

LONDON BOROUGH OF TOWER HAMLETS

MINUTES OF THE DEVELOPMENT COMMITTEE

HELD AT 7.00 P.M. ON WEDNESDAY, 8 FEBRUARY 2012

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

Members Present:

Councillor Helal Abbas (Chair)

Councillor Helal Uddin
Councillor Craig Aston
Councillor Shiria Khatun (Vice-Chair)
Councillor Md. Maium Miah
Councillor Marc Francis
Councillor Kosru Uddin

Other Councillors Present:

Councillor Peter Golds
Councillor Gloria Thienel
Councillor Bill Turner
Councillor Tim Archer

Officers Present:

Megan Nugent	– (Legal Services Team Leader, Planning, Chief Executive's)
Jerry Bell	– (Strategic Applications Manager Development and Renewal)
Richard Murrell	– (Deputy Team Leader, Development and Renewal)
Beth Eite	– (Planning Officer Development and Renewal)
Mandip Dhillon	– (Planning Officer, Development and Renewal)
Zoe Folley	– (Committee Officer, Democratic Services Chief Executive's)
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1. APOLOGIES FOR ABSENCE

No apologies for absence.

2. DECLARATIONS OF INTEREST

Councillor	Item(s)	Type of interest	Reason
Craig Aston	7.1, 7.2	Personal	Resident of Manchester Road
	7.4	Personal	Lived in the Ward concerned.
Helal Uddin	7.1, 7.2	Prejudicial	Council Representative on East End Homes Board.
Md. Maium Miah	7.1	Personal	Had attended meetings at Capstan House as a Council representative. Lived in the Ward concerned.
Kosru Uddin	7.9	Personal	Lived in the Ward concerned
Helal Uddin	7.4, 7.5 7.6, 7.7 7.8	Prejudicial	Knew businesses in the area and had commercial interests in the area Ward Councillor

3. UNRESTRICTED MINUTES

The Committee **RESOLVED**

That the unrestricted minutes of the meeting of the Committee held on 10th January 2012 be agreed as a correct record and signed by the Chair.

4. 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.

5. PROCEDURE FOR HEARING OBJECTIONS

The Committee noted the procedure for hearing objections, together with details of persons who had registered to speak at the meeting.

6. DEFERRED ITEMS

Nil Items.

7. PLANNING APPLICATIONS FOR DECISION

7.1 Island Gardens Estate, site bound by Manchester Road, Glengarnock Avenue and Stebondale Street (PA/10/2578)

Update Report Tabled

Councillor Helal Uddin left the meeting for the consideration of this item (7.1) and for item 7.2.

At the request of the Chair, Jerry Bell, Strategic Applications Manager introduced the report concerning Island Gardens Estate, site bound by Manchester Road, Glengarnock Avenue and Stebondale Street.

The Chair then invited registered speakers to address the meeting.

Ms Margret Higgins addressed the Committee in objection. She would be directly affected by the scheme. She accepted the need for development on the site but the scheme was far too large. Due to its proximity to Galleon House, the residents would experience a loss of window light. Residents of the ground floor were house bound therefore this was very unfair. To overcome this, the height of the scheme should be reduced. It would also place an intolerable strain on parking. Parking spaces should be incorporated in the application. In addition, the emergency assess plans were inadequate

It would be impossible for emergency vehicles to access to Galleon House. It was the same design as the nearby building where people perished.

In response to Members, Ms Higgins confirmed that she was speaking on behalf of local residents. The new building would overhang the trees on the pavement given its close proximity to the pavement. The trees would need to be cut back or could be damaged in construction. Ms Higgins noted the extensive steps taken to engage with residents. A key concern arising from the consultation was the closeness to the existing properties. Whilst this was put to the Applicant, nothing had changed.

