

**LONDON BOROUGH OF TOWER HAMLETS**

**MINUTES OF THE DEVELOPMENT COMMITTEE**

**HELD AT 7.00 P.M. ON WEDNESDAY, 10 OCTOBER 2012**

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

**Members Present:**

Councillor Helal Abbas (Chair)

Councillor Shiria Khatun (Vice-Chair)

Councillor Kosru Uddin

Councillor Craig Aston

Councillor Md. Maium Miah (6.1, 7.1)

Councillor Peter Golds (6.1)

**Other Councillors Present:**

Councillor Shahed Ali

Councillor Denise Jones

Councillor Helal Uddin

**Officers Present:**

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|-------------------|--|
| Jerry Bell        | – (Applications Team Leader, Development and Renewal)        |
| Richard Murrell   | – (Deputy Team Leader, Planning, Development and Renewal)    |
| Fleur Brunton     | – (Senior Lawyer - Planning Chief Executive's)               |
| Nasser Farooq     | – (Planning Officer, Development and Renewal)                |
| Graham Harrington | – (Planning Officer, Development and Renewal)                |
| Elaine Bailey     | – (Principal Planning Officer, Development and Renewal)      |
| Benson Olaseni    | – (Applications Manager, Development and Renewal)            |
| Mandip Dhillon    | – (Principal Planning Officer, Development and Renewal)      |
| Zoe Folley        | – (Committee Officer, Democratic Services Chief Executive's) |

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**1. APOLOGIES FOR ABSENCE**

Apologies for absence were submitted from Councillor Anwar Khan.

## 2. **DECLARATIONS OF DISCLOSABLE PECUNIARY INTERESTS**

No declarations of disclosable pecuniary interests were made.

## 3. **UNRESTRICTED MINUTES**

The Committee **RESOLVED**

That the unrestricted minutes of the meeting of the Committee held on 12<sup>th</sup> September 2012 be agreed as a correct record and signed by the Chair subject to

- item 7.3 (313 Cambridge Heath Road London E2 9LQ) being amended to record that the Committee were satisfied with the scale and bulk of the scheme.
- The removal of Councillor Tim Archer in the list of attendees.

## 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**

### 6.1 **Land at Commercial Road, Basin Approach, London. (PA/12/00925)**

Jerry Bell (Applications Team Leader) introduced the report Land at Commercial Road, Basin Approach, London (PA/12/00925).

Nasser Farooq (Planning Offer) presented the detailed report. He reminded the Committee of its decision on 22<sup>nd</sup> August 2012 to defer the application to

explore the reduction in height of the scheme by two storeys to maintain views from the Hydraulic Accumulator Tower and improve light levels to the proposed units. He advised that since then, Officers had visited the tower to identify the impact on views; the Applicant had carried out a views assessment in light of Members concerns and had been in contact with the organisations that raised objections to the original scheme (the Greater London Industrial Archaeology Society and the East Waterway Group)

He described the changes made to scheme in light of the above. Particularly the reduction in two storeys and the loss of four residential units as a result. However the proposal still provided an acceptable level of affordable housing of 35%. The plans also further improved sunlight conditions.

Overall, given that Officers were satisfied with the initial scheme and the further improvements, Officers also considered that this scheme should be granted.

Members welcomed the improvements and considered it was substantially better than the previous scheme. They welcomed the fact that the applicant had listened to their views and had come back with a scheme that addressed their concerns.

On a unanimous vote, the Committee RESOLVED:

1. That planning permission (PA/12/00925)at Land at Commercial Road, Basin Approach, London be GRANTED for erection of buildings between 3 and 9 storeys in height to provide 48 dwellings, including affordable housing, together with the provision of landscaping works, disabled parking and infrastructure works 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.

Note: Councillor Md. Maium Miah did not vote on this item having not been present at the 22<sup>nd</sup> August 2012 meeting of the Development Committee where it was previously considered.

