

LONDON BOROUGH OF TOWER HAMLETS

MINUTES OF THE DEVELOPMENT COMMITTEE

HELD AT 6.30 P.M. ON THURSDAY, 19 SEPTEMBER 2019

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

Members Present:

Councillor Abdul Mukit MBE (Chair)
Councillor Dan Tomlinson (Vice-
Chair)
Councillor John Pierce
Councillor Mufeedah Bustin
Councillor Leema Qureshi

Other Councillors Present:

Councillor Asma Begum
Councillor Val Whitehead

Officers Present:

Solomon Agutu	(Interim Team Leader Planning, Legal Services, Governance)
Jerry Bell	(Area Planning Manager (East), Planning Services, Place)
Paul Buckenham	(Development Manager, Planning Services, Place)
Victoria Coelho	(Planning Officer, Place)
Victoria Olonisaye-Collins	(Planning Officer, Place)
Hoa Vong	(Planning Officer, Place)
Zoe Folley	(Committee Officer, Governance)

Apologies:

Councillor Dipa Das

1. DECLARATIONS OF DISCLOSABLE PECUNIARY INTERESTS

No declarations were reported.

2. MINUTES OF THE PREVIOUS MEETING(S)

It was noted that a member of the public had drawn attention to a number of proposed amendments to the minutes in relation to item 5.2 Bishops Square, Market Street and Lamb Street, London E1 6AD (PA/18/03254 and PA/18/03255). The five key points were summarised in the tabled amendment

The Committee **RESOLVED**

1. That the minutes of the meeting of the Committee held on 30 July 2019 be agreed as a correct record and signed by the Chair subject to the following amendments as tabled.
 - 1) Under "Registered Speakers in Attendance", "Mr K Oliver" is the incorrect name and should read "**Mr O Kelly**".
 - 2) Under 5.2, at the end of page 8, "The Committee was informed that the applicant chosen the format of a combined application..." should read "The Committee was informed that the applicant **had** chosen the format of a combined application..." **Insert word had**
 - 3) Under 5.2, the first bullet point under paragraph 3 of page 9 reads "deliver change of use of current office space at Market Street, the loss of a ~~listed~~ canopy, new shop fronts and changes to public realm which would ensure that street furniture does not impede pedestrian and cycle transit." **Remove the word listed from canopy**
 - 4) Under 5.2, the second bullet point under the last paragraph of page 10 reads "The current proposal: addressed the concerns raised around Elder Gardens and the narrowing of Lamb Street, reduced overshadowing, returned the pedestrian walkway ~~via the playground~~ and had added safety features at Lamb Street." It is unclear what is being referred to by "playground". **Remove the word Playground**
 - 5) Under 5.2, sentence 10 .The second bullet point says "The proposal would cause a wider loss of ambience and loss of a key public amenity through the construction of an imposing structure which would negatively affect the visual amenity and reduce sunlight levels to **thev** minimum stipulated in the BRE guidance." Replace with **the**"

3. **RECOMMENDATIONS AND PROCEDURE FOR HEARING OBJECTIONS AND MEETING GUIDANCE**

The Committee **RESOLVED** that:

1. The procedure for hearing objections and meeting guidance be noted.
2. 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; and
3. 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. DEFERRED ITEMS

4.1 Site At Unit 2, Discovery Dock Apartments East, 3 South Quay Square (PA/18/03580)

Update report was tabled.

Paul Buckenham (Development Control Manager) introduced the application for the infill extension to existing ground floor commercial unit (currently in use as estate agent) for flexible use including A1 (retail), A2 (financial and professional services), A3 (restaurant) and B1a (office)

It was confirmed that this application was considered by the Development Committee on 11th July 2019 and was deferred on the advice of Officers for details of any formal walkway agreement.

It was confirmed that the Chair had decided to vary the Development Committee procedure rules to allow Mr Michael Byrne to address the committee as an objector. By way of background, it was noted that Mr Byrne was due to address the Committee at the 11th July 2019 Committee meeting (in accordance with the Council's procedure rules). However, he was not given the opportunity to do so at the meeting. The applicant's representative would also receive the opportunity to address the Committee.

Victoria Coelho, (Planning Services) presented the report, providing a brief presentation of the key features of the application. She confirmed that Officers had reviewed the issues around the walkway and could confirm that the site was not subject to any formal walkway agreement under the relevant highways legislation. In addition, the site was not subject to a planning obligation to maintain a walkway secured by a legal agreement. Officers considered that the proposal complied with policies and that the reasons for deferring the application had been addressed.

The Chair invited the registered speakers to address the Committee.

