

LONDON BOROUGH OF TOWER HAMLETS

MINUTES OF THE DEVELOPMENT COMMITTEE

HELD AT 7.00 P.M. ON WEDNESDAY, 14 NOVEMBER 2012

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

Members Present:

Councillor Helal Abbas (Chair)

Councillor Shiria Khatun (Vice-Chair)

Councillor Kosru Uddin

Councillor Craig Aston

Councillor Anwar Khan

Other Councillors Present:

None

Officers Present:

Jerry Bell – (Applications Team Leader, Development and
Renewal)

Richard Murrell – (Deputy Team Leader, Planning, Development
and Renewal)

Fleur Brunton – (Senior Lawyer - Planning Chief Executive's)

Angelina Eke – (Development Control Planner, Development and
Renewal)

Benson Olaseni – (Planning Officer, Development and Renewal)

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Amy Thompson – (Deputy Team Leader, Development and
Renewal)

Zoe Folley — ((Committee Officer, Democratic Services Chief
Executive's)

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NOTE: THE AGENDA ORDER WAS CHANGED AT THE MEETING BUT
FOR EASE OF REFERENCE IT IS SET OUT AS ON THE AGENDA.

1. APOLOGIES FOR ABSENCE

Apologies for absence was received from Councillor Md. Maium Miah and from Councillor Peter Golds for item 6.2 (313 Cambridge Heath Road, London E2 9LQ (PA/12/00623 and PA/12/00624).

2. DECLARATIONS OF DISCLOSABLE PECUNIARY INTERESTS

No declarations of disclosable pecuniary interests were declared.

3. UNRESTRICTED MINUTES

The Committee **RESOLVED**

That the unrestricted minutes of the meeting of the Committee held on 10th October 2012 be agreed as a correct record and signed by the Chair.

4. 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

5. PROCEDURE FOR HEARING OBJECTIONS

The Committee noted the procedure for hearing objections, together with details of persons who had registered to speak at the meeting.

6. DEFERRED ITEMS

6.1 83 New Road, London, E1 1HH (PA/12/00605)

Jerry Bell (Applications Team Leader, Development and Renewal) introduced the proposal regarding 83 New Road London.

Richard Murrell (Planning Officer) presented the detailed report. At the last meeting on 10th October 2012, Members were minded to refuse the application due to: the impact on residents particularly from noise and nuisance from the premises and the overconcentration of A3 uses in the area.

Officers had since interpreted these reasons and had drafted suggested reasons for refusal as set out in the report. It was pointed out that the reasons

were set out in paragraph 3 not 3.3 as set out in the report. Officers considered that these reasons were defensible at appeal.

On a vote of 3 for and 1 against, the Committee RESOLVED:

That planning permission PA/12/00605 at 83 New Road, London, E1 1HH for Change of use from (A1) retail to mixed use coffee shop and restaurant (A1/A3) with no primary hot food cooking facilities, no associated extract flue system and seating area limited to ground floor only; including retention of No.4 AC units and alterations to shop front including new access door. be REFUSED for the reasons set out paragraph 3 of the report detailed below:

The restaurant element of the proposed use will have an adverse impact on the amenity of residents of the area by virtue of increased noise and disturbance associated with patrons coming and going. The proposal is therefore contrary to the objectives of policy SP01(2c) of the adopted Core Strategy (2010), policy S7 of the adopted Unitary Development plan 1998 and policy DM25(e) of the Managing Development DPD (Submission Version May 2012).

The restaurant element of the proposed use will result in the proliferation of such uses outside of a designated Town Centre, which is contrary to the objectives of policy DM1(4) of the Managing Development Development Plan Document (Submission Version 2012), which seeks to direct such uses into designated centres. The proposal will lead to the over-concentration of such uses in the area and as such is contrary to the objectives of policies SP01(2c) of the adopted Core Strategy (2010), policy S7 of the adopted Unitary Development plan 1998 and policy DM1(4) of the Managing Development DPD (Submission Version May 2012).

6.2 313 Cambridge Heath Road, London E2 9LQ (PA/12/00623 and PA/12/00624)

It was noted that Councillor Craig Aston could not vote on this item as he had not been present at the previous meeting where this item was considered and deferred (12th September 2012 Committee meeting).

