

LONDON BOROUGH OF TOWER HAMLETS

MINUTES OF THE DEVELOPMENT COMMITTEE

HELD AT 7.00 P.M. ON THURSDAY, 15 DECEMBER 2016

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

Members Present:

Councillor Marc Francis (Chair)
Councillor Andrew Cregan
Councillor Sabina Akhtar
Councillor John Pierce
Councillor Shah Alam
Councillor Chris Chapman
Councillor Mahbub Alam (Substitute for Councillor Suluk Ahmed)

Other Councillors Present:

None

Apologies:

Councillor Suluk Ahmed

Officers Present:

Jerry Bell	(East Area Manager, Planning Services, Development and Renewal)
Abiodun Kolawole	(Legal Services, Directorate Law, Probity and Governance)
Adam Hussain	(Planning Officer, Development and Renewal)
Zoe Folley	(Committee Officer, Directorate Law, Probity and Governance)

1. DECLARATIONS OF DISCLOSABLE PECUNIARY INTERESTS

Councillors Marc Francis, John Pierce and Chris Chapman declared a personal interest in agenda item 5.1 Site at South East Junction of Whitechapel Road and New Road, Whitechapel Road (Royal London Hospital) (PA/15/02774) as they had received representations from interested parties.

2. MINUTES OF THE PREVIOUS MEETING(S)

The Committee **RESOLVED**

That the minutes of the meeting of the Committee held on 23 November 2016 be agreed as a correct record and signed by the Chair.

3. RECOMMENDATIONS AND PROCEDURE FOR HEARING OBJECTIONS AND MEETING GUIDANCE

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
- 3) To note the procedure for hearing objections at meetings of the Development Committee and the meeting guidance.

4. DEFERRED ITEMS

None

4.1 PLANNING APPLICATIONS FOR DECISION

4.2 Site at South East Junction of Whitechapel Road and New Road, Whitechapel Road (Royal London Hospital) (PA/15/02774)

Update report tabled.

Jerry Bell (East Area Manager, Planning Services) introduced the application for variation of condition no. 1 (temporary time period) of planning permission dated 16/11/2012, ref: PA/12/01817 for the retention of a temporary car park until 31st December 2017.

The Chair then invited registered speakers to address the Committee

Tom Bruce and Daniel Robson (local residents) addressed the Committee in objection. The objectors expressed concern about the impact that the car park had on the area given the lack of compliance with the agreed conditions. As a

result, the car park attracted anti - social behaviour (ASB), unauthorised parking, the dumping of rubbish and increased the chances of burglaries. To address the concerns, they requested that the barriers across the car park and Mount Terrace be maintained by the Trust to control access to the car park and that Mount Terrace be resurfaced to compensate for the wear and tear from the car park as agreed at a recent Committee meeting. They also requested that the shrub barrier and existing trees be retained. In response to questions from the Committee, they discussed their concerns about the car park's late opening hours encouraging ASB and the lack of effective security measures to prevent this. They also discussed with Members their concerns about the impact that the activity from the car park had on the road surface at Mount Terrace, the need for measures to compensate for this and the applicant's consultation exercise.

The applicant was unavailable to address the Committee.

Adam Hussain (Planning Officer) presented the application explaining the site location, the history of the application and the subsequent time extensions. The Committee noted images of the site, the existing car park, the location of both the barriers to the car park and to Mount Terrace and the landscaping plans. Concerns had been raised about the extension of the permission. To address these concerns, the applicant had provided written assurances that this would be the final application for the car park's retention and had submitted a reinstatement strategy detailing how the land would be made good after use, in accordance with condition 4. In conclusion, Officers considered that the application should be granted permission for the reasons set out in the report

In response to questions by the Committee, Officers stressed the need to consider the merits of the application rather than any potential enforcement action. They also outlined the nature of the objections, the findings of their site visits, the landscaping and the greening plans. They also drew attention to the applicant's statement of intent and their reasons for submitting the application.

