

# DEVELOPMENT COMMITTEE

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**Thursday, 24 July 2014 at 5.30 p.m.**  
**Council Chamber, 1st Floor, Town Hall, Mulberry Place, 5 Clove  
Crescent, London, E14 2BG**

**The meeting is open to the public to attend.**

**Members:**

Chair: Councillor Sirajul Islam  
Vice Chair : Councillor Marc Francis  
Councillor Suluk Ahmed, Councillor Shah Alam, Councillor Gulam Kibria Choudhury,  
Councillor Shiria Khatun and Councillor Andrew Wood

**Deputies:**

Councillor Craig Aston, Councillor Asma Begum, Councillor Andrew Cregan, Councillor  
Julia Dockerill, Councillor Peter Golds and Councillor Rajib Ahmed

[The quorum for this body is 3 Members]

**Public Information.**

The deadline for registering to speak is **4pm Tuesday, 22 July 2014**  
Please contact the Officer below to register. The speaking procedures are attached  
The deadline for submitting material for the update report is **Noon Wednesday, 23 July  
2014**

**Contact for further enquiries:**

Zoe Folley, Democratic Services,  
1st Floor, Town Hall, Mulberry Place, 5 Clove Crescent, E14 2BG  
Tel: 020 7364 4877  
E-mail: [zoe.folley@towerhamlets.gov.uk](mailto:zoe.folley@towerhamlets.gov.uk)  
Web:<http://www.towerhamlets.gov.uk/committee>

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## Public Information

### **Attendance at meetings.**

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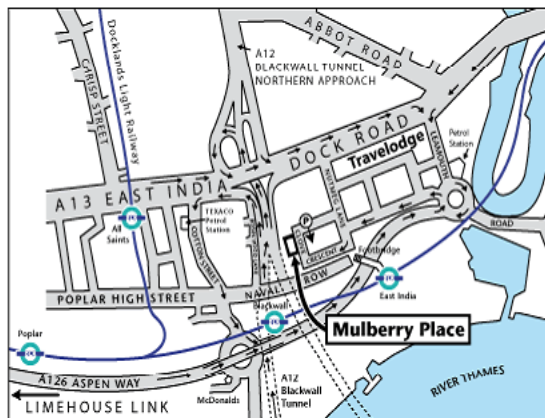
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### **Access information for the Town Hall, Mulberry Place.**



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QR code for smart phone users

## **APOLOGIES FOR ABSENCE**

### **1. DECLARATIONS OF DISCLOSABLE PECUNIARY INTERESTS (Pages 1 - 4)**

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 Monitoring Officer.

### **2. MINUTES OF THE PREVIOUS MEETING(S) (Pages 5 - 12)**

To confirm as a correct record the minutes of the meeting of the Development Committee held on 25<sup>th</sup> June 2014.

### **3. RECOMMENDATIONS**

To RESOLVE 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.

### **4. PROCEDURE FOR HEARING OBJECTIONS AND MEETING GUIDANCE (Pages 13 - 14)**

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

<b>PAGE NUMBER</b>	<b>WARD(S) AFFECTED</b>
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### **5. DEFERRED ITEMS**

No Items.

<b>6.</b>	<b>PLANNING APPLICATIONS FOR DECISION</b>	<b>15 - 16</b>	
<b>6 .1</b>	<b>113-115 Roman Road, London, E2 0QN (PA/14/00662)</b>	<b>17 - 34</b>	<b>Bethnal Green</b>
	Proposal:		
	Demolition of existing three storey 13 bedroom hotel and construction of a new four storey (including roof extension and basement) building dropping down to three and one storey at the rear to create a 31 bedroom hotel with no primary cooking on the premises.		
	Recommendation:		
	To GRANT planning permission subject to conditions and informatives.		
<b>7.</b>	<b>OTHER PLANNING MATTERS</b>	<b>35 - 36</b>	
<b>7 .1</b>	<b>Phoenix School, 49 Bow Road, London, E3 2AD (PA/14/01070)</b>	<b>37 - 44</b>	<b>Bow West</b>

Proposal:

Erection of a single storey L shape extension to accommodate an office with meeting room, storage space and bin store with associated landscaping.

Recommendation:

That the Committee resolve to REFER the application to the Secretary of State for Communities and Local Government with the recommendation that the Council would be minded to grant Listed Building Consent subject to conditions set out in the Committee Report.

**Next Meeting of the Development Committee**

Wednesday, 20 August 2014 at 7.00 p.m. to be held in the Council Chamber, 1st Floor, Town Hall, Mulberry Place, 5 Clove Crescent, London, E14 2BG

# Agenda Item 1

## **DECLARATIONS OF INTERESTS - NOTE FROM THE MONITORING OFFICER**

This note is for guidance only. For further details please consult the Members' Code of Conduct at Part 5.1 of the Council's Constitution.

Please note that the question of whether a Member has an interest in any matter, and whether or not that interest is a Disclosable Pecuniary Interest, is for that Member to decide. Advice is available from officers as listed below but they cannot make the decision for the Member. If in doubt as to the nature of an interest it is advisable to seek advice **prior** to attending a meeting.

### **Interests and Disclosable Pecuniary Interests (DPIs)**

You have an interest in any business of the authority where that business relates to or is likely to affect any of the persons, bodies or matters listed in section 4.1 (a) of the Code of Conduct; and might reasonably be regarded as affecting the well-being or financial position of yourself, a member of your family or a person with whom you have a close association, to a greater extent than the majority of other council tax payers, ratepayers or inhabitants of the ward affected.

You must notify the Monitoring Officer in writing of any such interest, for inclusion in the Register of Members' Interests which is available for public inspection and on the Council's Website.

Once you have recorded an interest in the Register, you are not then required to declare that interest at each meeting where the business is discussed, unless the interest is a Disclosable Pecuniary Interest (DPI).

A DPI is defined in Regulations as a pecuniary interest of any of the descriptions listed at **Appendix A** overleaf. Please note that a Member's DPIs include his/her own relevant interests and also those of his/her spouse or civil partner; or a person with whom the Member is living as husband and wife; or a person with whom the Member is living as if they were civil partners; if the Member is aware that that other person has the interest.

### **Effect of a Disclosable Pecuniary Interest on participation at meetings**

Where you have a DPI in any business of the Council you must, unless you have obtained a dispensation from the authority's Monitoring Officer following consideration by the Dispensations Sub-Committee of the Standards Advisory Committee:-

- not seek to improperly influence a decision about that business; and
- not exercise executive functions in relation to that business.

If you are present at a meeting where that business is discussed, you must:-

- Disclose to the meeting the existence and nature of the interest at the start of the meeting or when the interest becomes apparent, if later; and
- Leave the room (including any public viewing area) for the duration of consideration and decision on the item and not seek to influence the debate or decision

When declaring a DPI, Members should specify the nature of the interest and the agenda item to which the interest relates. This procedure is designed to assist the public's understanding of the meeting and to enable a full record to be made in the minutes of the meeting.

Where you have a DPI in any business of the authority which is not included in the Member's register of interests and you attend a meeting of the authority at which the business is considered, in addition to disclosing the interest to that meeting, you must also within 28 days notify the Monitoring Officer of the interest for inclusion in the Register.

**Further advice**

For further advice please contact:-

Meic Sullivan-Gould, Monitoring Officer, Telephone Number: 020 7364 4801

## APPENDIX A: Definition of a Disclosable Pecuniary Interest

(Relevant Authorities (Disclosable Pecuniary Interests) Regulations 2012, Reg 2 and Schedule)

Subject	Prescribed description
Employment, office, trade, profession or vacation	Any employment, office, trade, profession or vocation carried on for profit or gain.
Sponsorship	<p>Any payment or provision of any other financial benefit (other than from the relevant authority) made or provided within the relevant period in respect of any expenses incurred by the Member in carrying out duties as a member, or towards the election expenses of the Member.</p> <p>This includes any payment or financial benefit from a trade union within the meaning of the Trade Union and Labour Relations (Consolidation) Act 1992.</p>
Contracts	<p>Any contract which is made between the relevant person (or a body in which the relevant person has a beneficial interest) and the relevant authority—</p> <p>(a) under which goods or services are to be provided or works are to be executed; and</p> <p>(b) which has not been fully discharged.</p>
Land	Any beneficial interest in land which is within the area of the relevant authority.
Licences	Any licence (alone or jointly with others) to occupy land in the area of the relevant authority for a month or longer.
Corporate tenancies	<p>Any tenancy where (to the Member's knowledge)—</p> <p>(a) the landlord is the relevant authority; and</p> <p>(b) the tenant is a body in which the relevant person has a beneficial interest.</p>
Securities	<p>Any beneficial interest in securities of a body where—</p> <p>(a) that body (to the Member's knowledge) has a place of business or land in the area of the relevant authority; and</p> <p>(b) either—</p> <p>(i) the total nominal value of the securities exceeds £25,000 or one hundredth of the total issued share capital of that body; or</p> <p>(ii) if the share capital of that body is of more than one class, the total nominal value of the shares of any one class in which the relevant person has a beneficial interest exceeds one hundredth of the total issued share capital of that class.</p>

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## 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 7<sup>th</sup> 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



## Guidance for Development Committee/Strategic Development Committee Meetings.

### Who can speak at Committee meetings?

Members of the public and Councillors may request to speak on applications for decision (Part 6 of the agenda). All requests must be sent direct to the Committee Officer shown on the front of the agenda by the deadline – 4pm one clear working day before the meeting. Requests should be sent in writing (e-mail) or by telephone detailing the name and contact details of the speaker and whether they wish to speak in support or against. Requests cannot be accepted before agenda publication. Speaking is not normally allowed on deferred items or applications which are not for decision by the Committee.

