

LONDON BOROUGH OF TOWER HAMLETS

MINUTES OF THE DEVELOPMENT COMMITTEE

HELD AT 6.30 P.M. ON THURSDAY, 4 JUNE 2020

ONLINE 'VIRTUAL' MEETING - [HTTPS://TOWERHAMLETS.PUBLIC-I.TV/CORE/PORTAL/HOME](https://towerhamlets.public-i.tv/core/portal/home)

Members Present:

Councillor Abdul Mukit MBE (Chair)
Councillor Dan Tomlinson (Vice-Chair)
Councillor John Pierce
Councillor Dipa Das
Councillor Leema Qureshi
Councillor Rajib Ahmed (Substitute for Councillor Mufeedah Bustin)

Other Councillors Present:

Councillor James King

Officers Present:

Jerry Bell	– (Area Planning Manager (East), Planning Services, Place)
Sally Fraser	– (Team Leader (East), Planning Services, Place)
Siddhartha Jha	– (Principal Planning Lawyer, Governance, Legal Services)
John Miller	– (Planning Officer, Place)
Gareth Owens	– (Daylight and Sunlight Consultant, Place)
Matthew Wong	– (Planning Officer, Place)
Zoe Folley	– (Committee Officer, Governance)

Apologies:

Councillor Mufeedah Bustin

1. DECLARATIONS OF DISCLOSABLE PECUNIARY INTERESTS AND OTHER INTERESTS

There were no declarations of interest.

2. MINUTES OF THE PREVIOUS MEETING(S)

The Committee **RESOLVED**

That the unrestricted minutes of the meeting of the Committee held on 12th March 2020 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. The procedure for hearing objections and meeting guidance be noted.
2. In the event of changes being made to recommendations by the Committee, the task of formalising the wording of those changes be delegated to the Corporate Director, Place along the broad lines indicated at the meeting; and
3. 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, Place be delegated authority to do so, provided always that the Corporate Director does not exceed the substantive nature of the Committee's decision

4. DEFERRED ITEMS

There were none

5. PLANNING APPLICATIONS FOR DECISION

5.1 Lamb Court, 69 Narrow Street, London E14 PA/19/02579

Update report was tabled.

Jerry Bell (Area Planning Manager (East), Place) introduced the application for the provision of a 4 storey building comprising self contained flats with a reception and concierge on the ground floor. He detailed the issues raised in the update report.

John Miller, (Planning Officer, Place) presented the application describing the nature of the site and the surrounding area, within the Narrow Street Conservation Area. There were no listed buildings nearby and the site was located in an Archaeological Priority Area.

He presented a number of images of the site when viewed from the surrounding area. The previous application was refused by the Committee and dismissed at appeal. (PA/18/00074). This was on the grounds of the appearance of the proposal and its impact on the Conservation Area. Consultation on this application had been carried out. 31 letters of objection were received about issues including the impact on the Conservation Area, fire safety issues, impact on amenity, biodiversity and trees and highway issues.

In terms of the assessment, the following points were noted:

- In land use terms, the land was not designated with the Development Plan as open space. The development would provide additional housing and complied with policy. Therefore, it was considered acceptable. All flats would meet the minimum requirements and the overall standards of accommodation were acceptable. The reception area on the ground floor would be staffed during the day, with restricted access in the evening. Residents of Lamb Court will be able to enter as per the existing arrangements. The access arrangements for Lamb Court via Albert Mews would remain unchanged.
- Regarding the design, it was noted that changes had been made to the scheme compared to the previous application with the removal of the eastern/front dormer window amongst other changes. The proposal would be largely in keeping with the surrounding properties and be sympathetic to the Conservation Area, due to the various design features.
- There would be a loss of six Category B trees. However, given the quality of the replacement trees and the landscaping plans, the Council's Tree Officer had no objections to this. The proposals would lead to a net biodiversity enhancement.
- Regarding the impact on amenity, all window to window separation distances exceeded policy requirements. Given the separation distances, and the privacy measures such as screening, there would be no adverse impact on amenity in terms of sunlight and daylight, privacy and outlook.
- There were measures to control construction phase. The proposal would be car free.

Officers were recommending that the application was granted planning permission.

The Chair invited the registered speakers to address the Committee.

Kai Lee, Lee Carr and Councillor James King addressed the Committee. They expressed concern about:

- The loss of the mature trees and the quality of the replacement trees.
- The lack of space for the replacement trees on site.
- Impact on local wildlife.
- Disingenuous information.
- Similarities between this application and the previously refused appeal scheme. The Planning Inspector rejected the application for many reasons not just due to dormer windows, as it was too bulky, it would dominate the building and would fail to preserve the setting of the Conservation Area and was contrary to planning policy.

- The Impact on the Conservation Area and the wider area from the height.
- The supply of housing would be modest, so the merits would not outweigh the harm.
- Proposed benefits of the unsupervised concierge.