Councillor Tim Archer also spoke in objection. Whilst the residents of the estate welcomed its regeneration and the decent homes plus funding, they had serious concerns. A key concern was the daylight impact on neighbouring houses. Many of which already lacked natural light. A further concern was the impact on parking. Most of the spaces to be lost were in use so this would have a significant impact. The surrounding streets were already fully congested with parked cars (as shown by the photograph on page 42 of the agenda). Therefore the area couldn't accommodate any more on street parking. There would also be a net loss of social housing. In reply to Members, he stressed the need for additional parking places to be provided. Options such as underground parking should be explored.

Mr Steve Inkpen addressed the Committee as the applicants representative. He outlined the merits of the proposal based on lengthy consultation. The aim of the plans was to meet the decent homes plus standards with improvements to the surrounding area and work to address anti social behaviour. The scheme would improve security and discourage people congregating there. He outlined the plans to replace the bed sits not fit for purpose with high quality housing. This would include affordable houses with a large percentage of family homes and social rented units. He outlined the extensive consultation exercise. As a result, the scheme had been revised to reduce the size of the main bloc. He also explained the decision to set back the property to mitigate impact. He referred to the plans to replace trees and the availability of parking spaces on the estate. Whilst the alternative bays would not be as close as present bays, there were drop off bays near the scheme. He referred to the expense of underground parking that could make the scheme unviable. The studies showed that the loss of daylight would be minimum affecting very few non habitual rooms. Steps had been taken to enable the community groups based at Capston House to use the accommodation in the short term. It was hoped to identify accommodation for them on a permanent basis.

Mandip Dhillon (Planning Officer) made a detailed presentation of the application as contained in the circulated report and update. She explained the links with the parallel redevelopment application (agenda item 7.2). She explained the site and the surrounds and details of the proposals. She explained the consultation arrangements and outcome. She addressed the key issues raised in consultation and the planning matters.

Overall, it was considered that the scheme was acceptable and complied with policy.

Ms Dhillon also confirmed the affordable housing offer. Given the proposed mix and overall benefits of the scheme, the offer was considered acceptable. Details of the parking impact and landscaping works were also explained. There would be no significant impact on the trees by the pavement as explained in the Arboriculture Officer comments. Ms Dhillon also explained the outcome of the sunlight/day light report.

In response to questions about car parking, Officers explained that the plans were policy compliant and the scope of the Car Free Agreement.

The future occupants would also benefit from the Council's Permit Transfer Scheme, where applicable.

In relation to the contributions, both TFL and the Council's Highway experts had considered the scheme. They did not consider that a highways contribution was necessary in this case and that there would be any significant impacts on buses. There was sufficient off street parking on the estate to accommodate parking from the scheme as shown in the Transport Assessment and in the opinion from Highways. The Islands Garden DLR station was approximately 60 metres away from the site and the area was well serviced by buses. Whilst there would be some loss of light, of the windows assessed very few fell under minimum requirements. Overall, given the overall benefits of the scheme, it was considered that this small shortfall was acceptable. Furthermore, it did not give rise to overdevelopment. Officers also stressed the adequacy of the emergency access route.

It was intended that the Employment and Enterprise contributions would be put towards improving employment and business opportunities in the Borough.

On a vote of 4 in favour and 2 against the Committee **RESOLVED**

1. That planning permission (PA/10/2578) be **GRANTED** for the Demolition of Capstan House, 19 and 21 Glengarnock Avenue (26 x existing residential units) and ground floor vehicular garages and the development of a residential -led mixed-use scheme comprising 86 new residential units (including 4 x studios, 18 x 1 bed, 42 x 2 bed, 20 x 3 bed, 2 x 4 bed) in 3 new blocks between 4 and 6 storeys in height plus 68 sq.m. of retail space (A1, A2, A3 and B1) and 67 sq.m. of non-residential floorspace for community, education and cultural uses (D1) together with demolition and alterations of existing building structures, new and improved landscaped public open space and public realm, cycle parking, and associated utilities/services subject to.
2. That prior completion of a legal agreement to secure the planning obligations set out in the report.