The following may register to speak per application in accordance with the above rules:

Up to two objectors on a first come first served basis.	For up to three minutes each.
Committee/Non Committee Members.	For up to three minutes each - in support or against.
Applicant/ supporters.  This includes: an agent or spokesperson.	Shall be entitled to an equal time to that given to any objector/s. For example: <ul style="list-style-type: none"> <li>• Three minutes for one objector speaking.</li> <li>• Six minutes for two objectors speaking.</li> <li>• Additional three minutes for any Committee and non Committee Councillor speaking in objection.</li> </ul>
Members of the public in support	It shall be at the discretion of the applicant to allocate these supporting time slots.

### What if no objectors register to speak against an applicant for decision?

The applicant or their supporter(s) will not be expected to address the Committee should no objectors register to speak and where Officers are recommending approval. However, where Officers are recommending refusal of the application and there are no objectors or members registered, the applicant or their supporter(s) may address the Committee for 3 minutes.

The Chair may vary the speaking rules and the order of speaking in the interest of natural justice or in exceptional circumstances.

Committee Members may ask points of clarification of speakers following their speech. Apart from this, speakers will not normally participate any further. Speakers are asked to arrive at the start of the meeting in case the order of business is changed by the Chair. If speakers are not present by the time their application is heard, the Committee may consider the item in their absence.

This guidance is a précis of the full speaking rules that can be found on the Committee and Member Services webpage: [www.towerhamlets.gov.uk/committee](http://www.towerhamlets.gov.uk/committee) under Council Constitution, Part.4.8, Development Committee Procedural Rules.

### What can be circulated?

Should you wish to submit a representation or petition, please contact the planning officer whose name appears on the front of the report in respect of the agenda item. Any representations or petitions should be submitted no later than noon the working day before the committee meeting for summary in the update report that is tabled at the committee meeting. No written material (including photos) may be circulated at the Committee meeting itself by members of the public including public speakers.

### How will the applications be considered?

The Committee will normally consider the items in agenda order subject to the Chair's discretion. The procedure for considering applications for decision shall be as follows:  
Note: there is normally no further public speaking on deferred items or other planning matters



- (1) Officers will announce the item with a brief description.
- (2) Any objections that have registered to speak to address the Committee
- (3) The applicant and or any supporters that have registered to speak to address the Committee
- (4) Committee and non- Committee Member(s) that have registered to speak to address the Committee
- (5) The Committee may ask points of clarification of each speaker after their address.
- (6) Officers will present the report supported by a presentation.
- (7) The Committee will consider the item (questions and debate).
- (8) The Committee will reach a decision.

Should the Committee be minded to make a decision contrary to the Officer recommendation and the Development Plan, the item will normally be deferred to a future meeting with a further Officer report detailing the implications for consideration.

### How can I find out about a decision?

You can contact Democratic Services the day after the meeting to find out the decisions. The decisions will also be available on the Council's website shortly after the meeting.

For queries on reports please contact the Officer named on the front of the report.

<p><b>Deadlines.</b> To view the schedule of deadlines for meetings (including those for agenda papers and speaking at meetings) visit the agenda management timetable, part of the Committees web pages. Visit <a href="http://www.towerhamlets.gov.uk/committee">www.towerhamlets.gov.uk/committee</a> - search for relevant Committee, then 'browse meetings and agendas' then 'agenda management timetable'.</p>	 <p>Scan this code to view the Committee webpages.</p>
<p><b>The Rules of Procedures for the Committee are as follows:</b></p> <ul style="list-style-type: none"><li>• Development Committee Procedural Rules - Part 4.8 of the Council's Constitution (Rules of Procedure).</li><li>• Terms of Reference for the Strategic Development Committee - Part 3.3.5 of the Council's Constitution (Responsibility for Functions).</li><li>• Terms of Reference for the Development Committee - Part 3.3.4 of the Council's Constitution (Responsibility for Functions).</li></ul>	 <p>Council's Constitution</p>

# Agenda Item 6

<b>Committee:</b> Development	<b>Date:</b> 24 July 2014	<b>Classification:</b> Unrestricted	<b>Agenda Item No:</b> 6
<b>Report of:</b> Corporate Director Development and Renewal		<b>Title:</b> Planning Applications for Decision	
<b>Originating Officer:</b> Owen Whalley		<b>Ref No:</b> See reports attached for each item	
		<b>Ward(s):</b> 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. LEGAL COMMENTS

- 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 London Plan 2011
  - the Tower Hamlets Core Strategy Development Plan Document 2025 adopted September 2010
  - the Managing Development Document adopted April 2013
- 3.2 Other material policy documents include the Council's Community Plan, supplementary planning documents, government planning policy set out in the National Planning Policy Statement and planning guidance notes and circulars.
- 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.

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**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:  
Application, plans, adopted UDP, Interim  
Planning Guidance and London Plan

Tick if copy supplied for register:

Name and telephone no. of holder:  
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 The Equality Act 2010 provides that in exercising its functions (which includes the functions exercised by the Council as Local Planning Authority), that the Council as a public authority shall amongst other duties have due regard to the need to-
- (a) eliminate discrimination, harassment, victimisation and any other conduct that is prohibited under the Act;
  - (b) advance equality of opportunity between persons who share a relevant protected characteristic and persons who do not share it;
  - (c) foster good relations between persons who share a relevant protected characteristic and persons who do not share it.
- 3.7 The protected characteristics set out in the Equality Act are: age, disability, gender reassignment, pregnancy and maternity, race, religion or belief, sex and sexual orientation. The Equality Act acknowledges that compliance with the duties set out may involve treating some persons more favourably than others, but that this does not permit conduct that would otherwise be prohibited under the Act.
- 3.8 In accordance with Article 31 of the Development Management Procedure Order 2010, 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 in the Agenda

#### **5. RECOMMENDATION**

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

# Agenda Item 6.1

<b>Committee:</b> Development Committee	<b>Date:</b> 24 <sup>th</sup> July 2014	<b>Classification:</b> Unrestricted	<b>Agenda Item Number:</b>
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<b>Report of:</b> Corporate Director of Development and Renewal  <b>Case Officer:</b> Gerard McCormack	<b>Title:</b> Planning Application for Decision  <b>Ref No:</b> PA/14/00662  <b>Ward:</b> Bethnal Green
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## 1. APPLICATION DETAILS

<b>Location:</b>	113-115 Roman Road, London, E2 0QN
<b>Existing Use:</b>	Three storey thirteen bedroom hotel.
<b>Proposal:</b>	Demolition of existing three storey 13 bedroom hotel and construction of a new four storey (including roof extension and basement) building dropping down to three and one storey at the rear to create a 31 bedroom hotel with no primary cooking on the premises.
<b>Drawing and documents:</b>	Document entitled 'Design and Access Statement Heritage Daylight and Assessment Photographs of how the building will look from the front after it has been completed  Sheet 1 P055.13 Rev A Sheet 2 P055.13 Rev D Sheet 3 P055.13 Rev C Sheet 4 P055.13 Rev C Sheet 5 P055.13 Rev C Sheet 6 P055.13 Rev B
<b>Applicant:</b>	Mr Erich Wessels
<b>Ownership:</b>	Mr M Butt
<b>Historic Building:</b>	N/A
<b>Conservation Area:</b>	The Globe Road Conservation Area

## 2. EXECUTIVE SUMMARY

- 2.1. The Local Planning Authority has considered the particular circumstances of these applications against the Development Plan, national, regional and local guidance and other material planning considerations as set out in this report and recommends the

approval of planning permission for the reasons set out in the 'Material Planning Considerations' section of this report.

- 2.2. The proposal seeks permission for the demolition of the existing hotel and its replacement with a taller four storey block at the front, dropping to three and one storey at the rear with a basement underneath. The proposal is an appropriate form of development in a sustainable location, which would not harm the living conditions of neighbouring occupiers. The development will serve to enhance the character and appearance of the Globe Road Conservation Area and subject to conditions, would be acceptable in all other respects.

