNING CONSIDERATIONS

8.1 The main planning issues raised by the application that the Committee must consider are:

1. Land Use
2. Design
3. Amenity
4. Highways

Land Use

8.2 This application seeks permission for an extension of the existing roof of the property to include an extra second floor comprising of two bedrooms and two bathrooms. The property is to remain as a single family dwelling therefore there is no change of use and thus no land use implications.

Design

8.3 The proposed extension would raise the ridge height of the property from 7.1 metres to a height of 8.1 metres and would also include the conversion of the existing rear elevation first floor windows to Juliette balconies and three roof lights would be fitted into the roof space, 1 on the rear elevation and 1 to each side elevation. This would facilitate the provision of 2 further bedrooms and bathrooms to the existing accommodation which comprise a living room and kitchen at ground floor level and 3 bedrooms and 2 bathrooms at first floor level

8.4 Concerns have been raised in relation to the design of the proposal being out of keeping with the existing properties within Bartlett Close. However, there are a number of properties nearby to number 23 and within the close as a whole which are three storeys in height, or two storeys. Therefore, it is considered that the proposal would be in keeping with these properties and not out of character with the estate.

8.5 Concerns have also been raised that the proposal would be out of keeping with the community led development within the 1980s under prescriptive design criteria chosen by future residents. However, the Council's design officers have been consulted in relation to the proposal, and have concluded that the proposal is acceptable in design terms and would be unlikely to have any significant design and character implications upon the close.

8.6 The Council was also contacted separately with a view to have the buildings in the close listed, however officers concluded that it is not of sufficient architectural or design merit to warrant locally listed status.

- 8.7 The proposed materials of the extension would match those of the existing building and to ensure this occurs and a high standard is achieved, a condition has been imposed whereby the materials to be used should be submitted to, and approved in writing by the authority before development commences.
- 8.8 The increase in height of the property from 7.1 metres to 8.1 metres is considered to be acceptable and would have no adverse impact on Bartlett Close in terms of design, given that there are no a number of properties in close proximity to the application site (at least 4) that are of the same height. The property itself is detached and located in a corner of the estate facing Bartlett Park and it is therefore considered that the property is ideally located for an extension of this nature.
- 8.9 For these reasons it is therefore considered that the proposals would be acceptable in design terms and would therefore adhere to Saved Policies DEV1 of the Unitary Development plan (1998) and Core Strategy CP4 and Policy DEV2 if the Interim Planning Guidance (October 2007) which seek to ensure appropriate design within the Borough.

Amenity

- 8.9 The proposed roof lights to be located on the rear and side elevations of the property would be at a height of 1.8 metres from finished floor levels to sill height and therefore would have no adverse impacts upon neighbouring properties and their amenities in terms of overlooking. The proposed Juliette balconies to the rear of the property at first floor level would replace the existing first floor windows within the property and therefore would have no additional impacts upon neighbouring properties and their amenities. These balconies would also face towards Bartlett Park and would therefore have no adverse impacts upon neighbouring properties and their amenities in terms of overlooking. To ensure no future overlooking issues a condition has been imposed restricting further windows.
- 8.10 The aspect and siting of the property is such that the proposed extension would not dominate neighbouring properties nor lead to a loss of light. It would have no material impact upon the neighbouring properties of 20, 21, 22 and 24 Bartlett Close over and above that of the existing two storey dwelling.
- 8.11 The proposed bedrooms and bathrooms would adhere to the minimum requirements found within the Supplementary Planning Guidance in line with Saved Policy HSG13. Therefore, it is considered that there would be no adverse implications upon the living standards within the existing property with the inclusion of the proposed extension. It is noted that planning permission has been granted within Bartlett Park for conversion of garages into bedrooms therefore previously altering the amenity ratios.
- 8.12 To protect the amenities of neighbouring properties during the construction process, a condition relating to hours of work has been imposed.
- 8.13 Therefore, for the above reasons it is considered that the proposed development would adhere to Saved Policies DEV2 and HSG13 of the Unitary Development Plan (1998) and Policies CP20 and CP25 and Policy DEV1 of the Interim Planning Guidance (October 2007) as well as the supplementary guidance found within 4B.7 of the London Plan, which seek to retain the amenities of the residents of the Borough, achieve sustainable residential space and respect local communities and their context.

