

LONDON BOROUGH OF TOWER HAMLETS

MINUTES OF THE DEVELOPMENT COMMITTEE

HELD AT 7.00 P.M. ON WEDNESDAY, 15 OCTOBER 2014

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

Members Present:

Councillor Sirajul Islam (Chair)
Councillor Shiria Khatun
Councillor Suluk Ahmed
Councillor Gulam Kibria Choudhury
Councillor Shah Alam
Councillor Chris Chapman
Councillor Asma Begum

Other Councillors Present

Councillor Andrew Wood
Councillor Shahed Ali

Apologies:

Councillor Marc Francis

Officers Present:

Jerry Bell	(Applications Team Leader, Development and Renewal)
Fleur Francis	(Acting Team Leader - Planning, Directorate, Law Probity and Governance)
Angelina Eke	(Development Control Planner, Development and Renewal)
Jane Jin	(Planning Officer, Development and Renewal)
Gerard McCormack	(Planning Enforcement Team Leader, Development and Renewal)
Shahara Ali-Hempstead	(Planning Officer, Development and Renewal)
Zoe Folley	(Committee Officer, Directorate Law, Probity and Governance)

1. DECLARATIONS OF DISCLOSABLE PECUNIARY INTERESTS

No declarations of disclosable pecuniary interests were made.

Councillor Sirajul Islam declared an interest in agenda item 6.1, Land to the south of Rainhill Way, Bow Cross Estate, London, E3 (PA/14/01486). This was on the basis that a resident had attended his surgery on this application.

Councillor Chris Chapman declared an interest in agenda item 11 Havannah Street, London E14 8NA (PA/14/01807) as he had met the resident of the property.

2. MINUTES OF THE PREVIOUS MEETING(S)

The Committee **RESOLVED**

That the minutes of the meeting of the Committee held on 15th September 2014 be agreed as a correct record and signed by the Chair.

3. RECOMMENDATIONS

The Committee **RESOLVED** that:

- 1) In the event of changes being made to recommendations by the Committee, the task of formalising the wording of those changes is delegated to the Corporate Director, Development and Renewal along the broad lines indicated at the meeting; and
- 2) In the event of any changes being needed to the wording of the Committee's decision (such as to delete, vary or add conditions/informatives/planning obligations or reasons for approval/refusal) prior to the decision being issued, the Corporate Director, Development and Renewal is delegated authority to do so, provided always that the Corporate Director does not exceed the substantive nature of the Committee's decision

4. PROCEDURE FOR HEARING OBJECTIONS AND MEETING GUIDANCE

The Committee noted the procedure for hearing objections and the meeting guidance.

5. DEFERRED ITEMS

None

6. PLANNING APPLICATIONS FOR DECISION

6.1 Land to the south of Rainhill Way, Bow Cross Estate, London, E3 (PA/14/01486)

Update report tabled.

Jerry Bell (Applications Team Leader , Development and Renewal) introduced the application. The Chair invited registered speakers to address the

Committee.

Claire O’Riordan, Councillors Danny Hassell and Khales Uddin Ahmed spoke against the application speaking on behalf of surrounding residents. They expressed the following concerns:

- That scheme would have an overbearing impact on 1-9 Rainhill Way, due to the height of the scheme and the proximity to the boundary. This would make living conditions unbearable.
- The scheme would overshadow the gardens, result in a loss of light to neighbouring properties and generally darken the area.
- The analysis in the report did not fully take into account the impact on sunlight and daylight. The study commissioned by residents showed that many more of the windows would fail the tests.
- That the Planning Inspectorates concerns over the three storey element had not been addressed. There was no consistency in decision making.
- Overdevelopment of the site given the density of the scheme, site constraints and the density of the surrounding area.
- Concerns about the loss of green space that was well used.
- Concerns about the quality of the new growing space due to the lack of natural light amongst other problems.
- That the child yield figures were unrealistic.
- Planning Enforcement issues.
- That the proposal would increase crime.

In response to questions about the consultation, it was felt that there was a lack of consideration of the feedback. The Planning Inspectorate considered that the three storey element would be overbearing. This remained a major concern. The scheme was very similar to the refused scheme in terms of proximity to the boundary wall with only one metre difference.

