

LONDON BOROUGH OF TOWER HAMLETS

MINUTES OF THE DEVELOPMENT COMMITTEE

HELD AT 7.00 P.M. ON WEDNESDAY, 9 MARCH 2016

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

Members Present:

Councillor Marc Francis (Chair)

Councillor Shiria Khatun

(Deputy Mayor and Cabinet Member for
Community Safety)

Councillor Sabina Akhtar

Councillor Rajib Ahmed

Councillor Suluk Ahmed

Councillor Gulam Kibria Choudhury

Councillor Chris Chapman

Other Councillors Present:

None

Apologies:

None

Officers Present:

Paul Buckenham

– (Development Control Manager,
Development and Renewal)

Gillian Dawson

– (Team Leader, Legal Services, Law,
Probity and Governance)

Brett McAllister

– (Planning Officer, Development and
Renewal)

Christopher Stacey – Kinchin

– (Planning Officer, Development and
Renewal)

Tim Ross

– (Team Leader, Development and
Renewal)

Jane Jin

– (Team Leader, Development and
Renewal)

Zoe Folley

– (Committee Officer, Directorate Law,
Probity and Governance)

1. DECLARATIONS OF DISCLOSABLE PECUNIARY INTERESTS

Councillor Marc Francis declared a personal interest in agenda item 6.1 Bow Boys Secondary School, Paton Close, London, E3 2QD (PA/15/02917) as he had received representations from interested parties on the application and the application was within his ward.

2. MINUTES OF THE PREVIOUS MEETING(S)

The Committee **RESOLVED**

That the minutes of the meeting of the Committee held on 10 February 2016 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

5.1 27-29 and 33 Caroline Street, London, E1 0JG (PA/15/02164)

Paul Buckenham, (Development Manager, Development and Renewal) introduced the application for the demolition of existing buildings on the site and the erection of two buildings up to 9 storeys in height to provide a residential led scheme. Members were reminded that at it's meeting on 13 January 2016, the Committee resolved not to accept the planning application for the following reasons:

- Insufficient provision of affordable housing.
- High residential density in excess of London Plan.
- Height and Scale of the development.
- Quality of child play space and communal amenity space.

As a result, the application stood deferred for consideration of a supplemental

report. The report now before Members included a slightly different housing mix, changes to the landscaping to increase the communal and child play space (taking into account the revised housing mix) clarifications as well as suggested reasons for refusal should Members be minded to refuse the scheme.

Brett McAllister, (Planning Officer, Development and Renewal) presented the report explaining the nature of the site. Members were reminded of the changes to the housing mix prior to the January Committee to provide 30% affordable housing and of the further amendments to provide 34.2% affordable housing that was closer to the Council's strategic policy target of 35%. It was also explained that the scheme provided the maximum amount of affordable housing that it could provide. Therefore a refusal based on lack of affordable housing would be difficult to defend at appeal.

In terms of the density of the scheme, the scheme had been rigorously assessed and while it exceeded the London Plan, it was found that the impacts of the scheme would be acceptable and that the density was broadly comparable to recently approved schemes in the area. Therefore it was considered that the density was appropriate. Furthermore, the scheme was of a high quality design that responded well to the area and the height compared favourable to surrounding developments.

Whilst the level of child play space marginally fell short of the policy targets, despite the changes, it was considered that this was acceptable given that the children would have access to communal space that exceeded policy and there would be a degree of overlap between the child and the communal play space. Images of the roof top play area were shown, a common feature of many new schemes.

Officers remained of the view that the scheme should be granted but if they were minded to refuse the application, the suggested reasons in the report were recommended.

In response to questions, Officers confirmed the changes to the housing mix to address the previous concerns, requiring the removal and replacement of units and the reconfiguration of the layout of the scheme to comply with the policy standards. The changes had not simply been achieved by converting the one bed units to into the new two bed properties. It was noted that the density of the scheme exceeded the targets in policy. However, due to the nature of the site, (including a railway line that would act as a buffer zone and provide breathing space), and the lack of undue impacts this was considered acceptable. Furthermore, the massing of the buildings had been sensitively designed to lessen the impacts.