Highways

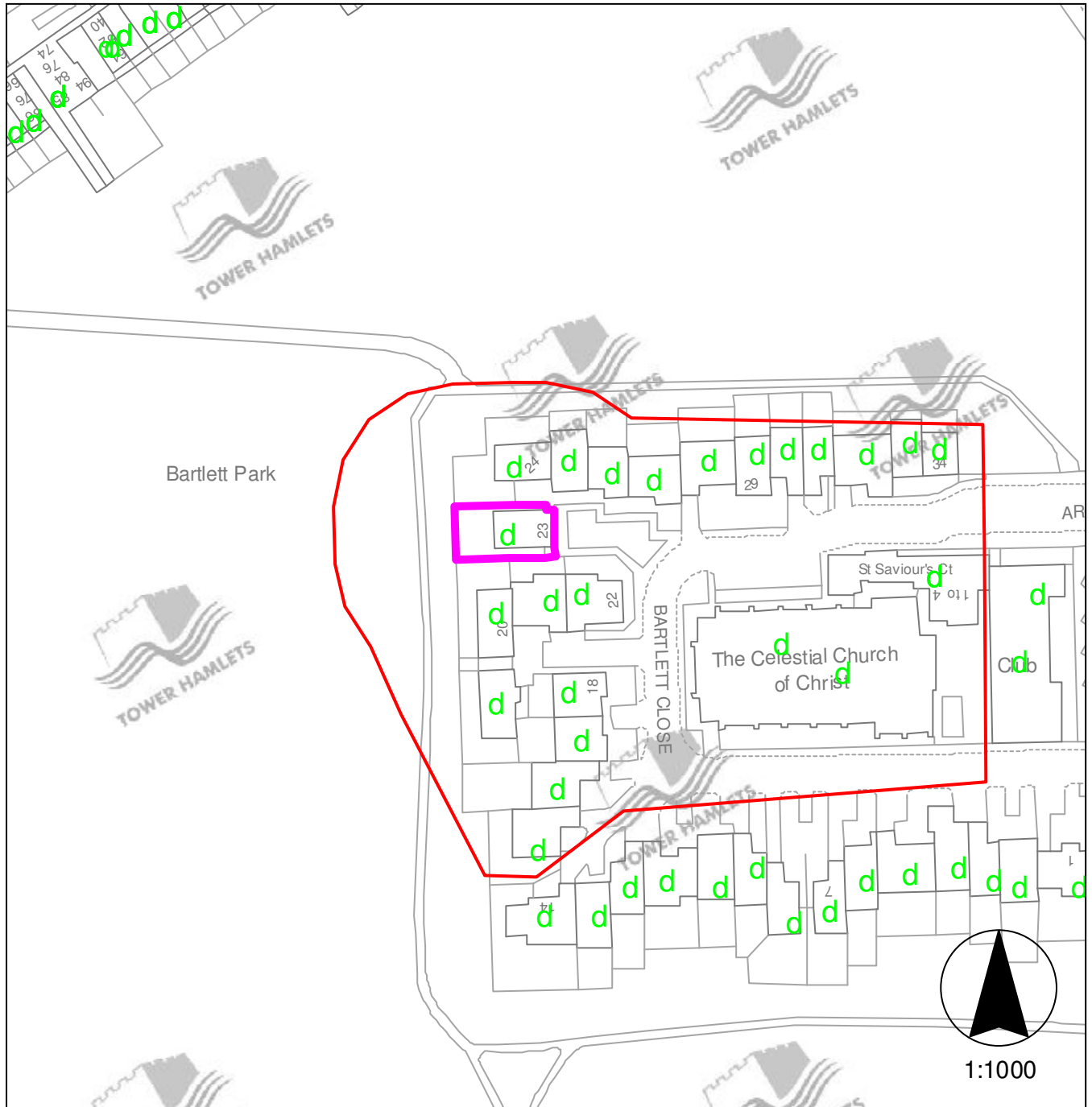
- 8.14 This application proposes no car parking spaces and, as previously mentioned, the property

will remain as a single dwelling. Therefore, no highways issues are likely to occur in relation to pedestrian safety and the proposal would adhere to Saved policy T16 of the Unitary Development Plan (1998) which seeks to retain the safety of pedestrians.

Conclusions

- 8.15 All other relevant policies and considerations have been taken into account. Planning permission should be granted for the reasons set out in the SUMMARY OF MATERIAL PLANNING CONSIDERATIONS and the details of the decision are set out in the RECOMMENDATION at the beginning of this report.

Site Map



Legend

- Planning Application Site Boundary
- Consultation Area
- d Land Parcel Address

This Site Map displays the Planning Application Site Boundary and the neighbouring Occupiers / Owners who were consulted as part of the Planning Application process. The Site Map was reproduced from the Ordnance Survey mapping with the permission of Her Majesty's Stationery Office © Crown Copyright. London Borough of Tower Hamlets LA086568

Agenda Item 7.2

Committee: Development	Date: 7 th May 2008	Classification: Unrestricted	Agenda Item Number: 7.2
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Report of: Director of Development and Renewal	Title: Town Planning Application
Case Officer: Allie Moore	Ref No: PA/08/00041
	Ward: Shadwell (February 2002 onwards)

1. APPLICATION DETAILS

Location:	1 Hawksmoor Mews, London, E1 0DG
Existing Use:	Stand alone building containing 3x car parking spaces at ground floor level and 1x studio flat at first floor level
Proposal:	Infill of ground floor 'under croft' and installation four new windows to create a two bedroom unit at ground and first floors.
Drawing Nos/Documents:	Site Plan, Photographs, no1, no2
Applicant:	Mr Lanny Lucas-Stone
Ownership:	Mr Lanny Lucas-Stone
Historic Building:	n/a
Conservation Area:	St George's Town Hall

