

LONDON BOROUGH OF TOWER HAMLETS

MINUTES OF THE STRATEGIC DEVELOPMENT COMMITTEE

HELD AT 7.30 P.M. ON THURSDAY, 13 DECEMBER 2012

**COUNCIL CHAMBER, 1ST FLOOR, TOWN HALL, MULBERRY PLACE, 5
CLOVE CRESCENT, LONDON, E14 2BG**

Members Present:

Councillor Helal Abbas (Chair)
Councillor Shahed Ali
Councillor Zara Davis
Councillor Stephanie Eaton
Councillor Judith Gardiner
Councillor Carlo Gibbs
Councillor Dr. Emma Jones
Councillor Helal Uddin

Other Councillors Present:

None.

Officers Present:

Pete Smith	– (Development Control Manager, Development & Renewal)
Michael Bell	– (Strategic Planning Manager, Development & Renewal)
Mandip Dhillon	– (Principal Planning Officer, Development and Renewal)
Jerry Bell	– (Applications Team Leader, Development and Renewal)
Amy Thompson	– (Deputy Team Leader, Development and Renewal)
Megan Nugent	– (Legal Services Team Leader, Planning, Chief Executive's)
Jen Pepper	– (Affordable Housing Programme Manager, Development and Renewal)
Zoe Folley	– (Committee Officer, Democratic Services Chief Executive's)

1. APOLOGIES FOR ABSENCE

Apologies for absence were received from Councillor Bill Turner.

2. DECLARATIONS OF DISCLOSABLE PECUNIARY INTERESTS

No declarations of disclosable pecuniary interests (DPIs) were made.

However non DPIs on items were declared as follows:

Councillor Helal Abbas declared an interest in agenda item 7.2. (Fakruddin Street and Pedley Street, London E1) (PA/12/02228) and 7.3 (47 Repton Street, London E14 7BF) (PA/12/02131). This was on the basis that he was a Council appointed Board Member of Tower Hamlets Community Housing. He had also received briefings and representations on these items from interested parties but had not expressed an opinion.

Councillor Carlo Gibbs declared an interest in agenda item 7.2. (Fakruddin Street and Pedley Street, London E1) (PA/12/02228) and 7.3 (47 Repton Street, London E14 7BF) (PA/12/02131). This was on the basis that he was a Council appointed Board Member of Tower Hamlets Community Housing. He had also been contacted by interested parties on agenda item 7.2.

Councillor Helal Uddin declared an interest in agenda item 7.2. (Fakruddin Street and Pedley Street, London E1) (PA/12/02228) and 7.3 (47 Repton Street, London E14 7BF) (PA/12/02131). This was on the basis that he was a Council appointed Board Member of the Tower Hamlets Community Housing.

3. UNRESTRICTED MINUTES

The Committee **RESOLVED**

That the unrestricted minutes of the meeting of the Committee held on 8th November 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

With the agreement of the committee, the order of business was varied as set out below

7.2 Fakruddin Street and Pedley Street, London E1 (PA/12/02228)

Update report tabled.

A Member requested that, in future, the update reports be e-mailed to Members prior to the meeting, to give Members more time to read them. Officers agreed to consider this. The meeting was adjourned for 10 minutes to allow Members to read the update.

Pete Smith (Development Control Manager) introduced the application at Fakruddin Street and Pedley Street, London E1.

The application stemmed from the Royal Mint scheme granted permission in 2011 by the committee. This scheme fell below the threshold for schemes normally considered by this committee. However, the Service Head for Planning Services had considered it appropriate for the scheme to be dealt with by this committee due to the links with the Royal Mint scheme.

The Chair invited registered speakers to address the Committee.

Aulad Miah spoke in objection. He stated that he was speaking on behalf of the 700 people that signed the petition and the letters against. This was unfair as the proposal was for private luxury homes. The Pedley Street site was next to railway lines. Therefore was not suitable for residential development. The noise and vibration would be unacceptable as shown by the report on the Weavers House by Gateway Housing. The scheme breached the sunlight policy. Officers should visit the site as the report was based on a desk based study.

