

LONDON BOROUGH OF TOWER HAMLETS

MINUTES OF THE DEVELOPMENT COMMITTEE

HELD AT 6.32 P.M. ON THURSDAY, 20 DECEMBER 2018

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

Members Present:

Councillor Abdul Mukit MBE (Chair)
Councillor John Pierce
Ruhul Amin
Councillor Mufeedah Bustin
Councillor Gabriela Salva Macallan
Councillor Helal Uddin
Councillor Andrew Wood (Substitute for Councillor Peter Golds)

Other Councillors Present:

Councillor Asma Begum

Officers Present:

Paul Buckenham	– (Development Manager, Planning Services, Place)
Solomon Agutu	– (Interim Team Leader Planning, Legal Services, Governance)
Piotr Lanoszka	– (Team Leader, Planning Services, Place)
Max Smith	– Team Leader, Planning and Building Control
Hoa Vong	– (Planning Officer, Place)
Antonella Burgio	– (Democratic Services)

Registered Speakers In Attendance:

Ms N Rahman on behalf of the Applicant (item 4.1)
Ms A Kindell – supporter (item 4.1)
Ms C Trumper – objector (item 4.1)
Mr G Bingham – objector (item 4.1)
Mr S Frazer – Architect assisted by a representative from Gateway Housing (Item 4.2)
Messrs K Holloway and R Bardett – supporters (item 4.2)
Mr A Hart – objector (item 4.2)
Messrs M Mitchel and A Spencer – objectors (item 4.2)
Councillor Asma Begum – Ward Councillor (item 4.2)

Apologies:

Councillor Peter Golds

1. DECLARATIONS OF DISCLOSABLE PECUNIARY INTERESTS

No declarations of disclosable pecuniary interests were made.

2. MINUTES OF THE PREVIOUS MEETING(S)

The unrestricted minutes of the meeting held on 11 November 2018 were approved as a correct record of proceedings.

3. RECOMMENDATIONS AND PROCEDURE FOR HEARING OBJECTIONS AND MEETING GUIDANCE

The Committee **RESOLVED** that:

1. The procedure for hearing objections be varied.
Accordingly officers and registered speakers engaged in the order outlined.
 - The Development Manager introduced the application and then the Planning Case Officer presented his report.
 - Following this, registered speakers made their submissions in the following order; objectors, Ward Councillors and applicants/agents.
 - Members then questioned the parties on the information submitted
2. That the meeting guidance be noted.
3. In the event of changes being made to recommendations by the Committee, the task of formalising the wording of those changes be delegated to the Corporate Director, Place along the broad lines indicated at the meeting.
4. 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 be delegated authority to do so, provided always that the Corporate Director does not exceed the substantive nature of the Committee's decision.

4. PLANNING APPLICATIONS FOR DECISION

The Committee **RESOLVED** that the information, advice and legal framework on decision making as set out in the document be noted.

4.1 Raine House, 16 Raine Street, London, E1W 3RL, (PA/18/02994 and PA/18/02995)

The Development Manager introduced the report which concerned an application for planning permission and listed building consent for a number of exterior works at Raine House, London E1W. He advised Members that, under the Council's Constitution, consent for works to listed buildings was a matter reserved to Committee. The Committee then received a presentation from the Planning Case Officer. He set out the relevant issues concerning the application which were around, design, heritage and consultation.

The following additional information was then provided by the Planning case Officer in response to Members' questions:

- A previous application for external and interior works to the premises had been refused by the Committee in September 2018.
- The application now before Members was for exterior works only; these were considered necessary to ensure the longevity of the premises. The permission sought was for the same exterior works for which permission had been sought at the meeting on 27 September 2018 and included works to provide wheelchair access to the external courtyard area of the premises.
- Any interior works would require a further report to Members since the Council's Constitution prescribed that consent for works on listed buildings that are Council owned is a matter reserved to Committee.
- Consultation had been undertaken anew. One response had been received which requested clarification of the nature of the works to be undertaken.

