

LONDON BOROUGH OF TOWER HAMLETS**MINUTES OF THE DEVELOPMENT COMMITTEE****HELD AT 6.30 P.M. ON WEDNESDAY, 3 JUNE 2009****COUNCIL CHAMBER, 1ST FLOOR, TOWN HALL, MULBERRY PLACE, 5 CLOVE
CRESCENT, LONDON, E14 2BG****Members Present:**

Councillor Shafiqul Haque (Chair)

Councillor Helal Abbas
Councillor Alibor Choudhury
Councillor Fazlul Haque
Councillor Shirley Houghton
Councillor Harun Miah**Other Councillors Present:**Councillor Marc Francis
Councillor Ahmed Hussain**Officers Present:**Stephen Irvine – (Development Control Manager)
Megan Crowe – (Legal Services Team Leader, Planning)
Rachel McConnell – (Interim Applications Manager)**1. ELECTION OF VICE CHAIR**

The Chair sought nominations for the election of the vice-chair for Development Committee for the 1009/2010 Municipal Year. Councillor Fazlul Haque, seconded by Councillor Harun Miah nominated Councillor Alibor Choudhury. There being no other nominations it was

RESOLVED that Councillor Alibor Choudhury be elected vice-chair of the Development Committee for the 2009/2010 Municipal Year.

2. APOLOGIES FOR ABSENCE

Apologies for absence were received from Councillors Shiria Khatun, Tim O'Flaherty and Muhammad Abdullah Salique and for lateness from Councillors Shirley Houghton and Helal Abbas.

3. DECLARATIONS OF INTEREST

Councillor	Item	Type of Interest	Reason
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Shafiqul Haque	Items 7.1, 8.1; and 8.2	Personal	He had received correspondence in respect of all items of business.
Alibor Choudhury	Items 7.1, 8.1; and 8.2	Personal	He had been lobbied and received correspondence in respect of all items of business.
Harun Miah	Items 7.1, 8.1 and 8.2	Personal	He had been lobbied and received correspondence in respect of all items of business.
Fazlul Haque	Item 7.1, 8.1 and 8.2	Personal	He had been lobbied and received correspondence in respect of all items of business.

4. UNRESTRICTED MINUTES

RESOLVED that the minutes of the meeting held on 29th April 2009 be agreed as a correct record of the proceedings and signed by the Chair.

5. RECOMMENDATIONS

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.

6. PROCEDURE FOR HEARING OBJECTIONS

RESOLVED that the procedure be noted.

7. DEFERRED ITEMS

7.1 101-109 Fairfield Road, London E3 (DC001/910)

The Committee Officer advised that the Committee was inquorate for this item and therefore in accordance with Rule 11.4 of the Development Procedure

Rules detailed in Part 4 of the Council's Constitution the matter would need to be brought back to the next Development Committee for consideration.

8. PLANNING APPLICATIONS FOR DECISION

8.1 Charlesworth House, Dod Street, London (DC002/910)

Mr Stephen Irvine informed Members that the application was for the construction of 7 three storey residential units on land to the rear of Charlesworth House, Dod Street, London comprising 6 x 4 bed houses and 1 x 5 bed house together with landscaping and associated infrastructure works. Officers were recommending that planning permission be granted subject to certain conditions.

The Chair asked those registered in objection to the application to address the Committee.

Ms Carmen Gaffarena and Mrs Shinda Kudhail stated that they were not against new affordable social housing and realised the need for this. However they considered that the application was not appropriate for the site as the estate was already densely populated and the site was an area that had been well used whilst it was green space. It was accepted that the site was currently used as a builders yard but when this first came into being the residents were informed that this would only be temporary with the site restored to green space in the future. However this agreement could not be found by the Councils Planning department though residents had made requests for this.

The Chair asked those registered in support of the application and the applicants to address the Committee.