The Chair clarified that Officers were required to visit sites in researching applications. Members were familiar with the site.

Mr Miah stated that there was a lack of services to support the increased population i.e. GP places. The developers had ignored the feedback from the consultation.

Members asked questions of Mr Miah for clarity. In reply, Mr Miah stressed that there was a lack of services to accommodate the scheme and open space. The Gateway report (on Weavers House) was undertaken when the East London Line extension was undertaken. It found that the noise impact on Weavers House from the line was unacceptable. This scheme was even closer to the line. Half of the land around the Pedley street site was designated as open space.

He was not against the development of the site in principle as there was a need for affordable housing. Yet the units were not affordable. There was a lack of family units and no amenity space. The height and number was excessive and should be reduced. The quality was poor with focus on numbers rather than quality to meet the Royal Mint permission obligations. The existing units in the area were of high quality so this would be out of keeping. These issues should be addressed.

Tim Limberick spoke in objection. He stated that he was speaking on behalf of a resident of Weavers House of 25 years. He objected to: the height of the proposal, overdevelopment, the impact on infrastructure, parking, segregation with the community due to the design, impact on sightlines, lack of family homes, oversupply of smaller units at the expense of the former and loss of light and privacy.

The scheme would obstruct the access route for larger vehicles including emergency vehicles to Weavers House. A large number of the residents affected were not English speaking. Yet the consultation was only done in English so this breached human rights.

Peter Exton spoke on behalf of the applicant in support. The scheme would provide 100% social housing on a not for profit basis. The applicant had carried out extensive consultation with residents. There was an interpreter available at meetings and the letters were sent out with options for alternative languages. The houses would be of high quality with private gardens and family units. It would help address the issues with asb at the site by creating an active frontage.

Mr Exton referred to the Gateway report mentioned by the previous speaker Aulad Miah. The property tested here was old and of low quality and not comparable to the proposal. The density of 411 habitual rooms per hectare fell comfortable within the policy density range.

Members asked questions of Mr Exton . In reply, he explained the rent levels for the affordable units. The units complied with policy in terms of quality and size. They was superior to the older schemes due to the stricter policy standards.

It was planned to redesign the community facility with Spitalfields Housing Association. They were committed to ensuring it was accessible for all community groups. The scheme would vary in height to protect privacy. The consultation letters (sent by the applicant) was sent to all residents in the area affected. They held open days at all times of the day.

Mr Exton noted the differences in density figure cited by himself (411 habitable rooms per hectare) and the Officers report. (734). The difference was purely due to the way each had been calculated. But in essence, both assessments complied with policy. Mr Exton noted the concerns about asb at the site. Part of the problem now was that the site was disused that made it attractive for asb. Therefore, the activation of the site should help address this. The scheme was secure by design.

Amy Thompson (Planning Officer) presented the detailed report. She explained the links to the Royal Mint site development. The purpose of this application was to fulfil the obligations in that application for off site affordable housing. 141 letters and 13 petitions had been received with 2 letters in support. She explained in detail the site location and surrounding area. She described the housing mix, the s106 contributions, the proposed layout and plans for the new and expanded community facilities.

Jerry Bell clarified the differences in density assessments (between Mr Exton and Officers). This was due to the differences in calculation. Both were the same and generally complied with policy.

Members asked questions of Officers. Their responses are summarised below.

- Officers explained the changes in designated open space at the site arising from the East London Line extension. In particular, the discrepancies in policy in relation to this matter as set out in the Officers report.
- It was considered that the access plans were acceptable. There was provision for larger vehicles. It would not affect access to the Weavers House as suggested by the speaker in objection.
- The s106 was explained. The contributions had been considered by the Council's Planning Contributions Overview Panel taking into account the SPD. It was decided that education should be prioritised. It was considered that the maximum level of contributions had been secured based on viability testing.
- The allotment space would be relocated on site. Details of which was explained.
- The child play space for the under 5's complied with policy. Officers were also satisfied that there was adequate provision for older children off site.
- The separation distances were considered acceptable with no impact on privacy. The update report provided further information on this.

