

LONDON BOROUGH OF TOWER HAMLETS

MINUTES OF THE DEVELOPMENT COMMITTEE

HELD AT 7.00 P.M. ON THURSDAY, 10 FEBRUARY 2011

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

Members Present:

Councillor Carli Harper-Penman (Chair)

Councillor Judith Gardiner (Vice-Chair)

Councillor Peter Golds

Councillor Ann Jackson

Councillor Kosru Uddin

Other Councillors Present:

Councillor Bill Turner

Councillor Carlo Gibbs

Officers Present:

Pete Smith	– Development Control Manager, Development and Renewal
Ila Robertson	– (Applications Manager Development and Renewal)
Jill Bell	– Head of Legal Services (Environment), Legal Services
Fleur Brunton	– Senior Lawyer - Planning Chief Executive's
Richard Murrell	– (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 received on behalf of Councillor Mohammed Abdul Mukit MBE and Stephanie Eaton.

2. DECLARATIONS OF INTEREST

Members declared interests in items on the agenda for the meeting as set out below:

Councillor	Item(s)	Type of interest	Reason
Carli Harper – Penman	7.1	Personal	Had received representations but had not looked or considered them.
Judith Gardiner	7.1	Personal	Had received representations but had not looked or considered them.

3. UNRESTRICTED MINUTES

The Committee **RESOLVED**

That the unrestricted minutes of the meeting of the Committee held on 12th January 2011 be agreed as a correct record and signed by the Chair.

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 and those who had registered to speak at the meeting.

6. DEFERRED ITEMS

Nil Items.

7. PLANNING APPLICATIONS FOR DECISION

8. LAND ADJACENT TO BRIDGE WHARF, OLD FORD ROAD, LONDON

Update report tabled.

The Chair reported that she had received a number of late requests to speak however they could not be accepted as they had been submitted after the deadline for registering to speak.

Mr Pete Smith (Development Control Manager, Development and Renewal) introduced the application regarding the land adjacent to Bridge Wharf, Old Ford Road.

The Chair invited statements from persons who had previously registered to address the Committee.

Ms Emily Greaves spoke against the application. She considered that she had bought a flat and was a resident of Bridge Wharf. When the occupiers bought the flats they were investing in unique open space. She considered that it made the nearby residents feel safe and secure and should be preserved. The scheme would result in overlooking to their properties, loss of privacy, particularly as it was directly opposite balconies. It would restrict natural light and obstruct the sights of Victoria Park and Regents Canal. The old wall would be destroyed. The dust produced from construction would impact on health. It would also affect potential owners and would impact on house prices.

This small plot was unsuitable for any development let alone this. It would not address the housing shortage as it was too small. The buildings had a unique curved design. The proposal would be out of keeping with the area. Quality of life would be compromised.

Councillor Bill Turner also spoke in objection. He considered that he was speaking on behalf of local residents. The Cranbrook Estate was already a well developed area. The scheme was for private rather than affordable housing. The developer had not carried out any consultation with the residents. If they had done so, they could have mitigated the concerns.

Councillor Turner also objected to loss of amenity. The site was located within two Conservation areas near the Regents Canal and Victoria Park conservation area and was connected by the canal. It was an essential visual amenity and this would be affected by this.

In addition, no one on the Cranbrook Estate had their own gardens so this provided a nice quiet place for them to visit.

He also objected to the impact on the willow trees which were very valuable and some of the oldest in the Borough. He also expressed concerns regarding highways amenity and noise amenity as it was a quiet area.

Andy Punchers spoke on behalf of the Applicant. He had worked closely with the Council and the relevant experts to develop a suitable scheme. The site was a brownfield site and had been identified as a future development site. There had previously been construction on site. The height of the property

was lower than the nearby properties due to the staggered design. Therefore there would be no overlooking to Bridge Wharf. Furthermore, the design would increase openness. The developer recognised the importance of the willow trees and were working with the arboriculturists to ensure they were protected. They had submitted a report to them which was being evaluated. The materials proposed would complement the area. The landscaping would ensure there would be no loss of open space and would preserve the canal. In relation to parking, the plans approved by Officers showed there would be adequate parking. In summary the scheme would provide high quality housing, would preserve the surrounding area, complied with policy so should be granted.

Mr Richard Murrell (Deputy Team Leader, Development and Renewal) presented the detailed report. Mr Murrell explained the planning history, the proposal, the site and surrounding area.