## **7. PLANNING APPLICATIONS FOR DECISION**

### **7.1 153-157 Commercial Road, London, E1 2DA (PA/12/01133)**

At this point Councillor Peter Golds stood down from the Committee and was replaced by Councillor Craig Aston for the remaining items of business.

Update Report tabled.

Jerry Bell (Applications Team Leader) introduced the report at 153-157 Commercial Road, London, E1 2DA for the change of use of an office block to a secondary school (Wapping Free School)

The Chair referred to some late written information submitted shortly before the meeting. He reported that as it had not been sent in by the required deadline, he could not accept the information.

The Chair invited the registered speakers to address the meeting.

Jamal Hussain spoke in objection to the scheme. He objected to the impact on the highway. The scheme would restrict traffic flow; increase pedestrian and parking congestion from drop offs/pick ups to the detriment of residents. There was a lack of parking in the area. He feared that the area would become more dangerous for students and residents. He referred to data personally collated of use of the Commercial Road and New Road. This showed that the roads and the junction were already heavily congested at peak times. The plans would worsen this. 100 people had objected to the scheme and only 8 supported it. He considered it premature to implement the scheme without the conditions in place first. There was a lack of evidence supporting the need for an additional secondary school in the area given the number and proximity of similar schools in the area.

In reply to Members about accidents on the two roads, (Commercial Road and New Road) he reported that over the last 3 years, 30 accidents had been registered with many more unregistered accidents in his opinion. In relation to the consultation with the applicant, the objectors did put their objections to them and the applicant did make changes in light of these. However he felt that they were purely done to appease them and were unsatisfactory. The pavement around the school was fairly narrow with very little room to walk. Congestion would easily build up at peak times to unacceptable levels.

Suroth Miah spoke in objection highlighting the lack of support for the scheme as shown by the local consultation. He objected to the impact on the New Road from the comings and goings. The road was one of the busiest roads in the Borough and provided access to A roads. It already carried about 700 people per hour as shown by the objectors study. The entrance to Commercial Road was similarly as busy. The reality from the nearby schools was that students were frequently dropped off/picked up by car contrary to the report. The Council's Environmental Team had concerns about the proposal and so did the LBTH Children's Services Directorate. An alternative site

should be looked at. He urged Members to take into account the residents opposition and refuse the scheme.

The Chair clarified that the LBTH Children's Services Directorate had not objected to the scheme.

Councillor Shahed Ali spoke against the scheme. He stated that he was speaking on behalf of other ward Councillors. The site lacked the essential qualities needed for a school: a play ground, a quiet location with quiet roads. The junction and roads with the narrow pavement already gets very congested with pedestrians crossing. The addition of 500 plus pedestrians at these points would be a major hazard. The Environmental Health Team opposed the scheme. The Wapping School should work with the community to find a better scheme, as they opposed this one.

Paul Guenault, the Head Teacher of the Wapping High School spoke in support. He explained the extensive consultation carried out by the applicant with the community since 2010. They had sent letters to residents, held door step discussions and invited the local residents and the residents association to consultation meetings. The applicant had fully considered and addressed the objections. He explained the measures to mitigate the impact on highways. The start time for pupils would be staggered, the school would open early at 7:30am to allow early entrance and would have foyers to prevent students waiting outside. There would be staff outside to manage entrances and exits. In addition, the facilities would be available for community use. In his experience, the vast majority of secondary school pupils travelled to school independently on foot or on cycles. The staff could only travel by public transport or on foot. He had recently held a parents evening where there was strong interest in the school places from the local families from a mix of backgrounds.

In reply to Members, he reported that the students would be required to remain on site all day. However they would have no need to leave due to the self sufficient facilities on site. All bar one of his current year 7 students came from the Borough, based on a post code analysis. He expressed confidence that the majority of the new schools pupils would be local judging by the number of local families at the parents evening. Students did not normally tend to congregate outside and would not need to in this case given the early opening hours. The accident rate on the nearby junction was relatively low compared to statistics from further up Commercial Road.