2. SUMMARY OF MATERIAL PLANNING CONSIDERATIONS

- 2.1 a) The overall design, bulk, height and scale of the proposal is acceptable, and therefore in line with policy DEV1 of the Councils Unitary Development Plan (1998) and policy DEV2 of the Councils Interim Planning Guidance (2007), which seek to ensure all new developments are to a high quality design standard that is sympathetic to the site and its setting.
- b) The proposed development is acceptable in terms of amenity, and would not have an adverse impact in terms of overlooking, loss of privacy or loss of daylight/sunlight. The proposal is therefore in accordance with policy DEV2 of the Councils Unitary Development Plan (1998) and policy DEV1 of the Interim Planning Guidance (October 2007) which seeks to ensure all new developments protect the amenity of existing and future occupants.
- c) The proposal is considered to be acceptable in highways terms as subject to a scheme acceptable to the Local Planning Authority to ensure that future occupiers are unable to apply for a parking permit. As such, the proposal is considered to comply with policy 3C.1 of the London Plan (2004) and policy CP40 of the Council's Interim Planning Guidance which seek to restrict the amount of unnecessary vehicle movement.

3. RECOMMENDATION

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

Conditions

- a) Time Limit
- b) Hours of Construction
- c) Car-free Arrangement

4. PROPOSAL AND LOCATION DETAILS

Proposal

- 4.1 This application proposes to infill an existing parking space beneath an existing studio flat, to provide additional residential floor space at ground floor level in the form of two bedrooms and a bathroom. The 3 parking spaces serve the existing unit.

Site and Surroundings

- 4.2 The subject site is known as Hawksmoor Mews, accessed via an access below no. 200 Cable Street. Hawksmoor Mews comprises 10 residential units surrounding an internal courtyard. The buildings within the Mews are not listed. The site is located within the St Georges Town Hall Conservation Area.

Planning History

- 4.3 There are no planning decisions relevant to this application.

5. POLICY FRAMEWORK

- 5.1 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:

Unitary Development Plan 1998 (as saved September 2007)

Proposals: St Georges Town Hall Conservation Area

Policies: DEV1 Design Requirements
 DEV2 Amenity

Interim Planning Guidance for the purposes of Development Control

Proposals: St Georges Town Hall Conservation Area

Core Strategies: CP4 Good Design
 CP23 Efficient Use and Retention of Existing Housing
 CP40 A Sustainable Transport Network

Policies: DEV1 Amenity
 DEV2 Character and Design
 DEV19 Parking for Motor Vehicles
 CON2 Conservation Areas

Community Plan The following Community Plan objectives relate to the application:
 A better place for living safely
 A better place for living well

6. CONSULTATION RESPONSE

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

6.2 The following were consulted regarding the application:

LBTH Highways

6.3 Hawksmoor Mews has a PTAL of 3 which indicates a moderate level of accessibility to local transport facilities.

6.4 The application would result in the displacement of three parking spaces. The site is classified as private and it would be fair to expect the applicant to relocate the lost parking spaces within the curtilage of the site and not displace the lost parking spaces onto Cable Street. Parking on Cable Street is generally high / saturated and any additional displacement of parking onto Cable Street should be discouraged.

6.5 If the applicant is unable to re-site the lost parking spaces within the curtilage of the site, the use of a Section 106 to prevent the occupiers of the site from applying for any on street parking permits would be advised to prevent any displacement of cars from Hawksmoor Mews onto Cable Street.

7. LOCAL REPRESENTATION

7.1 A total of 45 neighbouring properties within the area shown on the map appended to this report were notified about the application and invited to comment. The application has also been publicised in East End Life and on site. The number of representations received from neighbours and local groups in response to notification and publicity of the application were as follows:

No of individual responses: 8 Objecting: 8 Supporting: 0
No of petitions received: 1 objecting containing 30 signatories

7.2 The following issues were raised in representations that are material to the determination of the application, and they are addressed in the next section of this report:

- The proposal would destroy the symmetry of the approach to the Mews and would add a foreign element to the design ethos. The design of the proposed windows would not work with the existing design style which does not have such traditional classical elements.
- The introduction of bedroom windows which look into the courtyard is inappropriate for the 9 other residents of the Mews as well as being an unpleasant, fume-filled and unattractive outlook for the bedroom occupants themselves.
- The proposal would result in the net loss of 2 car parking spaces.
- The proposal would impair the architectural merit of a development in a Conservation Area.
- The other residents of the Mews would feel uncomfortable parking in their allocated spaces so close to sleeping residents.