The application had been subject to statutory consultation. To which 42 objections had been received. The main objections centred around overdevelopment, loss of amenity, access issues, parking, impact on the trees.

Mr Murrell addressed the key issues.

The scheme had been carefully designed to minimise impact. It was in keeping with the surrounding area which was of mixed character. The development fell below the threshold for affordable housing provision.

Mr Murrell explained the position regarding the out of date S.106 agreement for the Bridge Wharf development. He also explained the works to the trees to facilitate development and to enhance their potential. The trees were protected by being in a Conservation Area, so any request for further works would require consent from the Local Authority.

Furthermore, the evidence indicated there was no problems with parking in the area. Therefore, the existing provision could accommodate the scheme.

In reply to the presentation, Members raised comments /concerns around the following matters-

- Width between the exits and the highway. It was considered that there was only a narrow piece of pavement separating the properties and the highway. The doors therefore would be opening straight onto a very narrow pavement onto a busy road with a history of accidents. The safety implications of this should be carefully considered.
- Anti social behaviour issues.
- The impact on the trees. The location of the one at risk.
- Distance between the site and Bridge Wharf.
- The construction history.
- Implications of the Bow Wharf Planning Inquiry. Had this been taken into account?

- Concerns around the design, size of the houses, the lack of living space.
- Overdevelopment. It was considered that the properties would be substantially higher than the previous developments on the site.
- The need for additional parking. It was felt that there was already a shortage of spaces in the area.
- Sustainability. Due to the design, the properties were likely to be leased for short term lets rather than as family housing. The proposal therefore conflicted with the aim of building a sustainable community.
- Loss of open space. It was feared that the Borough would be losing green spaces for 'tiny high cost homes' without proper living space. The Borough wouldn't gain anything from the scheme. It would not improve the area

In reply officers clarified the following points –

- The Council's Highways experts had considered the proposal and did not consider that there were any highway safety issues.
- The distance between the front doors and the highway exceeded minimum requirements in the policy. The front doors would open inwards. In addition, the site would widen due to the removal of the wall.
- In relation the Planning Inquiry, Officers had considered the objections regarding the Planning Inspectors points. However they considered that there were no fundamental conflicts between the findings and the proposal.
- Drew attention to the circulated maps showing previous constructions on site.

Accordingly, on a vote of 0 for 4 against with 1 abstention the Committee **RESOLVED**

That the Officer recommendation to grant planning permission for the erection of 2 no. three storey, four bed houses be NOT ACCEPTED.

The Committee indicated that they were minded to refuse the planning application because of concerns over:

- The scale of the development/overdevelopment and the impact on the proposal on the openness of the immediate area.
- The overall sustainability credentials of the proposed development.
- Concerns over highway safety, caused by the close proximity of the front doors to the back edge of the pavement, overall pavement widths in the vicinity of the site, poor visibility on Old Ford Road and the potential for increased accidents.

In accordance with Development Procedural Rules, the application was DEFERRED to enable Officers to prepare a supplementary report to a future meeting of the Committee setting out proposed detailed reasons for refusal and the implications of the decision.

9. KEELING HOUSE, CLAREDALE STREET E2

Mr Pete Smith (Development Control Manager, Development and Renewal) introduced the application regarding Keeling House, Claredale Street.

The Chair invited statements from persons who had previously registered to address the Committee.

Mr Ben Rogers spoke in objection to the application. He considered that he was speaking on behalf of the residents of Keeling house. Their view that this application was materially different from the 2005 approved application. It would adversely affect the character and the identity of the building. The conversion would erode its architectural quality. English Heritage agreed with this.

Keeling House made an important contribution to the conservation area and building on the roof of it would have a major impact. There would be overlooking and a loss of privacy from the additional windows. The extension to the stairwell would block valuable daylight. The technical report did not show the major problems. Therefore he recommended that the application be refused.

Councillor Carlos Gibbs also spoke in objection. He considered that he had been approached by concerned residents. The extension of the stairwell, which was in effect a 2ft wall, would restrict daylight to existing properties, privacy and enjoyment of properties. When it was originally approved it was not in a Conservation Area but now was. He did not accept the view that Keeling House was not one of the main reasons it was designated such an area.

He urged the Committee to take note of the comments of English Heritage and the buildings importance to the Conservation Area. The proposals did nothing to address the housing shortage and did not add anything to the community.