In relation to the roof play space, the Council's experts considered that the noise levels were acceptable. There were many examples of successful and safe roof top playgrounds with similar fencing. The quality of the environment and air would be very high. The school would encourage afterschool events to further stagger leaving times. Entrances and exists would be carefully managed by the School Travel Plan. It was intended that the school would work with local sports partners to allow pupils to use their sports facilities such as pitches.

Nick Evans also spoke in support as the architect for the scheme. He stated that he was a local resident and a leading member of a community charity. He stated that the proposed facilities would be available for community use; underlined that the applicant had undertaken its own consultation with individual hand delivered letters and door step consultation.

The design complied with standards, provided facilities to cover the lack of outdoor space, mitigation to control impact on highway. He clarified that the normal school bulletin didn't apply to this school. Therefore permission should be granted.

Councillor Denise Jones also spoke in support as a St Katherine's & Wapping Councillor. She stated that the Council's Children Services and the Governors of the Mulberry School supported the scheme. There were other schools in the area successfully operating in similar circumstances from this stretch of road. It was a small school so the traffic would be minimal. There was a lack of school places in the area with parents often disappointed not to receive first choice places so this was needed.

Richard Murrell (Planning Officer) presented the detailed report and the update. He explained in detail the proposal, the site location and surrounding area. Commercial Road was a designated red route. Apart from this, there were no other designations. He explained the features of the school including, the hours, the stepped increase in pupil numbers to 2016, the proposed facilities, the access, service and refuse plans and potential for community use.

He explained the outcome of the consultation and the planning issues. The loss of the existing office use was acceptable. The policy strongly supported the provision of new schools and stated that they should only be refused where there are major negative impacts that cannot be addressed.

He addressed one of the main concerns about highway impact.

The application was accompanied by a School Travel Plan. The Highways Team and TfL were satisfied with the proposals subject to the conditions. It was evident from the transport assessment based on a typical school in the Borough, that the majority of journeys to schools were by foot. Given this and the mitigation (the staggered drop off/pick up times, waiting lobbies for pupils, the red route restriction) it was not considered that the scheme would have an undue impact on the highway or pedestrian movements and safety. The junction benefited from a safe pedestrian crossing. The 20 reported accidents were mainly due to human error according to the research.

Ofsted had recently carried out a pre-opening expectation of the school and were satisfied with all the facilities and that they met the required standards. The separation distances were acceptable with no loss of privacy. The noise from the roof play space was acceptable as shown by the noise assessment to be at a level lower than background noise.

Given the merits and the policy support and lack of highway impact, the scheme should be granted permission.

In reply to Members, Mr Murrell explained the location of the roof top play space. It would be fully secured. Regarding the impact on buses, he explained that TFL did receive the full impact assessment and were satisfied with the scheme. They did not request a contribution for buses.

In relation to Commercial Road, he expressed confidence the footpath could accommodate the increase in pedestrians (for the reasons explained above) and the width of the pavement. The application had been accompanied by a noise assessment and met the relevant requirements for free schools.

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

1. That planning permission (PA/12/01133) at 153-157 Commercial Road, London, E1 2DA be **GRANTED** for the change of use of an office block to a secondary school (Use Class D1) 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 authority to recommend conditions and informatives in relation to 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.

## **7.2 Bow Cross Phase 11, Bow Cross Estate, Rainhill Way, London (PA/12/01019)**

Councillor Md. Maium Miah left the meeting at this point (8:15pm)

Jerry Bell (Applications Team Leader) introduced the report at Bow Cross Phase 11, Bow Cross Estate, Rainhill Way, London

The Chair invited the registered speakers to address the meeting.