The applicant’s representatives Lyndon Gill and Tina Khakee addressed the Committee and expressed the following points:

- Referred to the outline scheme for the Estate and the previous planning consents for the site that established the principle of this scheme.
- That the scheme had been amended to address the previous concerns by reducing the height and massing amongst other changes. As a result, there would be no undue impact on amenity.
- The scheme had been amended in response to consultation to provide more growing space.
- That the scheme would sit comfortable with the surrounding area due to the design.
- Outlined the benefits of the scheme including that the scheme would provide good quality housing helping to meet the Borough’s housing needs.
- That the density of the scheme complied with policy.

- That it was planned to provide two areas of food growing space in excess of the current informal arrangements.
- Recognised that mistakes had been made in taking forward the previous scheme, but this scheme was very different.
- That the applicant had run consultation events at pre application stage for residents where the plans for the site would have been explained.
- That the Applicant was willing to defer the application to engage further with Councillors and residents with a view to addressing the concerns.
- Noted that the outline scheme had not expired

In response to questions, it was reported that two consultation events were held on the application. Leaflets were also distributed. However, residents may not have been given an opportunity to see the amendments to the gardens. The scheme achieved the policy tests for sunlight and daylight with no major failures.

Jane Jin (Planning Officer) presented the report explaining the site and surrounds, the planning history including the appeal decisions and the outcome of the local consultation. The principle of housing on the site had already been established and the site was not designated open space. Accordingly, the site was considered suitable for residential use.

She also explained the plans to formalise the food growing area at a much higher standard and the extent of the consultation on the amended plans. The impact on amenity was acceptable in terms of daylight, sunlight, sense of enclosure, with no undue impacts as shown by the submitted assessment.

Overall, Officers considered that changes to the scheme were a significant improvement on the previous schemes and generally complied with policy. In view of the merits of the scheme, it should be granted planning permission.

In response to questions, Officers confirmed that the planning history was a material consideration. Members should take this into account when assessing the planning merits of the application.

It was considered that the impact on the gardens (existing and proposed) was acceptable given the minor nature of the impacts, the existing levels of shading and the quality of the new community gardens.

The separating distance to the nearest properties at 1-9 Rainhill Way was 16.1 metres. It was over a metre in excess of that that for the previous scheme (From the eastern elevation to the nearest windows). Therefore, the impact on the amenity of these properties would be acceptable.

Councillor Sirajul Islam moved that the application be deferred to allow the Applicant to carry out further consultation with a view to addressing the concerns. On being put to a vote, this was lost.

On a vote of 0 in favour of the Officer recommendation, 6 against and 1 abstention the Committee **RESOLVED**:

That the Officer recommendation to grant planning permission at Land to the south of Rainhill Way, Bow Cross Estate, London, E3 (PA/14/01486) be **NOT ACCEPTED** for the erection of 4 x 3 bedroom residential units on land located south of Rainhill way, Bow Cross Estate, London E3

The Committee were minded to refuse the scheme due to concerns over:

- Scale and bulk of the scheme, impact on sunlight and daylight and overshadowing.

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.

6.2 369a Roman Road, London, E3 5QR (PA/14/01595)

Jerry Bell (Applications Team Leader, Development and Renewal) introduced the application.

Gerard McCormack (Planning Enforcement Team Leader) gave a presentation on the application explaining the planning and enforcement history.

He explained the key features of the scheme including the proposed amendments. The main changes to the residential unit were the reduction in size of the approved light wells, repositioning of the entrance door, insertion of new door and staircase. The changes to retail unit included: a second entrance door, a stair case and plans to increase the retail floor space.

Members were advised of the outcome of the consultation. Concerns had been raised about the reduction in window frontage due to the proposed bin store. However, it was proposed that the window be installed as originally approved and that the bin storage area would no longer be provided. Accordingly, most of the objections had now been addressed.

Overall, the application complied with policy and was recommended for approval.

In response to questions from Councillors, it was explained that, whilst there would be a marginal loss of light to the bedrooms, on balance it was considered that the improvements to the living and kitchen area would compensate for this.