### 3. RECOMMENDATION

- 3.1. That the Committee resolve to GRANT planning permission subject to appropriate safeguarding conditions:

- 3.2. That the Corporate Director for Development & Renewal is given delegated authority to impose the following conditions and informatives (or add or remove conditions acting within normal delegated authority) in relation to the planning permission on the following matters:-

#### 3.3. Conditions

Compliance Conditions	
1.	Three year time limit
2.	Compliance with approved plans and documents
3.	Hours of Building Works (8.00am to 6.00pm Monday to Friday. 8.00am to 1.00pm Saturdays. No working on Sundays or Bank Holidays)
4.	Any demolition, hammer driven piling or impact breaking required to carry out the use/development allowed by this consent must only be carried out between the 10.00 and 16.00 hours, Monday to Friday.
5.	The flat roofs of the single storey rear and three storey extension should not be used other than in the event of an emergency to evacuate the building
6.	The Juliet railing in front of the door on the rear elevation which leads onto the roof of the single storey rear extension should remain permanently in place
7.	The cycle storage shown on approved drawing No.P055.13 Rev C shall be provided prior to the occupation of the development and thereafter shall be made permanently available for the occupiers of the building.
8.	The bin stores shown on approved drawing No.P055.13 Rev C shall be provided prior to the occupation of the development and thereafter shall be made permanently available for the occupiers of the building.
9.	The fire escape staircases should be used only in the event of fire and for no other purpose.
10	No primary cooking to be undertaken with the premises

Submission of Details Prior to Commencement / Prior to Commencement Relevant Part of the Development	
11.	Construction Management Plan
12.	Demolition Management Plan
13.	Hotel Management Plan
14.	<p>Prior to the commencement of works on site, full particulars of the samples of the materials including glazing, balconies and roof top amenity area to be used on the external face of the buildings shall be submitted to and approved in writing by the Local Planning Authority prior to the commencement of development.</p> <p>The development shall not be carried out other than in accordance with the particulars thus approved.</p>
15.	No air conditioning condenser units shall be installed until full details of the units, including their position, technical specification and means of attenuation, together with an associated Noise Impact Assessment, has been submitted to and approved in writing by the Local Planning Authority.
Submission of Details Prior to Occupation	
16.	Delivery and Service Management Plan
17.	The development shall not be occupied until a scheme for the repair update and maintenance of the public highway by the Council has been submitted to and approved in writing by the Council

### 3.4. Informatives

1.	CIL liability
2.	The development shall not be occupied until the Owner, his agents or representatives shall through a Section 278 Agreement of the Highway Act 1980, or any other means agreed with the Highway Authority, secure the cost for any damage or changes caused to the public highway adjacent/surrounding to the development during any preparatory operation or the implementation of the Planning permission.

## 4. PROPOSAL AND LOCATION DETAILS

### Proposal

- 4.1. The application seeks planning permission for the demolition the existing hotel and its replacement with a new 31 bedroom hotel. The replacement building would consist of a four storey block at the front, dropping to three storeys in the middle and a single storey element at the rear.
- 4.2. The proposed basement would accommodate the restaurant area, kitchen, store, three en-suite bedrooms and toilet facilities. Light would be provided to the two rear bedrooms numbered 29 and 30 from a light well with bedroom 31 receiving light from a roof light above. The applicant has advised that they do not intend to cook within

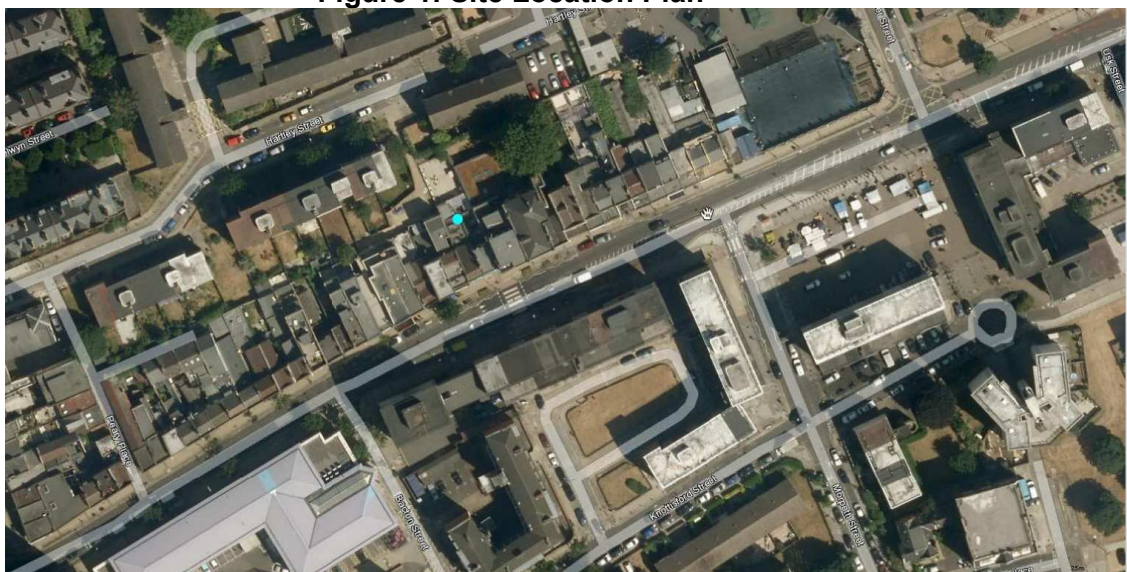
the premises preferring to provide a cold breakfast option to guests instead, so an extraction flue is not required.

- 4.3. At ground floor level eight bedrooms with en-suites, two of which would be wheelchair accessible and reception area are proposed. A further eight en-suite rooms are proposed at first and second floor levels and four en-suite bedrooms would be provided within the roof dormers in the block at the front.
- 4.4. Between each of the blocks, means of escape in the event of a fire would be provided by an enclosed staircase.

### **Site and Surroundings**

- 4.5. The application site is located on the northern side of Roman Road where there is a mixture of building heights ranging from two to five storeys. The hotel is set within a vibrant mixed use area with residential and office units in the main provided above ground floor commercial units. The neighbouring property to the west No 111 is a three storey building which benefits from recently completed three storey rear addition which the proposed three storey block would be positioned slightly beyond. Currently this building is in use as A5 takeaway on the ground floor with residential above. Number 115a the neighbouring property to the east is a hotel which is a part three, part four storey Victorian building.
- 4.6. To the north and north-west between Hartley Street is a 1950's housing estate. There is also a narrow private roadway which runs from Hartley Street to rear flats of Pepys house. The road way runs along the west side of the application site and was until recently separated from it by a high brick wall.
- 4.7. The site is located within the Globe Road Conservation Area and also forms part of a District Centre as defined in the Core Strategy.
- 4.8. The site is located in a sustainable inner City location with a very high Public Transport Accessibility Level (PTAL) of 6a, and Bethnal Green underground station is within 500 metres which is roughly a five minute walk.

**Figure 1: Site Location Plan**





## **Relevant Planning History**

PA/09/03015: Retrospective application for the change of use of art and exhibition centre to a 13 bedroom guest house including construction of stairs at rear from first floor roof to ground floor and minor external alterations to the rear. Approved

## **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:

### **5.2. Government Planning Policy Guidance/Statements**

National Planning Policy Framework (March 2012) (NPPF)

Technical Guidance to the National Planning Policy Framework (March 2012) (TG)

### **5.3. Spatial Development Strategy for Greater London - Revised Early Minor Alterations to the London Plan October 2013 (LP)**

4.5 – London’s Visitor Infrastructure

5.1 – Climate Change Mitigation

5.2 – Minimising Carbon Dioxide Emissions

5.15 – Water Use and Supplies

5.17 – Waste Capacity

6.3 – Assessing Effects of Development on Transport Capacity

6.9 – Cycling

6.13 – Parking

7.2 – An Inclusive Environment

7.4 – Local Character

7.8 – Heritage Assets and Archaeology

### **5.4. Tower Hamlets Core Strategy (adopted September 2010) (CS)**

SP01 – Refocusing on our Town Centres

SP03 – Creating Healthy and Liveable Neighbourhoods

SP05 – Dealing With Waste

SP06 – Delivering Successful Employment Hubs

SP09 – Creating Attractive and Safe Streets and Spaces

SP10 – Creating Distinct and Durable Places

SP11 – Working Towards a Zero-carbon Borough

SP12 – Delivering Placemaking

### **5.5. Managing Development Document (adopted April 2013) (MDD)**

DM1 – Development within the Town Centre Hierarchy

DM7 – Short Stay Accommodation

DM14 – Managing Waste

DM15 – Local Job Creation and Investment

DM20 – Supporting a Sustainable Transport Network

DM22 – Parking

DM23 – Streets and the Public Realm  
DM24 – Place-sensitive Design  
DM25 – Amenity  
DM27 – Heritage and the Historic Environment  
DM29 – Achieving a Zero-carbon Borough and Addressing Climate Change

#### 5.6. **Other Relevant Documents**

The Globe Road Conservation Area Character Appraisal and Management Guidelines, LBTH (2009)

Accessible Hotels in London, Mayor of London (2010)

### 6. **CONSULTATION RESPONSE**

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

6.2. The following were consulted regarding the application:

#### 6.3. **Internal Consultees**

##### **Transportation and highways**

6.4. After initial comments from Highways and Transportation the proposal has been amended to incorporate six covered cycle stands within the rear yard separated from the bin stores by a planted area.

