

LONDON BOROUGH OF TOWER HAMLETS

MINUTES OF THE DEVELOPMENT COMMITTEE

HELD AT 6.30 P.M. ON WEDNESDAY, 3 FEBRUARY 2010

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

Members Present:

Councillor Shafiqul Haque (Chair)

Councillor Alibor Choudhury (Vice-Chair)

Councillor Helal Abbas

Councillor Fazlul Haque

Councillor Harun Miah

Councillor Tim O'Flaherty

Councillor Muhammad Abdullah Salique

Councillor Peter Golds

Other Councillors Present:

Councillor Tim Archer

Councillor Ahmed Hussain

Councillor Rania Khan

Councillor A A Sardar

Councillor Lutfur Rahman

Councillor Rofique U Ahmed

Councillor Ohid Ahmed

Councillor Abdal Ullah

Officers Present:

Stephen Irvine – (Development Control Manager, Development and Renewal)

Bridget Burt – (Senior Planning Lawyer, Legal Services, Chief Executive's)

Ila Robertson – (Applications Manager Development and Renewal)

Jen Pepper – (Affordable Housing Programme Manager, Development and Renewal)

Nasser Farooq – (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 received on behalf of Councillors Shiria Khatun and Rupert Eckhardt for whom Councillor Peter Golds was deputising.

2. DECLARATIONS OF INTEREST

Members declared interests in items on the agenda for the meeting as set out below:-

Councillor	Item(s)	Type of Interest	Reason
Helal Abbas	7.1	Personal	Correspondence received from concerned parties.
	7.3	Personal	Links with Tower Hamlets Community Housing Board.
Shafiqul Haque	7.1, 7.2, 7.3, 7.4	Personal	Correspondence received from concerned parties. Member of Tower Hamlets Community Housing Board.
Harun Miah	7.1, 7.2, 7.3, 7.4	Personal	Correspondence received from concerned parties.
Fazlul Haque	7.1, 7.2, 7.3, 7.4	Personal	Correspondence received from concerned parties.
Peter Golds	7.1	Personal	Correspondence received from concerned parties.
	7.2	Personal	Ward Member Correspondence received from concerned

			parties.
Tim O Flaherty	7.1, 7.2, 7.3, 7.4	Personal	Correspondence received from concerned parties.
Alibor Choudhury	7.1 7.3	Personal	Correspondence received from concerned parties.
Muhammad Abdullah Salique	7.1	Personal	Former Member of Tower Hamlets Community Housing Board.

3. UNRESTRICTED MINUTES

RESOLVED that the unrestricted minutes of the meeting held on 6th January 2010 be confirmed as a correct record of the proceedings.

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 and those who had registered to speak at the hearing.

6. DEFERRED ITEMS

None.

7. PLANNING APPLICATIONS FOR DECISION

7.1 Land Between 154-192 Bruce Road, London, E3 (PA/09/02326)

Addendum Updated report tabled.

Mr Stephen Irvine, (Development Control Manager, Development and Renewal), introduced the report regarding the erection of one two storey and one three storey dwelling houses to provide one x two bedroom and one x three bedroom residential unit and landscaped public amenity space.

The Chair then invited representations from persons who had registered for speaking rights in accordance with the procedures for hearing objections, as set out in the Council's Constitution.

Ms Halima Khanom (Local resident) speaking in objection to the application considered that the site provided a valuable access route for residents. There was no play area near the site. If approved, there would be overshadowing, loss of daylight making the area unsafe. She also considered that Poplar HARCA did not carry out a proper consultation exercise. They did not consult her. There were no residents' signatures on the supporting petition.

Mr Richard Gray spoke in objection to the application on the grounds that the development would impact on adjoining properties, lead to a loss of open space, crime issues within an enclosed space. He also felt that the location of the development was inappropriate.

Reverend James Olanipekun (Local resident ,Vice Chair Poplar HARCA Board) spoke in support of the application. He considered that he was present to represent the many families in Poplar who supported the scheme. It was true that there were some objections, but the community was crying out for better housing conditions. Families needed rehousing but were leaving due to the serious overcrowding. They have waited a long time for this. Poplar HARCA was a non profit organisation. He urged Member to approve the application.