Jerry Bell introduced the item regarding 313 Cambridge Heath Road.

The Committee were reminded that on 12th September 2012, Members were minded to defer the application due to concerns over the contemporary design of the northern element of the proposed scheme. Whilst they were satisfied with the scheme in principle including the size and bulk they considered that this element should be redesigned to fit in with the surrounding area including the Museum of Childhood. The applicant had since redesigned the scheme as requested and the revised scheme was before Members for consideration.

Benson Olaseni (Planning Officer) presented the detailed reported. He briefly explained the overall scheme. He described the previous design of the

northern elevation of the building and the new design that consisted of more traditional materials. In conclusion, the scheme as a whole complied with policy and officers recommended that planning permission should be granted for the development.

In response, Members welcomed the amendments. They commented that it was encouraging to see that the applicant had taken on board Members concerns and had revised the scheme accordingly.

On a unanimous vote, the Committee RESOLVED:

1. That planning permission PA/12/00623 at 313 Cambridge Heath Road, London E2 9LQ be GRANTED for the demolition of existing 3 -storey building and redevelopment of site by construction of a new 5 -storey building with basement and lower ground floor levels to provide 80 bedroom Hotel (Use Class C1) with associated rear servicing bay subject to the following:
2. The prior completion of a legal agreement to secure the planning obligations set out in the report
3. That the Corporate Director Development & Renewal is delegated power to negotiate the legal agreement indicated above.
4. That the Corporate Director Development & Renewal is delegated power to impose conditions and informatives on the planning permission to secure the matters set out in the report
5. That Conservation Area Consent PA/12/00624 at 313 Cambridge Heath Road, London E2 9LQ be GRANTED for the demolition of existing 3 - storey building in connection with the construction of a 5 – storey building to provide a new 80 bed hotel and associated access and parking arrangements subject to the conditions set out
6. That, if within 3 months of the date of this Committee the legal agreement has not been completed, the Corporate Director Development & Renewal is delegated power to refuse planning permission and conservation area consent.

7. PLANNING APPLICATIONS FOR DECISION

Councillor Anwar Khan joined the meeting at this point 7:10pm for the remaining items of business

7.1 12 Hanbury Street, London (PA/11/01488)

Jerry Bell introduced the report 12 Hanbury Street, London regarding a new kitchen extract system with external duct riser.

Richard Murrell (Planning Officer) presented the detailed report. He explained the planning and enforcement history including the previous refusal in January 2011. The application was before Members as 12 representations in objection had been received during the local consultation along with a petition containing 19 signatures. The concerns covered: the design, amenity (i.e. noise, odours, fume control) and the impact on highways.

Mr Murrell described the revisions to the proposed flue to address the previous concerns. The flue would now terminate near roof level with a Swedish cowl to disperse the fumes and odours.

Environmental Health were satisfied with the revised scheme subject to an informative regarding maintenance. Highways services were satisfied with the proposal and the height of the undercroft in terms of vehicular access to the yard.

It was also proposed that the flue would be painted black to minimise visual impact.

Overall, Officers considered that the scheme was acceptable and that the changes addressed the previous issues. Officers recommended that the planning permission should be granted for the scheme.

On a vote of 4 in favour and 1 against, the Committee RESOLVED:

That planning permission PA/11/01488 at 12 Hanbury Street, London be **GRANTED** for partial retention of, with amendment to, new kitchen extract system with duct riser on rear elevation terminating vertically at roof level with Swedish Cowl subject to the conditions and informatives set out in the report.

7.2 Site at South East Junction of Whitechapel Road and New Road, Whitechapel Road (Royal London Hospital) (PA/12/01817)

Jerry Bell introduced the application. The proposal sought to vary condition 1 of planning permission PA/09/2608 to enable the retention of the temporary car park for a further limited period.

Richard Murrell presented the detailed report. He outlined the planning history of the case. He referred to the plans to redevelop and refurbish the Royal London Hospital. To facilitate this, a limited permission was granted for a temporary car park until 2010. The permission was then extended again until November 2012 due to delays with the hospital development.