3. That the Corporate Director Development & Renewal is delegated power to negotiate the legal agreement indicated above.
4. That the Corporate Director Development & Renewal is delegated power to impose conditions and informatives on the planning permission to secure the matters set out in the report.
5. That, if by the 30th March 2012 the legal agreement has not been completed, the Corporate Director Development & Renewal is delegated power to refuse planning permission.

7.2 Site adjacent to 52 Stebondale Street (at the junction with Billson Street), London (PA/10/02576) Site adjacent to 76 Stebondale Street (at the junction with Kingfield Street), London (PA/10/02577)

Update Report Tabled

At the request of the Chair, Mr, Jerry Bell, Strategic Applications Manager introduced the report concerning Site adjacent to 52 Stebondale Street) and Site adjacent to 76 Stebondale Street (at the junction with Kingfield Street), London (PA/10/02577).

Mandip Dhillon (Planning Officer) presented the report and the update. In particular she explained the housing mix, the amenity and access arrangements and the plans to prevent any detrimental impact on amenity. She also highlighted the position of Highways as set out in the update expressing confidence that there was a sufficient level of parking in the area to accommodate the scheme. Overall, Officers were satisfied with the proposals and that they would provide a good level of family housing. The application should be approved.

On a unanimous vote the Committee **RESOLVED**

1. That planning permission be **GRANTED** for PA/10/02576: Erection of a three storey family dwelling house (Use Class C3) located on land at the junction of Billson Street and Stebondale Road and PA/10/02577: Erection of a three storey family dwelling house (Use Class C3) located on land at the junction of Kingfield Street and Stebondale Road subject to:
 2. The prior completion of a legal agreement to secure the planning obligations set out in the report.
 3. To note that in the event the linked substantive Island Gardens planning application (ref PA/10/02578) be refused the proposed dwelling houses would not be secured as affordable housing.
 4. That the Corporate Director Development & Renewal is delegated power to negotiate the legal agreement indicated above.

5. That the Corporate Director Development & Renewal is delegated power to impose conditions and informatives on the planning permission to secure the matters set out in the report.
6. That, if by the 30th March 2012 the legal agreement has not been completed, the Corporate Director Development & Renewal is delegated power to refuse planning permission.

7.3 102-104 Watney Street, London, E1 2QE (PA/11/03220)

Update Report Tabled

Councillor Helal Uddin rejoined the meeting for the remaining items of business.

At the request of the Chair, Jerry Bell, Strategic Applications Manager introduced the report concerning 102-104 Watney Street, London, E1 2QE (PA/11/03220).

Beth Eite (Planning Officer) presented the detailed report and update assisted by a power point presentation. She described in detail the proposal and the outcome of the statutory consultation. The application sought to extend the extant planning permission PA/08/01732. In terms of the key issues, the scheme continued to comply with policy with no major impacts. It was therefore considered acceptable and was recommended for approval.

On a unanimous vote the Committee **RESOLVED**

That planning permission (PA/11/03220) be **GRANTED** for a new Planning Permission to replace an extant Planning Permission dated 18 November 2008, Ref: PA/08/01732 for the erection of first floor rear extension, additional second floor and mansard roof. Conversion to create 1 x 3 bedroom, 2 x 2 bedroom and 2 x 1 bedroom flats. Alterations to existing elevations including insertion of door in side elevation and enlargement of window in front elevation subject to the conditions set out in the report.

7.4 Unit TG-003, Block T, Trumans Brewery, 91 Brick Lane, London E1 (PA/11/03220)

Application (PA/11/03220) withdrawn by the Applicant.

7.5 Unit FG-021, Block F, 91 Trumans Brewery, London E1 (PA/11/03310)

Application (PA/11/03310) withdrawn by the Applicant.

7.6 Unit FG-012A, Block F, Trumans Brewery, 91 Brick Lane, London E1(PA/11/03311)

Councillor Helal Abbas left the meeting for the consideration of this item (7.6) and items 7.7 and 7.8.