Councillor Rania Khan, speaking in objection to the application, declared that she was a Board Member of the Poplar HARCA Finance Committee. She acknowledged that one of the Council's key ambitions was to bring more social housing into the Borough. However, the policy also states that any proposals should be sensitive to the local community and this clearly did not meet this criteria given the concerns. It would adversely affect quality of life, so Poplar HARCA should consider locating the development elsewhere. There would be overshadowing, loss of daylight, sunlight and loss of a valuable access route. If this community open space was taken away there would be children on the streets. On balance the application should not be supported.

Councillor Abdul Sardar speaking in objection stated that he shared and wished to support the views voiced by the many objectors. He acknowledged there were housing needs but considered that the application was unacceptable. He urged Members to listen to the objectors as they were living there.

Councillor Ahmed Hussain speaking in objection also considered that Poplar HARCA should listen to the local residents. He considered that the proposal would turn Poplar into a ghetto. He had visited the site and it was regarded as an open space and it should be left as an open space. He considered that the petition in support was signed by employees of the applicant. He urged the Committee to reject the application.

Ms Ila Robertson (Applications Manager, Development and Renewal) presented the detailed report in which she reported:

- 61 neighbouring properties were notified about the application, and the application was publicised on site. A petition containing 297 signatories was submitted in support together with 4 separate petitions opposing the development containing 211 signatories in total.
- Addressed the material concerns around loss of amenity, open space trees and the creation of crime.
- The proposal was situated in an appropriate location for the development.
- The site was not formally designated as a play area so an objection on these grounds could not be justified.
- The safe access thought to Rainhill Way would be maintained.
- Given the position and design of the proposals, there would be no amenity impact on the adjacent properties or noise nuisance.

Overall, it was considered that the proposal would provide a much needed residential development with a safe access route to Rainhill Way.

In response to the representations and the report, Councillor Alibor Choudhury stated that he had been lobbied by concerned parties but this had not influenced him in anyway. He stressed the importance of open space and questioned, if lost, how this would be mitigated. He also questioned whether the proposal exceeded the maximum density requirements for the site.

Councillor Harun Miah questioned the scope of the consultation exercise given the concerns over non receipt of consultation letters. Councillor Muhammad Abdullah Salique queried the degree of loss of light and the impact on adjacent properties.

Councillor Peter Golds also raised questions regarding the consultation given there were only two letters of objection yet the public gallery contained many objectors and the four petitions opposing the development contained 211 signatures. He expressed concern at the failure to acknowledge the site as a play area as it was regularly used by local residents as a play area. Councillor

Golds also requested that the issues around loss of light and obstruction be clarified and queried how it was proposed that they be mitigated.

Councillor Helal Abbas also expressed reservations about the proposal. He considered that the site had been used as a play site so this warranted itself to official use. He referred to the rising number of dwellings in the area due to the new nearby housing development. There was only a limited amount of open space in the Borough and the Council should look to protect this. He acknowledged that whilst there was a shortage of housing in the area, taking away open space would create tensions and cause anti social behaviour. For these reasons he considered that the development was inappropriate.

Members also expressed concerns regarding the distance between the development and the existing properties.

It was also considered that there was no input from the Metropolitan Police.

Officers answered each of the points raised by Members explaining;

- The scope of the consultation exercise exceeded the minimum requirements in the Council's Statement of Community Involvement.
- The proposal fell well within the density requirements in the key policies.
- The secure by design officer had provided measures to mitigate the safety concerns and loss of trees and a condition was recommended to ensure the landscape treatment was acceptable.
- Officers had to consider all objections no matter where from.
- The application was reviewed by the Council's Crime and Prevention Officer who considered that there would be no adverse impacts. Officers placed a lot of weight on their comments.
- The Council had a Metropolitan Police Safety Officer who visited the Planning Department on a regular basis and their views were fully taken into account.

After consideration of the representations and the officers report, Members were minded to refuse the application and on a vote of three for and five against, it was -

RESOLVED

That the officers recommendation to grant planning permission for the erection of one two storey and one three storey dwelling houses to provide one x two bedroom and one x three bedroom residential unit and landscaped public amenity space not be NOT ACCEPTED.

The Committee indicated that they were minded to refuse the planning application because of the following reasons -

- loss of housing amenity space;

- loss of sun light/daylight;
- Safety and security issues;
- Overdevelopment of the site;

7.2 Multi Storey Car Park, Selsdon Way, London, E14 (PA/09/02548)

Mr Steve Irvine (Development Control Manager), introduced the report seeking planning permission for construction of 5 x five-a-side floodlit all weather football pitches and ancillary facilities on the upper levels (5B, 6A, 6B, 7A and 7B) of the existing multi-storey car park.