6.5. Following the above amendment and subject to a Construction Management Plan being required by condition the Highways and Transportation Group have no objection to the proposal.

##### **Waste Management**

6.6. After initial comments from the waste team the proposal has been amended to increase the number of bin stores provided on site. Following this amendment and subject to a condition that the bin stores will be retained as shown on the approved plan there are no objections to the proposal.

##### **Environmental Health – Noise and Vibration**

6.7. As no extraction system is proposed for the kitchen the development is acceptable.

##### **Building Control**

6.8. The proposal has been amended to address concerns raised by building control, with the firescape stair cases now fully enclosed, the bedroom windows within the stair cases fixed shut and fire resisting/insulated.

### **Corporate Access Officer**

- 6.9. The proposal has been amended to address the concerns of the access officer with three wheelchair accessible bedrooms now provided and the communal swinging doors enlarged to provide better wheelchair access.

### **Conservation Officer Comments**

- 6.10. Satisfied that the existing building offers little to the overall character and appearance of The Globe Road Conservation Area. The design and style of the proposed building would enhance the conservation.

### **Neighbours Representations**

- 6.11. 61 planning notification letters were sent to nearby properties and they were re-consulted following the submission of further details from the applicant. Press and site notices were also displayed. In total, 15 objections were received including a representation from Councillor Amy Whitelock Gibbs and a signed petition.

### **A summary of the objections received**

- 6.12. The proposal would extend past the rear building line of neighbouring properties to the detriment of the character and appearance of the conservation area.

*Officer's response – This is assessed in the material planning considerations section of the report*

- 6.13. The combination of the height and depth of the proposed building would lead to a loss of light and cause overshadowing of neighbouring properties which would adversely impact on the living standards of occupants.

*Officer's response – This is assessed in the material planning considerations section of the report*

- 6.14. The current owners have acted without planning permission in the past knocking down a perimeter wall and erecting a lean to extension within the rear yard.

*Officer's response – This is not a matter that can be considered in the determination of this application.*

- 6.15. If the application is approved building works would be carried outside of normal working hours.

*Officer's response – A condition is attached restricting hours of working. In addition the Council's Environmental Health team can take action using powers under Section 60 Control of Pollution Act 1974 and Section 61 Control of Pollution Act 1974.*

- 6.16. There would be an increase in anti-social behaviour and noise disturbance from the extra guests using the hotel and congregating outside.

*Officer's response – A condition is attached requiring a hotel management plan to be submitted and approved prior to the hotel being opened which will outline how these concerns will be addressed.*

- 6.17. Impacts of loss of light to the green roof of the neighbouring property have not been considered as part of the daylight and sunlight report submitted with this application.

*Officer's response – Due to the orientation of the sun over half the roof terrace would receive more than two hours of sunlight on the 21<sup>st</sup> March, which is considered acceptable and in accordance with the BRE guidelines for overshadowing of gardens and public amenity areas.*

- 6.18. The fire escape staircases would be used by hotel guest to access rooms allowing opportunities to overlook neighbouring properties.

*Officer's response – A condition will be attached preventing the staircase from being used by guests other than in the event of an emergency.*

- 6.19. The three storey block would have a significant impact on the neighbouring amenity in terms of loss of outlook.

*Officer's response – This is assessed in the material planning considerations section of the report*

- 6.20. There is a risk the building works would lead to subsidence to neighbouring properties.

*Officer's response – This is not a planning related matter and is something that can be controlled under other legislation.*

- 6.21. Neighbouring resident's right to light would be impinged by this development.

*Officer's response – 'Right to light' is a civil matter between the interested parties and not a planning consideration. However, an assessment in respect of the impact on light as assessed against planning policy and guidance is included in the material considerations section below.*

- 6.22. With the increased numbers of guests there would be an increased build-up of waste, litter and commercial odours.

*Officer's response – The waste disposal and storage arrangements have been assessed and are acceptable.*

- 6.23. Risk of fire and rodents due to close proximity of roof terrace, three storey staircase and litter being thrown from roof and concerns about the number of people using the terrace.

*Officer's response – Customers of the hotel would be prevented from accessing the roof terraces by a Juliet balcony rail and a condition will be attached preventing customers from using this space other than in the event of an emergency.*

- 6.24. The proposal would due to its height mass and bulk would not be in keeping with the prevailing pattern of development in the area notably the rooflines of neighbouring properties.

*Officer's response – This is assessed in the material planning considerations section of the report*

## **7. MATERIAL PLANNING CONSIDERATIONS**

- 7.1. The main planning issues raised by the application that the committee must consider are:

### **Land Use**

#### *Proposal*

- 7.2. The proposal seeks permission for the demolition of the existing hotel and its replacement with a taller four storey block at the front, dropping to three and one storey at the rear with a basement underneath.

#### ***Proposed increase in the C1 Hotel use***

#### *Policy Context*

##### *Globe Town Vision*

- 7.3. The Core Strategy vision for the Place of Globe Town (SP12 Annex) states: Enhance the town centre through improving the market and streetscape. Roman Road West town centre will be an inviting place for people to spend time and enjoy the shops, cafes and restaurants. New development will open up access to Regents Canal and Mile End Park. Priorities include improving the quality of the public square along Roman Road to make a place that encourages people to spend time there, reinstate a joined-up street pattern which allows ease of movement, increasing the capacity of the market as well as supporting small-business creation.

##### *Providing a larger hotel on the site*

- 7.4. The site is in existing use as a hotel and is within a district centre thus according with Policy SP06 (4) which direct development to appropriate locations for short-stay accommodation. The proposal does not compromise the supply of land for new homes (Policy DM7.1c), and road access is adequate (Policy DM7.1e). An additional 18 bedrooms would be provided, with 31 rooms in total, so the size of the proposed development would be proportionate to its location (Policy DM7.1a).
- 7.5. Taking into account the above, it is considered that the proposed hotel use is acceptable in land use terms, in accordance with Policy SP06 of the adopted Core Strategy (2010), Policy DM7 of the adopted Managing Development Document (2013) and Policy 4.5 of the London Plan (2013). These policies support the provision of new hotels in suitable and sustainable locations within the Borough.
- 7.6. The applicant has confirmed the restaurant area would only be used in the mornings to serve cold continental breakfasts. As it is situated in the basement with no extraction system officers are satisfied that it is an ancillary facility only intended for use by hotel guests. On this basis, this element of the proposal is also considered acceptable and in accordance with the wider policy objectives relating to the provision of hotel accommodation.

## **Heritage**

- 7.7. The Council has a duty when determining planning applications that seek to demolish buildings within Conservation Areas to consider section 72 of the Planning (Listed Buildings and Conservation Areas) Act 1990 which states:

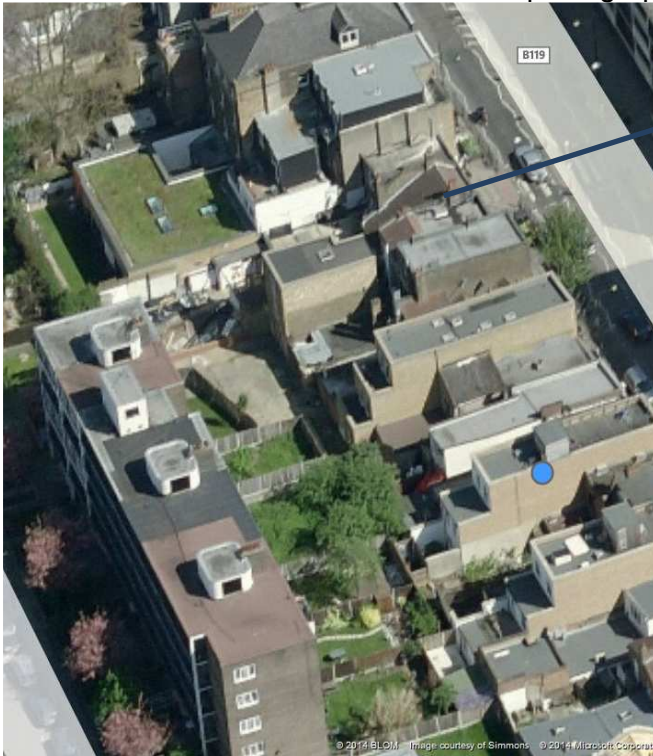
*“In the exercise, with respect to any building or other land in a conservation area, of any functions under or by virtue of any provisions mentioned in subsection (2), special attention shall be paid to the desirability or preserving or enhancing the character or appearance of that area.”*

- 7.8. The existing building is bland in appearance and most of its original features have been removed such as the traditional wooden sash windows at the front. Therefore allowing it to be replaced with a well-designed building with many character features would enhance the Globe Road Conservation Area. The conservation officer has been consulted and they are satisfied that there is no public benefit in seeking to retain the existing as its replacement would enhance the Conservation Area.