This application now sought to extend that planning permission for a further period (until 31st December 2015 or the completion of the hospital's new multi-storey car park whichever is the sooner) to allow further time for the hospital development to be completed. The applicant had looked at other sites on the hospital estate but none had proven suitable. The car park was required by the hospital for operational reasons.

One of main issues raised in objection related to the access from Mount Terrace. However a new barrier had recently been installed to restrict access from this point and this should address the concerns.

In response, Members sought assurances about the hospital completion date of December 2015. Officers expected that it would be completed by then. It was unlikely that this temporary permission would be extended again at that time as set out in the informative to that effect. The Chair questioned if the car park could be accessed by Whitechapel Road and Mr Murrell explained the reasons why this might not be possible. One reason was the change in level from the road to the car park.

Members also queried progress with the landscaping works for the site. There was a need to improve the appearance of the site and this should be encouraged. Mr Murrell explained the steps being taken in this area and made suggestions on what else could be done. Officers would pursue this matter further with the applicant to take forward such improvements.

On a unanimous vote, the Committee RESOLVED:

That planning permission PA/12/01817 at Site at South East Junction of Whitechapel Road and New Road, Whitechapel Road (Royal London Hospital) be **GRANTED** for variation of condition 1 of planning permission granted on 26th January 2010, reference PA/09/2608 to enable the retention of a temporary car park for a further limited period subject to the conditions and informatives set out in the report.

7.3 Land bounded by Watts Grove and Gale Street, London, E3 3RE (PA/11/03577)

Update tabled.

Jerry Bell introduced the item Land bounded by Watts Grove and Gale Street for the provision of 3 residential blocks and associated works.

The Chair invited the registered speakers to address the meeting.

Michael Druce spoke in objection to the scheme. He stated that he was speaking on behalf of the freeholder of the commercial units near the proposed scheme. He referred to their letter of objection. The first two points had been addressed with the removal of the disabled car parking bay and the conditions regarding the pedestrian route that were welcomed. However the last two concerns in the letter had yet to be addressed. These related to:

- Overlooking. There would be overlooking to the commercial premises from the proposal (the Block C balconies). This could be seen in the submitted drawings. To address this, the windows of the southern elevation of the proposal should have obscured glazing.

- Noise from the commercial units. The noise would severely erode the amenity of the proposed development. To address this, the southern elevation of the proposal nearest the commercial units should have sound proofing.

In response to Members about contact with the applicant, Mr Druce stated that he had not discussed directly with them these specific two proposals. However the application had been amended to address the first two points so they were aware of the letter and it had been made public for some time. Regarding the noise impact, the report failed to address this. The report only referred to the noise impact from construction.

Dirk Peltzer also spoke in objection to the scheme. He stated that he was speaking on behalf of the Residents Association of David Hewitt House. He was not opposed to the principle of scheme. However he was concerned that the scheme would result in overdevelopment due to the close proximity of the scheme to David Hewitt House and the height and scale. As a result, there would be an increased sense of enclosure; a loss of light to such properties and a loss of privacy. The separation distances (17 metres) fell short of the policy requirements. The sun light levels failed to meet the policy requirements. The density exceeded the policy requirements. It was out of character with the area. The proposal should be reduced in height and moved further away from David Hewitt House.

Charles Moran spoke in support of the scheme. He outlined the applicants strong track record in providing similar housing developments with the Council. He stressed the merits of the scheme. The scheme would provide 100% affordable units at genuinely affordable rent levels.

The applicant had worked closely with the Council's planning department over the last two years and the application was subject to extensive community. This included 1-1 meetings with neighbours and consultation events with opportunities for feedback. The scheme had been carefully designed to prevent overshadowing and overlooking with set backs to aspects of the design. Whilst there would be some impact on light to a small number of properties, the levels would meet policy standards. He considered that the scheme would not harm in any way the commercial units. However, he was willing to accept the condition suggested by Mr Druce that the windows of the southern elevation have obscured glazing to prevent overlooking.

Furthermore, there were many houses around the area referred to by Mr Druce. It was evident from this that the commercial units could happily co-exist with such properties. However, he was also willing to accept the second condition proposed by Mr Druce regarding the soundproofing of the southern element in view of the concerns around noise from the commercial units.

