

LONDON BOROUGH OF TOWER HAMLETS

MINUTES OF THE STRATEGIC DEVELOPMENT COMMITTEE

HELD AT 7.30 P.M. ON THURSDAY, 17 APRIL 2008

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

Members Present:

Councillor Rofique U Ahmed (Chair)

Councillor Shahed Ali
Councillor M. Shahid Ali

Councillor Tim Archer
Councillor Stephanie Eaton

Other Councillors Present:

Officers Present:

Suki Binjal	– (Interim Head of Non-Contentious Team, Legal Services)
Megan Crowe	– (Planning Solicitor, Legal Services)
Michael Kiely	– (Service Head, Development Decisions)
Terry Natt	– Strategic Applications Manager
Alison Thomas	– (Manager, Social Housing Group)
Louise Fleming	– Senior Committee Officer

1. APOLOGIES FOR ABSENCE

Apologies were received from Councillors Helal Abbas, Sirajul Islam and Josh Peck. Councillor Tim Archer deputised on behalf of the Conservative group vacancy. Councillor Stephanie Eaton deputised on behalf of the Liberal Democrat group vacancy.

2. DECLARATIONS OF INTEREST

Councillors made declarations of interest in the items included on the agenda as follows:

Councillor	Item	Type of interest	Reason
Rofique Ahmed	6.1	Personal	E-mails received from

Md. Shahid Ali 7.1 Personal objectors. Have not been read.
Application site is within the Councillor's ward.

3. UNRESTRICTED MINUTES

The minutes of the meeting held on 13th March 2008 were agreed as a correct record, subject to an amendment to show that the vote for Item 7.4 (Indecon Court, 20 Millharbour) was 5 for and 1 against.

4. RECOMMENDATIONS

The Committee RESOLVED that, in the event of amendments to recommendations being made by the Committee, 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 the position relating to deferred items.

6.1 Site at Caspian Works and Lewis House, Violet Road

Mr Michael Kiely, Head of Development Decisions, introduced the site and proposal for the redevelopment of Caspian Works and Lewis House, Violet Road, London.

Mr Terry Natt, Strategic Applications Manager, presented a detailed update report on the application, which had been deferred to allow officers to negotiate further with the applicant in respect of the gated element to the scheme. He advised the Committee that the applicant had agreed to the removal of the gates, to be secured through the S106 legal agreement.

On a vote of 2 for and none against, the Committee RESOLVED that planning permission for the redevelopment to provide buildings of between four and eleven storeys (38.95 metres AOD) for mixed use purposes including 142 residential units, Class A1, A2, A3 and B1 (shops, financial and professional services, restaurants/cafes and business) uses with associated works including car parking and cycle parking, roof terraces, landscaping and servicing at Caspian Works and Lewis House, Violet Road, London be GRANTED subject to

A Any direction by the Mayor

- B The prior completion of a legal agreement to secure the following planning obligations:
- a) A proportion of 36% on habitable rooms of the proposed units to be provided as affordable housing with the socially rented mix as specified in the addendum report to 20th December 2007 Strategic Development Committee meeting;
 - b) Provide £1821 towards bus stop survey;
 - c) Provide £14,565 towards bus stop improvements;
 - d) Provide £58,257 towards highway safety improvements;
 - e) Provide £269, 846 towards education to mitigate the demand of the additional population on education facilities;
 - f) Provide £581,792 towards medical facilities to mitigate the demand of the additional population on medical facilities;
 - g) Provide £21,846 towards Public Art;
 - h) Provide £20,000 for a DLR train times information (DAISY) board;
 - i) Provide £20,000 for works towards British Waterways betterment of Limehouse Cut; and
 - j) Agreed to secure removal of gates to provide access to internal courtyard agreed in planning permission PA/07/647 and 1648 approved May 2007.
- C The Corporate Director Development and Renewal be delegated authority to negotiate the legal agreement as indicated above.
- D The Corporate Director Development and Renewal be delegated authority to impose conditions and informatives on the planning permission to secure the following matters:

Conditions

- 1) Time limit for Full Planning Permission
- 2) Details of the following are required
 - a) Elevation treatment including a pallet board of samples of materials for external fascia of building, including balconies;
 - b) Screens on corners of D2 and D3 buildings per microclimate assessment and policy DEV5;
 - c) The design of the lower floor elevations of commercial units including shop fronts, external lighting and security measures.
- 3) Landscape plan for amenity courtyards and ground floor public realm improvements and with Management Plan.
- 4) Parking maximum cars and minimum cycle and motorcycle spaces
- 5) Hours of construction limits (0800 to 1800 Mon to Fri; 0800 to 1300 Sat)
- 6) Piling hours of operation limits (10am to 4pm)
- 7) Details of insulation of the ventilation system and any associated plant required
- 8) Wheel cleaning facility during construction

