

LONDON BOROUGH OF TOWER HAMLETS

MINUTES OF THE DEVELOPMENT COMMITTEE

HELD AT 7.00 P.M. ON WEDNESDAY, 25 JUNE 2014

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

Members Present:

Councillor Sirajul Islam (Chair)
Councillor Shah Alam
Councillor Gulam Kibria Choudhury
Councillor Marc Francis
Councillor Shiria Khatun
Councillor Andrew Wood

Other Councillors Present:

None.

Apologies:

None.

Officers Present:

Paul Buckenham	(Development Control Manager, Development and Renewal)
Piotr Lanoszka	(Planning Officer, Development and Renewal)
Richard Murrell	(Deputy Team Leader, Planning, Development and Renewal)
Amy Thompson	(Pre-Applications Team Leader, Development and Renewal)
Nasser Farooq	(Planning Officer, Development and Renewal)
Steen Smedegaard	(Legal Officer, Directorate, Law Probity and Governance)
Jen Pepper	(Affordable Housing Programme Manager, Development and Renewal)
Zoe Folley	(Committee Officer, Directorate Law, Probity and Governance)

1. ELECTION OF VICE-CHAIR OF THE COMMITTEE 2014/15

It was proposed by Councillor Shiria Khatun, seconded by Councillor Sirajul Islam and **RESOLVED**

That Councillor Marc Francis be elected Vice-Chair of the Development Committee for the remainder of the Municipal Year 2014/2015

2. DECLARATIONS OF DISCLOSABLE PECUNIARY INTERESTS

No declarations of disclosable pecuniary interests were made.

3. MINUTES OF THE PREVIOUS MEETING(S)

The Committee **RESOLVED**

That the minutes of the meeting of the Committee held on 7th May 2014 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 AND MEETING GUIDANCE

The Committee noted the procedure and guidance.

6. DEVELOPMENT COMMITTEE TERMS OF REFERENCE, QUORUM, MEMBERSHIP AND DATES OF MEETINGS

The Committee **RESOLVED**

That the Development Committee's Terms of Reference, Quorum, Membership and dates of future meetings as set out in Appendices 1, 2 and 3 to the Committee report be noted.

7. DEFERRED ITEMS

Nil Items.

8. PLANNING APPLICATIONS FOR DECISION**8.1 Land at rear of 60 Jubilee Street, London (PA/13/02667)**

Update Report tabled.

Paul Buckenham (Development Manager, Development and Renewal) introduced the application for the erection of a 2 storey, 4 bedroom wheelchair accessible dwelling with one car parking space at Land at rear of 60 Jubilee Street.

The Chair invited registered speakers to address the Committee

Siddique Miah spoke in objection. He expressed concern about the impact from the construction work on the elderly neighbours' quality of life who were of fragile health. He also objected to the impact on daylight to their property from the development. Their existing light levels were already quite limited forcing them to rely on artificial sources. The proposal would worsen this. In response to Members, he considered that the development would mostly affect light to the front of their property.

Simon Cottingham spoke in support of the application. He explained the merits of the scheme to provide much needed accessible housing in line with Council initiatives. The Council's experts were supportive of the plans. He highlighted the car parking plans, based on consultation with residents. The construction hours would be conditioned to minimise noise to residents. There would also be additional checks during the construction phase to ensure this. The scheme had been carefully designed to protect amenity and was of modest scale. As a result, the scheme should not affect daylight and sunlight levels to neighbouring properties. In response to Members, he confirmed the proposed car free agreement.

Piotr Lanoszka (Planning Officer, Development and Renewal) presented the detailed report. He explained the site location, the existing land use, the outcome of the public consultation and the objections raised.

He explained the aspects of the design to protect amenity and the impact on 60A Jubilee Street. It was not considered that these works, required for the development, would adversely affect the occupants living standards to such an extent to warrant refusal. The Council's Inclusive Access Officer and Occupational Health Therapist were satisfied that the proposal was assessable. No objections had been received to the loss of the car parking spaces.