The Committee then heard from two objectors who raised the following concerns:

- Consultation had been poor. Many objectors felt they had not been properly notified and therefore had been unable to respond during the consultation period. In this context, objectors requested that the consultation be undertaken afresh and thereby give residents and interested parties opportunity to respond.
- There was concern amongst users of the premises that, while acknowledging that that works were necessary, their scope, time taken to complete them and the necessity to relocate community organisations during the refurbishment could potentially result in the loss of jobs and services. Delivery of services would be affected by decant of the building.
- The objectors acknowledged that revised works proposals were more sensitive to the style and historicity of the building.
- The application for refurbishment was incomplete because it did not include refurbishment of the basement. Objectors argued that this could be done for £500,000 and, based on an occupancy rate of 50%, the reinstatement of the basement would substantially contribute to the costs of running the building.

Having heard objectors' submissions a Member of the Committee observed that many of the issues which had been raised were not material planning considerations and therefore outside of the Committee's scope. The matters raised relating to the use of the building and the scope of the proposed development were not planning matters. The Committee however noted concerns around the materials chosen to resurface the courtyard area; the health and safety issues this would create and that the choice of cobbles would not complement the activities that were delivered at the premises.

The Committee, being satisfied that there were no further questions or matters that needed to be clarified with the objectors, then heard from the applicant.

She informed Members that the purpose of the application was to undertake necessary external works to ensure the continued use of the premises.

Community concerns around the provision of alternative premises for projects presently accommodated at Raine House had been addressed and alternative accommodation had been secured from January 2019. The works were expected to take 8 to 9 months to complete.

Responding to Members' questions the applicant provided the following additional information:

- In regard to concerns around safety relating to the use of cobbles in the courtyard and the potential effects on accessibility, the Committee was informed that the materials chosen were not cobblestones but designed to replicate their appearance.
- In regard to how the Council had addressed concerns expressed by objectors around lack of engagement with the community, the Committee was informed that there had been three consultation events between February and June 2018. Additionally there had been frequent discussions with the existing users of the premises namely Pollyanna Theatre and Wapping Social Club. These had given feedback which had been taken into account in the design of the scheme. Also there were ongoing discussions concerning proposals for the interior. In addition agreement had been reached on the relocation of these projects. Councillor Wood noted the information provided and observed that some matters around the relocation of user groups remained unclear.
- Concerning the type of engagement undertaken, the Committee was informed that the Capital Delivery Team had not been involved in consultation with the community; however statutory planning consultation had been carried out by the Council's planning officers.
- Concerning details of the arrangements around the interior works following the completion of the exterior works, the Committee was informed that discussions were being initiated and proposals would be formulated in the New Year.

The Committee then received a representation from the Principal of Pollyanna Theatre who spoke in support of the application. She informed Members that the window frames at the first floor of the premises were in poor repair and

dangerous and that the roof leaked. Pollyanna Theatre had engaged with the Council from the outset and a short-term relocation to premises at Chandler Street had been agreed pending completion of the works. Community activities would be delivered from this temporary location but there were some concerns that projects already occupying these premises would be displaced.

Responding to Members questions the following information was provided:

- Concerning the possible impacts for users should the application not be approved, the Committee was informed that groups based at Raine House had known of the relocation for some time and all service providers were prepared to adapt in the short term.
- In regard to concerns around excessive disruption to services arising from the works which had been raised at the time of the previous application and the nature of any current concerns in this regard, the Supporter acknowledged that disruption would be experienced by groups based at Raine House at the anticipated benefits were such that they would adapt. She noted that the present facilities were not ideal and therefore it was felt that the anticipated improvements would render the inconvenience worthwhile.
- Concerning whether the Supporter had viewed plans for the integration of existing and relocated users at Chandler Street, the Supporter informed the Committee that she had not yet seen the plan but had had discussions with some of the organisations presently at Chandler Street and felt that any organisation which was a necessary part of the community will find a way to work co-operatively.
- Concerning whether Officers had provided a plan for the relocation of the organisations at Raine Street in the context of the 20 organisations currently delivering projects from the premises at Chandler Street and how the relocation would be implemented by the January deadline, the Supporter advised the Committee that she had been informed that Pollyanna Theatre would relocate between 6th and 8th January 2019 and that all relocated organisations would be accommodated at the premises. Some organisations that used Chandler Street and which were free enterprises would be able to move to other spaces but it was the intention that accommodation would continue wherever possible. A Committee Member observed that the timescales between a grant of permission and relocation were short and the applicant informed Members that the Council's Facilities Officers had direct contact with users at Chandler Street. Additionally the facilities would primarily be managed by the Council.