7.3 The following issues were raised in representations, but they are not material to the determination of the application:

- There would be a building regulations requirement for an extract ventilation system for the internal bathroom but no extract is shown on the elevations (OFFICER COMMENT: *This would be considered under Building Regulations, and would have no bearing on the*

outcome of this planning application)

8. MATERIAL PLANNING CONSIDERATIONS

8.1 The main planning issues raised by the application that the committee must consider are:

1. Landuse
2. Design and Conservation
3. Highways
4. Amenity

1. Land Use

8.2 Hawksmoor Mews is a residential development. The application proposes to extend an existing residential unit and has no land use implications. Issues surrounding the loss of the existing parking spaces is covered in the Highways section of this report (Paragraph 8.6).

2. Design and Conservation

8.3 Hawksmoor Mews was developed in the early 1980's, comprising 10 residential units arranged around an internal courtyard, accessed from Cable Street. Units no 5 and no 6 are three storeys in height, and units no 2-4 and no 7-9 are of two storeys in height, each with single aspect into the courtyard. Units 1 and 10 are stand-alone properties that differ from the other units within the Mews, as they each have three separate parking spaces at ground floor level and the accommodation is provided at first floor only. The proposal seeks to convert an existing open plan studio-style unit to a two bedroom property.

8.4 Concerns have been raised over the impact that the proposed alterations would have to the symmetry of the approach to the Mews, and the character and appearance of the St Georges Town Hall Conservation Area as a whole. The existing buildings within the Mews are not listed, and whilst it is recognised that there is a set of two identical buildings at the approach of the Mews, it is not considered that the buildings have any particular architectural or design merit that should be preserved in order to retain the character of the Mews. The applicant has proposed a ground floor frontage that would be sympathetic to the existing style and design of the surrounding properties within the Mews. The front façade would be painted render, rusticated to blend in with existing properties. It is considered that there would be no adverse impact on the view into the Mews from Cable Street, and as such, no harm to the overall character and appearance of the St Georges Town Hall Conservation Area and its setting.

8.5 The overall design, bulk, height and scale of the proposal is acceptable, and therefore in line with policy DEV1 of the Councils Unitary Development Plan (1998) and policy DEV2 of the Councils Interim Planning Guidance (2007), which seek to ensure all new developments are to a high quality design standard that is sympathetic to the site and its setting.

3. Highways

8.6 Policy DEV19 of the Interim Planning Guidance (October 2007) seeks to minimise parking in order to promote sustainable transport options such as walking, cycling and public transport. In addition to this, the overprovision of parking represents an inefficient use of land. The existing arrangement within the Mews allows for 10 car parking spaces for residents, and six covered spaces beneath two stand alone dwellings within the Mews. On balance, it is considered that the need for a larger dwellinghouse in this location outweighs the need for

the three car parking spaces that are currently provided beneath the subject property. However, the Council is aware that the loss of the three car parking spaces would potentially displace the car parking out onto Cable Street, where car parking facilities are limited. Therefore, it is considered that the applicant must enter into a S106 car-free legal agreement to ensure that the existing and future residents of no 1 Hawksmoor Mews are restricted from applying for parking permits in the surrounding area. Should the applicant seek to retain personal parking facilities within the Mews, a civil arrangement would need to be agreed between the applicant and residents of Hawksmoor Mews.