## **Design**

- 7.9. Policies SP09, SP10 and SP12 of the Core Strategy 2010 and policies DM23, DM24 and DM27 of the Managing Development Document, seek to ensure development is designed to the highest quality standards, using appropriate materials and incorporating principles of good design, to ensure development is sensitive to and enhances the site and local character of the surrounding area, preserving the Borough's conservation areas.
- 7.10. The existing building offers little to the Globe Road Conservation Area in terms of its overall character and appearance, due to its poor condition, loss of original wooden windows and non-original addition to the ground floor. The new building would be an improvement as it would contain additional decorative features such as a new front entrance, rendered bands between ground and first floor windows and around the first floor windows themselves, retaining a soldier course above the second floor windows and the front windows being traditional wooden sliding sash. The proposal also incorporates a mansard roof with four lead sheet dormer windows positioned to match the fenestration below and uses natural slate to give it a high quality finish. The majority of the building would be finished in London stock brick which would be appropriate and in keeping with other properties in this area.
- 7.11. Overall it is felt the replacement of the existing building is acceptable and in accordance with policy DM27 which seeks to enhance conservation areas and allows for buildings to be demolished where they have little architectural or historical significance as is the case here.

- 7.12. Nearly all the properties along this section of Roman Road have been extended at the rear into the former external courtyard areas. The extensions predominately range from single storey to three storeys in height and there is no uniform design or character to them as can be seen in the photograph below.



Application premises

- 7.13. The four storey element of the proposal seeks to align with the four storey element No.115a to the east. It then drops to three storeys, marginally projecting past the extension at No.111 before dropping to single storey level. Through the course of the application the applicant reduced the height of the most rearward block from two storeys to single storey, addressing officers concerns about the increased bulk and mass which would have been created by the two storey block at the rear.
- 7.14. In conclusion the amended plans would provide a development which would respond well to the character of the area in terms of overall height, mass and external appearance, subject to appropriate conditions.

#### *Accessibility and Inclusive Design*

- 7.15. Policy 4.5 of the London Plan (2013) requires 10 per cent of hotel bedrooms to be wheelchair accessible. The proposed hotel would provide a total of 31 bedrooms, of which three are wheelchair accessible. Two of the wheelchair accessible bedrooms are located in the front building at ground floor level with the third located in the basement within 10m of the lift core shaft. Level access is also provided from the street via a single main entrance to the hotel reception, waiting area, ancillary restaurant and all upper floors. It is considered that the proposed hotel includes adequate means of accessible and inclusive access, in accordance with Policy DM24 of the Council's adopted Managing Development Document (2013) and Policies 4.5 and 7.2 of the London Plan (2013).

### *Noise and Vibration*

- 7.16. The proposal does not include an extraction flue as the applicant does not propose to cook food as guests will only be offered a cold continental breakfast when they stay.
- 7.17. No air conditioning condenser units are shown on the plans and as they are likely to be required, it is recommended that a condition be included to state that no air conditioning condenser units shall be installed until full details of the units, including their position, technical specification and means of attenuation, together with an associated Noise Impact Assessment, has been submitted to and approved in writing by the Local Planning Authority. Subject to this condition, it is considered that the proposed development would not result in undue noise disturbance to neighbouring residents.

### *Overlooking and Privacy*

- 7.18. The site is bounded to the east by another hotel which is a part three, part four storey Victorian building and to the west by a three storey residential block with an A5 unit at ground floor level. There are no windows within the proposed development that directly overlook either of these neighbouring properties and sufficient separation distances are provided to properties at the rear along Hartley Street to ensure overlooking will not be an issue.
- 7.19. Several of the hotel bedrooms have windows facing onto one another where they look onto the fire escape. Whilst some of these rooms have limited outlook and there is a potential for overlooking, given the nature of the proposed use, this is considered to be acceptable.
- 7.20. Since submission, and in response to concerns raised by residents, the proposal has been amended with railings added in front of the doors used to access the roof terraces at first and third floor levels in order to prevent guests from using these terraced areas other than in the event of an emergency. In addition to the physical barrier, it is recommended a condition be attached preventing the use of these terraces by guests other than in the event of an emergency.

### *Daylight and sunlight*

- 7.21. Guidance relating to daylight and sunlight is contained in the Building Research Establishment (BRE) handbook 'Site Layout Planning for Daylight and Sunlight' (2011).
- 7.22. Policy DM25 of the Managing Development Document (2013) seeks to protect amenity by ensuring development does not in an unacceptable material deterioration of the sunlight and daylight conditions of surrounding development. Policy DM25 also seeks to ensure adequate levels of light for new residential developments.

### *Daylight*

- 7.23. For calculating daylight to neighbouring properties potentially affected by a proposed development, the primary assessment is the vertical sky component (VSC) method of assessment, together with no sky line (NSL) assessment where internal room layouts are known or can reasonably be assumed. The 2011 BRE guide emphasises the VSC assessment as the primary method of assessment.



- 7.24. The applicant submitted a Daylight and Sunlight assessment which has been reviewed by officers. The submitted daylight and sunlight report assesses the impact of the proposed development upon the following neighbouring properties:
- 111 Roman Road
  - 115a/117 Roman Road
- 7.25. At both neighbouring properties none of the windows tested at the rear fall below the required VSC levels indicated that the impact would be acceptable. Further, the Average Daylight Factor (ADF) test confirms that there will be a very small loss of light and any impact will be negligible. Officers have reviewed the daylight and sunlight report and are satisfied that the proposal does not present any concerns, and that adequate daylight and sunlight levels will be retained to surrounding properties.
- 7.26. Neighbours at No 111 Roman Road have raised concerns that the daylight to the kitchen and dining room at 2<sup>nd</sup> floor level would be restricted as a result of the proposal. However the light into these rooms has already been compromised due to the construction of a three storey extension at the rear of No 111 Roman Road. The proposed construction at 113-115 Roman Road has a marginal impact of 0.83 to its current daylight factor which is broadly accepted by the industry and is in line with BRE guidelines.

#### *Sunlighting*

- 7.27. Sunlight is assessed through the calculation of the annual probably sunlight hours (APSH). This method of assessment considers the amount of sun available in the summer and winters for windows 90 degrees of due south.
- 7.28. The windows at the rear of 111 and 115a/117 Roman Road are within 90 degrees due north. Pursuant of the BRE guidelines, north facing windows are not considered to have reasonable expectation of sunlight and do not require assessment. The proposed development therefore satisfies the BRE direct sunlight to windows requirements.

#### *Highways*

- 7.29. The application site is located approximately 500 metres from Bethnal Green Station and benefits from excellent access to public transport, which is reflected in the sites Public Transport Accessibility Level (PTAL) of 6a. The proposal does not include any provision for on-site car parking and in this sustainable location, this is considered appropriate and in accordance with policy.
- 7.30. The highways team have asked that the submission of a Travel Plan be secured via condition to cover staff and visitors to the development as well as how disabled parking arrangements will operate on a day to day basis.
- 7.31. As the proposed hotel comprises less than 50 guest rooms, there is no requirement to provide coach parking.

#### *Cycle Parking*

- 7.32. The Councils cycle parking standards are set out in Appendix 2(1) of the adopted Managing Development Document (2013), which for new hotel uses requires the

provision of 1 cycle parking space per 10 staff for employees and 1 cycle parking space per 15 guests for visitors.

- 7.33. The proposal includes the formation of cycle storage in the rear yard of the property which can be accessed through the hotel or from Hartley Street. The cycle store was originally situated next to the bin stores which have been moved to the other side of the rear yard and they are now separated by a planted area. There are 12 covered cycle parking spaces, which exceeds the Council's minimum cycle parking standards for a hotel of this size. The proposed cycle parking arrangements would offer secure, safe and convenient storage and would therefore be acceptable.
- 7.34. It is recommended that a condition be included requiring the submission of full details of the cycle parking stands, which must be retained for the life of the development.
- 7.35. Subject to such a condition, it is considered that the proposals include adequate provision of secure, usable cycle parking facilities, in accordance with the requirement of Policy DM22(4) of the Council's adopted Managing Development Document (2013) and Policy 6.9 of the London Plan (2013).

