

Meeting of the

DEVELOPMENT COMMITTEE

Wednesday, 15 May 2013 at 7.00 p.m.

UPDATE REPORT

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Agenda Item 8.4

LONDON BOROUGH OF TOWER HAMLETS

DEVELOPMENT COMMITTEE

15th May 2013

UPDATE REPORT OF HEAD OF PLANNING AND BUILDING CONTROL

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Agenda item no	Reference no	Location	Proposal
6.1	PA/12/01758	Land adjacent to railway viaduct, Mantus Road, London	Redevelopment to provide 93 residential units in buildings ranging from three to six storeys including amenity space, landscaping, disabled car parking and cycle parking.
6.3	PA/11/03371 -3372 - 3373	Site At Bow Wharf Adjoining Regents Canal And Old Ford Road, Old Ford Road, London	Demolition of existing buildings to facilitate the redevelopment of the site to provide three buildings ranging in height from 3 - 6 storeys including Block A (part 3 part 4 storeys to the north of the Hertford Union Canal), Block B (6 Storeys to the south of the Hertford Union Canal) and Block C (4 storeys to the south of the Hertford Union Canal) to provide 34 residential units comprising 10 x 1 bedroom, 15 x 2 bedroom, 4 x 3 bedroom and 5 x 4 bedroom houses, 74.8 square metres of commercial floor space to be used as either Use Class A1, A2, A3, B1 or D1, including provision of one accessible parking space, cycle parking, public and private amenity space and associated works.
7.1	PA/12/3138	Corner of King David Lane and The Highway and site at Juniper Hall , 448 Cable Street	Demolition of existing garages and construction of a part four/part ten storey building on the corner of King David Lane and the Highway to provide 37 new residential units (comprising 8 x one bed; 21 x two bed; 7 x three bed; 1 x four bed), and the conversion of Juniper Hall to provide 2 x two bedroom units, together with associated works including disabled parking and cycle parking, landscaped public open space and private amenity space.

7.2	PA/13/00116	Units 24, 26, 28, 30 & 32, Mastmaker Road, London, E14 9UB	Change of use of existing light industrial units (Use Class B1) (numbers 24, 26, 28, 30 and 32) to a secondary school (Use Class D1) offering vocational courses for 14-19 year olds.
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Agenda Item number:	6.1
Reference number:	PA/12/01758
Location:	Land adjacent to railway viaduct, Mantus Road, London
Proposal:	Redevelopment to provide 93 residential units in buildings ranging from three to six storeys including amenity space, landscaping, disabled car parking and cycle parking.

1.0 RECOMMENDATION

1.1 Paragraph 5.1 of the published report states:

*The officers' recommendation as at 11th April 2013 to refuse planning permission remains unchanged. Accordingly, the Committee are recommended not to approve the application and to resolve to **REFUSE** planning permission as previously detailed within the published report and addendum report at the Development Committee meeting held on 11th April 2013. The suggested reasons for refusal are outlined in the main report, appended as Appendix B of this report.*

1.2 Officers Recommendation should now read as follows:

The officers' recommendation as at 11th April 2013 to refuse planning permission remains unchanged. However if members decide to re-affirm their previous resolution and approve planning permission, Members are recommended to resolve to approve planning permission for the reasons set out in paragraph 3.0 at page 24 of the main report.

Agenda Item number:	6.3
Reference number:	PA/11/03371 – 3372 -3373
Location:	Site At Bow Wharf Adjoining Regents Canal And Old Ford Road, Old Ford Road, London
Proposal:	Demolition of existing buildings to facilitate the redevelopment of the site to provide three buildings ranging in height from 3 - 6 storeys including Block A (part 3 part 4 storeys to the north of the Hertford Union Canal), Block B (6 Storeys to the south of the Hertford Union Canal) and Block C (4 storeys to the south of the Hertford Union Canal) to provide 34 residential units comprising 10 x 1 bedroom, 15 x 2 bedroom, 4 x 3 bedroom and 5 x 4 bedroom houses, 74.8 square metres of commercial floor space to be used as either Use Class A1, A2, A3, B1 or D1, including provision of one accessible parking space, cycle parking, public and private amenity space and associated works.