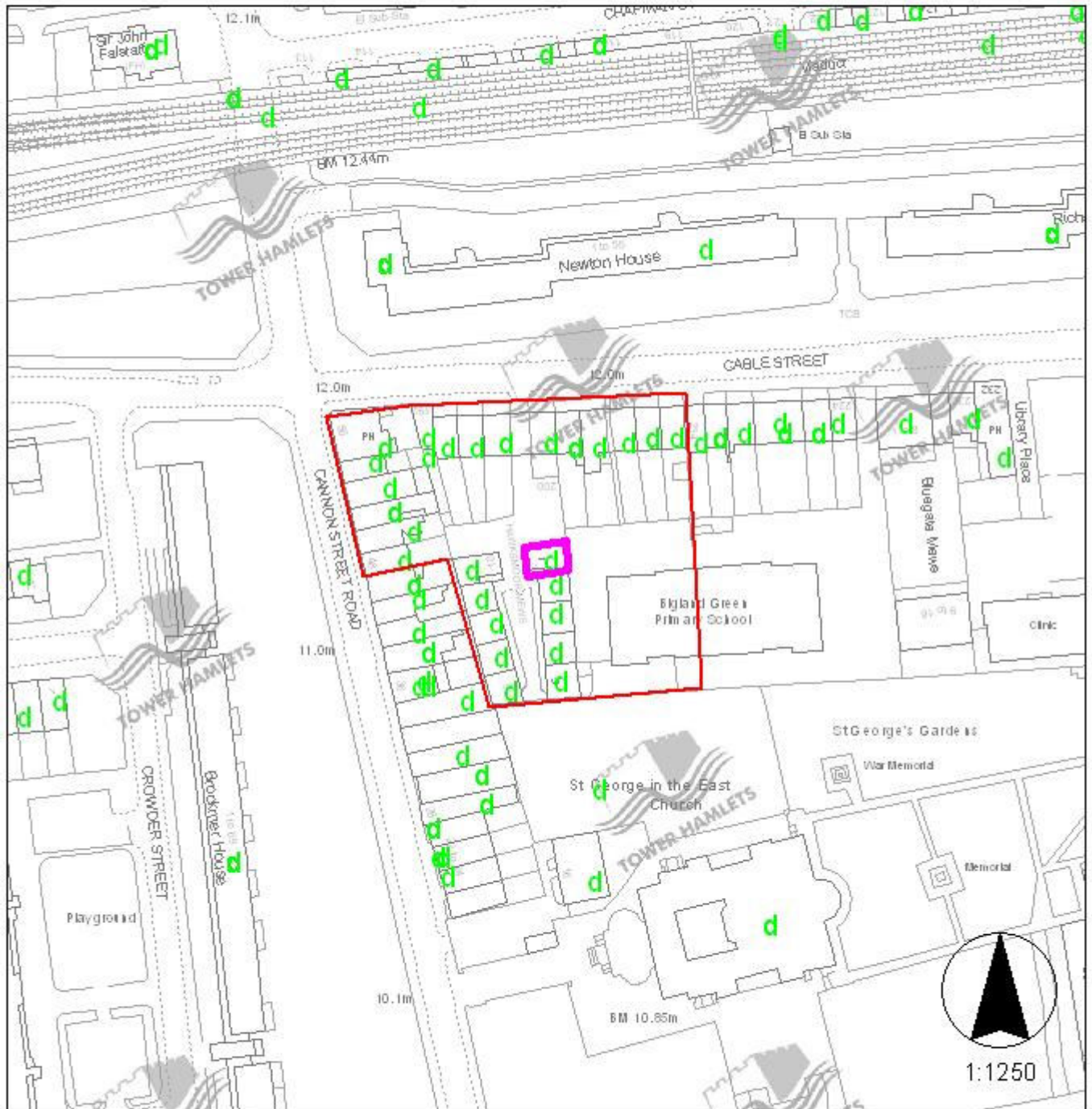
4. Amenity

- 8.7 It is considered that the proposal would have no adverse impacts on surrounding residents in terms of amenity. The proposal would involve the addition of two bedrooms at ground floor of no 1 Hawksmoor Mews, and whilst it is recognised that there may be increased disturbance to those using the ground floor bedrooms due to cars and foot traffic entering the Mews, it is considered that the level of activity is not such that it would warrant refusal of the application.
- 8.8 It is further considered that the proposed conversion of the ground floor would have no detrimental impact on the residents within the Mews in terms of privacy, overlooking, or sense of enclosure. Therefore, the proposal accords with policy DEV2 of the Tower Hamlets Unitary Development Plan (1998) and DEV1 of the Interim Planning Guidance (October 2007) which seek to safeguard the amenity of residents of the Borough and the environments generally.

Conclusions

- 8.9 All other relevant policies and considerations have been taken into account. Planning permission should be granted for the reasons set out in the SUMMARY OF MATERIAL PLANNING CONSIDERATIONS and the details of the decision are set out in the RECOMMENDATION at the beginning of this report.

Site Map



Legend

- Planning Application Site Boundary
- Consultation Area
- Land Parcel Address

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Agenda Item 7.3

Committee: Development	Date: 7 th May 2008	Classification: Unrestricted	Agenda Item Number: 7.3
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Report of: Director of Development and Renewal	Title: Town Planning Application
Case Officer: Rachel McConnell	Ref No: PA/08/00323
	Ward: Millwall (February 2002 onwards)

1. APPLICATION DETAILS

Location:	Docklands Medical Centre, 100 Spindrift Avenue, London, E14 9WU
Existing Use:	Medical Centre (Class D1)
Proposal:	To extend the partial 3rd floor over the whole building footprint and add a fourth storey set back from the north and south ends of the building. Erection of a rear extension part single and part two storey.
Drawing Nos/Documents:	AD-00, AD-01, AD-02, AD-03, A-04 Rev L, AD-05 Rev L, AD-06 Rev G, AD-07 Rev B, AD-20 Rev A, AD-21 Rev A, AD-22 Rev B, AD-23 Rev B
Applicant:	Tower Assets Management Ltd.
Ownership:	Isle of Dogs Community Foundation
Historic Building:	n/a
Conservation Area:	n/a