#### Refuse and Recyclables Storage

- 7.36. The refuse storage area would be located within the rear yard of the property and the capacity of the bins has been increased following advice from LBTH Waste Policy & Development. The amended scheme has been reviewed and the arrangements would be acceptable.
- 7.37. It is recommended that a condition be included to require the refuse storage facilities to be implemented prior to first occupation of the hotel and to be retained as approved for the life of the development.
- 7.38. Subject to such a condition, it is considered that the proposals include adequate provision of refuse and recyclables storage facilities, in accordance with the requirements of Policy DM14 of the Council's adopted Managing Development Document (2013) and Policy SP05 of the Council's adopted Core Strategy (2010).

## 8. Equalities

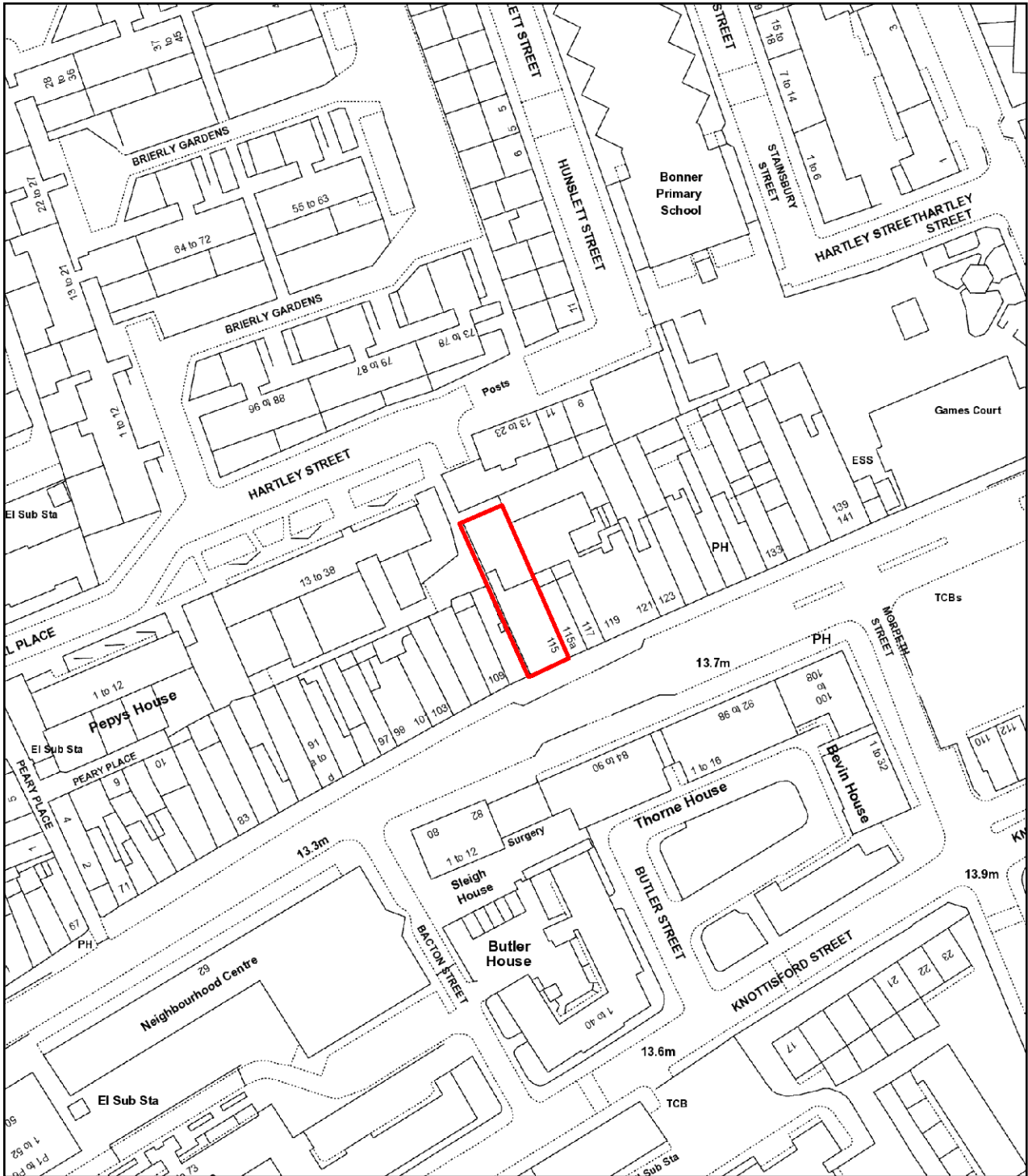
- 8.1 The Equality Act 2010 provides that in exercising its functions (which includes the functions exercised by the Council as Local Planning Authority), that the Council as a public authority shall amongst other duties have due regard to the need to-
- a) eliminate discrimination, harassment, victimisation and any other conduct that is prohibited under the Act;
  - b) advance equality of opportunity between persons who share a relevant protected characteristic and persons who do not share it;
  - c) foster good relations between persons who share a relevant protected characteristic and persons who do not share it.
- 8.2 The protected characteristics set out in the Equality Act are: age, disability, gender reassignment, pregnancy and maternity, race, religion or belief, sex and sexual orientation. The Equality Act acknowledges that compliance with the duties set out may involve treating some persons more favourably than others, but that this does not permit conduct that would otherwise be prohibited under the Act.

8.3 With regard to age, disability, gender reassignment, pregnancy and maternity, race religion or belief, sex and sexual orientation there are no identified equality considerations.

## 9. Conclusion

9.1. All other relevant policies and considerations have been taken into account. Planning permissions **should be granted** for the reasons set out in RECOMMENDATION section of this report

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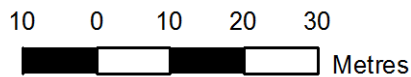


# 113 -115 Roman Road

## Site Plan



Scale 1:1250



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# Agenda Item 7

<b>Committee:</b> Development	<b>Date:</b> 24 July 2014	<b>Classification:</b> Unrestricted	<b>Agenda Item No:</b> 7
<b>Report of:</b> Corporate Director Development and Renewal  <b>Originating Officer:</b>		<b>Title:</b> Other Planning Matters  <b>Ref No:</b> See reports attached for each item  <b>Ward(s):</b> See reports attached for each item	

## 1. INTRODUCTION

- 1.1 In this part of the agenda are reports on planning matters other than planning applications for determination by the Committee. 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. PUBLIC SPEAKING

- 3.1 The Council's Constitution only provides for public speaking rights for those applications being reported to Committee in the "Planning Applications for Decision" part of the agenda. Therefore reports that deal with planning matters other than applications for determination by the Council do not automatically attract public speaking rights.

## 4. RECOMMENDATION

- 4.1 That the Committee take any decisions recommended in the attached reports.

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**LOCAL GOVERNMENT ACT 2000 (Section 97)**  
**LIST OF BACKGROUND PAPERS USED IN THE DRAFTING OF THE REPORTS UNDER ITEM 8**

Brief Description of background papers:  
See individual reports

Tick if copy supplied for register:

Name and telephone no. of holder:  
See individual reports

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# Agenda Item 7.1

<b>Committee:</b> Development	<b>Date:</b> 24 <sup>th</sup> July 2014	<b>Classification:</b> Unrestricted	<b>Agenda Item Number:</b>
<b>Report of:</b> Corporate Director of Development and Renewal		<b>Title:</b> Town Planning Application	
<b>Case Officer:</b> Shahara Ali-Hempstead		<b>Ref No:</b> PA/14/01070	
		<b>Ward:</b> Bow West	

## 1. APPLICATION DETAILS

- Location:** PhoenixSchool, 49 Bow Road, London, E3 2AD
- Existing Use:** School
- Proposal:** Erection of a single storey L shape extension to accommodate an office with meeting room, storage space and bin store with associated landscaping.
- Drawing Nos:** 387-01-0001 Rev 01, 387-01-0002, 387-20-ELV-1301 Rev 01, 387-20-ELV-1302, 387-20-ELV-1303, 387-20-GRD-1001 Rev 01, 387-20-GRD-1011, 387-20-GRD-1012, 387-20-RF-1002, 387-SK-258 Rev 01, 387-SK-259 and Design and Access Statement prepared by Petal Taylor dated April 2014
- Applicant:** London Borough of Tower Hamlets
- Owner:** London Borough of Tower Hamlets
- Historic Building:** Grade II\* Listed.
- Conservation Area:** No

## 2. EXECUTIVE SUMMARY

- 2.1 The local planning authority has considered the particular circumstances of this application against the Council's approved planning policies contained in the Development Plan including the London Borough of Tower Hamlets Core Strategy (2010), The London Borough of Tower Hamlets Managing Development Document (2013) the London Plan (2011) and National Planning Policy Framework (2012), national, regional and local guidance and policy and has found that:
- 2.2 The single storey L shape extension to accommodate an office with meeting room, storage space and bin store with associated landscaping are considered sympathetic in terms of design, scale and siting, as they relate satisfactorily to the listed school building. As such, the proposal would preserve the character, fabric and identity of the listed building and its heritage asset. This proposal therefore meets the requirements outlined in the National Planning Policy Framework (2012), policy SP10 of the adopted Core Strategy (2010), as well as policies DM24 and DM27 of the Managing Development Document (adopted April 2013), including advice given in National Planning Policy Guidance.