The Reverend James Olanipekun welcomed that the objectors were not against new affordable social housing. He considered that there were numerous people living in cramped conditions in the area and any opportunity to alleviate this should be taken. If not then local people would move away and detract from the areas community.

The applicants representative, Mr Kieran Wheeler, advised that this application was coupled with the next application. The proposed units were spacious and with the environmental improvements, improve the quality of life for local residents. The development would have been designed to minimise overlooking with no direct views to other windows, fit in with the surrounding buildings and be managed by Poplar HARCA. The site had been open space for years and was fenced off. Therefore it was difficult to establish that this was an open green space.

The Chair asked those Councillors registered to speak to address the Committee.

Councillor Mark Francis stated that he was in support of the application. The Borough had 23000 households on the housing list. People did not want to

live in the bed sits that currently occupied the site but wanted bigger family sized accommodation that the application would provide. He recognised the need for green space and considered that this application would add to that. The site was currently derelict and the Council needed to look to the future housing needs of the Borough. Therefore he urged the Committee to grant planning permission.

Councillor Ahmed Hussain stated that he represented the local residents on both applications and would be addressing the Committee on this in one presentation. The petition against the applications actual contained 162 signatures and not 92 as stated in the reports. Whilst the two applications were linked the Committee had to consider them separately, which meant that the application for Shepherd House contained no social housing. There was also no access for wheelchair users to the upper floors of the proposed development. There was concern that there was already overcrowding which caused anti social behaviour and that anyone moving into the area would have a car, for which there was currently insufficient parking spaces in the area. When the site was a green space it was used extensively by the local children who's only alternative now was to play on their balconies. Whilst the residents wanted better housing in the area, a green space was also needed and therefore the disadvantages of the applications outweighed the advantages. He asked the committee to defer the application to clarify the points he had raised.

Ms Rachell McConnell reported that the two applications were linked in certain elements and there were limitations in regard to the amount of affordable and social housing contained within them. However by linking the two applications this did provide more affordable housing and allowed a better mix of dwellings, resulting in there being 36.6% of the residential accommodation being social housing with a tenure split of 75% social rented and 25% intermediate housing across both sites. Daylight and sunlight surveys had been undertaken with both confirming that the applications were acceptable. The former green area the objectors referred to was currently fenced off and not in use. Therefore officers were recommending approval of the application.

In response to questions from Councillor Houghton officers commented that they were not aware of any agreement that the site would be returned as a green space as there was no planning history and the site was just fenced off. However as this was not a matter for planning purposes, they could not consider this aspect when making recommendations on the application. They did not consider that the applications constituted overdevelopment as they were within Government guidelines with each unit having its own amenity space. The applications were subject to Section 106 which prevented home parking but there would be a financial contribution of £3000 which would allow an on street disabled bay on Farrance Street. There were existing bicycle amenities within the immediate area, but each unit would have space for two bicycles.

Whilst the London Plan did suggest that there be 50% affordable housing, Tower Hamlets used a ratio of a minimum of 35%, which the two applications did exceed.

The Chair confirmed that ideally all developments in Tower Hamlets would achieve 50% affordable housing but this was not always possible and therefore applications should not be rejected just because of this factor.

On a vote of 3 for and 2 against, the Committee RESOLVED that planning permission be GRANTED for the construction of 7 three storey residential units on land to the rear of Charlesworth House, Dod Street, London comprising 6 x 4 bed houses and 1 x 5 bed house together with landscaping and associated infrastructure works, subject to the legal agreements, conditions and informative set out in the report; and

That if by 18 June 2009 any legal agreement had not been completed to the satisfaction of the Assistant Chief Executive (legal services), the Corporate Director of Development and Renewal be delegated the authority to refuse planning permission.

Councillor Shirley Houghton asked that her vote against the decision to grant permission be formally recorded.