2. SUMMARY OF MATERIAL PLANNING CONSIDERATIONS

- 2.1
- a) In principle, the extension of existing health facilities is supported by Policy 3A.20 and 3A.21 in The London Plan Spatial Strategy for Greater London (Consolidated with Alterations since 2004) which promotes better health across London's population and supports the provision of additional healthcare facilities.
 - b) The proposal is not considered to result in an unacceptable harm to result in significant loss of day/sunlighting or loss of privacy. The proposal therefore complies with the requirements of Policy DEV2 in the Unitary Development Plan 1998 and DEV1 in the Interim Planning Guidance (2007) which seeks to protect the amenity of adjoining residential occupiers.
 - c) The proposed height, massing and design of the proposed extensions is considered to be sensitive to the surrounding buildings and streetscape in accordance with Policy DEV1 in the Unitary Development Plan 1998 and Policy DEV2 in the Interim Planning Guidance (2007) which seeks to ensure that proposal are appropriate in the locality.
 - d) It is not considered that the closure of the pedestrian access linking Sherwood Gardens to Barnfield Way would significantly reduce the permeability of the area or conflict with the needs of people with disabilities, children and young people and people with mobility difficulties.
 - e) It is considered that the proposal provides adequate access for disabled people. This is in accordance with Policy DEV3 in the Interim Planning Guidance (2007) seeks to ensure that development incorporates inclusive design principles to ensure easy access to all.

3. RECOMMENDATION

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

Conditions

- 1. Time limit
- 2. Samples of Materials to be submitted
- 3. Details of refuse provision

4. PROPOSAL AND LOCATION DETAILS

Proposal

- 4.1 To extend the partial third floor over the whole building footprint and add a fourth storey set back from the north and south ends of the building. The proposal also involves the erection of a part single and part two storey rear extension.
- 4.2 The extensions are to provide additional space for the existing medical practice and improving the existing dental surgery housed within the building. The proposal also would provide an ancillary pharmacy on the ground floor.

Site and Surroundings

- 4.3 The site is Docklands Medical Centre, a medical practice located on the corner of Spindrift Avenue and Barnsdale Avenue.
- 4.4 The existing building is predominantly two storey with partial third storey. There is parking to the front of the building accessed from Bransdale Road and pedestrian access through the site, linking Barnsdale Road to Sherwood Gardens.
- 4.5 The building adjoins a three storey residential terrace to the north fronting Barnsdale Avenue and three storey terrace to the west, fronting Sherwood Gardens. The surrounding area is predominantly residential.

Planning History

4.6 The following planning decisions are relevant to the application:

T/90/46 Development of a three storey building to provide Doctor's Group Practice, dentist's Surgery, Health Authority office accommodation and 1no. staff flat – conditional planning permission granted 14 May 1990

5. POLICY FRAMEWORK

5.1 The following policies are relevant to the application:

Unitary Development Plan

Proposals:		Flood Protection Area
Policies	DEV1	General Design
	DEV2	Environmental Requirements
	DEV50	Noise
	DEV55	Development and Waste Disposal
	DEV56	Waste Recycling

HSG15	Preservation of Residential Amenity
T16	Traffic Priorities for New Development

5.2 Interim Planning Guidance (October 2007)

Core Strategies	CP1	Creating Sustainable Communities
	CP4	Good Design
Policies:	CP40	Sustainable Travel Network
	CP41	Integrating Development with Transport
	DEV1	Amenity
	DEV2	Character and Design
	DEV3	Accessibility and Inclusive Design
	DEV4	Safety and Security
	DEV10	Disturbance from Noise Pollution
	DEV15	Waste and Recyclables Storage
	DEV19	Parking for Motor Vehicles
	SCF1	Social and Community Facilities

5.3 Spatial Development Strategy for Greater London (London Plan)

2A.1	Sustainability Criteria
3A.20	Health Objectives
3A.21	Locations for Health Care

5.4 Government Planning Policy Guidance/Statements

PPG13	Transport
PPS1	Delivering Sustainable Development

5.5 Community Plan The following Community Plan objectives relate to the application:

A better place for living well
A better place for excellent public services

6. CONSULTATION RESPONSE

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

6.2 The following were consulted regarding the application:

LBTH Highways

6.3 No objection

LBTH Environmental Health

6.4 No objection

7. LOCAL REPRESENTATION

7.1 A total of 139 neighbouring properties within the area shown on the map appended to this report were notified about the application and invited to comment. The application has also been publicised on site. The number of representations received from neighbours and local groups in response to notification and publicity of the application were as follows:

7.2 No of individual responses: 5 Objecting: 4 Supporting: 1

A letter of support has also been

- 7.3 No of petitions received: 1 objecting containing 38 signatories
- 7.4 The following issues were raised in representations that are material to the determination of the application, and they are addressed in the next section of this report:
- Closure of alleyway unacceptable – will block existing access route which has been there for 16 years. In particular will cause problems for young mothers with pushchairs and disabled people;
 - Loss of privacy to gardens;
 - Loss of sunlight/daylight;
 - Out of proportion and dominate adjacent buildings;
 - Out of context with the street;
 - Visitors and workers for health centre use private parking areas for residents – will be exacerbated by proposal [OFFICER COMMENT: The control of parking within private parking areas is a civil matter]
 - Inconvenience of detour for people using alley outweighed by benefits to the community
 - Expansion of existing local service supported.
- 7.5 The following issues were raised in representations, but they are not material to the determination of the application:
- Proposal will block View (OFFICER COMMENT: This is not a material planning consideration)