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

(1) That planning permission at 369a Roman Road, London, E3 5QR (PA/14/01595) be **GRANTED** for variation of condition 2 of planning permission PA/12/02272 dated 27th February 2013 for the: "Installation of a

new shopfront, retention of retail unit to Roman Road frontage, and the conversion of the remainder of the unit into a two bedroom flat

The variation was sought to enable the following minor material alterations:

- Internal alterations to the layout of the retail and residential units
- Changes to the design and dimensions of Vivan Road light wells including additional glazing

(2) That the Corporate Director for Development & Renewal is given delegated authority to impose the conditions and informatives (or add or remove conditions acting within normal delegated authority) in relation to the planning permission on the matters set out in the Committee report

6.3 7 Westport Street, London E1 0RA (PA/14/01887)

Update Report tabled

Jerry Bell (Applications Team Leader, Development and Renewal) introduced the application.

Shahara Ali-Hempstead (Planning Officer) gave a presentation on the application explaining the site location and the outcome of the consultation. It was explained the scheme complied with Council policy in terms of land use, amenity issues, highway and pedestrian safety given the nature of the scheme. Therefore, subject to the conditions, the application should be granted.

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

- (1) That planning permission at 7 Westport Street, London E1 0RA (PA/14/01887) be **GRANTED** for Change of use of part of ground floor unit from Estate Agent (Use Class A2) to mini cab call centre use (Use Class B1).
- (2) 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 Committee report.

6.4 11 Havannah Street, London E14 8NA (PA/14/01807)

Jerry Bell (Applications Team Leader, Development and Renewal) introduced the application. The Chair invited registered speakers to address the Committee.

Mr Balvinder (Applicant's agent) Councillors Andrew Wood and Shahed Ali spoke in support of the scheme. Councillor Wood declared a personal interest in the item as he knew the applicant and was also a Ward Councillor. The speakers representations are summarised below:

- Explained the amendments to the scheme to address Officers concerns.
- It was not considered that the proposal would have a detrimental effect on the area given the modest nature of the proposal. Especially when compared to the much larger schemes in the surrounding area that would have a far greater impact on the street scene.
- That the materials and appearance would be in keeping with the area and the wider Estate that was of varying architectural style. A condition could be added to ensure this
- That the scheme was very similar to the host building.
- That the proposal would deliver family accommodation and support families in the Borough. There was a lack of family housing in the Borough that could be extended in this way.
- No objections had been received from the neighbours. The extension at the first floor would be set back from the highway so hardly noticeable by passers by.
- There would be no impact on amenity as noted in the report.
- There were errors in the previous Committee report (15th September 2014 report) that was withdrawn from the agenda due to issues with the consultation.

Angelina Eke (Planning Officer) presented the detailed report explaining the site and character of the surrounding area. The building was not listed or in the Conservation Area. Members were advised of the outcome of the consultation including representations in support from local Councillors and Jim Fitzpatrick MP who considered that the plans would help keep families in the area.

Officers had no concerns in principle to the proposed ground floor extension. However, it was considered that the proposed first floor addition would be by reason of its bulk, mass and scale including design would result in an inappropriate form of development that would detract from the appearance of the original dwelling. Furthermore the continuous frontage created by the main house with the extended element would be visually overbearing and harmful to the street scene.

It was noted that the applicant had taken steps to address the issues. However, on balance, it was considered that the scheme would be an incongruous addition that failed to comply with policy and should be refused.

In response to Councillors questions, Officers noted the need for family housing. However, in view of the concerns, the scheme could not be supported. There were inaccuracies in the September 2014 Committee report, but these were nothing more than errors. Officers had engaged with the applicant to secure a more appropriate scheme in line with policy. However, it was felt that any further amendments could make the scheme unfeasible. Officers agreed that a condition could be added to the consent to ensure the materials and appearance of the scheme was in keeping with the area if permission was granted.

On a vote of 3 in favour of the Officer recommendation and 4 against the Committee **RESOLVED**:

That the Officer recommendation to refuse planning permission at 11 Havannah Street, London E14 8NA (PA/14/01807) be **NOT ACCEPTED** for the conservatory extension at ground floor level and first floor extension.

The Committee were minded to approve the application due to the following reasons:

- The application would not cause material harm to the setting of the area
- That the scale and bulk of the application was appropriate
- That the application would provide family housing.

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 approval and conditions on the application.

7. OTHER PLANNING MATTERS

None.

The meeting ended at 9.30 p.m.

Chair, Councillor Sirajul Islam
Development Committee