Overall, the scheme would optimise use of a constrained site without any undue impacts, in compliance with policy.

Consideration had been given to the merits of reducing the height of the development but it was found that this would impact on the level of affordable housing that could be afforded by reducing the profitability of the application.

Officers were mindful of the shortfall in child play space within the scheme, but given the decision to prioritise the door step play space, its allocation for the different age ranges and the site constraints Officers felt that the approach to child play space was acceptable.

On a unanimous vote, it was **RESOLVED**:

1. That planning permission be **GRANTED** at 27-29 and 33 Caroline Street, London, E1 0JG (PA/15/02164) for the demolition of existing buildings at 27-29 and 33 Caroline Street and erection of two buildings up to 9 storeys in height to provide 56 residential units and landscaped amenity space, cycle parking and associated works subject to:
2. The prior completion of a legal agreement under Section 106 of the Town and Country Planning Act 1990 (as amended), to secure the planning obligations set out in the 13 January 2016 Committee report and the revised housing mix in paragraph 3.11 of the 9 March 2016 Committee report.
3. Any other planning obligation(s) considered necessary by the Corporate Director Development & Renewal
4. That the Corporate Director, Development & Renewal is delegated authority to negotiate and approve the legal agreement indicated above.
5. That the Corporate Director Development & Renewal is delegated authority to issue the planning permission and impose conditions and informatives to secure the matters set out in the 13 January 2016 Committee report.
6. Any other conditions/ informatives considered necessary by the Corporate Director Development & Renewal.

6. PLANNING APPLICATIONS FOR DECISION

6.1 Bow Boys Secondary School, Paton Close, London, E3 2QD (PA/15/02917)

Paul Buckenham (Development Manager, Development and Renewal) introduced the application submitted by the Council's Children's Department for the creation of a new 3FE primary school and 3 class Nursery on a former secondary school site, including demolition of existing temporary structures and outbuildings, alterations and internal refurbishment of a locally listed board school.

Chris Stacey-Kinchin (Planning Officer, Development and Renewal), explained the site and surrounds and the key details of the application

including the plans to demolish the temporary class room cabins, the science block and the design and technology building of little architectural value. He also explained the layout of the scheme, the design of the proposed glazed walkway, the indicative landscaping plans, the design of the play space and the measures to mitigate any impact from the scheme

Consultation had been carried out resulting in objections to the demolition of the caretaker's office and the existing brick wall boundary. It was noted that both of which were to be retained. Concerns had also been raised about overlooking and loss of light. These issues were addressed below.

Turning to the assessment, Officers considered that the application posed no undue issues in terms of overlooking from the scheme, due to the separation distances and that it was unlikely that users of the school would linger in the glass walkway. The scheme had been carefully designed to prevent any adverse impact on sunlight and daylight. There were measures in the Travel Plan to mitigate any highway issues.

Overall it was considered that the application would preserve and enhance the setting of the area given amongst other matters the quality of the design and provide much needed primary school places. In conclusion, Officers were recommending that the application be granted subject to the conditions.

In response, Members welcomed the retention of the two heritage assets and asked about the measures to safeguard their retention. Officers explained that the removal of these buildings would require a submission of a further application, requiring consideration at Committee. Reassurances were also sought about the impact on Paton Close from the comings and goings from the school given the narrowness of the highway and the risk that the disabled parking spaces may be used for pick ups and drops offs. Members stressed the need for steps to be taken to address this.

In responding, Officers referred to the measures in the Travel Plan encouraging travel to and from the school by sustainable means. The site also had a good PTAL rating. Whilst the implementation of these measures was a management issue, the applicant would be encouraged to work closely with the Council's Travel Advisor to implement and monitor the measures in the Travel Plan to prevent congestion on the highway.

