

LONDON BOROUGH OF TOWER HAMLETS

MINUTES OF THE DEVELOPMENT COMMITTEE

HELD AT 6.00 P.M. ON THURSDAY, 14 JANUARY 2021

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

Members Present:

Councillor Abdul Mukit MBE (Chair)
Councillor John Pierce (Vice-Chair)
(items 5.1-5.2)
Councillor Sufia Alam
Councillor Kahar Chowdhury
Councillor Dipa Das(5.1)
Councillor Leema Qureshi
Councillor Kevin Brady (5.3)

Other Councillors Present:

Councillor Peter Golds
Councillor Andrew Wood

Officers Present:

Akhlaqul Ambia	– (Development Viability Officer, Place)
Jerry Bell	– (Area Planning Manager (East), Planning Services, Place)
Katie Cooke	– (Planning Officer, Place)
Eleanor Downton	– (Planning Officer, Place)
Sally Fraser	– Team Leader (East)
Kirsty Gilmer	– (Principal Planning Officer, Place)
Gareth Gwynne	– (Area Planning Manager (West), Planning Services, Place)
Siddhartha Jha	– (Principal Planning Lawyer, Governance, Legal Services)
Daria Halip	– (Planning Officer, Place)
Zoe Folley	– (Democratic Services Officer, Committees, Governance)

Apologies:

None

1. **DECLARATIONS OF DISCLOSABLE PECUNIARY INTERESTS AND OTHER INTERESTS**

Councillor John Pierce declared an interest in agenda item 5.3 114 – 150 Hackney Road, London, E2 7QL (PA/20/00034). This was on the basis that the Councillor had:

- helped establish the Friends of the Joiners Arms and was involved in the Asset of Community Value.
- Councillor Pierce had also spoke publicly at the meeting about this issue.

Councillor Pierce stated that he would leave the meeting for this item. Councillor Kevin Brady deputised for Councillor Pierce for this application.

2. **MINUTES OF THE PREVIOUS MEETING(S)**

The Committee **RESOLVED**

1. That the unrestricted minutes of the meeting of the Committee held on 10th December 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**

5. **PLANNING APPLICATIONS FOR DECISION**

5.1 **24 Lockesfield Place, London, E14 3AH (PA/20/02107)**

Jerry Bell introduced the report for the proposed single storey rear extension. He reminded the Committee that the application should be considered on this

basis, rather than on the objections regarding the alleged use of the premises as a House in Multiple Occupancy.(HMO)

Eleanor Downton (Planning Officer) presented the application highlighting the site location, including images of the rear of the site, the floor plans and the existing and proposed elevations. It was noted that it would cover the full length of the property, be 4 metres deep, 2.7 metres high with a flat roof with materials matching that of the existing building.

The proposal was considered to be a well designed and subordinate addition, which responds well to the scale of development within the terrace and wider area. Consultation had been carried out. A number of issues had been raised mainly relating to use of the property as a HMO and the associated impacts of this. It was emphasised that no change of use was proposed to convert the house into a HMO from a single household residential use. Therefore, any impacts should be similar to that for a residential use. In addition, due its modest scale and the position of the new windows, the development would not unduly impact upon the residential amenities enjoyed by the neighbouring occupiers.

Officers recommend the proposed development be granted planning permission, subject to conditions.

The Chair invited the registered speakers to address the Committee.

Katrina MacLachlan, Councillor Peter Golds and Councillor Andrew Wood addressed the Committee in objection. They highlighted the following points:

- They drew attention to evidence regarding use of the property as a HMO and the concerns about this.
- The growth of HMOs in the local area and the impacts on residents and the local area in terms of pressure on services, amenity impacts, noise disturbance, increase in ASB, lack of affordable housing.
- Property ownership issues.

The Applicant was not in attendance.

Committee's questions:

The Committee asked questions of the registered speakers and Officers. In response the following points were discussed:

- The length of the rear garden which was around 4 ½ meters.
- The complaints concerning the use of the property as a HMO. It was noted that following the introduction of Borough wide Planning guidance, that conversions to HMOs now required planning permission and that this property did not have a HMO license. Applications for such conversions would be considered in the normal way on its merits.