Danny Hassell spoke in objection to the scheme. Whilst he supported social housing in the Borough, this site was unsuitable as it was already highly developed with major new developments nearby. The Bow Church DLR station was right on the boundary of the site. It would impact on amenity; the parking was inadequate with only 3 bays for 18 units. The s106 was

unacceptable given the lack of contributions for much needed community facilities.

He objected to the deferral of the accessible units until the last phase of the scheme. The number was less than initially promised and may lead to the segregation of the tenants. He stated that the car free obligation would not apply to occupants holding blue badges.

Councillor Helal Uddin spoke in opposition as a ward Councillor. He supported affordable housing and accessible units. However the residents were concerned about this scheme. Their main concerns were: overdevelopment, undue pressure on local amenities, loss of open space and a lack of consultation. Crucially there was a of lack social infrastructure to support the scheme in view of these issues. The scheme failed to provide any contributions to mitigate this pressure. A more suitable site should be found.

In reply to Members, he considered that the applicant provided no opportunities for residents to raise concerns. An alternative site should be found. This site should be used as community space with the s106 funding. The contribution for education was inadequate given the increase in population of the area in recent years.

Phillip Wright spoke on behalf of the applicant. He outlined the various stages of the wider application and widespread enhancements. Phase 11 of the scheme sought to provide 100% affordable housing. The site was an underused brownfield area with no pedestrian links and low quality amenity space. The scheme would provide 18 affordable units with generous amenity space, separation distances and a density range that complied with policy. The site had an excellent PTAL rating. It was proposed to carry out works around the DLR station to maintain access.

The scheme provided much needed affordable housing and should be granted.

In reply to Members about the 2005 application, he referred to the community facilities provided by the developer as part of the wider scheme, including a community centre and football pitch. He was not unaware that the applicant had consulted directly with the community on the proposal. Members expressed surprise at the lack of consultation.

Mandip Dhillon (Planning Officer) presented the detailed report. She explained the site location, the position of the nearby DLR station, the conservation area and listed buildings. The site itself was an undesignated brownfield site and was not a designated area of open space.

She explained the outline permission granted in 2005 for the wider Cross ways Estate regeneration. The outline permission had now lapsed. Therefore this application was required for the development of the final phase of the scheme – Phase 11. She described the key features of the 2005 application and progress with the stages including the overall provision of open space.



She explained the housing mix and the plans to reinstate the vehicle access route along Rainhill Way.

She explained the outcome of the consultation and addressed the material planning matters covering –

- Land use. The principle of the proposed use had already been established under the 2005 outline scheme so was acceptable.
- Density/Overdevelopment. The scheme comfortably complied with policy in terms of density with no symptoms of overdevelopment. The design was acceptable.
- Impact on local services. The scheme was unable to deliver the full contributions required for mitigation with 100% social housing when the viability was tested. However the applicant had offered a contribution of £72,564 towards education. On this basis and because the outline scheme had delivered other facilities, this was considered acceptable.
- There were conditions to address the concerns of the Crime and Prevention Officer.
- The carking parking was in line with policy.

Members sought clarity on the need for the application. A Member also questioned the delay in providing the social units until the last phase of the scheme. Concern was expressed at the consequences of this in terms of segregation.

On a vote of 3 for, 0 against and 1 abstention the Committee RESOLVED:

1. That planning permission (PA/12/01019) at Bow Cross Phase 11, Bow Cross Estate, Rainhill Way, London be **GRANTED** for Construction of 18 residential units comprising of 7 x 1 bed, 7 x 2 bed and 4 x 3 bed properties arranged over 2, 3 and 4 storey blocks (affordable housing) 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 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 within 3 months of the date of this committee the legal agreement has not been completed, the Corporate Director Development & Renewal is delegated power to refuse planning permission.

### 7.3 83 New Road, London, E1 1HH (PA/12/00605)

Jerry Bell (Applications Team Leader) introduced the report on 83 New Road, London, E1 1HH (PA/12/00605)

At this point the Chair asked if there was any speaker present to represent the Applicant. It was noted that there was nobody in attendance in this capacity. (Despite the Applicant having been contacted earlier on in the week and invited to appoint a representative to address the objectors at the meeting).

