

LONDON BOROUGH OF TOWER HAMLETS

MINUTES OF THE STRATEGIC DEVELOPMENT COMMITTEE

HELD AT 7.30 P.M. ON THURSDAY, 20 SEPTEMBER 2007

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

Members Present:

Councillor Rofique U Ahmed (Chair)

Councillor Helal Abbas (Vice-Chair)

Councillor M. Shahid Ali

Councillor Joshua Peck

Councillor Shahed Ali

Other Councillors Present:

Councillor Philip Briscoe

Councillor Rupert Eckhardt

Councillor Shirley Houghton

Officers Present:

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| Suki Binjal | – (Interim Head of Non-Contentious Team, Legal Services) |
| Stephen Irvine | – (Development Control Manager, Planning) |
| Michael Kiely | – (Service Head, Development Decisions) |
| Terry Natt | – (Strategic Applications Manager) |
| Dianne Phillips | – (Legal Adviser) |
| Alison Thomas | – (Manager, Social Housing Group) |
| Louise Fleming | – (Senior Committee Officer) |

1. APOLOGIES FOR ABSENCE

Apologies were received from Councillors Sirajul Islam, Rania Khan and Simon Rouse. Councillor Shahed Ali deputised for Councillor Rania Khan.

2. DECLARATIONS OF INTEREST

Councillor M. Shahid Ali declared a personal interest in item 7.1, which related to 721-737 Commercial Road and 2-22 Lowell Street, Commercial Road, London, as the Ward member for Limehouse.

Councillor Shahed Ali declared a personal interest in item 7.1 as he had been a member of the Overview & Scrutiny Committee which met on 7th November to discuss the call-in relating to the decision of the Cabinet, on 4th October 2006, to dispose of 723 Commercial Road and 2-22 Lowell Street.

3. UNRESTRICTED MINUTES

The minutes of the meeting held on 21st June 2007 were agreed and approved as a correct record by the Chair.

4. RECOMMENDATIONS

The Committee RESOLVED that, in the event of amendments to recommendations being made, the task of formalising the wording of any amendments be delegated to the Corporate Director of Development & Renewal, along the broad lines indicated at the meeting.

5. PROCEDURE FOR HEARING OBJECTIONS

The Committee noted the procedure and those who had registered to speak.

6. DEFERRED ITEMS

The Committee noted that the deferred item relating to the News International site at the south east junction of the Highway and Vaughan Way, London E1 would be removed from future deferred item reports as the Council had requested a new Environmental Impact Assessment to be carried out by the applicant, which would mean a new report on the application being submitted to the Committee on its completion.

7. PLANNING APPLICATIONS FOR DECISION

7.1 721-737 Commercial Road and 2-22 Lowell Street, Commercial Road, London

Mr Michael Kiely, Head of Development Decisions, introduced the site and proposal for the demolition of existing buildings and redevelopment up to 14 storeys to provide 319 units (19 residential units (9 x studio; 107 x 1 bed; 119 x 2 bed; 79 x 3 bed and 5 x5 bed)) residential units and 675 sqm commercial (Class A2, A3, A4, B1, D1 and D2) space at 721-737 Commercial Road and 2-22 Lowell Street, Commercial Road, London.

Mr David Smith spoke in objection on behalf of the Salmon Lane Mission Trustees, on the grounds of loss of light to the church due to the scale and height of the buildings. He was also concerned about the potential traffic, noise and pollution which would be created.

Mr Simon Dunn-Lwin spoke on behalf of the applicant. He informed the Committee that the application had been revised following concerns raised through the consultation process. Both the Greater London Authority (GLA) and English Heritage supported the scheme, and officers were of the view that the development was acceptable. Four highways experts had assessed the traffic impact and were satisfied. The development also complied with BRE guidelines in respect of daylight/sunlight.

Mr Terry Natt, Acting Strategic Applications Manager, presented a detailed report on the application and outlined the main objections received and the material considerations for the Committee when making its decision. He advised Members that the revisions to the scheme had satisfied both the GLA and the Council's design officers. He detailed the most affected properties in terms of loss of light and the methods used to measure any loss. He informed the Committee that the average daylight to adjacent properties complied with minimum standards in the BRE guidelines and was not significant enough to warrant a refusal. The development complied with policy relating to parking, amenity space and affordable housing provision and was therefore considered to be acceptable.

Members expressed concern over the potential loss of light to the adjacent non-residential buildings, and that an assessment had only been made of the residential elements. Members asked a number of questions relating to the impact on the terraced block of listed properties, allocation of car parking spaces and the positioning of affordable housing within the site.

The Committee unanimously RESOLVED that the application for planning permission for the demolition of existing buildings and redevelopment up to 14 storeys to provide 319 units (319 residential units (9 x studio; 107 x 1 bed; 119 x 2 bed; 79 x 3 bed and 5 x 5 bed)) residential units and 675 sqm commercial (Class A2, A3, A4, B1, D1 and D2) space at 721-737 Commercial Road and 2-22 Lowell Street, Commercial Road, London be DEFERRED to allow a daylight/sunlight assessment on the non-residential elements adjacent to the proposed site to be carried out.