In reply to Members he confirmed that he was willing to accept the two conditions suggested by Mr Druce.

Benson Olaseni presented the detailed report. He described the site location, the existing land use and proposals. He explained the housing mix and the

location of the different tenures. Blocks B and C would comprise of affordable tenures and Block A the shared ownership. He showed views from the surrounding areas and described the proposed pedestrian access route.

A total of 324 neighbouring properties were consulted and 5 letters in objection had been received. The concerns raised were about overdevelopment, overlooking, loss of privacy, noise from the existing units to the proposal.

In terms of land use, Officers considered that the site was suitable for residential use. Many of the surrounding properties were of a similar height. Furthermore, given the housing needs in the Borough and the encouragement to address this in policy, the plans fully complied with both Council policy and the London plan in this regard. It was also considered that the design, scale and massing was acceptable with wheelchair housing. A s106 agreement had been secured and this was explained.

It was considered that the density was acceptable with no signs of overdevelopment. It was not considered that it would have any undue impacts in terms of overlooking and sunlight due to the mitigation (the separation distances and the orientation of the proposal). The sunlight assessment complied with policy with no potential for direct overlooking. There was adequate defensible space.

It was considered that the impact on parking was acceptable. The scheme would be car free and there was an excellent level of public transport in the area. The Council's Highways Officers were satisfied with the scheme. The new pedestrian access was welcomed and there was a condition to maintain the safety of the route.

In response, Members questioned the loss of light to David Hewitt House. Officers responded that a small number of rooms at the ground floor would be affected. However, this was due to the fact that the site was presently clear. So naturally they would be some loss of light when the site was developed. However, despite the minor losses, the rooms affected still broadly met the BRE requirements.

On a unanimous vote, the Committee RESOLVED:

1. That planning permission PA/11/03577 at Land bounded by Watts Grove and Gale Street, London, E3 3RE be **GRANTED** for the redevelopment to provide three residential blocks ranging from 4-6 storeys to provide 50 dwellings (11 x 1 bedroom, 25 x 2 bedroom, 9 x 3 bedroom and 5 x 4 bedroom) plus bicycle parking, refuse recycling facilities and access together with landscaping including public, communal and private amenity space and creation of an east-west public walkway from Watts Grove to Gale Street subject to the conditions in the report AND the two additional conditions agreed by the applicant at the committee meeting as set out below:

2. The prior completion of a legal agreement to secure the planning obligations set out in the report.
3. That the Corporate Director Development & Renewal is delegated authority to negotiate the legal agreement indicated above.
4. That the Corporate Director Development & Renewal is delegated power to impose conditions and informatics on the planning permission to secure the matters set out in the report and the two conditions agreed by the applicant at the meeting requiring:
 - installation of obscured glazing to the windows of the southern elevation of the scheme.
 - sound proofing to the southern elevation of the scheme.
5. That if, within three months of the date of this committee the legal agreement has not been completed, the Corporate Director of Development & Renewal is delegated power to refuse planning permission.

7.4 Royal Tower Lodge, 40 Cartwright Street, London E1 8LX (PA/12/02235)

Update report tabled

Mr Bell introduced the report regarding Royal Tower Lodge 40 Cartwright Street for the addition of two floors on the existing building.

The Chair then invited the registered speakers to address the Committee.

Rowland Jacks spoke in objection. He stated that he was one of 60 residents of the existing building. He objected to the plans to build on the roof. He especially objected to the actions of the freeholder, in making this application. They did not inform the residents and submitted the first application during the Olympic period at an inconvenient time. There was no need for the additional units; they would be penthouses not suitable for families. There were also cracks in the existing building and this could worsen this. This was also incremental development as the plans were for 9 units just under the 10 required in policy for affordable housing provision. If approved there was little confidence that the applicant would adhere to the conditions.

Charles Moran addressed the committee as the applicant's architect. He pointed out that the applicant was St James Development (UK) Ltd and had a proven track record in delivering similar developments. They had no connection with Consensus Business Group mentioned by Mr Jacks. The applicant had carried out extensive consultation for over a year with the Council's Planning Officers and also residents. He referred to the concerns with the previous scheme. As a result the scheme had been amended to overcome the issues. In terms of the consultation, the applicant had held an

open forum in March 2012 and a conference in a hotel where they made a presentation. Only 9 of the residents of the existing building attended this.