- 9) Renewables
- 10) Land contamination study to be undertaken with radiation certificate
- 11) Details of Piling Foundations as required by the Environment Agency
- 12) No infiltration of surface water drainage into ground
- 13) No storage of solid matter within 10m of Limehouse Cut
- 14) Storage facilities for oils, fuels and chemicals to be approved
- 15) Details of foul and surface drainage system as required by the Environment Agency
- 16) Method statement for the removal of waste and construction phase
- 17) Surface water source control measures in accordance with the approved details
- 18) Archaeology as required by English Heritage
- 19) Insulation and PPG 24 noise assessment
- 20) Details of the waste and recycling facilities
- 21) Construction Management Plan required
- 22) Details of inclusive design through the scheme
- 23) Construction noise limits
- 24) Construction vibration limits
- 25) Details of Brown Roofs
- 26) Lifetime homes standards
- 27) Reservation of access to DLR land
- 28) Details of fume extraction for the Class A3 premises
- 29) No roller shutters/hoardings
- 30) Details to be submitted during detailed design construction phase that level 3 Code for Sustainable homes is achieved
- 31) Details of the CHP system
- 32) Residents of the Hoe site shall have detailed access to the ground floor communal area of the strong site including the children's play area

Informatives

- 1) Consult the Environment Agency in terms of conditions 10, 11
- 2) Consult Thames Water in respect of 10, 11 and 13
- 3) Consult Metropolitan Police in terms of conditions 2b, 3, 21 and 22
- 4) Site notice specifying the details of the contractor required
- 5) Building Regulations in terms of means of escape
- 6) 278 agreement to be entered into for the Highway works surrounding the site
- 7) Thames Water informative for water pressure

- E That if within 3 months of the date of the Committee, the legal agreement has not been completed, the Corporate Director Development and Renewal be delegated authority to refuse planning permission.

(Councillors Tim Archer and Stephanie Eaton could not vote on the proposal as they had not been present as Members of the Committee when the item was previously considered.)

7. PLANNING APPLICATIONS FOR DECISION

7.1 Land Bounded by Limehouse Cut and St Anne's Row and Commercial Road, St Anne Street, London

Mr Michael Kiely, Head of Development Decisions, introduced the site and proposal for the demolition of existing buildings and construction of 6-9 storey residential-led mixed use development to provide 233 residential units (16 x studios), 52 x 1, 120 x 2, 39 x 3, 4 x 4 and 5 x 5 beds) and 1040 sq m of Use Class A1, A2, A4, A5 and B1 floorspace. Provision of 255 cycle storage spaces, 60 underground car parking spaces and the provision of public open space with access to Limehouse Cut on land bounded by Limehouse Cut and St Anne's Row and Commercial Road, St Anne's Street, London.

Mr Derek Colvin spoke on behalf of the residents in objection. He thanked officers for addressing many of the residents concerns in the report. However, he questioned the description of the height of the building and asked for assurance that the building would comply with Building Control Regulations.

Mr Phillip Chadda spoke on behalf of the applicant and clarified which parts of the site were included in the application.

Mr Kiely advised the Committee that Building Control monitor compliance with regulations and enforcement action would be taken if necessary. Mr Terry Natt, Strategic Applications Manager, presented a detailed report on the application. He advised that the proposal was 5 storeys above ground; the sixth storey described in the report was the basement level. The application had been redesigned to address the concerns of English Heritage. The proposal was in line with planning policy.

Members expressed concern over the loss of employment and the density of the scheme. Mr Natt read out the comments of the GLA in respect to the employment use and advised that the proposal would actually result in an increase in employment as the site was in need of enhancement. Mr Kiely reminded the Committee that the site had a PTAL rating of 6 which was the highest level and that to redevelop the site for its current use was unlikely to be economically viable.

Members also expressed concern over the affordable housing mix and tenure split. Mr Natt advised that the financial viability of the site needed to be taken into account and that the Council's first priority was to secure affordable housing and its second to provide family sized housing in the social rented component. Ms Alison Thomas, Housing Development Manager, explained

that assessments were made based on the 2004 Housing Needs Survey. The term Affordable Housing was one which was defined in both Planning Law and Housing Policy. However, it was acknowledged that many Borough residents could not afford the housing being built and the Government was examining the issue. Members were advised that they needed to take a reasonable view of all applications and strike a balance between the priorities of the Council.