8. MATERIAL PLANNING CONSIDERATIONS

- 8.1 The main planning issues raised by the application that the committee must consider are:
1. Landuse
 2. Design, Scale and Bulk
 3. Residential Amenity
 4. Highways and Access
 5. Other Planning issues

Landuse

- 8.2 Policy 3A.20 and 3A.21 in The London Plan Spatial Strategy for Greater London (Consolidated with Alterations since 2004) promotes better health across London's population and supports the provision of additional healthcare facilities. The proposal is to extend an existing medical facility with is in accordance with these policy objectives.
- 8.3 Supporting letters have been submitted to by the agent from Tower Hamlets Primary Care Trust detailing the importance of providing additional local primary care capacity and provide a greater range of services to meet local needs.
- 8.4 The principle of extending the existing facility is considered acceptable subject to meeting other policy requirements.

Design, Scale and Bulk

- 8.5 The existing building is set back from the corner of Barnsdale Avenue and Spindrif Avenue,

with a paved parking to the front. Whilst it is acknowledged that the third and fourth storey extensions will increase the height of the existing building above the adjoining houses, it is considered that the corner location of the site provides an appropriate location for such an extension. Furthermore the proposed fourth storey is set back 1m from the existing north and south flank elevations, thereby reducing the bulk. At the highest point, the proposed building would be c.0.8m above the ridge line of the houses to the north which front Barnsdale Road and those to the west which front Sherwood Gardens.

- 8.6 The proposed rear extension will appear as a subordinate addition and not unduly prominent in the street scene.
- 8.7 The proposed height, massing and design of the proposed extensions is considered to be sensitive to the surrounding buildings and streetscape in accordance with Policy DEV1 in the Unitary Development Plan 1998 and DEV2 in the Interim Planning Guidance which seeks to ensure that proposal are appropriate in the locality.

Residential Amenity

- 8.8 Policy DEV2 in the Unitary Development Plan and Policy DEV1 in the Interim Planning Guidance seeks to protect the amenity of residential occupiers and ensure that adjoining buildings are not adversely affected.
- 8.9 Concern has been raised by adjoining residents that the proposal will result in unacceptable levels of overlooking. It is acknowledged that the proposed extensions will result in some overlooking to the rear gardens of the adjoining properties to the west of the site. There is existing overlooking from other houses in the terrace and in the immediate locality. It is considered that additional overlooking resulting from the proposed extension would not be untypical in an urban area and would not result in significant harm to residential occupiers.
- 8.10 No. 1 Barnsdale Road adjoins the northern boundary of the site. The proposal is not considered to result in significant loss of day/sunlighting to adjoining residential occupiers. The two storey element of the rear extension is set in 3.5m from the boundary. This is considered to be sufficient to ensure there is adequate day/sunlight to the rear of this property.
- 8.11 No. 1 Sherwood Gardens adjoins the western boundary of the site. Given the orientation of this property in relation to the site, there will be no significant loss of sunlight as the southern aspect is not obscured by the proposal. It is accepted that there will be some reduction in sunlight in the morning however this is not considered significant enough to warrant refusal of the application. With regard to daylight, the third and fourth storey will be c.5m from the rear garden boundary of the property to the west and is not considered result in a material deterioration of daylighting conditions or create an inappropriate sense of enclosure.
- 8.12 The proposal will be visible from other properties in the locality however it is considered that given the proximity to the site, there will be no significant harm to the amenity of occupiers. The intensification of use on the site as a result of the proposed additional floorspace is not considered to create an unacceptable level of noise or disturbance.
- 8.13 Given the above, it is considered that the proposal conforms with Policy DEV2 in the Unitary Development Plan and Policy DEV1 in the Interim Planning Guidance.

Highways and Access

- 8.14 The application does not propose any additional parking. Photographs have been submitted with the application to demonstrate that the existing car parking on site is underutilised.

Whilst the site is located in an area with a PTAL of 2, Mudchute Station is approximately 5 minutes walk from the site and there are regular bus services on Barnsdale Avenue and Spindrift Avenue. It is considered that given the proximity to public access routes and that the facility is to serve the local community (many are likely to be located within walking distance) the proposed extension will not have an unacceptable impact on parking on the surrounding highway.

- 8.15 Objection has been raised by residents to the closure of the pedestrian access through the site. This access is not designated as a public right of way maintainable at public expense. Whilst it is acknowledged that this existing access does provide a short cut in particular for those residents in Sherwood Gardens, there are alternative routes which are in close proximity to the site. Copland Drive is located c.62m north of the site and links Barnsdale Road to Sherwood Gardens. It is not considered that the closure of this access would significantly reduce the permeability of the area or conflict with the needs of people with disabilities, children and young people and people with mobility difficulties.
- 8.16 Policy DEV3 in the Interim Planning Guidance (2007) seeks to ensure that development incorporates inclusive design principles to ensure easy access to all. The existing ramped access from Barnsdale Avenue is to be retained and a lift provided serving all four storeys. It is considered that the proposal provides adequate access for disabled people.