The Development Manager:

- Clarified that consultation by the Council as the Planning Authority had been undertaken in line with the published Statement of Community Involvement.
- Informed the Committee that the recommendation at Para. 3 of the report was to separately grant planning permission and listed building consent subject to conditions. Since planning permission could not be implemented without listed building consent he recommended that the Committee take a combined vote for the recommendation to grant

planning permission and listed building consent subject to conditions as set out in the report.

Being satisfied that all relevant matters had been clarified, the Committee indicated that it wished to move to vote on the application.

The Chair proposed that Members vote on the officer recommendation to approve the applications and on a vote of 6 in favour and 1 abstention, the Committee

RESOLVED

That the applications planning permission and listed building consent for:

1. Removal of x3 windows and replacement with x3 doors. Erection of new roof-level plant equipment with associated enclosure. Insertion of access hatch. Insertion of roof-level ventilation extracts. Removal of garden fence. Non-original hard surfacing within courtyard removed and replaced. Damaged plant/boiler extracts removed and made good.
2. External repair and restoration works inclusive of all windows and cills where necessary including removal of non-original plastic window panes. Structural and aesthetic restorative works to building fabric and masonry with re-pointing of lime mortar and repairs to flank walls. Like-for-like replacement of all rainwater goods (cast iron) and roof tiles in east wing (slate). Signage and non-original façade items removed and façade made good. Where necessary, repairing and repainting of plinth. Repairing of existing door and removal of metal kick plate. Removal and replacement of non-original door. RWP's and associated hoppers to be replaced with appropriate (cast iron) goods. Removal of non-original lamp from original fanlight location.

Be **GRANTED** subject to the obligations and conditions set out in the report.

4.2 Regency Court, 10 Norman Grove, London, E3 5EG (PA/18/00065)

The application was considered in conjunction with item 4.3.

An update report was tabled

A late application to speak, by Ward Councillor Begum, was accepted by the Chair since in his view it offered the Committee a broader Ward based consideration of the matters at issue and would assist the Committee in its decision making.

The Development Manager introduced the report which concerned the demolition of existing buildings at 10 Norman Grove and redevelopment to provide 32 residential dwellings (class C3) with new hard and soft landscaping and celery servicing and plant, car and cycle parking and associated works.

The Committee was informed that the implementation of the revised proposal at agenda item 4.3 (Appian Court) was contingent upon approval of the application at agenda item 4.2 (Regency Court) and therefore, upon the Officer's recommendation, the Chair agreed that the items may be considered concurrently. However each application would be determined individually.

The Planning Case Officer introduced the report outlining that the application had been previously considered by Development Committee on 27 September 2018 at which time the committee had deferred the application pending a site visit as concerns had been raised around overlooking by balconies at the exterior of the development and because of issues around massing. Further work on these was requested. Responding to concerns raised the applicant had proposed amendments to the application and consultation on these amendments had been undertaken. 30 letters of objection had been received out of the consultation on the amended scheme relating to an amenity, massing and amenity.

Relevant planning issues relating to the application were land use, design, massing, impact on neighbouring amenity, housing and planning contributions.

The Committee was informed that the update report addressed issues raised during the consultation and those raised by Councillor Whitehead.

The Planning Case Officer then presented the application for the development of Appian Court which is recorded at minute 4.3

Responding to Members question questions the Planning Case Officer provided the following information:

- The Children's Centre site adjacent to Regency Court was Council owned.
- The combined development proposals spanned three sites. Proposals for Vic Johnson house had been considered by Committee in 2015 and refused. However permission had been granted subsequently on appeal.
- Proposals for Regency Court and Appian Court had come forward later following development of their respective strategies.
- Current policies for sheltered housing need and provision were covered by the policy DM5.
- Housing to be provided at Appian Court was intended for residents over 55 years of age. Applications will be drawn from the housing list where the applicants were older people with housing need.
- There would be increased provision of over-all sheltered housing upon completion of the redevelopment of Appian Court.
- Communal amenity space would be provided in the central courtyard at Regency Court and there would be shared communal space between Appian Court and Vic Johnson House.