- The issues around noise and vibration had been fully investigated.
- The scheme had been designed to minimise this. Environmental Health had considered the application and had suggested further conditions that would be secured.
- Officers referred to the emerging plans for the wider area. Together with this scheme, the plans should make the whole area safer and help address asb in the area.

On a vote of 5 in favour, 1 against and 2 abstentions, the Committee RESOLVED:

1. That planning permission Fakruddin Street and Pedley Street, London E1 (PA/12/02228) be **GRANTED** for the redevelopment of site (including land at Fakruddin Street) to provide a 63(100% affordable housing) units within three blocks measuring between two and seven storeys including associated shared and private amenity space, landscaping, disabled parking, cycle parking, child play area and community centre (273sqm) subject to:
2. The prior completion of a legal agreement to secure the obligations set out in the report.
3. The conditions and informatives set out in the report

7.3 47 Repton Street, London E14 7BF (PA/12/02131)

Pete Smith (Development Control Manager) introduced the application regarding 47 Repton Street, London E14 7BF.

Shahanur Khan spoke in objection to the scheme. He stated that he was speaking on behalf of a residents association for the area. He objected to the pressure on services, the enforceability of the car free agreement and lack of affordable housing. The scheme would result in overdevelopment and asb, obstruct sunlight and views, increase pollution and lead to health hazards. There was a lack of consultation with residents.

Peter Exton spoke in support of the scheme. He highlighted the extensive consultation carried out with residents. The community centre on the site would be retained on site. The housing was genuinely affordable. The scheme complied with policy and should be granted.

Amy Thompson (Planning Officer) presented the detailed report. The scheme also sought to fulfil the obligations on the Royal Mint scheme (PA/11/00642) for affordable housing, similar to the previous item (7.2 on the agenda). She explained the outcome of the local consultation, the site location and surrounds. She described the housing mix, height, design, the communal space and the access route.

In reply, Members asked questions of Officers. Their responses are summarised below.

- Officers referred to the community space within the development site. There was sufficient space to accommodate this in the scheme.
- The s106 had been assessed in accordance with the Council's SPD by the Planning Contributions Overview Panel. They considered it important to prioritise the statutory obligations. Overall, Officers considered that the benefits of the scheme (such as the additional affordable housing) outweighed any disadvantages.
- The contributions were intended to help towards the costs to services. Besides, there was a duty on services such as the NHS to meet the needs of the population. Therefore they should receive additional funding for any population growth. This should help meet the costs of the proposal in addition to the s106.
- It was necessary to take into account viability. This issue was a material planning issue.
- The site was considered appropriate for residential use. The loss of employment use was acceptable. Officers were not aware of any alternative uses or proposals for the site. The committee could only consider the application before them on its own merits.
- Conditions had been attached to secure soft landscaping near the canal so that it complemented the canal.

On a vote of 6 in favour and 1 against, the Committee RESOLVED:

1. That planning permission 47 Repton Street, London E14 7BF (PA/12/02131) be **GRANTED** for the redevelopment of the site by the erection of a seven storey residential building comprising 60 (100%) affordable housing units including associated shared and private amenity space, landscaping, disabled parking, cycle parking and use of viaduct arches to provide ancillary plant room, residential storage area, waste storage and ancillary residential facilities subject to
2. The prior completion of a s106 legal agreement to secure the obligations set out in the report.
3. The conditions and informatives set out in the report
4. That, if by the 28th February 2013, the legal agreement has not been completed, the Corporate Director Development & Renewal is delegated power to refuse planning permission.

Councillors Judith Gardiner and Helal Uddin left the meeting at this point (9:40 pm)

7.1 Car Park at South East Junction of Preston's Road and Yabsley Street, Preston's Road, London, E14 (PA/12/02107)

Update report tabled.