- The Committee must therefore only consider the application before them and must disregard the issues about a HMO. Property ownership issues were also not a relevant planning matter
- In response to questions, the objectors clarified their concerns about the subdivision of the property to create rooms, similar to neighbouring properties. Concerns were also expressed about the harmful impact of this and the gradual loss of family housing.
- Regarding the impacts on overlooking, it was explained that the location of the windows would match the pattern on the existing first floor. No windows were proposed on the side elevations. Given this, and the modest scale of the development, the proposal raised no issues in privacy and overlooking terms.
- The Committee could add a condition requiring that that the roof area can only be used for maintenance and repairs purposes. The Committee moved and supported an additional condition supporting this as set out in the resolutions below.

Councillor Kahar Chowdhury proposed and Councillor John Pierce seconded the additional condition set out in the resolution 3 below and this was agreed.

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

1. That planning permission is **GRANTED** at 24 Lockesfield Place, London, E14 3AH for the Proposed single storey rear extension(PA/20/02107)
2. Subject to the conditions set out in the Committee report:
3. The additional condition limiting the use of the roof space for maintenance and repair purposes only.

5.2 **Armoury House, 7 Gunmakers Lane, London (Ref: PA/20/01914)**

Jerry Bell introduced the application for a two-storey extension to an existing residential building of 3 storeys to provide three additional flats.

Katie Cooke (Planning Services) presented the application, highlighting the site location, the character of the area and surrounding buildings, including the heritage assets. Consultation had been carried out. 67 representations had been raised and the key issues raised were noted. Concerns have been raised about the impact on views from Victoria Park. Officers considered the proposal would have an negligible impact on existing views.

The Committee noted the key issues as set out below:

- Details of the site layout, including the cycle parking plans and the proposed relocation of the bin storage area to accommodate this. The scheme would be car free.
- That the standard of accommodation accorded with policy standards.

- The scheme had been carefully designed to be in keeping with the local area in terms of the height, massing and design.
- Details of the heritage assessment. The development should have a minimal impact on the setting of the Conservation Area and heritage buildings, given the location of the development and the modern day alterations to a number of these buildings.
- The scheme would fully comply with the policy in terms of sunlight and daylight, save for minor failings. Details of this was noted.
- Transport matters, including parking, access and servicing were acceptable
- Overall it was considered that the scheme was appropriate in terms of height, scale and design, would have minimal impacts and would deliver good quality homes. It was considered that on balance, the benefits would outweigh any harm. Therefore, Officers recommend that the application was granted permission

The Chair invited the registered speakers to address the Committee.

Michael Coplowe and Ellie Smith addressed the Committee in objection. They expressed concern about:

- Lack of consultation with by the developer. If granted, the residents should be more involved in the proposals.
- Harm to amenity, street scape and heritage.
- Conflict with the Victoria Park Conservation Area Planning policy and the Local Plan regarding the appropriateness of development in that area.
- Lack of clarity about elements of the proposals including the height, and construction impacts
- Sunlight and daylight assessment for neighbouring properties. Finding were inaccurate due to the technique.
- Potential structural damage to the building.
- Lack of affordable housing and disabled access homes.

Claudia Mastrandrea, the applicant's representative addressed the Committee. She highlighted the benefits of the application, including the provision of a development that optimised the development potential of the site without causing undue amenity impacts. It would also provide new high quality homes within a suitable location given the good transport links amongst other issues. The height of the scheme would be comparable to neighbouring buildings and had been designed to be in keeping with the area. The applicant had worked with the Council to minimise the impacts on sunlight and daylight impacts. The applicant's daylight and sunlight consultant had tested the impacts and had concluded that the retained internal light levels were policy compliant. All documents had been examined and confirmed as accurate.