The Chair then invited representations from persons who had registered for speaking rights in accordance with the procedures for hearing objections, as set out in the Council's Constitution.

Mr Ben Kelly (Applicant's Agent) spoke in support of the application. He advised that the Applicant had sought advice from officers, at the pre application stage, who considered that the scheme would assist the Council's aim of developing new leisure facilities in the Borough. However, the onus was on the applicant to demonstrate that the application would have no adverse impacts. Officers had also asked the applicant to provide a series of additional mitigation measures. They therefore withdrew their application and wrote to residents and as a result agreed to reduce the hours of operation to the minimum level it could be reduced to make it viable. It was feared that the proposal would result in increased anti social behaviour, but this would not materialise. There was demand for this facility in the area. There would be a bar in the premises but it would not serve any alcohol. The Applicant's team of consultants were very experienced. The Applicant managed a similar facility in central London which was well used and there was no adverse issues with floodlighting. There would be free usage for community groups. Mr Kelly considered that the proposal would not have any adverse impact on the surrounding area and therefore considered that it should be granted permission.

Councillor Tim Archer spoke in objection to the application. He advised that he was a ward Councillor for the area. He considered that the site was a commercial and residential area and the proposed scheme would be detrimental to both. It was located in an area where professionals from Canary Wharf would commute in to play football. It would not be a community facility. The facility would be built at eyelevel. The area already had a similar facility and this was sufficient. There would be a noise nuisance and it would create traffic and light pollution which was a huge concern. The local residents had already made complaints about the problems with anti social behaviour around the area and the proposal would add to this, if allowed. The hours of operation would turn the area into a '24 hour environment'. This was a quite area that usually 'closes' at 6pm. People travelling to the site by car would have to use the nearby Controlled Parking Zone. (CPZ) They would therefore be competing with residents for the limited spaces. The size of the pitch was too small and did not meet the requirements of Sports England.

Ms Ila Robertson (Applications Manager, Development and Renewal) presented the detailed report as contained in the circulated report, together with the reasons why planning permission was recommended for approval. The proposal would provide a new leisure facility for residents. She referred to the steps carried out to mitigate any adverse impacts. The hours of operation had been reduced. The impact of the development in terms of outlook, privacy noise and light pollution was considered appropriate in relation to the residential amenity of adjacent properties and was in line with policy.

In reply to the representations and the report, Members made the following points.

Councillor Golds expressed concern over the adequacy of the sightlines and loss of open space. He contested the idea that the application provided a innovative way of creating new open space when it would close it off and make people pay for it. He stated that he had received correspondence from residents complaining about lack of community consultation. He queried the impact on Glengall Grove and the Isle of Dogs Bangladeshi Welfare Association. He considered that the development would generate increased parking and traffic congestion in those areas.

Members also expressed concern over the proposed hours of operation. Members considered that the estimated time for clearing the site of patrons of 10pm was unrealistic. It would take a lot longer than this to clear the site. Members were not persuaded by the assurances provided about noise.

Members also feared that the patrons of the development would take up residents parking spaces in the nearby CPZ and there would be a lack of community usage. It was felt that the local community should be given full usage of the facility and there should be opportunities for community use of the building. A clear community use agreement needed to be agreed.

In reply to these points Ms Robertson reported:

- In terms of the consultation, officers had gone beyond what they were required to do as specified in the circulated report.
- There would be no adverse impact in terms of car parking as it was expected that 95% of the customers would use public transport as indicated in the trip rate assessment.
- There would be a car free agreement and opportunities for free usage for community groups.
- Addressed the concerns around floodlighting spillage; anti social behaviour, the size of the function room, vehicle activity and anti social behaviour.

In conclusion, Members considered that the proposal would generate noise nuisance from patrons coming and going during unsociable hours, parking problems and increased traffic congestion in the surrounding areas and there would be unacceptable light pollution.

Consequently after consideration of the representations and the officers report, Members were minded to refuse the application and on a vote of 0 for and three against with five abstentions, it was –

RESOLVED

That the Officer recommendation to grant planning permission for construction of 5 x five-a-side floodlit all weather football pitches and ancillary facilities on the upper levels (5B, 6A, 6B, 7A and 7B) of the existing multi-storey car park not be NOT ACCEPTED.