Overall, it was considered that the provision of a family sized, accessible unit on an under used car park would make effective use of the land. Given the quality of the scheme and lack of impact, Officers were recommending that the application be granted planning permission.

In response, Members discussed the impact from construction on residents particularly on a Saturday given the close proximity to residential properties. With this in mind, the Committee agreed to amend the hours of construction for Saturdays to still commence at 8am with no loud machinery before 9am.

Members also questioned the need for the proposed Car Free Agreement for the future occupants of nearby properties. It was considered that it would not be necessary in planning terms to retrospectively secure the existing units as car free. In view of this, the Committee agreed to remove the Car Free agreement with respect of the future occupiers of the 6 flats within 60 Jubilee Street from the planning obligations.

In response to further questions, Officers confirmed that they were satisfied with the measures to minimise the amenity impact of the scheme generally. It was considered that the scheme provided everything that could be secured under the circumstances.

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

1. That planning permission (PA/13/02667) at Land at rear of 60 Jubilee Street, London (PA/13/02667) be **GRANTED** for the erection of a 2 storey, 4 bedroom wheelchair accessible dwelling with one car parking space subject to:
2. The prior completion of a legal agreement under Section 106 of the Town and Country Planning Act 1990 (as amended) within three months of the date of this resolution, to secure the planning obligations set out in the Committee report subject to the following amendment:
 - Removal of the Car Free agreement with respect of the future occupiers of the 6 flats within 60 Jubilee Street.
3. That the Corporate Director, Development & Renewal is delegated authority to negotiate and approve the legal agreement indicated above.
4. That the Corporate Director Development & Renewal is delegated authority to issue the planning permission and impose conditions and informatives to secure the matters set out in the Committee Report subject to the following amendment in respect of the hours of construction.
 - Hours of construction on Saturday to start at 8am with no loud machinery before 9am. (being defined by the use of power tools or machinery).

8.2 97-99 Sclater Street, London, E1 6HR (PA/14/00128)

Update Report tabled.

Paul Buckenham (Development Manager, Development and Renewal) introduced the application for internally illuminated display signage to advertise the Cinema premises at 97-99 Sclater Street. The application was being presented to the Committee due to the number of representations in support contrary to the Officers recommendation to refuse.

The Chair invited registered speakers to address the Committee.

Damien Sanville spoke in support of the proposal. He explained the need for the signage to distinguish this very unique cinema. There was a lot of support for the proposal from high profile groups. In response to Members about the concerns, he considered that the proposal would have little impact on the surrounding area given the design.

Amy Thompson (Planning Officer, Development and Renewal) presented the report. Officers considered that the proposed signage would harm the visual amenity of the host building and character of the Conservation Area. The proposal was therefore contrary to policy that sought to avoid this.

Officers were therefore recommending that the application be refused.

The Committee were advised of the size of the proposed signage and that this was considered to be unduly prominent. The console brackets had apparently been removed. The Council's Enforcement Team were investigating this.

In reply to Members, it was considered that a more modest design might address the concerns. Officers would assess any new proposals on its merits.

On a vote of 4 favour and 2 abstentions, the Committee **RESOLVED:**

That Advertisement Consent at 97-99 Sclater Street, London, E1 6HR (PA/14/00128) be **REFUSED** for internally illuminated display signage to advertise the Cinema premises for the reason set out in the Committee report as follows:

The up-riser component of the signage is located at first floor level on the host building which makes it appear unduly prominent. This part of the signage detracts from the uncluttered appearance of the upper floors of the building and the terrace of which it forms a part. The horizontal component of the signage has a boxy form that runs across the pair of buildings removing the delineation of two discrete shop fronts with signage zones and traditional features such as console brackets.

The signage has an unacceptable impact on the visual amenity of the area and detracts from the character and appearance of the Fournier Street / Brick Lane Conservation Area. The proposal is contrary to Policy DM23 of the Adopted Managing Development Document (2013).

8.3 Car Park, Cygnet Street, London (PA/13/02529)

Update Report tabled.

Paul Buckenham (Development Manager, Development and Renewal) introduced the application regarding Car Park, Cygnet Street.

