

LONDON BOROUGH OF TOWER HAMLETS

RECORD OF THE DECISIONS OF THE DEVELOPMENT COMMITTEE

HELD AT 6.30 P.M. ON WEDNESDAY, 31 MARCH 2010

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

Members Present:

Councillor Shafiqul Haque (Chair)
Councillor Helal Abbas
Councillor Alibor Choudhury (Vice-Chair)
Councillor Harun Miah
Councillor Rupert Eckhardt
Councillor Muhammad Abdullah Salique

Other Councillors Present:

Councillor Lutfur Rahman	(Leader of the Council)
Councillor Oliur Rahman	(Lead Member, Employment and Skills)
Councillor Ahmed Hussain	
Councillor Abdul Asad	(Lead Member, Children's Services)
Councillor Ohid Ahmed	(Lead Member, Resources and Performance)
Councillor Waiseul Islam	
Councillor Abjol Miah	(Leader of the Respect Group)
Councillor M. Mamun Rashid	

Officers Present:

Stephen Irvine	– (Development Control Manager, Development and Renewal)
Ila Robertson	– (Applications Manager Development and Renewal)
Bridget Burt	– (Senior Planning Lawyer, Legal Services Chief Executives)
Shay Bugler	– (Strategic Applications Planner, 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 Tim O'Flaherty.

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
Shafiqul Haque	7.1	Personal	Had prayed in the Mosque subject to the proposals. He had also received correspondence from interested parties.
Alibor Choudhury	7.1	Personal	Had used the facility subject to the proposals.
Harun Miah	7.1	Personal	Ward Councillor
Helal Abbas	7.3	Personal	Owned property in the area concerned.
	7.4	Personal	Lived near the site.
Muhammad Abdullah Salique	7.1	Personal	Had prayed in the Mosque subject to the proposals.
Abjol Miah	7.1	Personal	Ward Councillor
M. Mamun Rashid	7.1	Personal	Ward Councillor

Waiseul Islam	7.1	Personal	Attending on behalf of Ward Councillor
Lutfur Rahman	7.1	Personal	Uses the facility subject to the proposals.
Ohid Ahmed	7.1	Personal	Uses the facility subject to the proposals. Son attended the school.

3. UNRESTRICTED MINUTES

RESOLVED that the unrestricted minutes of the meeting held on 4th March 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

Nil Items.

7. PLANNING APPLICATIONS FOR DECISION

7.1 Walburgh House, Jamiatal Ummah School, 56 Bigland Street, London, E1 2ND (PA/09/0299)

Update Report Tabled.

Councillor Choudhury and Councillor Salique proposed the following amendments to the legal agreement and conditions which on a unanimous vote this was carried.

- (i) Extending the planning permission to 5 years from 3.
- (ii) Amending the legal agreement to include just the following two conditions:
 - £30, 000 for the pedestrian improvement measures in the area
 - £10,000 for traffic management and traffic order changes
- (iii) Changing the opening hours to ensure they accommodate prayer hours.
- (iv) Amending the 'no amplified call to prayer condition' to ensure 3 such calls to prayer are permitted.

On a unanimous vote on the substantive motion, it was –

RESOLVED

1. That the planning permission for the demolition of existing buildings and erection of an eight storey building plus three basement levels, including an open play area and terrace and erection of a new building to provide a two form entry secondary school, community centre, student accommodation, funeral facilities, library, multi-purpose sports hall, gymnasium, retail unit, cafeteria, crèche, health facility, basement level car parking; cycle storage and refuse storage facilities be **GRANTED** subject to:
2. The prior completion of a **legal agreement**, to the satisfaction of the Chief Legal Officer, to secure the following:
 - £30, 000 for the pedestrian improvement measures in the area
 - £10,000 for traffic management and traffic order changes

Non-financial Contributions

- 'Car free' agreement
- Local labour in construction
- Travel Plan required
- Requirement to provide access to community facilities for members of the public
- Code of Construction practice

3. Any other planning obligation(s) considered necessary by the Corporate Director Development & Renewal
4. That the Head of Development Decisions be delegated power to impose conditions on the planning permission to secure the following

Conditions

1. That the Permission be valid for 5 years.
2. Submission of samples / details / full particulars of:
 - a. Façade design and detailing;
 - b. facing materials, glazing,
3. Hours of Construction (8.00am to 6.00pm Monday to Friday 9.00am to 5.00pm on Saturdays and not at all on Sunday or Bank holidays)
4. Power/hammer driven piling/breaking (10am – 4pm Monday – Friday)
5. Contaminated land: desk study, site investigation, risk assessment and mitigation
6. Hours of opening – 06.00 – 22.30 hours Monday to Friday and 09.00 – 21.00 hours on Saturdays and Sundays (for all uses) subject to prayer hours.
7. Maximum of 3 amplified call to prayer
8. Submission of Service Management Plan
9. Submission of details of cycle parking
10. Submission of Construction Logistics & Management Plan
12. Details of two car parking space to be installed with an electric vehicle recharging point.
13. Details of waste arrangements and their collection should be conditioned.
14. Secure by Design Statement required
15. Details in the approved Energy Strategy shall be implemented
16. Details of refuse & recycling facilities for each use
17. Details of design of ventilation shafts
18. Details of noise mitigation measures
19. Management Strategy for the building
20. Installation of a heat networking supplying all spaces within the development
21. Details of energy cooling strategy
22. Details of BREEM Assessment
23. Schedule of highway improvement works
24. Any other planning condition(s) considered necessary by the Corporate Director Development & Renewal.