- The 13 new trees, additional soft landscaping and bird boxes proposed at Appian Court were deemed sufficient mitigation to offset the loss of the trees at the current site.
- The sales of residential units at Regency Court will part-fund the provision of sheltered accommodation at Appian Court.
- To access the GLA grant funding that was secured to develop the three sites, it was necessary that works start by March 2018. The funds were derived from the Housing Supported Fund and, would be clawed back by HM Treasury if not spent.
- Noting that the child play space at Appian Court was not compliant the Committee was informed that the calculation had been based on intermediate units which were not sheltered; however the provision was for those over 55 years of age.
- Concerning the potential impact of the loss of trees, the Committee heard that the Biodiversity Officer had proposed, had assessed and proposed the diversity enhancements which were considered to mitigate the loss of the trees presently located at Appian Court.

The meeting paused between 8:00pm and 8:05pm.

The Chair invited the registered speakers to address the Committee. Members first heard representations from Councillor Begum. She informed the Committee that some of the concerns around massing, design and privacy previously raised had been dealt within the revised proposals. However concerns remained around voids and demolition. Additionally residents felt that some of the provisions had been insufficient to satisfactorily address the issues of overlooking and separation.

The Committee then heard from two objectors who raised the following concerns; on these bases they asked for the application to be deferred:

- The proposal conflicted with policy H1
- The proposal at Regency Court did not facilitate the provision of mixed and balance communities that meet strategic needs.
- The policy did not comply with Spatial Development Strategy for Greater London (London Plan 2016, policy 3.9 -- mixed and balance communities).
- The designation of Regency Court as private housing exacerbates community segregation.
- Concerning Managing Development Document (April 2013) DM26 - building heights, an objector argued that development did not respect light and the context of the local area.
- There was a lack of commentary on daylight.
- It was not appropriate the developments of Appian and Regency Courts should be linked.
- The proposal did not deliver housing in accordance with the Local Plan since the scale was out of keeping with the surrounding terraced housing.
- The distance between the development and terraced housing was below the acceptable limits.

- The amendments proposed by the developer did not respond to all of residents concerns
- It was necessary that construction management plans were developed in conjunction with the local community.

Responding to Members' questions the objectors provided the following additional information:

- While it was acknowledged that many of the separation distances in the surrounding streets did not meet the requirements of Policy DM24, objectors argued that it was necessary that the separation distance be the stipulated 18 metres or else the development should take its form in the style of its surrounding buildings (these were low-rise terraces).
- The application could be changed to ensure that the height of the development was in keeping with those of the surroundings.
- Since the housing that would be provided across the three sites (Regency Court, Appian Court and Vic Johnson House) totalled 152 units, the proposals should have been referred to the Mayor of London.
- The developments across the proposed sites would not deliver a diverse community set within a mix of types of dwellings. An objector contended that diverse provision such as that suggested brings communities together.
- Concerning the community's views on matters of viability, the objectors advised that the community supported initiatives to build affordable housing via a community-led trust. To this end it was their hope that lessons had been learned from mistakes of the past and that the ideas of local people would be heard. This outcome could not be achieved if developments were pursued solely on the basis of financial viability.

The Committee then proceeded to hear representations in support of the applications.

Members first heard from the Architect. He submitted that the Applicant, having heard the views and concerns of the Committee at the time the applications for Regency Court and Appian Court had first been brought for determination, had sought to address the issues raised through the revisions made to the scheme; these were now placed afresh before the Committee. Additionally the approach of 'linked developments' permitted delivery of 60.3% affordable housing across the two sites.

The Chair then agreed that two residents be permitted to make statements in support of the applications. They informed the committee that:

- The proposals for sheltered development were important to the community because of the poor quality of the current sheltered housing provision at Regency Court where the buildings were outdated.
- All residents of Regency Court in sheltered housing supported the application which would better their quality of life through the provision of modern sheltered facilities.

Responding to members questions the Agent, a representative from Gateway Housing (the Applicant) and supporters provided the following additional information:

- The representative from Gateway Housing informed the Committee that the new sheltered housing development was necessary since the current provision at Regency Court did not meet the needs of residence for quality of life.
- The revised plans ensured that, in future, the occupants of the residential units at Regency Court could not alter the design configuration of the living spaces since the kitchen was attached to the living room. Therefore it would be difficult to inhabit the units differently. It was also noted that the living areas would face inwards into the courtyard.
- Age UK would provide outdoor seating in the sheltered development.
- The current residential units at Appian Court had already been completely decanted.
- In regard to Members' concerns around the differential in scale between the terrace housing at Saxon Road and the proposed Regency Court development, the committee was informed that the 4th storey section of the development was located furthest from the conservation area.
- The applicant had not opted for a mixed tenure at each of the sites as without the GLA grant contribution, the applicant would not have been able to fund the scheme.
- The Gateway Representative informed the Committee that the aim of the development was to provide residents with empowered lives through a new model of sheltered housing.
- Concerning the rationale around the need for supported housing, supporters informed the Committee that the sense of community that the new development at Appian Court would provide was very important as was daily contact from the Concierge and the better adapted facilities that would lead to better quality of life.