Mr Byrne addressed the Committee. He considered that:

- The proposal would result in an oversupply of A3 restaurant and commercial units.
- The proposal would increase congestion on the new South Dock bridge.
- That the land use was unacceptable– given its predominantly residential nature and its classification in the emerging Local Plan as a neighbourhood centre, as opposed to Canary Wharf. The report was incorrect in basing the assessment on the suitability of the land use on the premises that it formed part of Canary Wharf.

Jon Roshier, Applicant's representative, addressed the Committee.

He provided reassurances about the land use given that the site location at the edge of the Canary Wharf Activity Area. This policy supported the proposed type of development in the area. The development would provide a number of commercial uses that could accommodate a range of uses - depending on an assessment of what worked best by the applicant. The development would add to the rich diversity of the area. Regarding use of the South Dock bridge he considered that it was unlikely that many of the residents would rely on the bridge given the distance from this development in relation to walking routes

In response to Questions about an A3 use, Officers advised that the Committee should take in account that the application sought to provide a number of commercial uses, including an A3 use that could potentially accommodate a restaurant use. In relation to the existing A2 use, (and the absence of any requirement to apply a market test), Officers confirmed that the policy requirements applied only to A1 uses.

On a vote of 3 in favour and 1 against, the Committee resolved

1. That planning permission be **GRANTED** at Site At Unit 2, Discovery Dock Apartments East, 3 South Quay Square for the Infill extension to existing ground floor commercial unit (currently in use as estate agent) for flexible use including A1 (retail), A2 (financial and professional services), A3 (restaurant) and B1a (office) (PA/18/03580) SUBJECT to the conditions set out in the report.

5. PLANNING APPLICATIONS FOR DECISION

5.1 William Brinson Centre, 3-5 Arnold Road, London (PA/16/02789)

Application withdrawn from the agenda

5.2 235 Old Ford Road (PA/19/00396)

Update report tabled

Paul Buckenham introduced the application for roof extensions to Blocks A and B to comprise eight new apartments and associated works.

Victoria Olonisaye-Collins (Planning Services) presented the report describing the nature of the site and the surrounding area, and the outcome of the consultation, resulting in the receipt by the Council of 83 representation in objection including 2 Member objections about: the impact on the setting of the Victoria Park Conservation Area, density issues, height and design, amenity impacts, construction impacts and lack of social housing amongst other issues. Due to the number of the proposed units, there was no requirement to provide social housing.

Regarding the scale and height of the proposal, the proposals satisfied the relevant tests in policy. Whilst mindful of the prevailing heights for Victorian Terraces in the area, Officers considered that the proposal would not detract from the setting of the Victoria Park Conservation Area or the canal line or would be visually intrusive.

The quality of the accommodation would be consistent with amenity standards set out in the London Plan in terms of the provision of amenity space and the units would enjoy good levels of sunlight and daylight.

The proposal would be acceptable with regard to transport, servicing and waste. The proposal would be car free and contained a number of measures to restrict construction activities.

Officers considered that the application, complied with policy so should be granted.

The Chair invited the registered speaker to address the Committee.

Nicholas Hills, Matt Walker, Councillors Val Whitehead and Asma Begum (Ward Councillors) expressed concerns about the scheme regarding the following issues:

- Height of the proposal given the prevailing building heights, comprising 3-4 storey building, near the canal (the blue ribbon network) and the Victoria Park. The development would conflict with the relevant planning policies requiring the developments should be sensitive to the setting of the Conservation Area and would result in a clash in materials. It would be visible from Victoria Park. It would set a precedence with regard to building heights in the above mentioned areas.
- Disturbance to residents through noise and disturbance during the constructions phase.
- Density of the application.
- A lack of social housing.
- Structural damage to the host building
- Impact on the wildlife during construction phase.
- The application should be deferred for a site visit.

Andrew Ryley and Nick Mulholland addressed the Committee on behalf of the applicant. It was noted that the Applicant's team had engaged extensively with the Council Officers and residents and had amended the application to address the concerns, through for example changing the colour of the window frames. They were of the view that the height of the new development would be in keeping with the local area given: the similarities between the proposal and the nearby building heights and that the new roof line would approximately be of the same height as the existing roof line, given the proposals sought to convert a pitched roof for accommodation.

The proposal would improve the appearance of the building providing a more contemporary design, with measures to minimise any impact on the Conservation Area.

A bat survey had been completed and no mitigation was required. Details of the biodiversity enhancements (to be secured by condition) would be submitted. The proposal would provide much needed housing.

They also provided assurances about the structural report and the measures to mitigate the construction impact.