The Chair therefore invited the two registered objectors to address the meeting.

Mukit Uddin stated that he was speaking as a resident of the road. A key concern was the noise and smell from the shop. The area was a residential area. Pollution from the shop often goes into his propriety. As a result they can't open their windows in the summer. Noise from the AC units could be heard in his flat. He considered that the premises had been operating without the required planning permission. He stated that he had written to both the Planning Department and Environmental Health over many years about the noise, smell and anti social behaviour (ASB).

He referred to an oversaturation of A3 uses and to a nearby application for an A3 conversion rejected by the Council due to the overconcentration in the area. Given this, the application should also be rejected on the same grounds. The proposal would worsen the existing traffic problems and cause ASB.

He asked Members to take into account the concerns about overconcentration, noise especially from the grill as experienced at other A3 units.

The Chair clarified for Members that there would no hot food cooking facilities on the premises. Mr Uddin accepted this, but feared that the permission would facilitate a move to acquire such facilities.

In response to Members about the affect on his property, he replied that he lived at the back of the premises. A key impact was the noise and smell that created an odour in his property especially if the premises air conditioning was in operation. His windows were in short proximity to the shop. Despite the lack of hot food on premises, there was no certainty that a flue would not be built. If this could be guaranteed (that there was no flue) he would be happy with the planning application.

The Chair reminded the meeting that the Committee could only consider the application before it not speculation on future intentions.

In reply to further questions, Mr Uddin feared that this permission could set a precedent for further A3 conversions adding to the over concentration.

Mushtaq Ali speaking in objection reported that he was representing the grill next door and they also owned another nearby premises. He objected on the grounds of competition from the A3 use and that it would set a precedent for nearby cafes to convert to A3.

The Chair clarified that competition was not a planning matter.

In reply to Members, Mr Ali feared an increase in noise levels, congestion on the pavement and parking stress if permission was granted. It would worsen the existing problems in these areas.

Elaine Bailey (Planning Officer) presented the application for change of use to mixed use coffee shop and restaurant (A1/A3). She explained the site location that was within the Conservation Area and comprised a mixture of uses. She explained the floor plan layout with seating limited to the ground floor and the alterations to the front elevation. The design including the AC units were in keeping with the area. The loss of pure A1 was acceptable given the high provision of such units in the area. The Conservation Area Officer and Environmental Health were satisfied with the plans subject to conditions and a further noise report.

She emphasised the conditions to mitigate any potential impact. Specifically that there be no hot food cooking on site at all, no extract flue and a limited seating area.

She addressed the main issues around: noise, smell, parking and over concentration of A3 uses. It was considered that the scheme was acceptable on these grounds given the restrictions and that it was only a partial A3 use. Furthermore the Highways Services felt that the parking impact would be minimal due to the above and the 9pm closing time. This would also limit late night nuisance.

The conditions fully mitigated the impact. So the scheme should be granted.

The granting of a full A3 use would require a further permission.

Members then raised questions about the following issues:

- The A3 use – the changes that required this.
- The recent enforcement history.
- The impact on the upper floor units. Whether they were occupied.
- The noise levels from the kitchen fans.
- Impact on traffic. A Member considered that the scheme would worsen existing traffic problems.

Officers replied that an application for full A3 use was refused in 2010. The A3 permission was required for the seating element. The established use of the building was A1 retail.

The role of enforcement in this case was outlined. However Members were informed that this was not a relevant planning matter. It was anticipated that the local residents would take an active role in monitoring the impacts, judging by their level of interest in this application to date. According to Environmental Health, the noise from the fans would not exceed 10 decibels below background levels.