The objectors also drew attention to the strong local feeling. For example, there were 55 representations attached to one of the letters.

Sebastian Court addressed the Committee in support of the application. He advised of the benefits of the scheme, including the provision of much needed good quality facilities (such as washroom) with community benefits. A revised scheme had been submitted that addressed the issues with the appeal scheme relating to the dormer window. Extensive consultation had been carried out with the community including consultation with the ward Councillor. The development would provide a helpful addition to the housing supply, that would be available for rent.

Committee Questions

The Committee asked question about the quality of the replacement trees, and the status of the existing trees.

In response the following points were noted.

- Officers provided reassurances about the location and number of the replacement trees given the lack of space for the trees in their current location. (There would be two new trees at the front, two at the back and two near the rear of the site). A condition would be applied to ensure they were of a semi mature nature. The replacement trees will be of a greater biodiversity value. None of the existing trees were protected. The Planning Inspector had not raised any concerns about the scheme in relation to the trees.
- Regarding the benefits of the scheme, Officers were of the opinion that the provision of additional housing would be of benefit. On balance, it was considered that the provision of additional housing in addition to the biodiversity enhancements, would counteract the loss of trees.

The Committee asked questions about the Appeal's decision, the design of the building and the impacts from the development on the setting of the area.

In response Officers reported the following points:

- That the appeal decision including paragraphs 9 and 10, had been given a lot of weight. The concerns specifically related to the front dormer. The application had been amended to remove this dormer and address the issues. The Planning Inspector had not raised any concerns about other aspects of the development. Officers were therefore of the view that the issues had been addressed. The report

considered all the issues in relation to the application and recommended conditions to mitigate any impacts.

- Officers were mindful of the difficulties in providing a mirror building in the Conservation Area that completely matched the existing buildings. The development attempted to provide a new building that matched the old with the new. The Planning Inspector noted the need to balance the 'old with the new'.
- The development would appear as a continuation of the existing building, with external features that would match the nearby buildings. It should provide a complementary addition rather than an additional structure.

Questions to the objectors.

In relation to the Planning Inspector's decision, Kai Lee provided further comments on the concerns about the harm from dormer windows. They would give the proposal an overly bulky appearance. This Appeal decision related to both dormers and the issues had not been addressed. The proposals would result in the loss of a valuable community space to provide luxury flats.

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

- That, planning permission is **GRANTED** at Lamb Court, 69 Narrow Street, London E14 for
- The erection of a 4 storey building comprising one studio unit and two, 2 bedroomed self-contained flats, with a reception and concierge area on the ground floor. (PA/19/02579)
- Subject to the conditions set out in the Committee report

5.2 Bow Exchange, 5 Yeo Street, London E3 3Q (PA/19/02281)

Update report was tabled.

Jerry Bell (Area Planning Manager (East), Planning Services, Place) introduced the application for the redevelopment of the site to provide a 4 to 9 storey mixed used development comprising residential units, flexible work space and associated works. He detailed the issues raised in the update report.

Matthew Wong (Planning Officer, Place) presented the application describing the site and the surrounding area and the key features of the application. Consultation had been carried out resulting in one representation in support and three objections, as detailed in the Committee report and the update report. A further late objection had been received about lack of infrastructure and lack of public use for amenity space.

In terms of the assessment the following points were noted:

- In land use terms, the loss of business floorspace is considered to be outweighed by the provision of a high quality, mixed use scheme. This comprised 10% affordable workspace. The existing building on site was of a poor quality and the commercial viability assessment showed that there was limited demand for such office uses in this location.
- The scheme would deliver 35% affordable housing by habitable room. The housing mix broadly complied with policy. It was considered that the small under provision in 2 bed affordable units was acceptable given the overprovision of large affordable housing. There would be an early stage review of the affordable housing and the scheme met the requirements for a fast track route.
- The standard of residential accommodation would be of good quality for future occupiers. There would be a policy compliant level of communal amenity space and play space on site. This would cater for all age groups and be available to all children across the development. New areas of public space would be provided.
- The height, massing and design of the proposed development would appropriately respond to the local context and preserve the special character of the Limehouse Cut conservation area and Caspian Wharf.
- It was acknowledged that the proposal would impact upon the daylight and sunlight to some habitable rooms on the north side of Yeo Street and at Caspian Wharf adjoining the site. This would particularly affect Tallow Court. Officers gave a detailed presentation on sunlight and daylight assessment. The impacts have been quantified and carefully assessed. Given the mitigating factors in respect of the windows mostly affected, (such as the presence of existing balconies, that this mostly affected non habitual rooms), it was considered that the impacts were broadly acceptable for an urban area. The units would still receive an adequate level of light.
- There would be no undue impact on neighbouring privacy and overlooking.
- Contributions had been secured as set out in the report.