Committee's questions:

The Committee asked questions of the registered speakers and Officers. In response the following points were discussed:

- Scale, bulk and height of the building given the proximity to Victoria Park.
- Assurances were sought about compliance with the Victoria Park Conservation Area Appraisal.
- It was confirmed that Officers had assessed these impacts, as set out in the report and they considered that the impacts from the additional height would not have a material impact on the Conservation Area.
- Comparisons with the appeal scheme for Gun Wharf as detailed in the report. The Committee were reminded of the concerns about this appeal scheme, and how this application differed, in terms of the materials and its less prominent location.
- That the benefits of the scheme included the provision of housing.
- The lack of contributions for affordable housing. The Committee sought further details of this assessment, given the proposals for the Hackney Road development in this regard. It was noted that in view of the small size of this development, Officers did not consider it appropriate to request such contributions.
- The impacts from use of the space at the top of the development. Further information and drawings were sought to understand the impacts and the mitigation measures.
- The level of non - statutory consultation carried out by the developer, (in additional to the Council's statutory consultation). Due to the size of the scheme, the Council could only encourage applicants to carry this out. This was at the applicant's discretion to carry this out.
- The Committee stressed the need for better community consultation.
- The concerns about the structural issues. The applicant's representative provided assurances on how these would be addressed.

Councillor John Pierce **proposed** and Councillor Sufia Alam **seconded** that the consideration of the application be deferred for the reasons set out below.

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

1. That consideration of the planning application is **DEFERRED** at Armoury House, 7 Gunmakers Lane, London for the following reasons:

Further information on:

- The lack of affordable housing contributions.
- The noise assessment in relation to the impacts on residents below the development

To carry out a Committee Site Visit

5.3 114 - 150 Hackney Road, London, E2 7QL (PA/20/00034)

Update report tabled.

Jerry Bell introduced the report for the mixed use redevelopment of the site to provide a maximum 9 residential units, hotel floor space, commercial space, the provision of Public House along with associated works.

Daria Halip (Planning Services) presented the application, describing the site and surrounds and details of the extant planning permission. Consultation had been carried out. The presentation summarised the outcome of the objections and that they mainly related to the impacts from the proposed hotel use, amenity issues, the highway impacts and other issues.

Officers drew to the Committee's attention the following points:

- All the land uses had been established as acceptable in principle with the extant consent, the hotel use is the only new use introduced with this proposal
- The similarities with the extant scheme in terms of the height, massing and the design. The amenity impacts were considered to be broadly comparable to the extant consent with only some limited minor additional impacts surrounding daylight/sunlight.
- Details of the heritage assessment. The public benefits of the scheme are considered to outweigh the identified harm to heritage, (that would be at the lower end of less than substantial harm), and satisfies the relevant policy tests.
- That the provision of the hotel use satisfied the relevant tests in policy, given the size, and scale of the scheme, it's location and the distance with nearby visitor accommodation and the adequate servicing arrangements. Officers drew attention to the challenges of providing residential development at the site. In view of this, it is not considered the scheme compromises the supply of housing land.
- Officers were mindful of the concerns around noise and ASB from the new hotel. Due to the mitigation measures (around controlling this), which were detailed, Officers considered that these issues can be successfully managed.
- The scheme would result in a number of public benefits that go beyond those set out in Council's Planning Obligations SPD. Some of the main benefits included: Provision of financial contributions for affordable housing and the re-provision of a Public House for the LGBT+ community, to replace the former Joiner's Arms Public House, (with a better internal layout and a contributions towards fit out costs including to deal with acoustic breakout controls), and a financial obligation towards provision of meanwhile use space for the Friends of the Joiners Arms to operate temporarily during construction period and until the permanent venue is made available on site.
- Other benefits included: new public realm and landscaping, bespoke Section 106 obligations in relation to careers program, working with

local HE and FE colleges and construction & end phase training and apprenticeship programs

- Transport matters were acceptable.
- In view of the merits of the application, Officers considered that it should be granted planning permission.

The Chair invited the registered speakers to address the Committee.

Penny Creed and Kevin Mckenna addressed the Committee in objection, as members of a local Tenants and Residents Association . They expressed concern about:

- The proposed night time economy orientated hotel, which was a significant change from the extant scheme,
- Harm to neighbouring amenity, particularly the residents nearest the site, due to the increased footfall, increased noise nuisance and ASB. This was mainly a residential area
- Oversupply of hotels in the area.
- That the images in the report were old and out of date and excluded some newly built buildings
- Concerns about the increased height and bulk of the development.
- That the fabric of building had been left to decay and its retention and repair should be monitored.
- Lack of consultation with residents, with Hackney Council and the Columbia Tenants and Residents Association.
- Concerns about the construction impacts.
- Later construction hours were requested for the hours of construction given proximity to residential homes.
- Refuse arrangements.

