LONDON BOROUGH OF TOWER HAMLETS

MINUTES OF THE DEVELOPMENT COMMITTEE

HELD AT 7.00 P.M. ON THURSDAY, 9 APRIL 2015

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

Members Present:

Councillor Sirajul Islam (Chair)
Councillor Marc Francis
Councillor Suluk Ahmed
Councillor Gulam Kibria Choudhury
Councillor Shah Alam
Councillor Chris Chapman

Other Councillors Present:

None.

Apologies:

Councillor Shiria Khatun

Officers Present:

Paul Buckenham	–	(Development Control Manager, Development and Renewal)
Christopher Hunt	–	(Senior Planning Lawyer, Directorate Law, Probity and Governance)
Amy Thompson	–	(Pre-Applications Team Leader, Development and Renewal)
Adam Hussain	–	Planning Officer (Development and Renewal)
Esha Banwait	–	(Planning Officer, Development and Renewal)
Zoe Folley	–	(Committee Officer, Directorate Law, Probity and Governance)

1. DECLARATIONS OF DISCLOSABLE PECUNIARY INTERESTS

No declarations of interest were made.

2. MINUTES OF THE PREVIOUS MEETING(S)

The Committee **RESOLVED**

That the minutes of the meeting of the Committee held on 11th March 2015 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 meeting guidance.

5. DEFERRED ITEMS

None.

6. PLANNING APPLICATIONS FOR DECISION

6.1 281-285 Bethnal Green Road, E2 6AH (PA/14/03424)

Update Report Tabled.

Paul Buckenham (Development Control Manager, Development and Renewal) introduced the proposal. The Chair then invited registered speakers to address the Committee.

David Jode, resident of a neighbouring property, spoke in objection to the application. He objected to the impact on neighbouring amenity from the height of the development in terms of loss of light and overshadowing. He also objected to overlooking from the scheme to neighbouring properties and the impact of noise and disturbance from the proposal

In response to questions, he expressed concern about the lack of consultation by the applicant with immediate neighbours. He clarified his comments on the extent of the overlooking to neighbouring properties. Properties at Bethnal Green Road and Florida Street would be overlooked. Windows would directly overlook existing windows. A key issue was the separation distances and the height.

Tim Gaskell spoke in support of the application. He considered that the existing buildings were low rise so any development of the site would have some impact. The scheme had been carefully designed to maximise light thought the site and to surrounding properties and the scheme complied with the policy guidance for light. The applicant had taken on board the feedback from the consultation (both at pre and post application stage) which was generally positive. Nevertheless, the applicant had amended the scheme to address the concerns. There was no commercial interest in the site in its current use as shown by the marketing evidence. The shortcomings of the site and existing building in this regard were explained. The proposed development would include good quality affordable housing. The plans would also restore lost features and the design would reflect the history of the building.

In response to questions, it was explained that there had been widespread local consultation, (leaflets, public meetings). In response, steps had been taken to reduce the height, remove the bar use and to minimise the impact on neighbouring amenity including the impact on the speakers property. There would be also obscured glazing and views at oblique angles only. He also answered questions about the scope of the marketing exercise and the method used. The scheme had been marketed for a number of uses but due to the site constraints, it did not lend itself to other uses. There was no interest in the building in its current form.

Adam Hussain, (Planning Officer, Development and Renewal), presented the report explaining the site location carrying no specific site designations in policy. The subject building was not in a Conservation Area or protected through statutory or local listing. The surrounding area was mainly residential. The site had excellent public transport links. He also explained the history of the building and the outcome of the local consultation and the objections received.

He described the nature of the application including: the layout, the housing mix, the appearance and height and the measures to retain the original features. He explained the outcome of the sunlight and daylight assessment of the surrounding properties and the amenity space including the objector's property. The findings broadly met the requirements in policy save for some minor losses. Overall, the impact on amenity was acceptable (including the impact on privacy and sense of openness amongst other issues). Highway Services had no objections. Officers were recommending that the scheme was granted planning permission.

In response to Members questions, it was explained that the neighbouring terrace would actually benefit from increased levels of sunlight due to the removal of the obstruction caused by the deep building roof ridge and replacement with two buildings and an open courtyard. It was felt that the separation distances were acceptable measuring 13 metres at the closest point. They were not uncommon for an urban setting and complied with the guidance in local policy for separation distances (there were no statutory guidance for separation distances). Furthermore, there were measures to

minimise any impact on privacy as set out in condition 13 and additional measures could be added to this if necessary.

In response to further questions, it was reported that the applicant had fully met and exceeded the requirements in terms of marketing. It was found that due to the many issues with the location, that other sites were more appealing for the existing use. Whilst the marketing evidence was convincing, the Chair questioned whether more could be done to test the evidence and whether a proactive approach should be taken to this. Officers suggested that this could be taken into account as part of the Local Plan refresh.

The internal layout of the building had been substantially changed. Many of the original features had been lost as shown by English Heritage's assessment.

It was considered that the housing mix was acceptable noting the differences in the number of habitable rooms per unit type (particular amongst the three bed units). It was noted that the differences could be attributed to the different room sizes. The larger units tended to lend themselves to a variety of different layouts. In addition, for certain unit types, the kitchen had been classified as a habitable room.