Officers recommended that the proposed development be granted planning permission.

The Chair invited the registered speakers to address the Committee.

Graham Reilly and Jon Preston, expressed concern about the impact on the development on Caspian Wharf.

They expressed concern relating to the following points:

- That the application should be refused pending design changes to better fit in with area.
- Daylight/Sunlight and overshadowing impacts.
- That a six storey building was too tall and out of keeping with the adjoining Caspian Wharf which was only 4 stories.

- The close proximity of the development to the Caspian Wharf, creating a sense of enclosure, a loss of privacy, overlooking and overshadowing.
- Security issues given the proximity of the proposed first floor outdoor space to the outdoor space at Caspian Wharf
- Adequacy of the proposed access route given the existing issues with traffic congestion on the site.
- A lack of consultation and delayed responses to the representations.

Adam Williams (Planning agent) and Craig Robinson (sunlight and daylight consultation) spoke in support of the application. The provided assurances about: the level of local engagement, the design of the development and, the public benefits (including affordable housing and workspace, high quality open space and a new walkway). The application had been designed to minimise any amenity impacts. The sunlight and daylight assessment showed that the dwellings affected and the outdoor space should continue to benefit from good levels of sunlight and daylight. The height and massing of the development would optimise the use of the site.

Committee Questions

The Committee asked questions about the impact on Caspian Wharf, in view of the objectors comments.

The following issues were noted:

- Officers provided assurances about the impact on outdoor space, given the findings of the Daylight and Sunlight assessment. Part of this assessment related to outdoor areas and this confirmed that the outdoor area should receive adequate levels of sunlight and daylight on 21 March. The testing showed they were BRE compliant. Balconies had been angled to ensure they benefit from good levels of sunlight.
- In terms of the security issues, the application had been reviewed by Metropolitan Police and no concerns had been raised about access from communal amenity space to neighbouring developments. The separation distances and landscaping should also help prevent any issues in this regard.
- Officers clarified the closest separation distances between the development and Caspian Wharf.

The Committee asked questions about layout in relation to the affordable housing and the rent and service charge levels. In response the following points were noted:

- Officers advised of the decision to locate the affordable housing towards the north of the site and the benefits of this, following feedback from housing services.
- That the affordable housing would comprise Tower Hamlets Living Rent Levels, that included services charges, and London Affordable rent.

The Committee also discussed the design of the proposal in relation to the surrounding area. Officers noted the unique and contemporary design, including the stepped back approach and the merits of this. It was considered that this should help to reduce the impact on the setting of the Conservation Area.

Questions to the applicant

Members sought clarification on the impact on Caspian Wharf, in terms of the, the separation distances, the security issues and the measures to mitigate this.

In response, Adam Williams provided further assurances about the separation distances and the impact on terraces. He also reported that given the height of the building in close proximity to terraces at Caspian Wharf, this arrangement should not give rise to any harmful impacts. Given this, the separation distances and the levels of sunlight and daylight compliance, the impact on amenity should be minimal.

There would be measures to ensure that the development would be secure by design. Subject to the conditions, the Secure by Design Officer had no concerns about the application. This plans comprised measures that should prevent access to the Caspian Wharf amenity space from the development.

Regarding the consultation, it was noted that every effort was made to consult with the residents and ensure they were engaged in the process.

Regarding the design, it was noted that the development would have an innovative design. A lot of care and attention had gone into ensuring that it would be in keeping with the area and to minimise any impacts

Questions to the objectors.

In response to questions, Mr Preston further explained his concerns about easy access to the communal terraces at Caspian Wharf from the new communal area given the proximity of properties to the communal terrace.

The objectors also confirmed the concerns about the creation of a sense of enclosure to properties and loss of outlook due to the separation distances.

The Committee discussed the need for a site visit to better understand such issues as: the design of the proposal in relation to the surrounding area, the issues raised by the objectors at Caspian Wharf around the impact on the development. The Committee also requested additional imagery

Councillor John Pierce proposed and Councillor Dipa Das, seconded a proposal that the determination of the application be deferred pending a Committee Site Visit.

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

- That, the consideration of planning permission at Bow Exchange, 5 Yeo Street, London E3 3Q (PA/19/02281) be **DEFERRED** for a Committee Site Visit, for the following development:
- Demolition of the existing building and redevelopment of the site comprising the erection of 4 to 9 storey building to provide 2,471sqm of flexible B1c workspace at ground and mezzanine level and 92 residential units (Use Class C3) on the upper floors, together with landscaped public open space, communal amenity space, on-site child play space, waste storage, cycle parking and disabled car parking.

6. OTHER PLANNING MATTERS

There are none

The meeting ended at 9.00 p.m.

Chair, Councillor Abdul Mukit MBE
Development Committee