The applicant representatives, Sam Stackhouse and Steve Harrington addressed the Committee. They advised of the developer's and the hotel operator's excellent track record and their commitment to provide a 4 star high-quality hotel providing new jobs and investment in the area. The benefits of the scheme were broadly similar to the extant scheme, including enhanced proposals for the Joiner's Arms Public House. These were detailed in the Committee report. The Application had evolved over the course of 2020, since its submission in 2019 in consultation with the Council, stakeholders and residents. They also underlined their commitment to consult with residents and to establish liaison arrangements with the local community. They also provided assurances about the measures to mitigate the impacts from the development.

Committee's questions:

The Committee asked questions of the registered speakers and Officers. In response the following points were discussed.

- Sunlight and daylight Impacts on 1-14 Vaughan Estate. The Committee noted the nature of the existing constraints that restricted

access to sunlight daylight to these properties. Consequently, these impacts were primarily associated with these existing features as set out in the Committee report. The impacts were broadly similar to the extant scheme, with the exception of additional minor impacts mostly affecting ground floor properties. The Council had received three letters of objections from 1-14 Vaughan Estate Strout's two about overlooking and one about loss of light.

- The opening hours. The Committee noted details of opening hours of the hotel bar and the A4 use. Similar to the extant scheme, it was proposed that a condition be imposed on the A4 use limiting the late night opening hours for a 12 month period. In discussing this, Officers noted the need to protect residential amenity and to secure the Joiner's Arms as a late night venue, consequently they considered that this condition to be appropriate. Members questioned the benefits of this requirement and asked that it was reviewed in view of the uncertainty it may create.
- Members sought further clarity on the measures to mitigate the concerns about noise and ASB and the involvement of residents in the proposals especially the TRA.
- In response, it was noted that conditions would be imposed to manage any impacts in this regard, similar to the arrangements with the Joiners Arm's under the extant scheme. Details of these measures were noted, including proposals for ensuring ongoing community engagement.
- In response to questions about whether this could alleviate the issues, the objector's underlined their concerns about these issues, especially from the cumulative impact from the Joiner's Arms and the hotel bar, as well as the increased footfall.
- They also expressed concerns about the refuse collection arrangements as big trucks could block access to homes and emergency access. Concern was also expressed about the noise impacts from this.
- Regarding the use of the roof top, it was confirmed there would be no roof top access for the hotel, only for the office building at the 5th floor. A condition could be imposed to control access to this space. The applicant's representatives expressed a commitment to restrict use of this space for maintenance purposes only.
- Regarding the consultation process carried out by the applicant, the objectors underlined their concerns especially about the lack of adequate consultation by the developer with George Loveless House and properties in Pelter Street. They also highlighted their concern about the lack of consultation with Columbia Road Tenants and Residents Association.
- Officers confirmed that the Council had carried out the statutory consultation exercise with residents—in accordance with the requirements. The Council had also consulted Hackney Council regarding the application.

Councillor Abdul Mukit MBE **proposed** and Councillor Kahar Chowdhury **seconded** that the consideration of the application be deferred for the reasons set out below.

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

1. That the consideration of the planning application is **DEFERRED** at 114 - 150 Hackney Road, London, E2 7QL for a Committee Site Visit to better understand the site and its context, the impact on residents and the consultation.

The Committee also sought further information on:

- The condition limiting the late night opening hours of the Public House to 12 months.
- The rent levels for the Public House with a view to providing longer term affordable rents.
- Review the radius for the provision of the meanwhile off – site temporary venue
- Daylight/ Sunlight Impacts on Vaughan Estate, particularly with the view of the existing architectural constrains
- Conditions regarding use of the roof area
- Management of the footfall from the scheme including details of the joint management for the operation of A4 and the hotel bar.

6. **OTHER PLANNING MATTERS**

There were none

The meeting ended at 9.30 p.m.

Chair, Councillor Abdul Mukit MBE
Development Committee