On a vote of 1 for the officer's recommendation, 2 against the officer's recommendation and 1 abstention the Committee RESOLVED:

That planning permission (PA/12/00605) at 83 New Road, London, E1 1HH (PA/12/00605) London be **NOT GRANTED** for Change of use from (A1) retail to mixed use coffee shop and restaurant (A1/A3) with no primary hot food cooking facilities, no associated extract flue system and seating area limited to ground floor only; including retention of No.4 AC units and alterations to shop front including new access door.

The Committee indicated that they were minded to refuse the planning permission because of Members' concerns over:

- The impact on residents, particularly from increased noise and nuisance from the proposal arising as a result of the general comings and goings of patrons;
- Overconcentration of A3 uses in the area.

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 and the implications of the decision.

(The Members that voted on this item were Councillors Helal Abbas, Shiria Khatun, Craig Aston, Kosru Uddin)

#### **7.4 Land within former Truman's Brewery Site, on corner of Spital Street and Buxton Street (PA/12/00090 and PA/12/00091)**

Jerry Bell (Applications Team Leader) introduced the report Land within former Truman's Brewery Site, on corner of Spital Street and Buxton Street.

Graham Harrington (Planning Officer) presented the detailed report. He gave a comprehensive presentation on the various aspects of the scheme. He explained the need for a new data centre and associated services in this location. He explained the site location within the Conservation Area, the nearby valuable buildings, the loss of buildings, walls and courtyard and the set backs in design to create a new pedestrian area.

He explained the improvements on the refused scheme regarding: design, reduced scale and mass, the introduction of an active street frontage, training and job opportunities, the sunlight and noise impact and energy efficiency. Financial contributions had been secured for amongst other things public realm enhancement in Buxton Street.

Taking into account the changes, Officers considered that the scheme was acceptable and should be granted.

In reply to Members, he confirmed that the boundary wall would be retained as part of the proposal.

On a unanimous vote, the Committee RESOLVED:

1. That planning permission and Conservation Area Consent (PA/12/00090 and PA/12/00091) at Land within former Truman's Brewery Site, on corner of Spital Street and Buxton Street be **GRANTED** for

PA/12/00090 – application for Full Planning Permission Demolition of the existing store building, substation, workshops and boundary wall to Buxton Street and Spital Street up to Cooperage Building and erection of a 3 storey high data centre with basement accommodation (Use Class B8) and new substation, including provision of Use Class B1 enterprise / D1 training floor space, provision of rooftop satellite dishes, roof mounted mechanical plant, security fencing, cycle parking and provision of car parking spaces and associated works;

PA/12/00091 – application for Conservation Area Consent Demolition of the existing store building, substation, workshops and the boundary wall to Buxton Street and Spital Street to the Cooperage Building

**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 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 within 3 months of the date of this committee the legal agreement has not been completed, the Corporate Director Development & Renewal is delegated power to refuse planning permission.

#### **7.5 First Floor, 100 Brick Lane, London, E1 6RL (PA/12/01868)**

Jerry Bell (Applications Team Leader) introduced the report First Floor, 100 Brick Lane.

Richard Murrell (Planning Officer) presented the proposal for a mini cab office. He explained the nature of the objections regarding noise, public disturbance and the impact on the Highway.

On balance, it was considered that given the conditions (that there be no "pick up"/waiting points on site and the limited hours of operation) and there

would be only 2-3 staff on site, the proposal would not given rise to any undue impact.

In reply to Members, it was clarified that there would be no physical modifications to the exterior building.

On a unanimous vote, the Committee RESOLVED:

1. That planning permission (PA/12/01868) at First Floor, 100 Brick Lane, London, E1 6RL be **GRANTED** for Change of use from Travel Agency (Class A1 Use) to mini-cab office use (Sui-Generis) subject to conditions.
2. That the Corporate Director Development & Renewal is delegated power to impose conditions on the planning permission to secure the matters set out in the report

## 7.6 Capital Wharf, 50 Wapping High Street, London E1W (PA12/01850)

Update Report tabled

Jerry Bell (Applications Team Leader) introduced the report on Capital Wharf, 50 Wapping High Street, London E1W

The Chair therefore invited the two registered objectors to address the meeting.