Members asked about the impact from construction dust on the residents below, for example on balconies and windows, and how this would be prevented to stop any health impacts. Mr Moran responded that it was planned to carry out most of the construction off site. Most of the material would be dry with minimal dust, for example timber framing. It was planned to complete the works as soon as possible.

Angelina Eke (Planning Officer) presented the detailed report. She explained in detail the proposal including the site location, character of the area, proposed floor layout, the materials, the improvements in refuse and servicing and increase in cycling provision. Overall it was considered that the scheme was acceptable with no adverse impact on the main building. In terms of the health impacts, it was possible to require a construction management plan to make certain there was no impact on residents.

In response to Members about sunlight, Officers highlighted the correction in the update regarding paragraph 8.29 of the main report. It stated that the paragraph should read that there would be no undue detrimental impacts on the amenity of adjoining residents (in terms of sunlight and day light). Members were satisfied with this answer.

Questions were raised about the family units, particularly whether more could be provided. Officers emphasised the limitations of the site in this regard due to the site constraints. Particularly the lack of child play space at the site to provide further family units. The policy stated that such housing should be discouraged in unsuitable places.

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

That planning permission PA/12/02235 at Royal Tower Lodge, 40 Cartwright Street, London E1 8LX be **GRANTED** for the erection of two additional floors on existing building to provide 9 self-contained flats (7 x 2 bedroom, 1 x 3 bedroom flat and 1 x 1 bedroom flats) plus communal amenity space at roof top level subject to the conditions and in formatives set out in the report.

At the conclusion of this item, the Chair raised the issue of incremental development in relation to social housing.

In response, Officers referred to emerging Council policy to address this that should come into affect soon.

8. OTHER PLANNING MATTERS

8.1 The Boundary Estate - Marlow House, Clifton House, Molesey House, Sandford House, Hurley House, Sunbury House, Taplow House, Chertsey House, Shiplake House, Wargrave House, Walton House,

**Henley House, Hedsor House, Laleham House, and Iffley House
(PA/12/01642, PA/12/01784, PA/12/01760, PA/12/01790, PA/12/01793,
PA/12/01819, PA/12/01877)**

Richard Murrell presented the report and gave a brief presentation on the scheme. It was noted that the Council could not determine applications for listed building consent for its own buildings.

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

That the application PA/12/01642, PA/12/01784, PA/12/01760, PA/12/01790, PA/12/01793, PA/12/01819, PA/12/01877 at the Boundary Estate - Marlow House, Clifton House, Molesey House, Sandford House, Hurley House, Sunbury House, Taplow House, Chertsey House, Shiplake House, Wargrave House, Walton House, Henley House, Hedsor House, Laleham House, and Iffley House for the installation of 7 communal digital TV systems to serve 15 blocks, each comprising three antennas and one satellite dish, with associated external cabling, including the removal of all existing unauthorised satellite dishes be referred to the Government Office for West Midlands with the recommendation that the Council would be minded to grant Listed Building Consent subject to conditions set out in the report.

**8.2 Lansbury Lawrence Primary School, Cordelia Street, London, E14 6DZ
(PA/12/02468)**

Amy Thompson (Planning Officer) presented the report and gave a brief presentation on the scheme. It was noted that the Council could not determine applications for listed building consent for its own buildings.

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

That the application PA/12/02468 Lansbury Lawrence Primary School, Cordelia Street, London, E14 6DZ for listed Building Consent for the installation of new school entrance gates on Ricardo Street formed within existing school perimeter metal fence and brick wall be referred to the Government Office for West Midlands with the recommendation that the Council would be minded to grant Listed Building Consent subject to conditions set out in the report.

8.3 Appeal Report

Jerry Bell presented the report.

On a unanimous vote the Committee **RESOLVED**

That the details and outcomes as set out in the report be noted.

The meeting ended at 8.30 p.m.

Chair, Councillor Helal Abbas
Development Committee