Pete Smith (Development Control Manager) introduced the application regarding the Car Park at South East Junction of Preston's Road and Yabsley Street, Preston's Road, London.

There were no registered speakers.

Mandip Dhillon (Planning Officer) presented the detailed report and the update report. She explained the site location, the current use, the surrounds and the planning history. Permission was granted in 2012 for residential use of the site. Therefore the principal of residential use had been established. However that scheme was found to be undeliverable. This scheme on the other hand was fully viable.

17 letters of objection had been received to the proposal. The issues raised in objection were outlined.

Ms Dhillon explained the housing mix. Housing services were satisfied with the affordable rents in relation the accepted levels. It included an overall 35% affordable housing (made up of affordable rent and shared ownership). Furthermore 10% of all units would be wheelchair accessible. Other features included a gym available to all residents.

CABE did raise issues with the design. However it was considered that the revised proposal was in keeping with the area. Their points had now been addressed. The s106 had been assessed by the Council's Planning Contributions Overview Panel. It was considered that education should be prioritised.

On balance it was considered that the scheme was acceptable and Officers recommended that it should be approved.

In response Members asked questioned about:

- The child play space. The levels particularly for older children failed to meet the minimum in policy. It was unrealistic to expect children to visit the gym as a replacement for play space.
- Pressure on transport given the high density of the scheme. The service was already at full capacity. The contributions were insufficient.
- The shortfall in open space. There was a severe lack of open space in the area but there was nothing in the s106 to compensate for this
- The s106 assessment.
- The design in relation to the Coldharbour Conservation Area.

- CABE's views on the revised scheme.
- Air quality and the Port of London Authority comments.
- The extant scheme - details of the affordable housing and the s106 contributions.
- Reasons why the POD rent levels fell in the middle of the Isle of Dogs/Canary Wharf rent levels.

Officers addressed each point as summarised below.

- Officers did not consider that the proposal had any signs of overdevelopment taking into account all the key issues.
- The site had a good PTLA rating of 5.
- The proposal would be car free. There were a number of basement spaces. This could accommodate occupants eligible to transfer permits (under the Council's transfer scheme).
- The under 4 play space complied with policy.
- Whilst there was a shortfall in play space overall, the scheme would provide a gym for use and private amenity space. This may be used by older children. Therefore on balance, the proposal was considered adequate in terms of play space.
- It was considered that the level of open space was acceptable given the existing provision around the site and the plans for additional play space from a separate scheme nearby.
- The applicants had met with CABE to discuss this new scheme. It was considered that their comments had been adequately addressed by the amendments. So they were not re consulted.
- There were conditions to minimise noise and vibration as set out in the report
- The extant scheme would have benefited from government subsidy in terms of the affordable housing.
- Officers explained the transport contributions.

On a vote of 0 in favour of the Officer recommendation, 5 against, with 1 abstention, the Committee **RESOLVED**

That the Officer recommendation to grant planning permission at Car Park at South East Junction of Preston's Road and Yabsley Street, Preston's Road, London, E14 (PA/12/02107) be **NOT ACCEPTED** for full planning application for the erection of two buildings of 7 & 26 storeys comprising 190 residential units (78 x 1 bed; 58 x 2 bed; 50 x 3 bed; 2 x 4 bed; 2 x 5 beds), 134sq.m of gym space at upper ground level, 42 car parking spaces and 244 cycling spaces at basement level, communal open space and associated works, due to Members' concerns over:

- The lack of child play space
- The density range in relation to the London Plan 2011
- The impact on infrastructure, particularly transport and the adequacy of the s106 to address this.

In accordance with Development Procedural Rules, the application was **DEFERRED** to enable Officers to prepare a supplementary report to a future meeting of the Committee, setting out proposed detailed reasons for refusal, along with the implications of the decision.

(The Members that voted on this item were Councillors Helal Abbas, Zara Davis, Carlo Gibbs, Emma Jones, Stephanie Eaton and Shahed Ali)

The meeting ended at 10.45 p.m.

Chair, Councillor Helal Abbas
Strategic Development Committee