7.2 4 Mastmaker Road, London E14

Mr Michael Kiely, Head of Development Decisions, introduced the site and proposal for the alterations of previously approved scheme ref PA/05/1781, for the development of buildings up to 23 storeys in height comprising 199 residential units, associated retail (A1) or food and drink (A3/A4) and community uses (D1/D2), together with new access arrangements, parking, open space and landscaping at 4 Mastmaker Road, London E14.

Mr Don Marshall spoke on behalf of the residents objecting to the scheme, on the grounds of overdevelopment.

Mrs Rita Bensley spoke on behalf of the residents objecting to the scheme, on the grounds of overdevelopment and lack of amenity space.

Mr Steven Brown spoke on behalf of the applicant. He reminded Members that the principle of the development had already been agreed, and that the amendments to the scheme would provide 9 additional units, of which 6 of those would be affordable. There would be an increase in family sized units. The proposal met the relevant guidelines and also included play space and a community centre.

Councillor Rupert Eckhardt spoke on behalf of the Millwall ward. He felt that the revisions had downgraded the scheme. There was a lack of education and healthcare provision. He was of the view that applicants who submitted a series of revised schemes to ones which had previously been approved were undermining the credibility of the Council as Local Planning Authority. He asked the Committee to refuse the scheme to enable the extant permission to be built.

Mr Terry Natt, Acting Strategic Applications Manager, presented detailed report on the application. He detailed the changes in the scheme from that which had previously been approved and outlined the material planning considerations for the Committee. The benefits of the new scheme would include a better mix of family housing, amenity space and health centre, a management plan for which would be secured by condition.

Members asked questions relating to the number of additional children which would be created by the proposed scheme and the reduction in ceiling heights. The Committee was advised that there would be a potential 22 extra children, and that the reduced ceiling heights complied with Building Regulations.

The Committee unanimously RESOLVED that planning permission for the alterations of approved scheme ref PA/05/1781, for the development of buildings up to 23 storeys in height comprising 199 residential units, associated retail (A1) or food and drink (A3/A4) and community uses (D1/D2), together with new access arrangements, parking, open space and landscaping at 4 Mastmaker Road, London E14 be GRANTED subject to

- A The prior completion of a legal agreement, to the satisfaction of the Assistant Chief Executive (Legal Services) to secure the following:
- a) A total of 142 affordable housing units (530 habitable rooms). The affordable housing consists of 24 units (71 habitable rooms) provided onsite associated with the onsite private housing and 118 units (459 habitable rooms) provided onsite associated with the scheme at 1 Millharbour (PA/05/1782) and in accordance with the mix and type as specified in Section 7.7.7 of the report. The overall tenure mix set at 69% social rented and 31% intermediate housing;
 - b) Provide £305,465 towards the improvements and upgrades of the transport infrastructure, public realm and open spaces, provision of training and employment and securing community facilities and

- achieving the objectives of the Millennium as set out within the Millennium Quarter Master Plan;
- c) Provide £261,475 towards education to mitigate the demand of the additional population on education facilities;
 - d) Provide £837,895 towards medical facilities to mitigate the demand of the additional medical facilities;
 - e) Secure Public Access Routes through the site;
 - f) Secure the connection to and use the Barkentine Combined Heat and Power Unit;
 - g) A Travel Plan (for both the commercial and residential component) which promotes sustainable transport by reducing dependency on the private motor car and implements a shift towards more environmentally sustainable means of servicing the travel requirements of occupants and visitors;
 - h) The use of local Labour in Construction and the occupation of the development;
 - i) Compliance with a post construction Environmental Management Plan;
 - j) Details of a monitoring and control regime (Liaison Group) to secure the delivery of development works associated with the development (as set out in Schedule 1 of the signed S106 agreement for PA/05/01781);
 - k) Section 72 and 38 agreement to widen Byng Street to provide a footpath along the site;
 - l) A car free agreement to restrict the occupiers from applying for residents parking permits in the area;
 - m) Improvements/connection to the existing children's play space; and
- B That the Head of Development Decisions be delegated authority to impose conditions and informatives on the planning permission to secure the following:

Conditions

- 1) Time limit on Full Planning Permission
- 2) Details of the following are required:
 - Elevational treatment including samples of materials for external fascia of building;
 - Ground floor public realm (detailed landscape plan for amenity courtyards and ground floor public realm improvements);
 - Means of enclosure;
 - Refuse provision;
 - External lighting and security measures; and
 - Design of lower floor elevations (shopfronts)
- 3) Landscape Management Plan required;
- 4) Detailed parking layout, including parking maximum cars and minimum cycle and motorcycle spaces;
- 5) Construction in accordance with Lifetime Homes standards;