1.0 CONSULTATION RESPONSES

- 1.1 Since the main report was published further consultation responses have been received the details of which are listed below.
- 1.2 4 further letters of support were received. The following matters were raised:
- The scheme would provide an improvement to the current site.
 - There have been issues of anti-social behaviour and fly tipping along the canal and in the car park due to the secluded location and lack of lighting. The proposal would improve this through the provision of additional lighting and a new piazza.
 - The proposed piazza would complement the tow path in a positive way by increasing security and improving the current site.

2.0 RECOMMENDATION

- 2.1 Officer's recommendations remain unchanged.

Agenda item number	7.1
Reference number:	PA/12/3138
Location:	Corner of King David Land and The Highway and site at Juniper Hall , 448 Cable Street
Proposal:	Demolition of existing garages and construction of a part four/part ten storey building on the corner of King David Lane and the Highway to provide 37 new residential units (comprising 8 x one bed; 21 x two bed; 7 x three bed; 1 x four bed), and the conversion of Juniper Hall to provide 2 x two bedroom units, together with associated works including disabled parking and cycle parking, landscaped public open space and private amenity space.
Drawing numbers	102 Rev 00; 103 Rev 04; 104 Rev 04; 105 Rev 05; 106 Rev 05; 107 Rev 04; 108 Rev 04; 109 Rev 04; 110 Rev 04; 111 Rev 04; 112 Rev 04; 113 Rev 03; 114 Rev 03; 115 Rev 01; 116 Rev 04; 117 Rev 03 118 Rev 03; 119 Rev 04; 120 Rev 04; 131 Rev 02; 133 Rev 00; 134 Rev 00; 135 Rev 00; 136 Rev 04; 137 Rev 02; 138 Rev 03; 139 Rev 02

1.0 CLARIFICATIONS

1.1 The applicant and the owner is Eastend Homes

S106 matters

1.2 The scheme would make provision for 37 % affordable housing by habitable rooms (77% social rent/23 intermediate). This amounts to 10 social rent units and 3 intermediate unit

1.3 10% of the overall units proposed would be wheelchair adaptable

1.4 The scheme makes provision for £97,500 in financial contributions with the breakdown as follows:

- £95, 550 towards education facilities
- £1,950 towards S106 monitoring fee

Estate regeneration works

1.5 The commitment for improvement works for the wider Glamis Estate was part of the stock transfer agreement between Eastend Homes and Tower Hamlets Council. The applicant, Eastend Homes, has committed, to re-invest the land receipt of £1 million on the estate regeneration works, subject to receipt of affordable housing grant of £400,000 from the GLA.

1.6 If the scheme is not able to be delivered by March 2015 the GLA is likely to withdraw the grant allocation and therefore until the applicant has secured the grant and the programme for delivery is clear, they can only commit securing £600,000 of the £1 million land value for Decent Homes Plus works in the wider estate.

1.7 Out of the £600k, the applicant is willing to covenant to the ring fencing of the following:

- £66,685 towards open space improvements

- £73,536 towards public realm works
- £15,000 towards improvement works to Glamis Hall

1.8 The remainder of the money is expected to be spend on Decent Homes Plus improvements to include the following:

- landscaping works to the whole estate including hard and soft landscaping works
- Security including lighting improvements
- Improving pedestrian walkways through the estates

1.9 Omit paragraph 9.124 from the report.

Daylight assessment

1.8 There is a typographical error in paragraph 9.65 in the report. To clarify, 26 of the 123 windows tested at surrounding residential properties would experience losses below the recommended VSC levels. This would amount to 21% of the overall windows proposed. However, the majority of these fall marginally below the BRE guidance and given the urban context of the site, it is considered acceptable by the Councils Environment Health Officer.

Juniper Hall

1.9 The committee report notes that Juniper hall is underutilised and some years. The applicant has advised that Juniper Hall has been empty and not in use for at least 6 years.