COUNCILLOR SHIRIA KHATUN CHAIR

At the request of the Chair, Jerry Bell, Strategic Applications Manager introduced the report Unit FG-012A, Block F, Trumans Brewery, 91 Brick Lane, London E1(PA/11/03311).

The Chair then invited registered speakers to address the meeting.

Mr Nasir Uddin spoke in opposition to scheme on behalf of the Brick Lane Residents Association. There would be an over intensification of the late night economy in the area if granted. There were already problems with anti social behaviour with incidences of residents being harassed. This would exacerbate these problems. He welcomed the Officers report.

In response to question from Members, he referred to the perceived problems with nuisance behaviour at the brewery site. In his opinion, the units typically attracted social behaviour linked to public nuisance to the detriment of the surrounding area. Staff had been involved in altercations. The neighbouring properties were about 150 yards away. It was questionable whether the scheme would create local jobs and employ local people. Businesses that promoted the day time economy were welcomed.

He considered that the local community were not consulted on the proposal.

Mr Rupert Wheeler also spoke in opposition to the scheme as a representative of the Spitalfields Society. He objected on the grounds of increased noise, public nuisance, rowdiness and cumulative impact of night time economy. He estimated that the combined floor space of the three applications for the site would total at least 6000 square metres. This would allow for 450 covers not 150 as claimed in excess of any other similar establishment in this area. There would be a significant increase in night time use requiring greater policing, waste facilities and public realm improvements. He urged that the Council and the Applicant to work together to mitigate these impacts, and until this need was met, the application should be refused.

In response to Members, he considered that there was a long history of complaints to the Police about public nuisance at the brewery site. The proposals would exacerbate such problems.

Mr Zeloof spoke in support of the proposals as the Applicant's representative. He disputed the status of the Council's Managing Development Plan as it was still subject to public consultation. The relevant policy was the Core Strategy and this identified this area as suitable for such a scheme. The entries and exists would be staggered and carefully managed. The surrounding site would be manned by accredited security staff. It would create jobs. There would be no noise increases as supported by the acoustics report. The 2011

Appeal Scheme granted by the Inspectorate (for a similar scheme near the site) set an important precedent. It would be a pure restaurant with no bar. There was a lack of pure restaurants in the brewery site. Therefore he disputed that this would be over culmination. The replacement of the workshop with an active frontage in the day time would enhance the day time economy. The waste management plans were satisfactory.

In relation to item 7.7, (PA/11/03312) the scheme was located in the middle of site far removed from the surrounding areas. Regarding item 7.8, (PA/11/03313) there was a restaurant on this site two years ago without concern setting an important precedent.

In response to Members, Mr Zeloof stated that each application would create 18 new jobs benefiting the local economy. There would be off site servicing minimising the impact on street. He disputed that there would be an impact on pedestrian traffic as it would increase choice rather than bring new visitors in. The Applicant didn't believe that the plans required consultation due the perceived non controversial nature of a restaurant use.

Richard Murrell (Planning Officer) presented a detailed presentation of the application for refusal. The application (together with applications Items 7.7 and 7.8) had been brought to the Committee due to the number of representations.

Mr Murrell described the site location, the existing uses, details of the application, the outcome of the consultation. He emphasised the evidence led approach taken to assessing the impact.

He drew attention to the large number of evening and late night establishments in the Brick Lane area and the impact on the amenity of residents. He also referred to the high crime levels in the area linked to the late night economy. He also confirmed the threshold in the Managing Development DPD for A3/A4/A5 uses in the area which was 25%. The percentage of which currently totalled 26%.

It was therefore considered that the proposal would add to this over concentration of such uses in the area and associated amenity impacts. On this basis it was recommended for refusal.

In response to Members, Mr Murrell referred to the treatment of restaurant establishments in planning policy. There was evidence that such uses increased the influx of visitors in the area at night associated with public nuisance.

