

LONDON BOROUGH OF TOWER HAMLETS

MINUTES OF THE DEVELOPMENT COMMITTEE

HELD AT 7.00 P.M. ON WEDNESDAY, 10 FEBRUARY 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 Gulam Kibria Choudhury

Councillor Chris Chapman

Other Councillors Present:

None.

Apologies:

Councillor Suluk Ahmed

Officers Present:

Paul Buckenham

– (Development Control Manager,
Development and Renewal)

Gareth Gwynne

– (Planning Officer, Development and
Renewal)

Gillian Dawson

– (Team Leader, Legal Services, Law,
Probity and Governance)

Zoe Folley

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

1. DECLARATIONS OF DISCLOSABLE PECUNIARY INTERESTS

Councillor Marc Francis declared a personal interest in agenda item 6.1 66-68 Bell Lane and 1-5 Tenter Ground E1 7LA (PA/15/01474) as he had received representations from interested parties on the application.

2. MINUTES OF THE PREVIOUS MEETING(S)

The Committee **RESOLVED**

That the minutes of the meeting of the Committee held on 13 January 2016 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 66-68 Bell Lane and 1-5 Tenter Ground E1 7LA (PA/15/01474)

Update report tabled.

Paul Buckenham (Development Control Manager, Development and Renewal) introduced the application for the demolition of the existing building at 66-68 Bell Lane and the erection of a new single house set over five floors (including the basement) and the creation of linked ancillary residential accommodation within No. 1-5 Tenter Ground.

It was reported that on the 3rd February 2016, the Planning Inspectorate notified the Council that an appeal had been submitted under Section 78 of the Town and Country Planning Act 1990 because the statutory period for determining the application had expired and no decision had been made. As such, the powers to determine the application had been taken away from the Council and now lie with the Secretary of State (Planning Inspectorate).

Officers' remained of the view that the scheme should be refused. However, in view of the above, Officers' had amended the recommendation to gain the resolution of the Committee should it have been in a position to determine the

application. The resolution of the Development Committee would set the position that the Council would adopt at Appeal. The Committee were advised to consider the application in exactly the same way as it would a planning application for decision, based on the merits of the scheme.

Paul Johnston spoke in objection to the application (on behalf of the Spitalfields Community Group and the architects that submitted the 2012 application) welcoming the officers' report.

He objected to the loss of the locally listed building given the merits of the building and the contribution it made to the historic street scene and the Conservation Area. All of the historic features would be lost in contrast with the 2012 consent that preserved such features. There was no justification for the wholesale demolition of the building.

In summary, he was supportive of an alternative design that would retain the historic features.

The Chair reported that the applicant had been invited to address the Committee in accordance with the Development Committee Procedure Rules but had declined to address the Committee.

Gareth Gwynne, (Planning Officer, Development and Renewal) presented the detailed report and the update explaining the location of the subject building, and the surrounds in the Artillery Passage Conservation Area including the nearby listed buildings, contemporary buildings and the newly consented developments.

Members were advised that the building at Bell Lane was a non statutory listed building and was a rare example of early infill public housing. In addition the façade of 1-5 Tenter Ground made a positive contribution to the Conservation Area. Both buildings fulfilled a valuable role in linking the historic buildings in the surrounding area.

Members noted the key aspects of the proposal, including the height, appearance and layout of the scheme, the windows, the chimney and the relationship of the scheme with the existing warehouse.

Consultation had been carried out (resulting in 11 representations in support and 60 objections). The key issue raised related to the design and heritage implications.

Turning to the assessment, Officers were of the view that the loss of the building would cause some degree of harm to the setting of the Conservation Area, given the historic value of the building and its contribution to the setting of the Conservation Area. Officers were also mindful of the potential benefits and architectural merits of the application (noting the attention to detail by an accomplished architectural practice). However, on balance, Officers did not consider that they were of such quality to outweigh the loss of the subject building. In terms of the other planning matters (land use, housing, neighbouring amenity and highways and transport issues), Officers had no

objections to the scheme. Given the above concerns, the Officers recommendation was to refuse the planning permission.

In response to Members' questions, Officers confirmed that the previous 2012 permission lapsed in 2015 but this was still a material planning issue in the determination of this application. Images of the previous scheme were shown. It was also clarified that all of the original internal features (of the Council houses) had been lost and that a number of the external elevations would be retained.

Whilst the building was locally listed, it was not a statutory listed building. So there was no list describing the special features.

Officers were mindful of the views of the Borough's Conservation Officer generally supportive of the scheme. Nevertheless, having carefully considered all of the material issues, (value of the existing building weighed against the merits of the application) the Planning Team collectively felt, on balance, that the scheme should be refused. It was emphasised that Officers did recognise that the proposal had positive qualities and that it was likely that it would be supported if located in a more suitable location that did not result in the wholesale demolition of a listed building important to the Conservation Area.

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

That had it the ability to determine the application, the Committee would be minded to REFUSE planning permission 66-68 Bell Lane and 1-5 Tenter Ground E1 7LA for the demolition of the existing building at 66-68 Bell Lane and the erection of a new single dwelling house set over five floors (including the basement) with ancillary private artist's studio space and the creation of linked ancillary residential accommodation located on the 2nd floor of No. 1-5 Tenter Ground, for the following reason set out in the Committee report. (PA/15/01474)

- The proposed development would result in the total demolition of a locally listed building at No 66-68 Bell Lane and would therefore result in the loss of a non-designated heritage asset. The loss of this locally listed building causes harm, albeit less than substantial harm, to the designated heritage asset, Artillery Passage Conservation Area. The proposal does not preserve or enhance the conservation area nor is design of the replacement building of sufficient architectural and townscape merit, to deliver a public benefit that would outweigh the harm to the conservation area and therefore the proposed development fails to comply with policies DM24 and DM27 of the Managing Development Document (2013), SP10 of the Core Strategy (2010), policies 7.4 and 7.8 of the London Plan (Consolidated with Alterations since 2015), the National Planning Policy Framework (2012) and National Planning Policy Guidance.

7. OTHER PLANNING MATTERS

None.

The meeting ended at 7.45 p.m.

Chair, Councillor Marc Francis
Development Committee