

LONDON BOROUGH OF TOWER HAMLETS

MINUTES OF THE DEVELOPMENT COMMITTEE

HELD AT 7.00 P.M. ON WEDNESDAY, 8 NOVEMBER 2017

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

Members Present:

Councillor Marc Francis (Chair) (Items 5.1-5.2)

Councillor John Pierce

Councillor Helal Uddin (items 5.1-5.2)

Councillor Suluk Ahmed

Councillor Chris Chapman

Councillor Andrew Cregan

Councillor Sabina Akhtar (items 5.1-5.2)

Councillor Danny Hassell (Substitute for Councillor Helal Uddin) (Item 4.1)

Other Councillors Present:

None

Apologies:

None

Officers Present:

Paul Buckenham	(Development Manager, Planning Services, Place)
Kevin Chadd	(Legal Services, Governance)
Nasser Farooq	(Team Leader, Planning Services, Place)
Richard Humphreys	(Planning Officer, Place)
Brett McAllister	(Planning Officer, Place)
Zoe Folley	(Committee Officer, Governance)

1. DECLARATIONS OF DISCLOSABLE PECUNIARY INTERESTS

No declarations of interest were declared

2. MINUTES OF THE PREVIOUS MEETING(S)

The Committee **RESOLVED**

That the minutes of the meeting of the Committee held on 11 October 2017 be agreed as a correct record and signed by the Chair.

3. RECOMMENDATIONS AND PROCEDURE FOR HEARING OBJECTIONS AND MEETING GUIDANCE

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, Place 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, Place is delegated authority to do so, provided always that the Corporate Director does not exceed the substantive nature of the Committee's decision
- 3) To note the procedure for hearing objections at meetings of the Development Committee and the meeting guidance.

4. DEFERRED ITEMS

4.1 (Locksley Estate Site D) Land at Salmon Lane and adjacent to 1-12 Parnham Street, London (PA/17/01618)

Update report tabled.

Councillor John Pierce (Chair) for this item

Paul Buckenham (Development Control Manager) introduced the application for the residential development comprising 17, one, two, three and four bedroom flats available for affordable rent. The height of the building ranged from five to eight storeys.

Nasser Farooq (Planning Services) presented the report reminding the Committee of the nature of the existing site and surrounds, the appearance of the proposal and the proposed landscaping works for the site and the wider area. He advised that the application for planning permission was considered by the Development Committee on 11th October 2017. At the committee, members were minded not to accept the officer recommendation and were minded to refuse planning permission for the following reasons:

- Loss of a publically accessible open space.
- The impact on the setting of the Canal Towpath and the Regents Canal Conservation Area.

Since that decision, the applicant had amended the rent structure for the housing to provide all 17 affordable units at London Affordable Rent. Previously, the application proposed a 50/50 split between London Affordable Rent and Tower Hamlets Living Rent. The table in the Committee report showed the various rent options including the proposed London Affordable Rents.

Regarding the impact on open space, Members were reminded of the key characteristics of site A and B in terms of its use. Officers remained of the view that the site could not be considered “publically accessible open space” as defined in the Council’s Core Strategy given the absence of a formal agreement for the use of the wider space. Nevertheless, it could be considered that the site fell within the wider definition of open space given it’s community value and that it provided visual amenity value. The development would result in the loss of approximately 31% of this space. However the remainder of the site would be allocated towards the provision of communal amenity, play space, and landscaping works. Given this and the wider benefits of the scheme, Officers considered that the proposal was acceptable on this ground.

Regarding the impact on the Canal towpath and its setting, members were reminded that the proposal had been set back further from the towpath (compared to the January 2017 application). Members also noted the comments of the Canal and River Trust (CaRT) as set out in the attachment to the deferral report.

In summary, Officers considered that whilst the proposal would result in the loss of partly un-used and inaccessible open space, that this would be outweighed in planning policy terms by the benefits of delivering new social housing, biodiversity benefits and other benefits. Officers therefore considered that the proposal should be granted planning permission. However, if the Committee remained minded to refuse planning permission, two reasons were provided based on the discussion at the previous committee meeting.

On a vote of 2 in favour of the Officer recommendation to grant planning permission, 3 against and 0 abstentions, the Committee did not agree the Officer recommendation to grant planning permission.

