

LONDON BOROUGH OF TOWER HAMLETS

MINUTES OF THE DEVELOPMENT COMMITTEE

HELD AT 6.30 P.M. ON MONDAY, 23 AUGUST 2021

**COUNCIL CHAMBER - TOWN HALL, MULBERRY PLACE, 5 CLOVE CRESCENT,
LONDON, E14 2BG**

Members Present:

Councillor Abdul Mukit MBE (Chair)

Councillor Asma Islam

Councillor Kahar Chowdhury

Councillor Kyrsten Perry

Councillor David Edgar (Substitute for Councillor Leema Qureshi)

Other Councillors Present:

None

Officers Present:

Paul Buckenham	– (Development Manager, Planning Services, Place)
Gareth Gwynne	– (Area Planning Manager (West), Planning Services, Place)
Siddhartha Jha	– (Principal Planning Lawyer, Governance, Legal Services)
Kathleen Ly -Online	– (Planning Officer, Place)
Diane Phillips	– (Lawyer, Legal Services)
Zoe Folley	– (Democratic Services Officer, Committees, Governance)

Apologies:

Councillor Leema Qureshi

1. ELECTION OF VICE-CHAIR FOR THE COMMITTEE FOR 2021/22.

It was agreed that this item be deferred until after the Council meeting on the 29th September 2021 which was due to appoint the Chair of the Strategic Development Committee and nominations to vacancies on this Committee had been filled.

2. DECLARATIONS OF DISCLOSABLE PECUNIARY INTERESTS AND OTHER INTERESTS

No declarations of interests were reported.

3. MINUTES OF THE PREVIOUS MEETING(S)

The Committee **RESOLVED**

1. That the unrestricted minutes of the meeting of the Committee held on 27th April 2021 be agreed as a correct record and signed by the Chair.

4. 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

5. DEVELOPMENT COMMITTEE TERMS OF REFERENCE, QUORUM, MEMBERSHIP AND DATES OF MEETINGS

RESOLVED:

1. To note the Development Committee's Terms of Reference, Quorum, Membership and Dates of future meetings as set out in Appendices 1, 2 and 3.

6. DEFERRED ITEMS

There were none.

7. PLANNING APPLICATIONS FOR DECISION**7.1 Land to the east of 68 to 80, Hanbury Street, London, E1 5JL (PA/20/02589)**

Update report was tabled

Paul Buckenham introduced the application for the erection of a new six storey building to provide 1,248sqm of Use Class E(g) co-working space, to serve as an extension to the existing co-working space at 68-80 Hanbury Street, with associated works.

The update report provided information on the matters that had arisen since main agenda had been published, including the Borough Conservation and Design Advisory Panel's (CADAP) comments . It also reported on the receipt of additional representations, and clarifications and corrections in the main report. The Officers recommendation remained the same.

Kathleen Ly presented the application, describing the application site and the key features of the application. The Committee noted the following issues:

- Results of the consultation. 38 representations had been received comprising of 37 in objection. The reasons were noted about design, scale, height, amenity impacts the overprovision of coworking space and other matters. A letter in support had received and a proforma letter in support with 48 signatures. The issues raised were noted.
- Land use issues. The principle of this complied with policies. The London Plan directed employment floor spaces to sites located in the City Fringe Opportunity Area.
- The merits of the scheme. The scheme would include the provision of 11% of the total employment as affordable workspace. This would be provided as individual studio spaces, (particularly suitable for small micro business, and potential social enterprises), with the studio spaces being 1st offered to local individuals or micro business. A local marketing strategy would be secured by condition to help support that outcome.
- The affordable workspace studios would be provided at 35% discount from the market rate. It would be fully fitted out by the developer and let at (index inked) capped affordable rent rates for a minimum 15 years.
- The height, massing and design of the proposed development would appropriately respond to the local context, which was noted.
- The development would be of a high quality modern design, including measures to provide an active frontage, natural surveillance and green spaces. This would contribute to the broader regeneration of the area.
- The development would preserve the character and appearance of the Brick Lane and Fournier Street Conservation Area, as highlighted in the heritage assessment. The scheme preserved the "protected view" along Hanbury Street.
- A sunlight and daylight report had been submitted. 8 out of the 11 surrounding properties effected would satisfy the BRE guidelines for daylight and sunlight and as such, they would experience negligible daylight/sunlight change as a result of the development. Three properties would experience minor adverse impacts in relation to the Vertical Sky Component tests (VSC). The daylight and sunlight results were noted for these properties. On balance these were considered to acceptable. This was in view of number of factors (including the existing restrictions on light exposure, that some were dual aspects, that the windows affected were large and that they will only fall marginal short of the expected levels). The NSL – No Sky Line tests showed that they were all compliant in this respect. It was also noted