On a vote of 4 for and 1 abstention, the Committee RESOLVED that planning permission for the demolition of existing buildings and construction of 6-9 storey residential-led mixed use development to provide 233 residential units (16 x studios), 52 x 1, 120 x 2, 39 x 3, 4 x 4 and 5 x 5 beds) and 1040 sq m of Use Class A1, A2, A4, A5 and B1 floorspace. Provision of 255 cycle storage spaces, 60 underground car parking spaces and the provision of public open space with access to Limehouse Cut on land bounded by Limehouse Cut and St Anne's Row and Commercial Road, St Anne's Street, London be GRANTED subject to

- A Any direction by the Mayor
- B The completion of a legal agreement to the satisfaction of the Assistant Chief Executive (Legal Services) to be completed within 3 months from the date of the Committee to secure the following:
 - a) Affordable Housing provision at 35% of the habitable rooms with a 73/27 split between affordable rented/shared ownership to be provided on site;
 - b) A contribution of £1,110,884 to mitigate the demand of the additional population on health care facilities;
 - c) A contribution of £376,761 to mitigate the demand of the additional population on education facilities;
 - d) A contribution of £49,280 towards highways improvements, to mitigate the demand of the additional population on surrounding highways;
 - e) A contribution of £49,280 to mitigate the demand of the additional population on open space facilities;
 - f) A contribution of £87,375 towards TfL and DLR for improvements and upgrades of the public transport infrastructure, to mitigate the demand of the additional population on public transport;
 - g) A contribution of £73,920 towards canal side and towpath improvements;
 - h) Completion of a 'Car Free' agreement to restrict occupants applying for residential parking permits;
 - i) Preparation, implementation and review of an Environmental Management Plan; and
 - j) Commitment towards utilising employment initiatives in order to maximise the employment of local residents in and post construction phase.

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

Conditions

- 1) Permission valid for 3 years
- 2) Submission of samples/details/full particulars
- 3) Submission of a Secured by Design Statement
- 4) Submission of a desktop study report for land contamination
- 5) Submission of details of site drainage
- 6) Submission of details of site foundations
- 7) Submission of an investigation and remediation measures for land contamination
- 8) Submission of a traffic management plan detailing all routed to be used by construction vehicles and maintenance programmes and also detailing how sustainable travel to and from the proposed development will be provided among residents and staff working on the site
- 9) No parking on site, other than in the basement car park
- 10) Refuse and recycling facilities
- 11) Hours of Construction (8 am to 6 pm Monday to Friday; 9 am to 5 pm on Saturdays and not at all on Sunday or Bank Holidays)
- 12) Power Hammer driven piling/breaking (10 am to 4 pm Monday to Friday)
- 13) Submission of full details of the proposed lighting and CCTV scheme
- 14) Detailed scheme for the input of reed rafts to the Limehouse Cut
- 15) Submission of a construction environmental management plan
- 16) Submission of a detailed scheme for green/brown roofs
- 17) Details of the design and layout of proposed canal side pedestrian walkway
- 18) External artificial lighting within 5 metres of the bank directed away from the Limehouse Cut
- 19) No storage of materials related to the development within 5 metres of the watercourse
- 20) Submission of details landscape management plan
- 21) All planting within 5 metres of the Limehouse Cut watercourse shall be of locally native plant species only, of UK genetic origin
- 22) The statutory flood defence level shall be maintained at all times with temporary works if necessary
- 23) Preparation, implementation and review of a Green Travel Plan
- 24) Surface water source control measures
- 25) No solid material shall be stored within 8 metres of the banks of the Limehouse Cut
- 26) Construction of the surface and foul drainage system
- 27) Lifetime Homes
- 28) 10% Disabled Access
- 29) Renewable Energy Measures (at least 20% reduction in carbon dioxide emissions)

- 30) Implementation of a programme of archaeological work.
- 31) Any other conditions considered necessary by the Head of Development Decisions

Informatives

- 1) Section 106 of the Town and Country Planning Act 1990
 - 2) Locally native plant species on site, of UK genetic origin
 - 3) Adequate sewerage infrastructure in place
 - 4) With regard to (Decontamination), contact Council's Environmental Health Department
 - 5) Code of Construction Practice, discuss this with Council's Environmental Health Department
 - 6) Consult with the Council's Highways Development Department regarding any alterations to the public highway
 - 7) During construction consideration must be made to other development within the area and the impact to traffic movements on Commercial Road
 - 8) Detailed proposals in the form of an archaeological project design in accordance with appropriate English Heritage Guidelines.
- D That if by 17th July 2008, 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 meeting ended at 8.10 p.m.

Chair, Councillor Rofique U Ahmed
Strategic Development Committee