Having heard all representations the Committee then proceeded to discuss the material considerations which were land use, design and Heritage, standard of accommodation, neighbouring amenity, Housing and contributions

The Committee received advice from the Development Manager that, concerning the cumulative impacts of construction, permission did not require that development must take place but that a construction management plan would mitigate delivery; although this did not address linkage.

The Committee then proceeded to vote on each application individually.

The Chair proposed that Members vote on the officer recommendation to approve the application for the redevelopment of Regency Court and on a vote of 6 in favour and 1 abstention, the Committee

RESOLVED

That the application for planning permission for demolition of the existing building at Regency Court and redevelopment to provide 32 residential dwellings (Class C3) with new hard and soft landscaping, ancillary servicing and plant, car and cycle parking, and associated works be **GRANTED** subject to the obligations and conditions set out in the report.

4.3 Appian Court, 87 Parnell Road, London, E3 2RS (PA/18/00092)

The application was considered and discussed in conjunction with item 4.2 and the matters discussed relating solely to the proposed redevelopment of Appian Court are recorded here for clarity.

The Planning Case Officer presented his report. He informed the Committee that the application proposed demolition of the existing buildings and construction of a part 4/5, plus lower ground floor, storey building to provide age restricted sheltered housing consisting of 60 units together with the provision of communal amenity space, parking and cycle storage spaces and associated landscaping. It was linked to the redevelopment of Regency Court via a S106 legal agreement. The application had also been deferred pending a site visit.

Relevant planning issues related to this application were land use, heritage (the site adjoined the Roman Road conservation area) and highways. The committee was informed that the loss of sheltered housing units which would arise from the redevelopment of Regency Court and Vic Johnson House were acceptable in that the development of Appian Court would create extra provision over all. Additionally assessments of impacts of the proposed design had been assessed and were considered to be acceptable.

Representations and the discussions arising from these are recorded at minute 4.3.

Having heard all representations and discussed the material considerations, the Committee proceeded to vote on the application for Appian Court.

The Chair proposed that Members vote on the officer recommendation to approve the application and on an *unanimous vote in favour*, the Committee

RESOLVED

That the application for planning permission for demolition of the existing buildings at Appian Court and the construction of a part 4/5 plus lower ground floor storey building to provide age restricted sheltered housing consisting of 60 units together with the provision of communal amenity space, parking and cycle storage spaces and associated landscaping be **GRANTED** subject to the obligations and conditions set out in the report.

4.4 767-785 Commercial Road, E14 7HG (PA/16/03657 & PA/16/03658)

The Committee **NOTED** that, for planning reasons, this application had been withdrawn prior to the meeting.

4.5 Virginia Primary School, Virginia Road, London, E2 7NQ (PA/18/01523)

The Development Manager introduced the report which concerned an application for listed building consent and planning permission to replace six windows at the top floor front elevation of the premises.

The Committee was informed of the following relevant matters:

- Under the Council's constitution consent for works to listed buildings where the Council is also the owner was a matter reserved to Committee.
- There had been no representations against the application and therefore under planning procedure rules for applications recommended for approval, the matter would be determined on the basis of the written report.
- The area surrounding the school premises was a 19th-century housing estate and a conservation area; therefore the replacement windows must accurately replicate the original windows surviving in the building to preserve the character features and fabric of the building and preserve and contribute to the overall character of the conservation area in which the school is situated.

Members indicated that there were no questions that they wish to ask and therefore the Chair moved to vote on the proposal.

The Chair proposed and on an *unanimous vote in favour*, the Committee

RESOLVED

That the application for listed building consent at Virginia Primary School for replacement of six windows at top floor to front elevation with all details, materials and colours to match existing be **GRANTED** subject to the obligations and conditions set out in the report.

The meeting ended at 8.57 p.m.

Chair, Councillor Abdul Mukit MBE
Development Committee