that given the site was vacant, any development of the site would result in some adverse impacts.

- The development complied with the transport policies subject to securing the relevant planning and legal obligations. The scheme would be car-free aside from the provision of Blue Badge accessible car parking spaces within the development. Adequate cycle parking is proposed.
- Officers consider that the proposal would provide a high quality, employment led use scheme
- Officers were therefore recommending that the proposed development be granted planning permission, subject to conditions and supporting legal agreement.

The Chair invited the registered speakers to address the Committee.

Caroline Hamilton and Michela Beltrami, residents of Princelet Street, expressed concerns about the following issues:

- Harm to residential amenity due to the close proximity of the rear of the development particularly to ground floor properties, in terms of loss of outlook, loss of light and creation of a sense of enclosure.
- Concerns was also expressed about light pollution due to the continuous use of desk lamps as per similar office developments.
- It was also noted that the loss of light to windows also meant that the properties could never be redeveloped to provide flats including family homes.
- Poor design especially at the rear of the development near residential properties. This did not match existing residential properties at Princelet Street.
- Harm to the Conservation Area. The design would not be in keeping with the area and ignored Conservation Area policy.
- Overprovision of co-working space – due to the reduced demand following the pandemic.
- Lack of consultation with residents especially during the lock down period.
- It was requested that the design should be reviewed especially at the back of the development to better protect neighbouring amenity and increase separation distances.

Adam Williams and Richard Howarth, (Second Homes) spoke in support of the application – highlighting the following points:

- The application had been subject to extensive consultation including a public consultation. This had shaped the scheme.
- The benefits of the scheme included: the provision of affordable co – working space, which exceeded policy, as well as meeting space - with a focus on helping local businesses and local charities.
- The development would contribute to the broader regeneration of the local area.

- The applicant had an excellent track record in providing similar developments with a strong social agenda, for example by supporting local suppliers, with a strong social mission. They also carried out community outreach programmes and ongoing cultural programmes. They expressed a commitment to continue with these initiatives.
- The scheme had been carefully designed to fit in with the area. It would appear subordinate yet would provide a high quality contemporary extension that would activate an unused site.
- The speakers noted the daylight and sunlight assessment in relation to the VSC impacts on Princelet street. They also confirmed that all of the windows would continue to receive adequate levels of light in terms of the NSL measure. This was due to the size of the windows affected amongst other issues, therefore the overall impacts would still be acceptable.
- The speakers were also mindful of the issues around light pollution. Assurances were provided assurances, that even though there should be little impact on amenity from the scheme – due to the stepping back design - mitigation measures would also be provided to prevent light pollution and overlooking.

The Committee asked a number of questions of Officers and the registered speakers as summarised below.