The Committee indicated that they were minded to refuse the planning application because of the following reasons -

The proposed development would result in:

- Increased parking and traffic congestion created by the proposed use to the surrounding site;
- Unacceptable light pollution/sightline issues;
- Increase on noise nuisance created by the proposed use;
- lack of local usage of the proposed facility.

Councillor Harun Miah left the meeting at 7.40pm.

Meeting adjourned at 7.40pm and reconvened at 7:50pm.

7.3 Land Between 32-34 Repton Street, Limehouse, E14 (PA/09/02562)

Mr Stephen Irvine, (Development Control Manager), introduced the report regarding the construction of a new build residential block of three storeys on existing car park site to provide 3 x three bedroom flats with associated amenity space

The Chair then invited representations from persons who had registered for speaking rights in accordance with the procedures for hearing objections, as set out in the Council's Constitution.

Mr M. Shahanur Khan (Local resident) spoke in objection to the application He considered that the application would have an adverse impact on the environment, lead to overcrowding, loss of an access route, increase pressure on facilities, create parking problems and infringe residents rights to privacy. He considered that the Council should prioritise local tenants and that parking spaces should be allocated to local people. At a recent residents meeting, it was strongly felt that the existing car park should be retained. Nobody supported it. The Council should listed to the views of the residents.

Mr Paul Gendle, (the Applicant's Agent) spoke in support of the application. He considered that the existing car park was currently underused. He confirmed that everyone who currently had a right to park there would still be entitled to a space should the application be approved. This revised scheme

included substantial anti social behaviour measures. It would provide much needed social rented unit and would enhance the local landscape.

Ila Robertson (Applications Manager, Development and Renewal) presented the detailed report. She referred to the material objections and addressed each one in turn. In summary she reported that the proposal would provide much needed social rented units with no adverse impact on the surrounding area. For that reason, the planning permission should be granted.

Ms Robertson addressed each point raised by the objectors and commented that:

- The Application complies with the London Plan which seeks to maximise provision of additional housing in London
- Confirmed that officers had visited Blount Street and it was considered that the proposal would not have a detrimental impact on that area.
- Members needed to balance the need for affordable housing as set out in the Community Plan against the issues raised in objection.
- The application was a resubmission of the planning application which was withdrawn in August 2009. The same people and the same level of consultation was carried out for both this application and the previous August 2009 scheme.

Members considered that the access arrangements were inadequate, that the loss of the 10 parking spaces was a significant issue given the difficulties with parking in the Borough and that the proposal would put an intolerable strain on the infrastructure and would significantly increase congestion. Members noted that 309 people had signed the petition against the proposal and queried whether the residents were made fully aware of the proposals. They felt that there was a lack of consultation.

Consequently after consideration of the representations and the officers report, Members were minded to refuse the application and on a vote of 0 for and 1 against with three abstentions, it was –

RESOLVED

That the Officer recommendation to grant planning permission for the construction of a new build residential block of three storeys on existing car park site to provide 3 x three bedroom flats with associated amenity space not be NOT ACCEPTED.

The Committee indicated that they were minded to refuse the planning application because of the following reasons -

- Potential overdevelopment of the site;
- Loss of car parking spaces;
- Highways and transport issues – loss of permeable access route;
- Loss of light;
- Impact on environment.

Under Part 4, Section 4.8, Rule 5.4 of the Council's Development Procedure Rules, Councillors Alibor Choudhury, Fazlul Haque and Mohammed Abdullah Salique could not vote on this item as they were not present at the start of the item.

7.4 Victoria Park, Bow, London (PA/09/02557)

Update report tabled.

Ms Ila Robertson (Applications Manager, Development and Renewal) presented the report regarding the application for planning permission concerning the Victoria Park, London.

Ms Robertson drew attention to the updated report and asked the Committee to consider the recommendations in that report.

The Committee requested that details of time limits be included in future reports.

On a unanimous vote it was -

RESOLVED That the application for the Demolition of toilet block, sports storage block, deer shelter and one o'clock club building be referred to the Government Office for London with the recommendation that were it within its authority to do so this Council would be minded to grant Conservation area consent and that the Head of Planning and Building Control is delegated power to recommend to the Secretary of State the condition set out in the report.

The meeting ended at 8.20 p.m.

Chair, Councillor Shafiqul Haque
Development Committee