

LONDON BOROUGH OF TOWER HAMLETS (APPENDIX 3)

MINUTES OF THE DEVELOPMENT COMMITTEE

HELD AT 7.30 P.M. ON WEDNESDAY, 30 JULY 2008

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

Members Present:

Councillor Shafiqul Haque (Chair)

Councillor Fazlul Haque
Councillor Alexander Heslop
Councillor Denise Jones (Vice-Chair)
Councillor Harun Miah
Councillor Tim O'Flaherty

Other Councillors Present:

Officers Present:

Megan Crowe	– (Legal Services Team Leader, Planning)
Stephen Irvine	– (Development Control Manager, Planning)
Michael Kiely	– (Service Head, Development Decisions)
Laura Webster	– (Planning Officer)
John Williams	– (Service Head, Democratic Services)

1. APOLOGIES FOR ABSENCE

Apologies for absence were received from Councillor Ahmed Omer.

The Committee noted that Councillor Harun Miah had replaced Councillor Shahed Ali as the Respect Group nominee to the Development Committee.

2. DECLARATIONS OF INTEREST

Councillor Fazlul Haque declared a personal interest in item 7.1 as a ward member for Weavers Ward.

Councillor Denise Jones declared a personal interest in item 7.1 as she had received e-mails regarding the application from residents and one of the objectors, Ms Kathy Darby, was known to her.

Councillor Timothy O'Flaherty declared a personal interest in item 7.1 as a ward member for Weavers Ward.

3. UNRESTRICTED MINUTES

The minutes of the meeting held on 2nd July 2008 were agreed as a correct record.

4. RECOMMENDATIONS

The Committee RESOLVED that:

- 1) in the event of amendments to recommendations being made by the Committee, the task of formalising the wording of any amendments be delegated to the Corporate Director Development and Renewal along the broad lines indicated at the meeting; and
- 2) in the event of any minor changes being needed to the wording of the Committee's decision (such as to vary or add conditions or reasons for refusal) prior to the decision being issued, authority is delegated to the Corporate Director Development and Renewal to do so, provided always that the Corporate Director must not exceed the substantive nature of the Committee's decision.

5. PROCEDURE FOR HEARING OBJECTIONS

The Committee noted the procedure and those who had registered to speak.

6. DEFERRED ITEMS

There were no deferred items.

7. PLANNING APPLICATIONS FOR DECISION

7.1 151-157 Gosset Street, London E2 6NR

Mr Michael Kiely, Service Head Development Decisions, introduced the site and proposal for the demolition of existing buildings and construction of 51 residential units within buildings rising from two to six storeys together with associated cycle parking and accessible landscaped roof garden at 151-157 Gossett Street, E2. Mr Kiely drew the Committee's attention to his tabled update report which set out three additional objections received after the preparation of the agenda.

Ms Sara Dixon spoke in objection to the proposal, stating that whilst the local community welcomed redevelopment of the site, the current proposal was too large and would have an unacceptable impact on the adjacent Conservation Area. The proposed density was well above guideline figures, room sizes were too small, the mix of dwellings provided too few family-sized units and there was a lack of amenity space.

Ms Kathy Darby spoke in objection to the proposal, stating that the proposed development was too large for the site and would give rise to unacceptable overshadowing to the adjacent Conservation Area and a loss of privacy for

neighbouring properties. Warner Green was a public park and should not be considered as amenity space for the development. There would also be a loss of creative industry and employment uses.

Mr Mark Gibney spoke on behalf of the applicant. He considered that the concerns previously raised by the Committee had been addressed. The height had been reduced from 10 to 6 storeys, the footprint was smaller, providing more amenity space, the density was reduced and the mix of accommodation adjusted to provide more affordable housing and family-sized units. Room sizes complied with minimum standards and Housing Corporation requirements. The site was not within the Conservation Area and was currently vacant and in a state of disrepair. The Committee had not previously objected to the loss of creative industries and there was not a significant demand for live/work units in this location.

Mr Stephen Irvine presented a detailed report on the application. He advised the Committee that the proposed development would enhance the adjacent Conservation Area and the 6 storey building would provide a stepped approach between the 11 storey Yates House and the neighbouring 2 storey buildings. Although the proposed density still exceeded the suggested density range for the site, the design was such as to avoid the adverse impacts typically arising from high density developments. In relation to overlooking and loss of light/privacy the applicants had amended the proposals which were now acceptable in this regard and in terms of the proposed housing mix and amenity space.

Members of the Committee expressed concerns that the proposed proportion of family-sized units for sale was still too low and at the potential overshadowing that the development would cause. They also asked a number of questions about the impact on the nearby Conservation Area, the demand for industrial units, loss of open space, materials to be used, overlooking, parking issues and children's play space.

Mr Irvine responded to Members' questions as follows:-

- The proposals would enhance the Conservation Area. The existing buildings were in disrepair, many of the previous industrial uses were not authorised and the premises did not meet health and safety standards.
- There was not a high demand for industrial accommodation in this location and the site was more suitable for housing which would give rise to less adverse impact on surrounding residential areas.
- The development would not have an adverse effect on open space and the amenity space proposed was considered adequate.
- Mr Irvine gave details of the materials to be used and stated that these would be the subject of a condition.
- The roof gardens had been set back and a number of windows moved to avoid any direct overlooking.
- The development would be car-free and residents would not be able to apply for a resident's parking permit.