- 6) Hours of construction limits (0800 – 1900, Mon-Fri; 0800 – 1300 Sat);
- 7) Construction work limitations;
- 8) Foundation design and ground works;
- 9) Details required for soil survey, including pollution of water;
- 10) Programme of archaeological work;
- 11) Defined management of microclimate studies and remedial measures included in the Environmental Statement;
- 12) Detailed Environmental Management Plan;
- 13) Detailed Air Quality Management Plan;
- 14) Construction Traffic Management Plan, including matters such as noise, dust and nuisance;
- 15) Management of construction transportation;
- 16) Detailed Environmental Management Plan, including matters such as noise, dust and nuisance; Restriction of ground borne vibration;
- 17) Restriction of ground borne vibration;
- 18) Details of surface water source control measures required;
- 19) 278 agreement to be entered into for Highway works surrounding the site;
- 20) Signage strategy for site; and
- 21) Any other condition(s) considered necessary by the Head of Development Decisions.

Informatives

- 1) Use of highest quality of materials;
 - 2) Requirements of Control of Pollution Act 1974;
 - 3) Compliance with Environmental management Plan;
 - 4) Compliance with Millennium Quarter Code of Construction Practice;
 - 5) Implementation of green biodiversity objectives;
 - 6) Encourage to use all sources of transportation during construction;
 - 7) Consideration of the environmental information in connection with the development as required by the Town and Country Planning (EIA) Regulations 1999;
 - 8) Environment Agency advice; and
 - 9) Highway works as required under Section 278/72/38 of the Highways Works Act.
- C That if by 21st December 2007 the legal agreement has not been completed to the satisfaction of the Assistant Chief Executive (Legal Services), the Head of Development Decisions be delegated (authority to refuse planning permission.
- D That the Committee agree the variation of the Section 106 legal agreement (of the planning application PA/05/01782, approved on 20th June 2007) for the development at number 1 Millharbour by updating the off-site affordable housing provision schedule, in Schedule 2, Part 2.

7.3 1 Park Place, London E14 4HJ

Mr Michael Kiely, Head of Development Decisions, introduced the site and proposal for the erection of a new building providing basement, lower ground, ground and 10 storeys of offices comprising 25,643 metres of floor space with associated landscaping, car parking, servicing and plant at 1 Park Place, London E14 4HJ.

Mr Terry Natt, Acting Strategic Applications Manager, presented a detailed report on the application. He informed the Committee that it was a replacement application to one which had already been approved. It was an appropriate use and a modest office scheme in its location. There would also be a £1.5 million contribution to off-site affordable housing.

The Committee RESOLVED that planning permission for the erection of a new building providing basement, lower ground, ground and 10 storeys of offices comprising 25,643 sq metres of floor space with associated landscaping, car parking, serving and plant at 1 Park Place, London E14 4HJ be GRANTED subject to

A The prior completion of a legal agreement to secure the following:

- 1) Community Contribution – a sum of £92,101
- 2) Highways Contribution – a sum of £50,000 (various works)
- 3) Commitment to Local Labour in Construction – a sum of £75,000
- 4) Off-site affordable housing Contribution - £1,466,899
- 5) Provision of Walkway and Public Art
- 6) Travel Plan

B That the Head of Development Decisions be delegated authority to impose conditions and informatives on the planning permission to secure the following:

- 1) Time Limit
- 2) Reserved matters regarding
 - Materials, including samples;
 - Hard and soft landscaping including dockside walkway;
 - Any proposed walls, fences and railings;
 - Enclosure of any external plant; and
 - A scheme of external lighting.
- 3) Landscape Management Plan required
- 4) 278 agreement to be entered into for Highway works surrounding the site
- 5) Parking maximum cars and minimum cycle and motorcycle spaces
- 6) Hours of construction limits (0800 – 1800, Mon-Fri; 0800 – 1300 Sat)
- 7) Details of insulation of the ventilation system and any associated plant required.
- 8) Hours of operation limits – hammer driven piling (10am to 4pm)
- 9) Details of on-site drainage works

- 10) Code of Construction Practice, including a Construction Traffic Management Assessment required.
- 11) Details of finished floor levels required.
- 12) Details of surface water source control measures required.
- 13) Renewable energy measures to be implemented and provided in perpetuity.
- 14) Black redstart habitat provision required.
- 15) Green roofs
- 16) Land contamination study required to be undertaken.
- 17) Any other condition(s) considered necessary by the Head of Development Decisions.
- 18) British Waterways Condition

Informatives

- 1) Planning Obligation Agreement
- 2) British Waterways requirements
- 3) Site notice specifying the details of the contractor required.

C That if by 20th December 2007, the legal agreement has not been completed to the satisfaction of the Assistant Chief Executive (Legal Services), the Head of Development Decisions be delegated authority to refuse planning permission.

The Committee RESOLVED that officers write to the Department of Communities and Local Government to express the Committee's concern relating to the ability of the Commission of Architecture for the Built Environment (CABE) to comment on strategic planning applications, due to its heavy workload.

The meeting ended at 8.46 p.m.

Chair, Councillor Rofique U Ahmed
Strategic Development Committee