In response to further questions, Officers advised that it would be unreasonable on planning grounds for the Council to impose a condition requiring the applicant to carry out works to resurface Mount Terrace. It would be very difficult to demonstrate that the car park had damaged the road's surface. Officers also advised of the difficulties on planning grounds of imposing a condition requiring that the barrier across Mount Terrace be retained and maintained indefinitely following removal of the car park. Having considered this advice, some Members felt that it would be appropriate to impose such a condition given the impact that the proposal could have on Mount Terrace. Accordingly, Councillor Marc Francis proposed and Councillor John Pierce seconded an amendment to vary condition 2 requiring that the traffic barrier across Mount Terrace be retained and maintained following the removal of the car park. This was agreed

On a vote of 4 in favour, 2 against and 1 abstention the Committee **RESOLVED:**

That planning permission be **GRANTED** for variation of condition no. 1 (temporary time period) of planning permission dated 16/11/2012, ref: PA/12/01817 for the retention of a temporary car park until 31st December 2017 subject to the conditions in the report and a variation to condition 2 requiring that the traffic barrier across Mount Terrace be retained and maintained following the removal of the car park.

4.3 42-44 Aberfeldy Street, E14 0NU (PA/16/01213 and PA/16/01214)

Jerry Bell (East Area Manager, Planning Services) introduced the application for the retention of an existing ATM (in an alternate location).

The Chair invited registered speakers to address the Committee

Abdul Salam Sheikh spoke against the proposal referring to the objectors petition. He expressed concerns about the impact of the cash machine on residential amenity especially late at night. He also considered that the cash machine brought ASB to the area. He gave examples of how the coming and goings from the cash machine (that had been installed without planning permission) adversely effected the residents quality of life. He also questioned the need for the cash machine given it's proximity to other free cash machines. In response to questions, he expressed concerns about noise nuisance from customers using the cash machine at antisocial hours at a time when the other nearby commercial premises were closed. He also expressed concern about the safety of the users when using the machine late at night.

The applicant was unavailable to address the Committee.

Jerry Bell presented the application that had been submitted to the Committee due to the receipt of a petition with over 20 signatures. He explained the key features of the application. It was proposed that the existing ATM machine be relocated to an alternative location outside the premises. The plans included a range of security measures to safeguard against criminal behaviour and would involve some minor alterations to the shop façade.

Turning to the assessment, officers considered that the installation of the cash machine into a shop front was acceptable and would deliver public benefits. It was also considered that the impact on residential amenity would be minimal. The Metropolitan Police had raised no objections to the application. Given this, Officers were recommending that the planning application was granted permission.

In response to the presentation, the Committee enquired about the planning history of the application and the location of the nearest free cash machine. They also sought and received assurances from Officers about the security measures and the lack of evidence suggesting that the cash machine attracted groups of people.

On a vote of 3 in favour, 3 against and 1 abstention, with the Chair using a casting vote in favour of the application, the Committee **RESOLVED**:

That planning permission and advertisement consent be **GRANTED** for

- PA/16/01213 (Full planning application)
The retention of an existing ATM (in an alternate location), including replacing part of the existing glazing with a white laminate composite security panel incorporating the ATM fascia with black bezel surround, security mirrors, a privacy zone and no illumination.
- PA/16/01214 (Advertisement application)
The retention of an existing ATM (in an alternate location), including replacing part of the existing glazing with a white laminate composite security panel incorporating the ATM fascia with black bezel surround, security mirrors, a privacy zone and no illumination.

Subject to the conditions set out in the Committee report.

4.4 (Locksley Estate Site D) Land at Salmon Lane and adjacent to 1-12 Parnham Street, London (PA/16/02295)

Application withdrawn for consideration at the next Development Committee meeting on 11 January 2017

5. OTHER PLANNING MATTERS

None.

The meeting ended at 8.30 p.m.

Chair, Councillor Marc Francis
Development Committee