## 3. RECOMMENDATION

- 3.1 That the Committee resolve to **REFER** the application to the Secretary of State for Communities and Local Government with the recommendation that the Council would be minded to grant Listed Building Consent subject to conditions as set out below.
- 3.2
1. Three year time period.
  2. The proposed works to be carried out in accordance with the approved plans.
  3. Details of external facing materials and means of tying in with existing elevations to be approved.

#### **4. BACKGROUND**

- 4.1 This application for Listed Building Consent is required for single storey L shape extension and bin store with associated landscaping. The building is Grade II\* Listed and is owned by the London Borough of Tower Hamlets. The terms of reference of the Development Committee requires that where the Council is applying for works to a Listed Building that it owns, the application must be brought before Members.
- 4.2 The Council cannot determine applications for Listed Building Consent for works to buildings that it owns. Regulation 13 of the Planning (Listed Buildings and Conservation Areas) Regulations 1990 requires that such applications are referred to the Secretary of State, together with any representations received following statutory publicity.
- 4.3 The purpose of this report is to allow Members to recommend to the Secretary of State that the Council would be minded to grant Listed Building Consent, were it empowered to do so itself.
- 4.4 The proposed works also require planning permission, this was submitted on 4<sup>th</sup> April 2014 (planning reference PA/14/00924). This application was not required to be presented to members and as such, the Council under delegated powers approved this application on 2<sup>nd</sup> June 2014.

#### **5. PROPOSAL AND LOCATION DETAILS**

##### **Proposal**

- 5.1 Listed Building Consent for the erection of a single storey L shape extension to accommodate an office with meeting room, storage space and bin store with associated landscaping.

##### **Site and Surroundings**

- 5.4 Phoenix School is located at the northern end of Bow Road, adjacent to Bow Road Station. The site itself is fairly concealed by properties from Alfred Street to the east and Harley Grove to the west.
- 5.5 The school was constructed in 1952 and was listed in 1993. The listing relates to the main spine plan running north-south with a series of linked two storey pavilions to the east and west, forming open courtyards. A new extension was constructed in the late 1990's which enclosed the courtyards.

- 5.6 The school consists of a concrete frame with stock brick infill and low pitched copper roofs, with large windows and painted metal frames. The western, southern and part of the eastern curtilage of the site forms the boundary of the Tredegar Square conservation area. The site itself is not located within the conservation area.
- 5.6 The site is bounded by Byas House a two storey residential building to the north accessed from Benworth Street, Electric House, Marina Court and no's 15 to 29 Alfred Street to the east, no's 8 to 15 Harley Grove to the west and 51 to 52 Lemon Tree House, Bow Road to the south.

## **6. PLANNING HISTORY**

- 6.1 The site has an extensive planning history, with the earliest application in 1971. Of these applications the following are the most relevant.
- 6.2 Under planning references BW/95/0001 and BW/95/0002 planning permission and listed building consent was granted on 05/04/1995 for the erection of single storey extension with covered walkway to provide classrooms and ancillary support facilities to school.
- 6.3 The implementation of the above extension enclosed the courtyards and forms the location of the current proposals.
- 6.4 PA/09/01999:- Planning permission granted on 27/11/2009 for replacement of existing roofed structure by the erection of a pavilion to provide new teaching space, play and storage areas, including library facilities within the School's courtyard.
- 6.5 PA/09/02000:- Listed Building Consent granted on 01/02/2010 for erection of a pavilion detached from main school building to provide new teaching space, play and storage areas plus library facility.
- 6.6 PA/10/01962:- Planning Permission granted on 22/11/2010 for erection of three structures (including canopy, greenhouse and conservatory) and formation of a new external access into an existing teaching room. The proposed canopy and greenhouse are free standing structures detached from the Listed building, while the proposed conservatory and new external access will require minor alterations to the Listed granted fabric.
- 6.7 PA/10/02291:- Planning permission was granted on 19/01/2011 for erection of a new school building up to five storeys in height (including a basement level) and associated works.
- 6.8 PA/10/01963:- Listed Building Consent granted on 11/03/2011 for alterations in connection with erection of two structures (canopy and greenhouse) and formation of a new external access into existing teaching room.
- 6.9 PA/11/00400:- Listed Building Consent granted on 31/10/2011 for internal remodelling and refurbishment of Grade II listed building, including removal of internal partitions. External works comprising of the installation of three air-conditioning units, an extract duct and two ventilation louvers.
- 6.10 PA/12/02086:- Listed Building Consent granted on 16/11/2012 for internal and external alteration at ground floor level to the main entrance and three sections of the main circulation corridor including:  
Replacing the existing controlled entrance with a new glazed enclosure  
Replacing the external windows and doors to the main circulation corridor

- Installation of a ceiling to conceal services in the first corridor  
 Replacement of the existing timber handrail to the first and third corridors
- 6.11 PA/12/02085:- Planning permission granted on 30/11/2012 for internal and external alteration at ground floor level to the main entrance and three sections of the main circulation corridor including:
1. Replacing the existing controlled entrance with a new glazed enclosure
  2. Replacing the external windows and doors to the main circulation corridor
  3. Installation of a ceiling to conceal services in the first corridor
  4. Replacement of the existing timber handrail to the first and third corridors
- 6.12 PA/14/00924:- Planning permission granted on 02/06/2014 for Erection of a single storey L shape extension to accommodate an office with meeting room, storage space and bin store with associated landscaping.

## 7. RELEVANT POLICIES

### Government Planning Policy

- 7.1 National Planning Policy Framework (NPPF) (2012) - Chapter 12 'Conserving and enhancing the historic environment'

National Planning Practice Guidance (NPPG)

### London Plan Spatial Development Strategy for Greater London (2011)

- 7.2 Policy:
- |     |                                 |
|-----|---------------------------------|
| 7.4 | Local Character                 |
| 7.6 | Architecture                    |
| 7.8 | Heritage assets and archaeology |

### Adopted Core Strategy (2010)

- 7.3 Policies:            SP10    Creating distinct and durable places

### Managing Development Document (2013)

- 7.6 Policy:
- |      |                                       |
|------|---------------------------------------|
| DM18 | Delivering schools and early learning |
| DM22 | Parking                               |
| DM24 | Place Sensitive Design                |
| DM27 | Heritage and the historic environment |

## 8. CONSULTATION RESPONSE

- 8.1 The views of the Directorate of Development and Renewal are expressed in the MATERIAL PLANNING CONSIDERATIONS section below. The following were consulted regarding the application:

### 8.2 English Heritage:-

This application should be determined in accordance with national and local policy guidance, and on the basis of your speciality conservation advice.

Officer comment: This has been noted

## 9. LOCAL REPRESENTATION

- 9.1 A total of 59 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: 0      Objecting: 0      Supporting: 0      Comment: -  
No of petitions received: 0      Objection: 0      Support: 0

## **10.0 MATERIAL PLANNING CONSIDERATIONS**

- 10.1 When determining listed building consent applications, Section 16 of the Planning (Listed Buildings and Conservation Areas) Act 1990, requires that special regard should be paid to the desirability of preserving the building or its setting, or any features of special architectural or historic interest which it possesses.
- 10.2 The main issue for Members to consider is whether the proposed works are appropriate in this respect.

### **Land Use**

- 10.3 The proposal will result in the loss of one car parking space as indicated in the application form. Planning policy places a greater emphasis on encouraging sustainable forms of transport and minimising the provision of car-parking within area well served by public transport. The site is located in an area with a PTAL of 5/6a (excellent). The site is in an area with good transport links and the loss of the car-parking space is acceptable in terms of Policy SP09 of the Core Strategy (2010) and policy DM22 of the Managing Development Document (2013).
- 10.4 The proposal is to provide extra office and storage for the existing educational use which is considered acceptable and in accordance with policy DM18 (d) of the Managing Development Document which seek to support the development of extensions to existing schools.

