

LONDON BOROUGH OF TOWER HAMLETS

MINUTES OF THE DEVELOPMENT COMMITTEE

HELD AT 7.00 P.M. ON WEDNESDAY, 13 JANUARY 2016

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

Members Present:

Councillor Marc Francis (Chair)

Councillor Shiria Khatun

(Deputy Mayor and Cabinet Member for
Community Safety)

Councillor Sabina Akhtar

Councillor Rajib Ahmed

Councillor Suluk Ahmed

Councillor Gulam Kibria Choudhury

Councillor Chris Chapman

Other Councillors Present:

None

Apologies:

None

Officers Present:

Paul Buckenham

– (Development Control Manager,
Development and Renewal)

Marcus Woody

– (Legal Advisor, Legal Services,
Directorate Law, Probity and
Governance)

Nasser Farooq

– (Team Leader, Planning Services,
Development and Renewal)

Piotr Lanoszka

– (Planning Officer, Development and
Renewal)

Zoe Folley

– (Committee Officer, Directorate Law,
Probity and Governance)

1. DECLARATIONS OF DISCLOSABLE PECUNIARY INTERESTS

No declarations of disclosable pecuniary interests were made.

2. MINUTES OF THE PREVIOUS MEETING(S)

The Committee **RESOLVED**

That the minutes of the meeting of the Committee held on 16 December 2015
be agreed as a correct record and signed by the Chair.

3. 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

4. PROCEDURE FOR HEARING OBJECTIONS AND MEETING GUIDANCE

The Committee noted the procedure for hearing objections and meeting guidance.

5. DEFERRED ITEMS

None.

6. PLANNING APPLICATIONS FOR DECISION

6.1 Duke of Wellington, 12-14 Toynbee Street, London, E1 7NE (PA/15/02489)

Paul Buckenham (Development Control Manager, Development and Renewal) reported that the application had been withdrawn from the agenda by Officers to consider late objections raising planning issues and comments from Environmental Health.

6.2 27-29 and 33 Caroline Street, London, E1 0JG (PA/15/02164)

Update report tabled.

Paul Buckenham (Development Control Manager, Development and Renewal) introduced the application for the development of two sites to provide a residential led scheme. He also drew attention to the matters in the update report regarding a change to the affordable housing and clarifying that the part of the site fell within the Conservation Area. Piotr Lanoszka (Planning Officer) presented the detailed report describing the site location and surrounds including the location of consented schemes awaiting development.

Consultation on the scheme had been carried out resulting in one objection from the nearby Troxy Hall about the impact of the development on their

premises in terms of increased parking stress, servicing issues, the construction impact and future noise complaints. Overall, it was considered that the hall would be unaffected by the development due to the nature of the scheme and the conditions.

In terms of the land use, Officers advised that the proposed residential use was acceptable given the housing demand in the Borough. The scheme would provide 30% affordable housing increased from 28% due to the provision of an additional intermediate unit in place of the top up financial payment. The details of this change were set out in the update report. Given the space constraints and the focus on affordable family units, it was felt that overall, the housing mix was appropriate.

The scheme had been carefully designed to preserve the setting of the Conservation Area (for example by setting back the top floors of the proposed buildings). The scale and massing would be broadly in line with nearby schemes that have permission. Furthermore, there were measures to minimise the impact of the scheme on amenity (including generous separation distances, the provision of a high number of dual aspect units). Whilst the properties in Caroline Street most affected by the scheme would experience a reduction in sunlight and daylight to small windows on the boundary, given they were open plan units with large south facing windows, they would still receive a sufficient level of light. On balance, it was felt that these impacts were acceptable and would be outweighed by the benefits of the scheme. The level of communal space exceeded policy.

Officers were recommending that the scheme be granted planning permission.

In response, Members asked questions about the number of affordable and intermediate units, particularly the number of two bed units. Members also questioned the proposal to provide an additional intermediate unit in place of the financial contribution for housing. Members questioned the merits of this given the opportunity costs in that it could contribute towards the provision of an affordable housing by the Council. It was commented that it appeared to switch the housing mix away from the Council's policies on affordable housing.

In addition, Members asked about the density of the scheme, noting that it exceeded the policy guidance, and asked about the special circumstances that justified this

It was also noted that whilst the level of communal amenity space exceeded policy, the dedicated child play space fell short of policy requirements.

In response, Officers clarified the revised housing mix, referring to the policy targets in the Committee report. As a result of the change, there would be a total of five two bed intermediate units to assist with the viability. Whilst noting the potential advantages of retaining the contribution, it was felt that the benefits of the proposed change outweighed these given amongst other factors that the sum was insufficient to provide an affordable rented unit in

itself and that the new proposal would maximise the level of affordable housing.

Whilst there was a slight shortfall in play space, it should be noted that the children within the development would have access to the amenity space that exceeded the policy requirement. There would be a degree of overlap between the two types of spaces. The means by which this could be achieved could be dealt with by condition as well as the general quality of the child play space. Furthermore, the child play space would be distributed fairly evenly throughout the two development sites.

In terms of the density, this was broadly in line with the nearby consented schemes. Whilst the density range exceeded the London Plan matrix, the policy stated that the appropriateness of which should be assessed on its impact. In this case, it was considered that the scheme would have minimal impacts and that any impacts would be outweighed by the benefits of the scheme (such as the provision of affordable housing, that the scheme optimised use of a relatively constrained site avoiding any harmful impacts). There would also be the Community Infrastructure Levy (CIL) contribution to mitigate any impact. In view of these issues, it was felt that the density of the scheme could be supported.

Officers also answered questions about the estimated CIL contribution, the method for assessing the percentage of affordable housing based on habitable room, the proposed rent levels, the tenure mix of the two blocks and the location of the new intermediate unit in the development.

On a vote of 2 in favour, 5 against the Officer recommendation and 0 abstentions, the Committee did not agree the Officer recommendation to grant planning permission.

Accordingly, Councillor Marc Francis proposed and Councillor Shiria Khatun seconded a motion that the planning permission be not accepted (for the reasons set out below) and on a vote of 5 in favour, 2 against and 0 abstentions it was **RESOLVED**:

That the Officer recommendation to grant planning permission be **NOT ACCEPTED** at 27-29 and 33 Caroline Street, London, E1 0JG for the demolition of existing buildings at 27-29 and 33 Caroline Street and erection of two buildings up to 9 storeys in height to provide 56 residential units and landscaped amenity space, cycle parking and associated works.(PA/15/02164)

The Committee were minded to refuse the planning permission due to concerns over the following issues:

- Density of the scheme given that it was in excess of the suggested density ranges in the Council's planning policy and the London Plan.
- The affordable housing provision both in terms of the overall quantity and the proportion of intermediate units.
- Height, bulk and massing of the scheme

- The level of amenity space and child play space in the scheme

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

7. OTHER PLANNING MATTERS

None.

The meeting ended at 8.00 p.m.

Chair, Councillor Marc Francis
Development Committee