Amanda Day speaking in objection reported that she was a Trustee of the Turks Head Charity and a local resident. She objected to loss of views from the iconic walkway and across the Thames. A site visit would demonstrate this. 40 objections had been received from the residents about this issue. She did not agree that the handrail would deter antisocial behaviour (ASB). In fact it could attract it. She considered that this was one step away from gating the community. She read out a statement from another objector saying that there had never been any problems with abs on the site. She referred to the efforts of a local group and their hard fought campaigns to keep the area open to the public. The wall there already provided a safe boundary. The hand rail would pose a trip hazard to local children.

Richard Mellor spoke in support of the application. He reported on the increased use of the wall for improper means such as seating. This in turn encouraged ASB and created health and safety issues. This caused problems for the residents. The rail would be 1.4 metres high and would help deter these problems. It complied with policy and Officers considered that it was acceptable. No objections had been received from any of the statutory Authorities. Mr Mellor noted the 40 objections. However did not feel that most of them were material planning issues.

In summary, it was a modest addition to the wall, would enhance the safety of the footpath and help address ASB. Therefore it should be granted.

Members questioned the evidence of ASB at the site and how this would stop this. In reply, Mr Mellow reported that he had seen photographs of people sitting on the wall supplied by the applicant. Furthermore there was Police evidence of incidences of ASB on site that Planning had. The rail would deter people from climbing the wall and sitting on it. He considered that a lot of the resistance was due to the cost. He disputed that the small handrail would have a material impact on views or on use of the foot path. These objections were unfounded. Moreover a lot of the residents were involved in managing the freehold of Capital Wharf and supported the scheme. Following consultation with Officers the applicant had agreed to change the rail colour to black to fit in with the area.

Elaine Bailey (Planning Officer) presented the application explaining the main issues.

40 letters of letters of objections had been received from occupiers concerning loss of views, public amenity and enjoyment of the river, unsightly proposal.

The rail measured 30cm in height above the existing wall. It was not therefore considered that this minor addition would in anyway hinder the public right of way to the Thames Path, prevent public access or harm views to the Tower Bridge. (as illustrated by the slide of the proposal showing clear views to the Tower Bridge from the site).

The rail would help prevent the walls use as a seating platform and the congregations of youths that encouraged ASB. There was strong evidence that such behaviour occurred in the area as shown by the Council's Crime and Prevention Officer's report in the update.

On a vote of 3 for, 0 against and 1 abstention, the Committee RESOLVED:

That planning permission (PA12/01850) at Capital Wharf, 50 Wapping High Street, London E1W be **GRANTED** for Erection of a painted steel hand rail along river boundary wall subject to the conditions set out in the report.

## **8. OTHER PLANNING MATTERS**

### **8.1 Phoenix School, 49 Bow Road, London, E3 2AD (PA/12/02086)**

Update Report tabled

Benson Olaseni (Planning Officer (Planning Officer) presented the detailed report regarding works to Phoenix School, 49 Bow Road, London, E3 2AD (PA/12/02086).

It was noted that the Council could not determine applications for listed building consent for it own buildings.

On a unanimous vote the Committee **RESOLVED**

That the application Phoenix School, 49 Bow Road, London, E3 2AD (PA/12/02086) for alterations in connection with erection of two structures (including canopy and greenhouse) and formation of a new external access into an existing teaching room be referred to the Government Office for West Midlands with the recommendation that the Council would be minded to grant Listed Building Consent subject to conditions set out in the report.

## **8.2 Planning Appeals Report**

Jerry Bell presented the report

On a unanimous vote the Committee **RESOLVED**

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

The meeting ended at 10.20 p.m.

Chair, Councillor Helal Abbas  
Development Committee