### **Impact of proposed alterations on the architectural quality of the Grade II\* Listed School Building.**

- 10.5 The National Planning Policy Framework (2012) emphasizes the importance of preserving heritage assets and requires any development likely to affect a heritage asset or its setting to be assessed in a holistic manner. The main factors to be taken into account are the significance of the asset and the wider social, cultural, economic and environmental benefits arising from its preservation, extent of loss or damage as result of development and the public benefit likely to arise from proposed development. Any harm or loss to a heritage asset requires clear and convincing justification.
- 10.6 London Plan policies 7.4, 7.6 and 7.8 aim to ensure the highest architectural and design quality of development and require for it to have special regard to the character of its local context. More specifically, any development affecting a heritage asset and its setting should conserve the asset's significance, by being sympathetic in form, scale, materials and architectural detail.
- 10.7 Policy SP10 of the Core Strategy aims to protect and enhance the borough's Conservation Areas and Statutory Listed Building. In addition, this policy also aims to preserve and enhance the wider built heritage and historic environment of the

borough to enable creation of locally distinctive neighbourhoods with individual distinctive character and context.

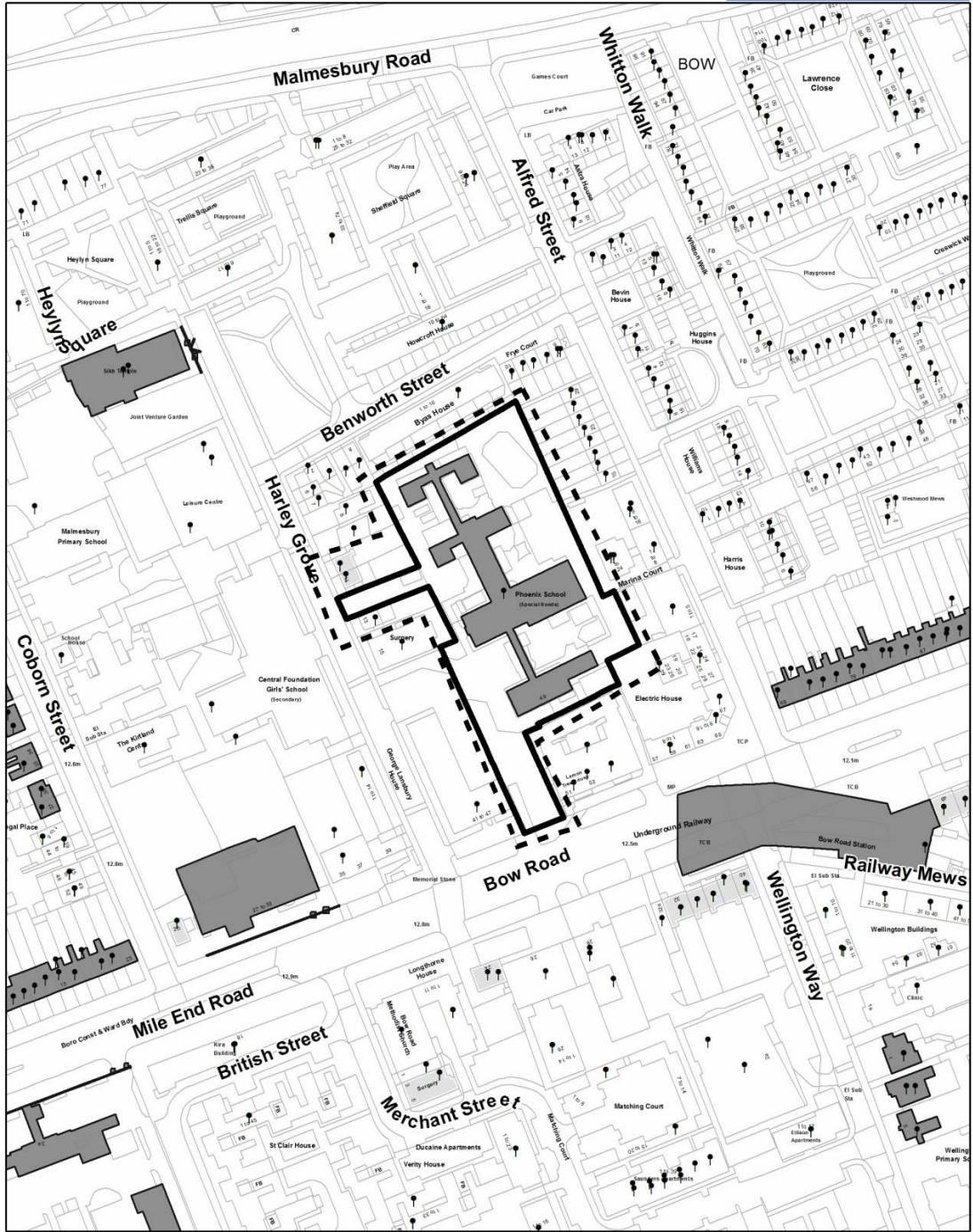
- 10.8 Development is required to protect and enhance the borough's heritage assets, their setting and their significance as key elements of developing the sense of place of the borough's distinctive 'Places' as defined by the placemaking policy SP12 of the Core Strategy (2010).
- 10.9 Following on from the above, policy DM24 of the Managing Development Document (2013) aims to ensure that development is designed to the highest quality standards whilst being sensitive to and enhance the local character and setting of the development. Development should respect the design details and elements, scale, height, mass, bulk and form of adjoining development, building plot sizes, plot coverage and street patterns, building lines and setbacks, roof lines, streetscape rhythm and other streetscape elements in the vicinity. Development is also required to utilise high quality building materials and finishes.
- 10.10 Detailed criteria for assessing impact on heritage assets are set out by policy DM27. Policy DM27 specifies that alterations should not result in an adverse impact on the character, fabric, identity or setting, be appropriate in terms of design, scale form, detailing and materials, and enhance or better reveal the significance of the asset.
- 10.11 *The English Heritage List Entry for the Grade II\* Listed Building reads as follows:*
- Phoenix School 788/11/10026 II\* Special school. 1951-52. Farquaharson and McMorran. Concrete frame with stock brick infill and low pitched copper roofs. One and two storeys. Spine plan running north-south with series of attached two storey pavilions to east and west, forming open courtyards. Large windows, painted metal frames. Fully glazed assembly hall of one tall storey. Four reliefs by Steven Sykes to outside walls of central court.*
- 10.12 The proposal seeks to build a single storey L shape extension to accommodate an office with meeting room, storage space and bin store area. A new courtyard with planters and paving will also be incorporated.
- 10.13 The proposed extension will be built along the existing boundary wall abutting Electric House to the east no.51-53 Bow Road to the south. The existing courtyard is currently in use as a car park and storage space in the form of a shipping container. The Caretaker House is located to the north and to the west lies the bin store and access to the rest of the school complex.
- 10.14 The proposal will include the removal of the temporary shipping container and the existing bin storage.
- 10.15 The single storey L shape extension will measure approximately 2.8 metres in height and extend along the east and south boundary wall covering a floor area of 74sq metres. The proposed materials include timber doors and panels with full height solar control glazing and external wall built in reclaimed London stock brick to reflect the existing Caretakers House. The extension will be finished with a single ply membrane flat roof.
- 10.16 The extension will facilitate a meeting room, office, storage space and a bin store to the west side. A new entrance gate into the refurbished courtyard area is also proposed.

- 10.17 In terms of landscaping, two timber planters, timber benches and concrete sett paving are incorporated into the scheme.
- 10.18 The proposed works in terms of design, scale and use of material appear to be a cohesive and harmonious addition to the school. The proposed extension is considered to be sympathetic to the architectural quality and fabric of the listed building and subordinate to the Caretakers House.
- 10.19 The existing courtyard is a tarmacked area with minimum visual appeal. The removal of the temporary shipping container and open bin store will enhance the visual amenity of the area considerable. Furthermore the proposed landscaping will improve the usability of the courtyard.
- 10.20 It is noted that detailed information has not been provided for the planters and proposed plants; these have been conditioned as part of the planning permission PA/14/00924 to ensure that the proposed works preserve the special historic character of the listed building.

### **CONCLUSION.**

- 10.21 The proposed extension is considered sympathetic in terms of design, scale and use of material, as they relate satisfactorily to the listed school building. As such, the proposal would preserve the character, fabric and identity of the listed building, its setting and its heritage assets. The proposed works would have no adverse impacts on the architectural or historic interest of the Grade II\* listed building and is therefore acceptable in terms of policies SP10 of the adopted Core Strategy (2010), policies DM24 and DM27 of the Managing Development Document (adopted April 2013), policies 7.4 and 7.8 of the LP (2011) and sections 7 and 12 of the NPPF (2012). Including advice given in National Planning Policy Guidance.
- 10.22 The Secretary of State can be advised that this Council would have been minded to grant Listed Building Consent 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	Locally Listed Buildings	Land Parcel Address	 0 15 m  1:1,963
Consultation Area	Statutory Listed Buildings		

This Site Map displays the Planning Application Site Boundary and the neighbouring Occupiers / Owners who were consulted as part of the Planning Application process.  
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