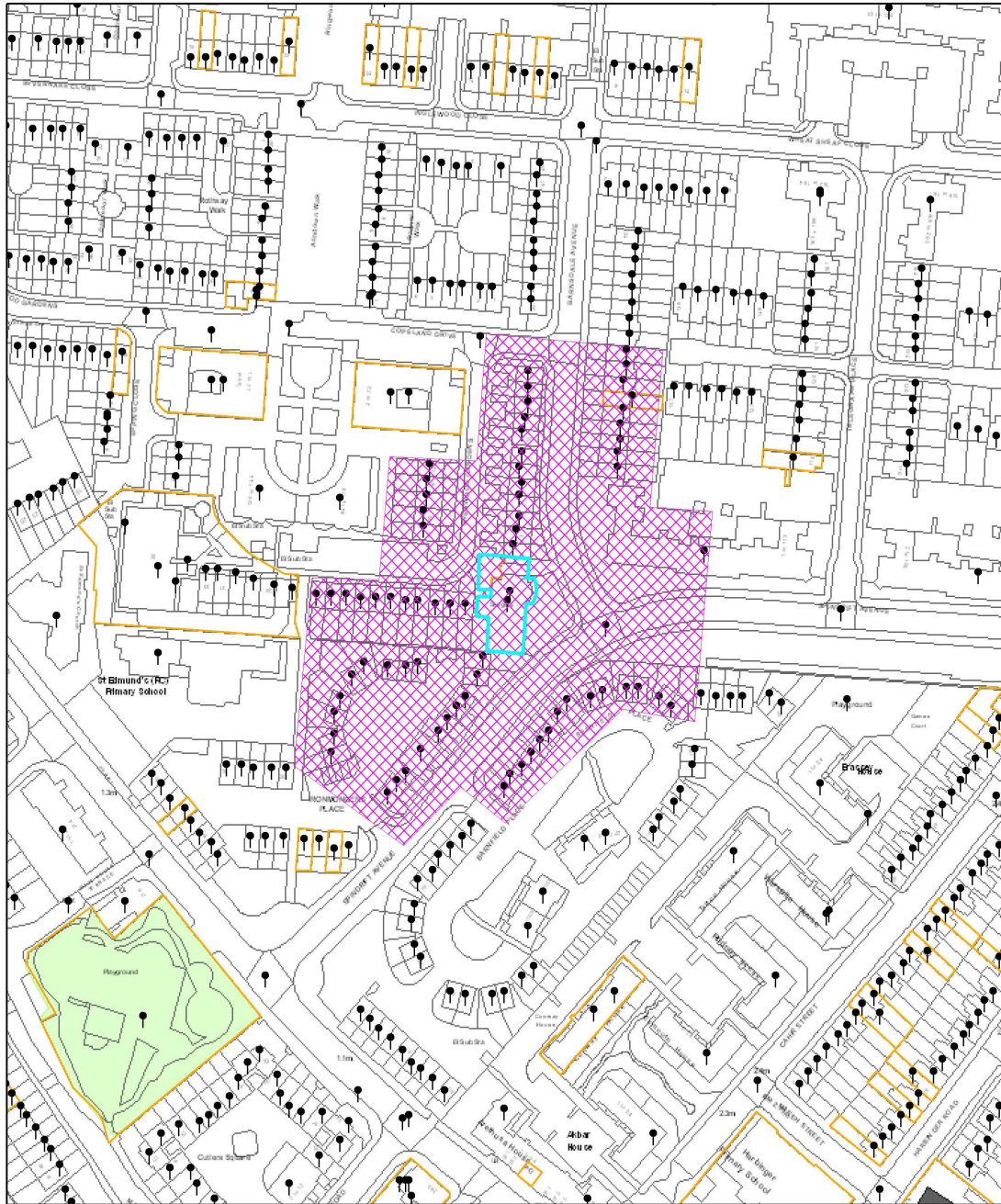
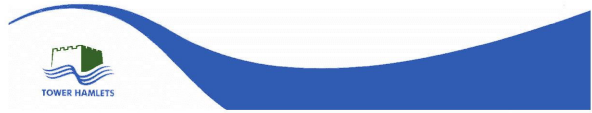
Other Planning Issues




- 8.17 Details have not been provided for additional waste storage on site. There is a large hardstanding to the front of the building. It is considered that details of refuse provision for the extending facility can be dealt with by condition.

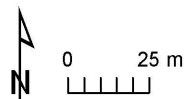
Conclusions

- 8.18 All other relevant policies and considerations have been taken into account. Planning permission should be granted for the reasons set out in the SUMMARY OF MATERIAL PLANNING CONSIDERATIONS and the details of the decision are set out in the RECOMMENDATION at the beginning of this report.

Planning Application Site Map



-  Planning Application Site Boundary
-  Other Planning Applications
-  Consultation Area
-  Land Parcel Address Point



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