6. Informatives

1. Section 106 agreement required.
2. Section 278 (Highways) agreement required.
3. Site notice specifying the details of the contractor required.
4. Construction Environmental Management Plan Advice.
5. Environmental Health Department Advice.
8. Metropolitan Police Advice.
9. Transport Department Advice.

7. That, if by 31st June 2010 the legal agreement has not been completed to the satisfaction of the Chief Legal Officer, the Head of Development Decisions is delegated power to refuse planning permission.

7.2 Sites Either Side of 2 to 48 Broomfield Street, London (PA/10/00124)

The application was withdrawn from the agenda by the applicant.

7.3 Whatman House, Wallwood Street, London, E14 (PA/10/00119)

Update Report Tabled.

Councillor Abbas and Councillor Eckhardt proposed the following amendment to the legal agreement and conditions which, on a unanimous vote was carried.

- A 'car – free agreement' should be imposed that ensures those who already have a parking permit on the estate are permitted to retain them.

On a unanimous vote on the substantive motion, it was –

RESOLVED

1. That Planning Permission for the demolition of existing two storey building and construction of two new blocks; one of 4 storeys and one part 4 and part 6 storeys in height to provide 38 residential units (comprising 11 x 1 bed, 17 x 2 bed, 7 x 3 bed and 3 x 4 bed), associated open space improvements, car parking layout revisions and infrastructure works be **GRANTED** subject to:
2. The prior completion of a legal agreement, to the satisfaction of the Chief Legal Officer, to secure the following:
 1. Affordable housing provision of 51% of the proposed habitable rooms with a 87/13 split between rented/ shared ownership to be provided on site.
 2. A contribution of £46, 584 to mitigate the demand of the additional population on health care facilities.
 3. A contribution of £74, 052 to mitigate the demand of the additional population on education facilities.

Non financial

4. Local labour in construction
5. Travel Plan

6. A 'car – free agreement' should be imposed that ensures those who already have a parking permit on the estate are permitted to retain them.
3. That the Corporate Director of Development and Renewal is delegated powers to negotiate the legal agreement indicated above.
4. That the Head of Development Decisions be delegated power to impose conditions on the planning permission to secure the following:

Conditions

1. Time limit
2. Submission of samples/details/full particulars of materials
3. Details of landscaping strategy
4. Hours of Construction (8.00am to 6.00pm Monday to Friday 8.00am to 5.00pm on Saturdays and not at all on Sunday or Bank holidays)
5. Power/hammer driven piling/breaking (10am – 4pm Monday – Friday)
6. Secure all residential units should meet a code level 3 for Sustainable Homes by design statement
7. Car parking management strategy
8. Detail of electric vehicle charging points
9. Motor cycle stands to be provided
10. Travel Plan
11. Construction Management Plan
12. Contaminated land: desk study, site investigation, risk assessment and mitigation
13. Secure by design statement
14. Details of refuse & recycling facilities for each use
15. Extract ventilation details for internal kitchens, bathrooms and toilets in the proposed plans.
16. Heat and domestic hot water details
17. Code level 3 for Sustainable Homes
18. Schedule of highways works condition
19. Noise survey
20. Any other condition(s) considered necessary by the Head of Development Decisions

Informative

1. Section 106 agreement required (car free & affordable housing)
2. Section 278 (Highways) agreement required.
3. Site notice specifying the details of the contractor required.
4. Construction Environmental Management Plan Advice.
5. Environmental Health Department Advice.
8. Metropolitan Police Advice.
9. Environmental Agency advice.

5. That, if by 31st June 2010 the legal agreement has not been completed to the satisfaction of the Chief Legal Officer, the Head of Development Decisions is delegated power to refuse planning permission.

Meeting Adjourned at 7:20pm.

Meeting reconvened at 8:40pm.

7.4 Site At Car Park Adjacent to 31 Arrow Road, Arrow Road, London (PA/09/2523)

The application was withdrawn from the agenda by the applicant.

8. OTHER PLANNING MATTERS

8.1 Greenwich Foot Tunnel, London, E14 (PA/10/00213)

On a unanimous vote it was –

RESOLVED

That the application for alterations and refurbishment of the Foot Tunnel including: (a) Repair and refurbishment of original features, (b) Replacement of glazed roof rotundas, (c) Replacement of cladding to lift shafts, (d) Installation of glass doors to lifts, (e) Installation of lighting, CCTV, PA Speakers and public help points and (f) Installation of LED's at internal perimeter of the rotunda, be referred to the Government Office for London with the recommendation that the council would be minded to grant Listed Building Consent subject to conditions as set out below:

Conditions

1. Three year time limit.
2. Execution to match the adjacent original work.
3. Schedule of lighting works (including the type and colour of illumination) to the rotunda, lift shaft entrance/ staircase and tunnel.
4. Further Details of glazing to rotunda, design of the helpoints, repair and new works to the timber panels in the lift car (including glazing, handrails and ventilations grilles), and handrails (including fixings) and cladding to the lift shaft staircase.
5. Method statement for cleaning of glazed brickwork.
6. Method Statement for repair and refurbishment of brick work to the rotunda.
7. Any other planning condition(s) considered necessary by the Corporate Director Development & Renewal.

The meeting ended at 8.10 p.m.

Kevan Collins
CHIEF EXECUTIVE