Accordingly, Councillor Andrew Cregan proposed and Councillor Chris Chapman seconded a motion that the officer recommendation to grant planning permission be **REFUSED** (for the reasons set out in paragraph 5.2 of the deferred Committee report dated 8th November 2017) and on a vote of 3 in favour, 2 against and 0 abstentions, the Committee **RESOLVED:**

That planning permission at (Locksley Estate Site D) at land at Salmon Lane and adjacent to 1-12 Parnham Street, London be **REFUSED** for residential development comprising 17, one, two, three and four bedroom flats available for affordable rent. The height of the building ranges from five to eight storeys (PA/17/01618) for the following reasons as set out in paragraph 5.2 of the 8th November Committee report

1. The proposed development results in a loss of open space, which would not be adequately off-set by the public benefits of the development. The development would conflict with policy SP04 of the adopted Core Strategy which seeks to protect open spaces.
2. The proposed development by virtue of its height, design and siting with a lack of setback from the Regents Canal would fail to preserve or enhance the character and appearance of the Regents Canal Conservation Area, and the Blue Ribbon Network. As such, the proposal fails to accord with policy (134) of the NPPF, policy 7.24 of the London Plan, policy SP10 of the adopted Core Strategy and policies DM12 and DM27 of the Managing Development Document.

5. PLANNING APPLICATIONS FOR DECISION

5.1 327-329 Morville Street, London (PA/17/01253)

Update report tabled.

Paul Buckenham (Development Control Manager) introduced the application for the demolition of the existing building and chimney and redevelopment of the site with the erection of a new six storey building to provide 62 residential units together with associated works

Brett McAllister (Planning Services) presented the report explaining the site location, the nature of the existing site and the surrounding area. The Committee were advised of the key features of the application, including the proposed layout, revised child play space, the proposed communal space, the quality of the affordable housing, the scale of the development and also the outcome of the consultation and the main issues raised.

Officers considered that the height of the development would sit comfortably within the local setting. It would be of a high quality design. There would be no undue impacts in terms of neighbouring amenity. Nevertheless, the proposal would impact on a number of neighbouring properties in terms of sun lighting and daylighting particularly within Springwood Close as set out in the Committee report. However, it should be noted that the windows at Springwood Close had been designed with the anticipation of a scheme of this scale coming forward on the site. Furthermore, the units affected would have alternative sources of light. This would minimise any impacts.

The development would provide an acceptable mix of housing types and tenure including the provision of 35% affordable housing that would be split 71% affordable rented (in line with Tower Hamlets preferred rent levels) and 29% intermediate.

Transport matters, including parking, access and servicing were acceptable and it was not considered that there would be any significant detrimental impact upon the surrounding highways network as a result of the

development. The scheme would meet the full financial and non-financial contributions.

Subject to the recommended conditions and obligations, Officers were recommending that the application was granted planning permission.

The Committee asked questions about the height of the development given the height of the surrounding buildings in the area and also whether the proposal was consistent with longstanding aspirations for the development of the Estate that favoured smaller scale developments in this area. Members also asked questions about the density of the proposal given it exceeded the recommended London Plan guidance. Members also sought clarity about the daylight and sunlight impacts from this proposal in isolation on neighbouring properties. The Committee also asked questions about the impact on social infrastructure, the provision of green space and additional community facilities, the cycle parking and the consultation.

Officers reminded the Committee of the proposed density of the development and also the criteria in the London Plan for assessing schemes that exceeded their density guidance to identify symptoms of overdevelopment. It would be down to the Committee to make a judgement on whether the proposal would give rise to any adverse impacts and then to consider if the proposal met this criteria. In terms of the daylight/sunlight impacts, Officers considered that any development of the site (even a smaller scale development) would affect the sunlight/daylighting levels within Springwood Close. It should also be noted that this property had been designed with the anticipation of a scheme of this scale coming forward on the site and that the design of properties within Springwood Close to a certain extent acted as a restraint on sunlight and daylight levels to that property. Nevertheless it was recognised that a number of windows would experience a major loss of light, but overall it was considered that the impact would be acceptable.

In terms of the height of the development, it was considered that it would be in line with the nearby five and six storey buildings including Olive Tree Court. It was also noted that the area comprised a number of lower rise buildings such as 3 storey and 4 storey houses.

It was also noted that the child play space plans met the policy requirements and comprised an area of ground floor space play space within the amenity space. As mentioned in the presentation, the application included contributions towards CIL. Both the Council and the applicant carried out a consultation exercise on the application. Representations were received both in support and against. Whilst Officers could not confirm if any changes had been made to the application as a direct result of the consultation, the scheme had been amended to address concerns.

In response to questions about the cycle parking, it was explained that the concerns in the report had been addressed with the provision of Sheffield Stands and it should be noted that the plans exceeded the minimum required standards.

In conclusion, whilst welcoming the proposed development of the site, concern was expressed about the scale of the proposal and that it would be out of kilter with the surrounding area. Concern was also expressed about the density of the proposal and about the adverse daylight and sunlight impacts.

On a vote of 0 in favour of the Officer recommendation to grant planning permission, 6 against and 1 abstention, the Committee did not agree the Officer recommendation to grant planning permission.