- In relation to play space, this was not provided but the site was within 200m of a formal playground and 400m from Ravenscroft Park.

Councillors raised further queries on the distance from the site to the Conservation Areas, the Council's recommended minimum distance between buildings and whether there was a possibility of a legal challenge to a decision on the grounds set out in the additional objection at paragraph 1.3 of the update report.

Mr Irvine responded that the proposed development was 10 metres from the Conservation Area to the north and 6 metres at the nearest point to the East. The standard recommended distance between buildings was 18 metres but this development was designed to fit in with the character of the adjacent Conservation Areas in which buildings were closer together.

Ms Megan Crowe, Legal Services Team Leader, advised that a successful legal challenge was not likely as the consultation period had closed on 29th July and all representations received before the end of that period had been put before the Committee.

On a vote of 3 against and 1 abstention, the Committee indicated that it did not support the officer's recommendation to grant planning permission for the demolition of existing buildings and construction of 51 residential units within buildings rising from 2 to 6 storeys together with associated cycle parking and accessible landscaped roof garden at 151-157 Gosset Street, London E2 6NR.

The Service Head, Development Decisions advised the Committee that the application would therefore be deferred and the subject of a further report to the next meeting, which would address potential grounds for refusal. Members indicated that they were concerned about the following matters:

- a) the percentage of family-sized homes included in the market element of the proposed development is insufficient; and
- b) the proposed building would give rise to adverse overshadowing implications for the neighbouring residential properties.

(Note (1) Councillor Denise Jones could not vote on this application as she had not been present for the whole consideration of the item)

(Note (2) Councillors Fazlul Haque, Timothy O'Flaherty and Denise Jones each declared a personal interest in the above item as listed at minute 1)

7.2 Land at rear of 106-128 Aylward Street, London

Mr Michael Kiely, Service Head Development Decisions, introduced the site and proposal for the erection of an end of terrace two storey, three bedroom

dwelling house with wheelchair access to first and second floor levels and accommodation in the roof including a rear dormer on land at the rear of 106-128 Aylward Street, London.

Ms Claire Filby spoke in objection to the proposal. She considered that the address given for the site was inaccurate, the design would have an adverse impact on the locality, the cumulative effect of a number of proposed developments in the area would have a significant damaging effect and the development would cause a loss of light and space to neighbouring properties. Ms Filby felt that a further parking space should not be included and stated that local residents were against the development.

Mr Michael McSweeney, architect for the applicant, spoke in support of the application. He stated that the proposals addressed the concerns previously raised by Members. The building was smaller, its height reduced to that of the adjoining terrace and the design features reflected those of the adjacent properties. The proposed on-street parking was a dedicated 'disabled' bay as the house would be a wheelchair accessible unit.

Ms Laura Webster, Planning Officer, presented a detailed report on the application. She advised the Committee that the design was in keeping with the surrounding street scene and existing Victorian terrace. The proposed dormer was set well down and not over-dominant. Permitted development rights would be removed so that any future alterations would require planning permission. There was no parking within the proposed scheme and the on-street disabled space shown would be subject to highways approval. Overall Ms Webster advised that the proposal was acceptable.

Councillors asked questions regarding whether other properties in the locality had or could have dormer roofs, the implications of possible refusal of highways permission for the parking bay and any possible effect on the value of the neighbouring property.

Ms Webster advised that a dormer window would normally be acceptable if the design was not over-dominant. In many cases if the size did not exceed 40 cubic metres planning permission would not be required. The provision of the on-street parking bay was not a planning consideration but highways approval would normally be forthcoming subject to appropriate location. In relation to property values, Mr Kiely advised that this was not a material planning consideration.

On a vote of 5 for and 1 abstention the Committee RESOLVED that planning permission for the erection of an end of terrace 2 storey 3 bedroom dwelling house with wheelchair access to first and second floor levels and accommodation in the roof including a rear dormer be GRANTED subject to:

That the Corporate Director Development and Renewal be delegated authority to impose conditions and informatives on the planning permission to secure the following matters:

Conditions

1. Permission valid for 3 years.
2. Details and samples of materials for all external elevations of the building
3. Archaeological investigation.
4. Investigation and remediation measures for land contamination (including water pollution potential).
5. Limit hours of construction to between 8.00 Hours to 18.00 Hours, Monday to Friday and 8.00 Hours to 13.00 Hours on Saturdays.
6. Hours of power/hammer driven piling/breaking out to between 10.00 Hours to 16.00 Hours, Monday to Friday.
7. Details of refuse arrangements to show storage to the front of the property
8. Removal of Permitted Development Rights
9. Any other planning condition(s) considered necessary by the Corporate Director Development & Renewal

Informatives

1. Section 278 (Highways) agreement required.
2. Any other informative(s) considered necessary by the Corporate Director Development & Renewal.

The meeting ended at 8.45 p.m.

Chair, Councillor Shafiqul Haque
Development Committee