Mr Brian Heron spoke in favour as the architect and resident of the property. He explained the reasons for the time extension. It was not a new application and was exactly the same as the one approved and granted in 2005. He had submitted before and after plans showing that the architectural value of the building would be preserved and enhanced. The scheme included privacy measures to restrict overlooking and protect privacy. These measures were considered acceptable in 2005 and there had been no changes. He summarised the merits of the scheme and requested it be approved.

Ms Ila Robertson (Applications Manager, Development and Renewal) presented the detailed report. It was explained that the planning permission and listed building consent had already been granted. The purpose of this was to grant an extension of time to enable a longer time for implementation. The application had been subjected to statutory public consultation. The main

issues related to loss of amenity, heritage issues impact on the Conservation Area and design and appearance.

In terms of amenity, the application included significant measures to protect amenity. The application was considered acceptable and granted in 2005 and there had been no material changes since then.

In terms of policy issues, the site had been designated a Conservation Area since 2005. The Council had also adopted new planning policy and national planning guidance had changed from PP15 to PPS5. However it was not considered that these issues justified a different decision.

The Planning Inspectorate had considered the concerns around the design of the stairwell but felt that it would preserve the architectural features of the house. Additionally, English Heritage had not raised any objection but directed the Council to determine as it saw fit.

Overall it was considered that the proposal would preserve the building's historical significance, the Conservation Area, complied with policy and therefore should be granted.

The Committee considered before and after images showing the implications of the scheme.

In reply Members raised the following issues -

- That the views of English Heritage be clarified.
- Queried the nature of the proposal. Whether the Committee should consider it as a fresh application or a time extension.
- Reasons for the request.
- Location of the new flats replacing Bradley and Connett houses (Paragraph 8.8 of the report).

Officer addressed each of the Committee points. In particular they reported -

- That English Heritage had given the Council authorisation to determine the application as they sought fit. The Council could not make a decision without this.
- The Government guidance suggested that, in considering applications for a time extension, the Committee should focus on whether there had been any material changes since the application had already been approved in principle.
- The reason the scheme had not been implemented was due to a change in ownership
- The building at this site was the Claredale development

In summary the Committee considered that there had been no real material changes since the 2005 consent therefore the application should be granted.

On a vote of 4 for and 0 against with 1 abstention the Committee **RESOLVED**

That listed building consent and planning permission for the following matters be **GRANTED** subject to the conditions and informative set out in the report.

- Request to extend the time to implement of listed building consent PA/02/01618A dated 28th April 2005 for 'Conversion of redundant water tank on top of block into a maisonette. Works include extension of stair tower to serve new unit; reinstatement of concrete flue; inserting floors, partition walls and glazing into existing structures' to allow a longer period for implementation.
- Request to extend the time to implement of planning permission PA/02/01617 dated 28th April 2005 for 'Change of use of disused water tank enclosure to maisonette. Development to include extension of stair tower and insertion of glazing to tank structure' to allow a longer period for implementation

10. OTHER PLANNING MATTERS

10.1 Phoenix School, 49 Bow Road, London, E3 2AD

Ila Robertson (Application's Manager, Development and Renewal) presented the application. It was reported that the application had been subject to consultation but no comments had been received.

The proposal had been amended to overcome the issues raised by English Heritage and they were now happy with the scheme. The scheme complied with policy therefore should be recommended for approval.

On a unanimous vote the Committee **RESOLVED**

That the application for alterations in connection with erection of two structures (including canopy and greenhouse) and formation of a new external access into an existing teaching room be referred to the Government Office for London with the recommendation that the council would be minded to grant Listed Building Consent subject to conditions set out in the report.

10.2 Planning Appeals December 2010 - January 2011

Mr Pete Smith (Development Control Manager, Development and Renewal) presented the report. The report provided details of appeals decisions and new appeals lodged between December 2010 and January 2011.

In response, the Committee discussed the outcomes and the lessons learnt. It was noted that the large majority of decisions were successfully defended at appeal.

Members also discussed the process and timescales for the new appeals and raised some requests for information which Officers undertook to provide. Members also noted the implications of emerging government policy in respect of retrospective applications.

Overall the Committee felt that the report was very useful and informative as it provided an overview of the whole decision making process. They thanked Officers for preparing the report and were keen to ensure such reports were submitted to the Committee on a regular basis.

On a unanimous vote the Committee **RESOLVED**

That the details and outcomes of the appeals as outlined in the attached report be noted.

The meeting ended at 8.50 p.m.

Chair, Councillor Carli Harper-Penman
Development Committee