Accordingly, Councillor Marc Francis proposed a motion that the officer recommendation to grant planning permission be not accepted (for the reasons set out below) and on a vote of 6 in favour, 0 against and 1 abstention, the Committee **RESOLVED**:

That the Officer recommendation to grant planning permission at 327-329 Morville Street, London be **NOT ACCEPTED** for the demolition of the existing building and chimney and redevelopment of the site with the erection of a new six storey building to provide 62 residential units (Use Class C3), together with associated landscaping, rooftop amenity area, child play space and cycle and refuse storage facilities (PA/17/01253)

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

- Height, bulk and massing of the proposal
- That the density of the proposal exceeded the London Plan density range in view of the adverse impact on residential amenity particularly in relation to sunlight and daylight impact.

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.

5.2 Regents Wharf, Wharf Place, E2 9DB (PA/17/01725)

Paul Buckenham (Development Control Manager) introduced the application for the change of use of the existing vacant space at lower ground floor into a one bedroom residential unit and planted courtyard

The Chair invited registered speakers to address the meeting.

George Greenhall addressed the committee in objection in the application. He stated that he was speaking on behalf of local residents. He advised that the proposal would harm amenity by reducing natural light, blocking sunlight and views. He also expressed concern about noise disturbance particularly from the use of the courtyard, this would especially affect the properties with habitable rooms facing the courtyard. In view of this, he suggested that the courtyard should be covered by a permanent canopy. In response to

questions, he explained his concerns about the impact on amenity particularly on privacy given the relationship between the courtyard and the proposal.

Mr Nader Sarabadani spoke in support of the application. He advised that the proposal met and exceeded all the relevant standards in policy in terms of internal space and sunlight and daylight levels as set out in the submitted assessment. There would be capacity for a new refuse space and the applicant had provided a cycle space. The existing building was in a poor condition and this replacement building would improve the appearance of the character of the area and it would deliver additional housing in accordance with policy. It would preserve and ensure good standards of amenity including access to natural light given that the scale of the development was no bigger than what was there already.

In response to Members the questions about the amenity impacts, he provided assurances about the measures to ensure privacy and to minimise noise disturbance from the courtyard including the condition requiring details of a retractable canopy over the courtyard. Whilst mindful of the suggestion to install a permanent roof over this, he felt that the proposal should be supported in its current form since it would create a high quality unit with an open courtyard.

Richard Humphreys (Planning Services) presented the application that was being brought to the Committee due to the number of representations received in response to the Council's consultation. He advised of the nature of the existing building (both in terms of its exterior and interior) and the planning history including the key differences between the application and the application refused in November 2016 as detailed in the Committee report.

He also described the proposed layout of the development, the outdoor amenity space, the proposed elevations including the new screens, and privacy measures including the condition requiring details of the retractable canopy for the courtyard and the outcome of the consultation.

Officers considered that the design of the proposed alterations would preserve the character and appearance of the Regents Canal Conservation Area, meeting the policy tests for this. It would also increase the housing supply in accordance with policy and meet housing standards including natural light. The proposal also met the relevant standards for refuse storage. The proposal would not unduly impact the amenity of neighbouring residents and would also afford future occupiers a suitable level of amenity.

Subject to a condition to secure 'car free' arrangements, the proposal would not have adverse transport implications including impact on the local highway network. In view of this, Officers were recommending that the application was granted planning permission.

The Committee questioned whether the list of objections in the Committee report had all been addressed. Officers provided assurances about each of these issues in turn. In particular, it was reported that the development would have a good outlook into the courtyard, benefit from good levels of

natural daylight and private amenity space. Furthermore, the proposal would not affect the community waste facility and there were measures to ensure it would be secure by design.

Members also sought assurances that the concerns with the previous scheme had been overcome relating to the poor quality accommodation and the lack of separation to nearby properties. It confirmed that the proposal differed from the previous proposal in a number of ways and would provide a much better standard of accommodation.

The Committee also asked questions about the impact of the proposal on the character of the street scene. Officers confirmed that they did not consider that the loss of the existing building would impact the area or that the new building would harm the setting of the area.

The Committee also discussed the concerns about noise impact and loss of privacy from use of courtyard and the suggestion of installing a permanent roof covering this space. Officers advised that planning policy supported the provision of the outdoor amenity space, and that it would no longer provide such a space if a permanent roof were to be installed. Furthermore, given the size of the proposal (a one bedroom apartment), the impact on neighbouring amenity from the use of the courtyard should be minimal.

In response to further questions, Officers clarified the nature of the external changes and the location of nearby apartments.

On a vote of 4 in favour 0 against and 2 abstentions, the Committee **RESOLVED:**

That the planning permission be **GRANTED** at Regents Wharf, Wharf Place, E2 9DB for the change of use of the existing vacant space at lower ground floor into a one bedroom residential unit and planted courtyard (PA/17/01725) subject to the Director of Place given delegated authority to issue the planning permission and impose conditions and informatives to secure the matters set out in the Committee report

6. OTHER PLANNING MATTERS

None

The meeting ended at 8.40 p.m.

Chair, Councillor Marc Francis
Development Committee