Questions to Officers

Regarding the roof terraces, it was noted that was a common feature in developments and the proposals met the policy requirements. Evidence from other developments showed that the balconies had minimal impact on residents below. Regarding the height of the development, Officers confirmed that whilst the prevailing building heights were between 3-4 stories, it also included 6-7 stories buildings and a Tower Block of 20 stories. Officers showed images of the building heights along the canal line.

It was also confirmed that the proposal would be policy complainant without the dry riser following its removal and inclusion of a lift. No objections had been received about this aspect of the proposal.

In response to questions about the construction impact, Officers confirmed that it was proposed to address these through the conditions. Mindful of the proximity of the building works to residents, it was recommended that the standard construction times should be shortened. In addition, the applicant had confirmed that the building works would not last for more than 12 months.

In response to further questions, the Committee noted the proposed conditions in respect of biodiversity improvements, and the cycling provision.

Questions to Applicants team

In response to question about the amenity impacts from the new balconies, the applicant's representative provided details of the measures to prevent any undue impacts - including the proposed water proofing measures, the proposed installation of high railings, set back from the parapet, to minimise any impacts.

The speakers also provided further assurances about the conditions to manage the construction impact and protect the building structure.

Questions to objectors.

In response to questions about the height and the heritage impacts, the objectors explained in further detail their concerns about the harm from this given that it would be out of keeping with the existing building heights along the canal line. They also expressed concerns about: the impact on the

Conservation Area from the massing and scale of the proposal, as well as the height and explained that the other taller developments in the immediate area had 'design integrity'. In addition given the 'sunken down' nature of some these buildings, the speakers felt the height of these buildings appeared more in line with the prevailing building heights. It was also explained that most of the neighbouring buildings had pitched roofs and were approximately the same height as the existing building

On a vote of 3 in favour and 2 against, the Committee **RESOLVED**:

1. That planning permission is **GRANTED** at 235 Old Ford Road for roof extensions to Blocks A and B to comprise eight new apartments and associated works (PA/19/00396) SUBJECT to the planning conditions set out in the report and the additional condition in the update report.

5.3 Site Adjacent To 71, Heylyn Square and 71 to 77 Heylyn Square, London, E3 (PA/19/00793)

Update report was tabled

Paul Buckenham introduced the application for the demolition of the existing single-storey buildings located at 71- 77 Heylyn Square and the construction of an 8 storey mixed used residential led development.

Hoa Vong (Planning Officer), presented the report. The Committee were advised that: the proposal would deliver a 100% affordable residential development. The units would be of a high quality and meet or exceed the policy standards in terms of the provision of child play space and number of wheelchair accessible units. A total of 3 objections and 1 petition had been received regarding daylight/sunlight impacts, traffic, pollution, noise and height. It should also be noted that all of the objectors supported the principal of the application.

The petition had been signed by 30 local resident. The petition relates to the re-provision of an existing after school education facility (D1) known as the Bow English Maths Technology Education Centre (BEMTEC) which is currently located at Nos. 72- 73 Heylyn Square.

Given the concerns, the Council was able to facilitate discussions to find alternative spaces within the borough.

In terms of the land use issues, a retail unit would be retained. The loss of the remaining commercial units was considered to be acceptable, given the proximity of a number of alternative uses within walking distance. This would be in compliance with local plan policy and would not impact local access to goods or services.

Regarding the sunlight and daylight assessment, it was confirmed that:

- Of the 243 windows tested for VSC, only 18 would fall below the BRE guidelines

- Of the 43 rooms tested for daylight distribution, only three rooms would fall below the BRE guidance. These were non habitable rooms.

Whilst it was noted that the proposal would cause a degree of overlooking, the proposal would not cause a significant loss of privacy or harm neighbouring amenity.

Officers considered that given the merits of the scheme, it should be granted permission.

In response to questions, Officers further explained the results of the sunlight and daylight assessment, the plans to re - provide the education centre, and the policy requirements in terms of the retail units.

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

1. That subject to any direction by the Mayor of London, planning permission is **GRANTED** at Site Adjacent To 71, Heylyn Square and 71 to 77 Heylyn Square, London, E3 for the demolition of the existing single-storey buildings located at 71- 77 Heylyn Square and the construction of an 8 storey mixed used building comprising 32 residential units (Use Class C3) and a single retail unit at ground floor (Use Class A1) together with the provision of associated amenity space, landscaping and parking spaces (PA/19/00793) SUBJECT to:
2. The conditions to secure the contributions set out in the Committee report (in lieu of planning obligations).
3. That the Corporate Director of Place is delegated the power to impose conditions and informatives to address the matters set out in the Committee report.

6. UPDATE REPORT

7. OTHER PLANNING MATTERS

There are no other matters.

The meeting ended at 8.30 p.m.

Chair, Councillor Abdul Mukit MBE
Development Committee