The applicant had submitted additional information confirming the location of the ground floor waste storage. LBTH Environmental Services were satisfied with the plans. The previously submitted floor plan omitted this in error. The Fire Authority had no concerns about the scheme subject to the clarification of the water supplies that was a building regulation issue. The scheme could not go ahead without this.

The scheme had been designed to blend in with the local area. The measures to ensure this were noted.

On a vote of 5 in favour and 1 against, the Committee **RESOLVED:**

1. That Planning Permission at 281-285 Bethnal Green Road, E2 6AH be **GRANTED** for the demolition of existing buildings and redevelopment of the site to provide a residential led mixed use development, comprising the retention of the existing façade to the Bethnal Green Road frontage, erection of two five-storey buildings (with basement) to provide 21 dwellings and 130 sqm of commercial space falling within use classes A1, A2, B1, D1 and/or D2, plus cycle parking, refuse/recycling facilities and access together with communal and private amenity space (PA/14/03424) Subject to:

2. Any direction by The London Mayor

3. The prior completion of a legal agreement to secure the planning obligations set out in the Committee report.

4. That the Corporate Director Development & Renewal is delegated power to negotiate the legal agreement indicated above acting within normal delegated authority.

5. 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.

6.2 Footway Adjacent to Ansell House on Mile End Road, E1 (PA/15/00117)

Paul Buckenham (Development Control Manager, Development and Renewal) introduced the proposed

Amy Thompson (Planning Officer, Development and Renewal) presented the report explaining the site location and the need for the proposal to facilitate the installation of the TfL super cycle 2 upgrade project. Members were advised of the existing site for the docking station and the proposed new site in relation to Ansell House. The new docking station would be split into sections adjacent to the eastern side of Ansell House.

Consultation had been carried. Objections had been raised about the impact on residents of Ansell House and the potential for anti social behaviour (ASB) from the scheme. No statutory consultees had raised objections.

Whilst mindful of the concerns, Officers felt that there was sufficient mitigation to protect the amenity of residents from the activity given: the screening from the existing fence, the separation distance, that most of the windows affected at Ansell House were dual aspect and the difference in floor level and pavement level. Furthermore, given the level of activity on Mile End Road, it was felt that some increase in activity would be acceptable in this context.

Officers had considered the Police and TfL records and found that there was no crimes recorded relating to the existing docking station at Ansell House or the proposal location. So there was no evidence that the proposal would result in ASB.

In response to the presentation, Councillors questioned the need for the number of cycle stands and merits of the location in view of the impact on neighbouring amenity. In view of the issues, consideration could be given to screening the proposed cycle stand to protect residential amenity.

Members also questioned whether alternatives locations for the proposal had been considered in the surrounding area in view of the concerns.

They also drew attention to crime statistics and the need to take into account anecdotal evidence to give a more accurate picture of the issues with crime in the area.

It was also commented that due to the width of the pavement, the proposal in this location might encourage cyclists to unlawfully use the pavement between the proposed docking station and the public highway

In response, Officers further explained the rational for the location for the scheme. The closest docking station to the site was over 300 metres away and according to TfL, the cycle scheme in this area was heavily used, so TfL felt that 44 spaces were needed. It would be impractical for the scheme to be moved too close to the centre of Ansell House given the proximity to the entrance.

TfL had considered other sites (including sites at Cambridge Health Road, Whitechapel Road and on Mile End Road) but these had been discounted due to issues ranging from: the impact on the local market and street furniture; conflict with underground utility services; loss of trees; lack of physical space issues with street clutter and public safety. It was not uncommon for such stations to be set back on the pavement and given that the highway was busy, this was considered a sensible approach.

Officers had spoken to TfL about the possibility of screening the proposed station. Whilst they were happy to provide screening, (for example obscure glazing to retain a sense of openness and transparency), Officers expressed caution about this since it would create a narrow, secluded space behind the docking station which might attract criminal or anti-social activity and cause safety issues.

In terms of crime relating to the existing station, officers felt that was necessary to rely on the official crime figures.

Some Members felt that TfL should change the position of the cycle hire station to address the issues of concern. Officers advised that the Committee needed to consider the merits of this application and to determine whether to grant this application or not. Any suggestions for moving this particular scheme would need to sit within the site boundary, otherwise it would constitute a new planning application.

On a vote of 1 in favour of the Officer recommendation and 5 against the Committee **RESOLVED:**

That the Officer recommendation to grant planning permission at Footway Adjacent to Ansell House on Mile End Road, E1 be **NOT ACCEPTED** for the relocation of an existing Barclays Cycle Hire Docking Station comprising of a maximum of 44 docking points by 45m to the east as a consequence of the proposed Cycle Superhighway 2 Upgrade Works (PA/15/00117).

The Committee were minded not to accept the application due to the following reasons:

- Concerns over the impact on the residents of the eastern side of Ansell house in terms of noise nuisance and loss of privacy.

- Preference for an alternative location for the proposed docking station.

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 this decision.

7. OTHER PLANNING MATTERS

None.

The meeting ended at 8.25 p.m.

Chair, Councillor Sirajul Islam
Development Committee