It was also necessary to take into account the threshold in the Managing Development DPD for A3 uses in the area. This was a key consideration. In exceeding this threshold, the proposal would lead to an overconcentration of such uses contrary to policy.

On a vote of 4 in favour and 2 against the Committee **RESOLVED**

That planning permission (PA/11/03311) be **REFUSED** for the reasons set out in Section 2 of the report.

7.7 Part of Unit CG-001, Ground Floor, Block C, Trumans Brewery, 91 Brick Lane, London E1 (PA/11/03312)

At the request of the Chair, Jerry Bell, Strategic Applications Manager introduced the report Part of Unit CG-001, Ground Floor, Block C, Trumans Brewery, 91 Brick Lane, London E1 (PA/11/03312)

Mr Richard Murrell (Planning Officer) presented a detailed presentation of the application for refusal. In particular he described the proposed opening hours, the proposed capacity and the reasons for the recommendation to refuse as set out in the report. In response to Members, Mr Murrell outlined the scope of the existing D1 use and the licensable activities permitted under which.

On a vote of 4 in favour and 0 against and 2 abstentions the Committee **RESOLVED**

That planning permission (PA/11/03312) be **REFUSED** for the reasons set out in Section 2 of the report.

7.8 Units FG-004 and 5, Block F, Trumans Brewery, 91 Brick Lane, London E1 (PA/11/03313)

At the request of the Chair, Jerry Bell, Strategic Applications Manager introduced the report Units FG-004 and 5, Block F, Trumans Brewery, 91 Brick Lane, London E1 (PA/11/03313)

Mr Richard Murrell (Planning Officer) presented the detailed report regarding the application for refusal.

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

That planning permission (PA/11/03313) be **REFUSED** for the reasons set out in Section 2 of the report.

7.9 25 - 28 Dalglish Street, London (PA/11/03382)

Councillor Helal Abbas rejoined the meeting for the remaining items of business.

Councillor Helal Abbas Chair

At the request of the Chair, Jerry Bell, Strategic Applications Manager introduced the report 25 - 28 Dalglish Street, London (PA/11/03382)

Beth Eite (Planning Officer) presented the detailed report assisted by a power point presentation. She described in detail the application including the affordable housing mix in compliance with policy, the height, design and appearance, the employment site and the acceptability of these plans and the home zone. The site had a good public transport links and would be car free. Details of the contributions was also confirmed. She also addressed the main issues raised in consultation.

Generally speaking the scheme would provide a good standard of housing and amenity for future occupants with no major impacts on amenity. As a result it should be granted.

At the request of the Committee, Officers agreed to review the proposed Local Area Partnership (LAP) allocation for the health and wellbeing centre contributions to ensure it was allocated to the relevant LAP area.

On a unanimous vote the Committee **RESOLVED**

1. That planning permission be **GRANTED** for outline application for the construction of a part four storey, part seven storey building to provide 60 flats (22 x 1 bedroom, 19 x 2 bedroom, 8 x 3 bedroom and 11 x 4 bedroom) with refuse and recycling facilities together with laying out of a 'homezone' in Dalgleish Street subject to.
2. The prior completion of a legal agreement to secure the planning obligations set out in the report:
3. That the Corporate Director Development & Renewal is delegated authority to negotiate the legal agreement indicated above.
4. That the Corporate Director Development & Renewal is delegated power to impose conditions and informatives on the planning permission to secure the matters set out in the report.
5. That if, within three months of the date of this committee the legal agreement has not been completed, the Corporate Director of Development & Renewal is delegated power to refuse planning permission.

8. OTHER PLANNING MATTER

9. APPEALS REPORT

Jerry Bell, Strategic Applications Manager introduced the report which provided details of appeals, decisions and new appeals lodged against the Authority's Planning decisions.

RESOLVED

That details and outcomes of the appeals as set out in the report be noted.

The meeting ended at 9.40 p.m.

Chair, Councillor Helal Abbas
Development Committee