- The level of affordable workspace to be provided per square metre. It was noted that the proposed workspace space would comprise of individual private studio spaces, that could be occupied by micro businesses and social enterprises. The rent levels were reported and it was noted that this would be very much at the lower end of the scale.
- The availability of meeting rooms for charities, in the evenings. This was welcomed and it was noted that this could be secured. The applicant's speaker added that they offered two types of support for local charities which allowed them to access meetings rooms either for free or at a discount. The applicant also reported that they were happy to share with the Council Officers their plans for the Affordable Workspace Strategy, as detailed in the conditions and that Officers will be consulted on the contents of the strategy.
- The measures to mitigate the construction impact (such as a Construction Management Plan and noise mitigation measures). Due to the measures proposed, the impact should be kept to an absolute minimum.
- The consultation. The applicant's agent provided further assurances about the extensive nature of their consultation with residents that took place in November 2019, before the lockdown, until Summer 2020.
- Sunlight and daylight assessments. It was noted that Officers had regard to both the VSC and the NSL tests. In the round they were considered to be acceptable, as detailed in the presentation.
- Impact on amenity due to the creation of a sense of enclosure and overlooking and loss of privacy. Members expressed concern in particular about the closest separation distances between properties especially those at the lower floors. It was discussed whether the

application could be changed to modify the design of the rear of the development to lessen the impact on the neighbouring properties.

- It was added that due to the set back of the design, that only a portion of the building would be at an 11 metres separation distance at the closest point to neighbouring building. The upper floors would be set further away from the nearby residential properties. On balance officers felt that the separation distances (ranging from 11 metres upwards to due to the design) were acceptable.
- Officers were mindful of the 18 metres policy guidance for separation distances, which sought to protect privacy. They were of the view that given the relationship with the neighbouring properties, (in terms of the position of windows amongst other issues) the impacts in regard to overlooking and loss of privacy should be minimal and there would also be mitigation to prevent this. It should not present any opportunities for overlooking.
- This approach to the design and the stepping down in height, should also achieve a reduction in any sense of enclosure, which was one of the merits of this design.
- The applicant's agent noted that the guidance on separation distances related to residential to residential developments and did not apply to commercial. Also, an 11 metre separation distance between buildings in London was not uncommon.
- Design of the scheme given its location in the Conservation Area. Concern was also expressed about the colour of the scheme. In particular, Members drew attention to the Spitalfields Neighbourhood Planning Forum's comments, in the Committee report, expressing concerns about the design and heritage issues.
- Officers confirmed that the Council's CADAP had considered the application and considered that this approach to the design was acceptable for the local area.
- The site sits on the edge of the Conservation Area, and this was generally of a mixed character. There were no listed buildings in the immediate area and the nearest listed buildings were over 100metres away. Therefore the development would not have any impact on any listed buildings.
- The applicant's agent also commented on the reasons why a contemporary building could be considered acceptable in this location, and the measures allowing this (setting it back from the building line similar to other nearby similar development). There were also other buildings in the area with a modern design and this design was in line with other contemporary buildings. These were noted.

On a unanimous vote the Committee did not agree the Officer recommendation to grant planning permission at Land to the east of 68 to 80, Hanbury Street, London, E1 5JL for the following:

- Erection of a new six storey building to provide 1,248sqm of Use Class E(g) co-working space, to serve as an extension to the existing co-working space at 68-80 Hanbury Street, including the provision of an

on-site servicing yard, cycle parking and refuse storage facilities, together associated with hard and soft landscaping works PA/20/02589

Accordingly, Councillor Abdul Mukit MBE proposed and Councillor Asma Islam seconded a motion that the planning permission be REFUSED (for the reasons set out below) and on a unanimous vote the Committee RESOLVED:

That the Officer recommendation to grant planning permission be REFUSED due to concerns over:

- Impact on the character and appearance of the Brick Lane and Fournier Street Conservation Area, due to the design, appearance and materials
- Impact on amenity, due to the proximity of the development to neighbouring properties – particularly in relation to the 11 metre separation distance, in terms of leading to a sense of enclosure, loss of light and privacy

The Committee were also keen to ensure that, in event of a redesign, that there should be no loss in terms of the overall provision of green space within the development.

8. OTHER PLANNING MATTERS

There were none

The meeting ended at 8:30pm

Chair, Councillor Abdul Mukit MBE
Development Committee