Officers also answered questions about the number and location of the cycle spaces and the scooter spaces, for staff, visitors and for the students.

On a unanimous vote, it was **RESOLVED**:

1. That planning permission be **GRANTED** at Bow Boys Secondary School, Paton Close, London, E3 2QD (PA/15/02917) for the creation of a new 3FE primary school (630 places) and 3 class Nursery (75 places) (use class D1) on a former secondary school site, including demolition of existing temporary structures and outbuildings, alterations and internal refurbishment of a locally listed board school.

2. That the Corporate Director of Development & Renewal is delegated authority to recommend the conditions and informatives in relation to the matters set out in the Committee report

6.2 Railway Arches, 157-170 Malcolm Place, London, E2 0EU (PA/15/01985 & PA/15/01984)

Paul Buckenham (Development Control Manager, Development and Renewal) the application for the change of use of railway arches to flexible use A1 – A4, B1 and / or B8 and associated external alterations.

Tim Ross, (Team Leader, Planning Development and Renewal) presented the application submitted to the Committee due to the number of objections received. It was noted that the site comprised 14 arches accommodating local businesses. A number of the businesses were still operating and some had relocated. A list of the existing businesses and how they had been provided for was set out in the Committee report.

The Committee noted the proposed ground floor layout and the location of the various proposed uses. Consultation had been carried out and one objection and a petition had been received. In terms of the material planning issues, it was considered that the proposed change of use complied with policy given the restrictions on the amount of A1-A4 uses to prevent an overconcentration of such uses in the area. It was also considered that the loss of employment space (based on the worst case scenario) was acceptable given that the new employment space would be of a much better quality and that the proposed retail space should also generate employment. There were measures to preserve neighbouring amenity.

Overall, it was considered that the proposal would enhance the setting of the area and should be granted planning and listed building consent.

In response to questions, Officers confirmed that the scheme should enhance the appearance of the existing building. It was required that a servicing and delivery plan was submitted to ensure safe and efficient operation of the borough's highway system. Once the nature of the new business were known, the plans would be required to take into account the needs of the new businesses. The site had a high PTAL rating and it was expected that most people would travel to the arches by sustainable means.

Careful consideration had been given to the results of the retail assessment that had been independently assessed. Given the results of the findings, (regarding the lack of vacant units in the Town Centre, the expected retail offer and the increase in residential dwellings in the area that should offset any impact on trade), Officers did not consider that the proposal would draw trade away from the Town Centre or local stores.

In response to further questions, it was confirmed that the forecourt and part of the pavement outside the arches formed part of the application site. The

applicant was required to fund highway improvements and alter the highway boundary. No general parking spaces would be provided.

Officers also confirmed what each occupant had been offered by National Rail. All of the existing businesses had been relocated in the vicinity and/ or had been offered compensation. It was understood that the applicant had come to an agreement with the petitioner. However, the petition had not been withdrawn.

Officers also said that 'affordable rents' were not secured but the nature and the location of the units meant rents would be likely to remain comparatively affordable compared to other business floorspace in the Borough.

In summary, Members welcomed the upgrade to the arches - especially the efforts to relocate the existing businesses.

On a unanimous vote, it was **RESOLVED**:

1. That planning permission be **GRANTED** at Railway Arches, 157-170 Malcolm Place, London, E2 0EU for the change of use of railway arches to flexible use A1 – A4, B1 and / or B8 and associated external alterations.
2. That the Corporate Director of Development & Renewal is delegated authority to recommend the conditions and informatives in relation to the matters set out in the Committee report.

On a unanimous vote, it was **RESOLVED**:

3. That Listed Building Consent be **GRANTED** at Railway Arches, 157-170 Malcolm Place, London, E2 0EU subject to the conditions set out in the Committee report.
4. Any other conditions(s) considered necessary by the Corporate Director Development & Renewal

7. OTHER PLANNING MATTERS

None.

The meeting ended at 8.15 p.m.

Chair, Councillor Marc Francis
Development Committee