Richard Murrell, (Planning Officer, Development and Renewal) presented the detailed report and update report.

It was firstly reported that the number of private houses (page 67 of the report) should be 26 not 27. It was also reported that the housing split in the recommendations should be 77%/23% split in favour of affordable rent.

Mr Murrell noted that the Developer had offered to limit noisy construction activities on Saturday mornings, with no noisy activities to take place between 0800 and 0900.

Mr Murrell described the key features of the scheme including: the site and surrounds near Conservation Areas and the existing use. The proposed land use was considered acceptable given the need to reduce car use and the need for additional high quality housing. The proposed commercial use would contribute to additional retail and amenities for local people.

It was considered that the design and scale of the development was compatible with the area. Samples of the brick work were available for the Committee to view. The scheme would provide 36% affordable housing at the Council's preferred rent levels in accordance with policy.

Mr Murrell explained the impact on sunlight and daylight to the neighbouring properties. Whilst there would be some impact, this was mainly due to the design of the neighbouring building and existing cleared site. Overall, Officers considered that these impacts were acceptable given the improvements to the views from these properties, amongst other issues.

Members were also advised of the S106 agreement that was policy compliant. Officers were recommending that the application be approved.

Members asked questions about the rent levels for the affordable housing, the impact from construction, the design, the impact on jobs from the development and the loss of car parking spaces

In response, Officers confirmed that the proposed rents for the affordable units fell below the markets rates by some margin. Jen Pepper (Affordable Housing Programme Manager) confirmed the exact percentage at which for each unit type. Any changes to the rent levels could affect the viability of the scheme. The site had a high public transport rating given the number of bus routes in the area and proximity to Shoreditch Station.

Care had been taken to ensure the development fitted in with the surrounding area with features to ensure this. The proposal would provide employment opportunities. Nearby streets were subject to parking controls. This should prevent any parking displacement. Many markets operated without on site car parking and it was not considered that the proposal would cause any displacement for the market.

The Committee were mindful of the impact of the construction work on amenity given the proximity of the development to the surrounding area and the density of the area. As a result, the Committee agreed to amend the hours of construction for Saturdays to still start at 8am but with no loud machinery before 9am.

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

1. That the planning permission at Car Park, Cygnet Street, London (PA/13/02529) be **GRANTED** for the Erection of a building up to six storeys to provide basement gym (Use Class D2), ground floor commercial (Use Classes A1, A2, A3 and B1) and 39 dwellings Subject to:
2. The prior completion of a legal agreement under Section 106 of the Town and Country Planning Act 1990 (as amended) within three months of the date of this resolution to secure the planning obligations set out in the Committee report with the clarification reported at the Committee meeting that the split in the 36% affordable housing should read 13 units with a 77%/23% split in favour of affordable rent.
3. That the Corporate Director, Development & Renewal and Head of Legal Services be delegated authority to negotiate and approve the legal agreement indicated above.
4. That the Corporate Director Development & Renewal is delegated authority to issue the planning permission and impose conditions plus informatives to secure the matters set out in the Committee Report subject to the following amendment in respect of the hours of construction:
 - Hours of construction on Saturday to start at 8am with no loud machinery before 9am (being defined by the use of power tools or machinery).
5. Any other planning condition(s) considered necessary by the Corporate Director Development & Renewal

9. OTHER PLANNING MATTERS

9.1 Former Professional Development Centre, English Street, London, E3 4TA PA/14/00702

Nasser Farooq (Planning Officer, Development and Renewal) presented the application. He explained the need for the works to provide amenity space in accordance with the required standards. He explained the nature of the works including canopies, laying of soft surfaces for ball play and tarmac for additional play space. The works were considered to preserve the special features of the listed building and as such complied with policy.

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

That the application at Former Professional Development Centre, English Street, London, E3 4TA (PA/14/00702) for various external works to create play areas be **REFERRED** to the National Casework Unit with the recommendation that the Council would be minded to grant Listed Building Consent subject to conditions set out in the Committee report.

The meeting ended at 9.00 p.m.

Chair, Councillor Sirajul Islam
Development Committee