8.2 Shepherd House, Annabel Close, London (DC003/910)

Mr Stephen Irvine informed Members that the application was for the demolition of the existing bed-sit accommodation (1-18 Shepherd House) and the erection of 30 new dwellings comprising of 12 x 1 bedroom, 11 x 2 bedroom and 7 x 3 bedroom units, including affordable housing, in a building extending to 4 storeys in height, together with associated landscaping and infrastructure works at Shepherd House, Annabel close, London. Officers were recommending that planning permission be granted subject to certain conditions.

The Chair asked those registered in objection to the application to address the Committee.

Ms Joanne Lilley stated that she represented Mayflower School, onto which the proposed development was adjacent. They had made numerous representations which they considered had not been addressed. They objected to the size and bulk of the development which they considered would be to the detriment of the 400 plus pupils and staff at the school. The current two storey building which had green space would be replaced with a four storey building next to the school playground. The development would overlook the school and had a higher density than that set out in the London Plan. This would result in their being more noise nuisance and possibly increase anti social behaviour in the area. This would not send a positive message to the children at the school. Therefore they asked that the application be refused.

The Chair asked those registered in support of the application and the applicants to address the Committee.

The Reverend James Olanipekun reiterated his earlier comments on the need for more affordable social housing in the area. Shepherd House currently attracted anti social behaviour and he considered that this development would alleviate much of this. There were numerous household in the area that had children and this development would improve their quality of life and attract other families to the area that would want to send their children to Mayflower school.

The applicants representative, Mr Kieran Wheeler, advised that the intention of the application was to regenerate the area and replace the dwellings there with those that met the decent homes standard. There would be a mix of units and whilst the height of the proposed building was higher than that currently there, it was no higher than other buildings in the area. They had spoken to the Head Teacher of Mayflower school and made adaptations to the application in line with the schools concerns. There had been a reduction in the amount of balconies and the windows were now angled to minimise overlooking the school. The daylight and sunlight report showed that there would be no shadow over the school after 10.50am.

The Chair asked those Councillors registered to speak to address the Committee.

Councillor Mark Francis stated that Mayflower school did make a strong case against the application. However whilst it was recognised that granting the application would have an impact on the school, he considered that it was essential that the application was granted. Children were most affected by the environment they grew up in and this development would improve their environment. The school was there to give the children a good education and better housing contributed to that. Therefore the application should be granted.

At this point, 7.10pm, Councillor Helal Abbas entered the meeting but took no part in the discussion or decision.

Ms Rachell McConnell reported that this application was the market aspect of the scheme. There had been a previous application for the site but this had been withdrawn and amended. Shepherd House currently contained 18 studio flats which would be replaced with 30 units. The design and materials to be used were appropriate, with there being no significant amenity issues. There would be a 3.5 meter high screen between the development and the school. Therefore officers were recommending that the application be granted.

In response to Members questions officers confirmed that they had considered all of the representations made concerning the application. The application was within the Lansbury Conservation Area and the style and materials to be used did conform to other buildings in the area. This development would also have to conform to Section 106 and would be car free. The Councils Highway department did not have any concerns regarding

car parking in the area. Bicycle storage had been provided for all the units with there being four storage areas on the development for visitor bicycles.

On a vote of 3 for and 2 against, the Committee RESOLVED that planning permission be GRANTED for the demolition of the existing bed-sit accommodation (1-18 Shepherd House) and the erection of 30 new dwellings comprising of 12 x 1 bedroom, 11 x 2 bedroom and 7 x 3 bedroom units, including affordable housing, in a building extending to 4 storeys in height, together with associated landscaping and infrastructure works at Shepherd House, Annabel close, London, subject to the legal agreements, conditions and informative set out in the report; and

That if by 18 June 2009 any legal agreement had not been completed to the satisfaction of the Assistant Chief Executive (legal services), the Corporate Director of Development and Renewal be delegated the authority to refuse planning permission.

Councillor Shirley Houghton asked that her vote against the decision to grant permission be formally recorded.

The meeting ended at 7.45 p.m.

Chair, Councillor Shafiqul Haque
Development Committee