2.0 EQUALITIES ACT CONSIDERATIONS

2.1 Omit paragraph 9.155 from the report.

3.0 LOCAL REPRESENTATION

3.1 Paragraph 8.2 of the committee report highlights the main issues raised by local residents objecting to the scheme. In addition to the matters raised and letters received at the original report referred to the following matters:

- The overall proposed design in excessive and inappropriate in terms of height.
- There is a covenant on the King David Lane site which restricts development taking place on this site.
- Some new residents would be buy to let and these tenants are transient.
- Roof top amenity could present health problems given the proximity of the development to
- The Highway and also cause disturbance to surrounding residents.
- The link between the proposed development and Tarbert walk would be used as a throughfare.
- There is no site notices mounted onsite
- Lack of public consultation between Eastend Homes and local residents

3.2 Design matters are considered in the committee report. Covenants are legal matters which do not prevent planning applications to be determined on their merits. It is considered that the dwelling and tenure mix on site is acceptable as discussed in the committee report.

3.3 There would be sufficient planting and the height of the floor level to the top of the parapet is approximately 1.8 metres which would reduce the impacts of noise and air pollution. In addition, future residents would have access to other public open space within Glamis Estate and Eastend Homes would be spending £66,685 towards open space improvement: as part of this development.

- 3.4 The link between the development and Tarbert Walk is supported as it would be improve accessibility and permeability of the site.
- 3.5 Site notice was mounted to the lamppost fronting The Highway and directly outside Juniper Hall in January 2013.
- 3.6 Whilst public consultation between Eastend Homes and local residents is highly recommended prior to submission, it is not a statutory requirement and not something the planning department can directly control.)

4.0 **ADDITIONAL CONDITIONS**

- 4.1 In addition to the conditions listed in paragraph 3.5 of the committee report, the following additional conditions are recommended:
- Details of folding acoustic glazing (as noted in the Design and access statement) shall be submitted for approval;
 - Details of the mechanical ventilation to be submitted and approved;
 - Details of the extract flues shall be submitted and approved in writing.

Agenda Item number:	7.2
Reference number:	PA/13/00116
Location:	Units 24, 26, 28, 30 & 32, Mastmaker Road, London, E14 9UB
Proposal:	Change of use of existing light industrial units (Use Class B1) (numbers 24, 26, 28, 30 and 32) to a secondary school (Use Class D1) offering vocational courses for 14-19 year olds.

1.0 CONSULTATION RESPONSE

LBTH Environmental Health Contaminated Land

1.1 The Borough Environmental Health Contaminated Land Officer has confirmed that the trigger for the contaminated land condition should be prior to occupation. The reason being that they consider that soil testing and validation would be required on a small patch of land designated for soft landscaping to be used in conjunction with the nursery.

1.2 **[Officer Comment:** The trigger for the condition would be prior to occupation as requested.]

Transport for London (TfL)

1.3 The Transport Assessment assumes there would be a minor impact on the local public transport network as the school hours only run between 10:00-1600. TfL consider if the school were to operate within normal school hours, there would be a more significant impact to public transport. Therefore they have requested conditions restricting the schools operational hours and maximum capacity of the premises at any one time.

1.4 **[Officer Comment:** Following a conversation with the TfL Highway Officer it was established that the main concern was to ensure students would not be arriving at the school before 09:00am in order to avoid the morning rush, and accordingly it was agreed to secure a compliance condition restricting the maximum number of students as well as a condition requiring no students to arrive at the school before 9am. Both conditions would be attached as requested.]

CONDITIONS

As a result of the above consultee comments the list of suggested conditions now reads as follows:

Compliance:

- Time Limit for implementation 3 years
- Compliance with plans
- Compliance with Construction Management Plan
- Compliance with School Management Plan.
- Maximum number of 302 students on the site at one time.
- Compliance with hours of operation
 - (07:00 – 09:00 (staff and teachers only) and 09:00 - 23:00 (no restrictions).

Prior to Occupation:

- Contamination
- Travel Plan including details of management of short stay car parking spaces.
- Delivery and Servicing Plan
- Flood Evacuation Plan
- Energy
- Post completion testing to demonstrate best endeavours to comply with Building Bulletin 98 with regard to noise.

2.0 **RECOMMENDATION**

2.1 Officer's recommendation remains unchanged.

