

STRATEGIC DEVELOPMENT COMMITTEE

HELD AT 7.00 P.M. ON TUESDAY, 4 AUGUST 2009

DECISIONS ON PLANNING APPLICATIONS

1. APOLOGIES FOR ABSENCE

Apologies for absence were received on behalf of Councillor Shahed Ali, Councillor Rupert Eckhardt (for whom Councillor Tim Archer was deputising) and Councillor Shiria Khatun (for whom Councillor Helal Abbas was deputising).

2. DECLARATIONS OF INTEREST

Councillor	Item(s)	Type of Interest	Reason
Helal Abbas	7.1	Personal	Resides in the ward
Helal Abbas	7.3	Personal	Received 2 e-mails on the subject (unopened)
Tim Archer	6.1, 7.1, 7.2 and 7.3	Personal	Correspondence received from concerned parties.
Tim Archer	7.2	Personal	Ward Councillor, Blackwall and Cubitt Town; and spoke previously against the application in relation to issues which have now been addressed.
Alibor Choudhury	6.1, 7.1, 7.2 and 7.3	Personal	Correspondence received from concerned parties.
Stephanie Eaton	6.1, 7.1, 7.2 and 7.3	Personal	Correspondence received from concerned parties.
Marc Francis	6.1, 7.2 and 7.3	Personal	Correspondence received from concerned parties.
Shafiqul Haque	6.1, 7.1, 7.2 and 7.3	Personal	Correspondence received from concerned parties.
Rania Khan	6.1	Personal	Correspondence received from concerned parties.
Rania Khan	7.1	Personal	Ward Councillor, Bromley by Bow.

Dulal Uddin	6.1, 7.1, 7.2 and 7.3	Personal	Correspondence received from concerned parties.
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3. UNRESTRICTED MINUTES

It was noted that due to a clerical error the draft minutes contained in the main agenda pack were incorrect. The correct version had been circulated with the supplemental agenda.

The Committee noted a typographical error in relation to the time of adjournment of the previous meeting. This should read 'The Chair adjourned the meeting at 9.30pm and reconvened at 9.38pm' and had been corrected in the revised draft minutes.

RESOLVED

That subject to the above, the minutes of the meeting held on 25th June 2009 be agreed and approved as a correct record.

MATTER ARISING

Councillor Archer enquired as to why the application in respect of the Eric and Treby Estates, deferred at the previous meeting to enable officers to present a supplemental report setting out reasons for refusal and the implications of the decision, was not included on the current agenda.

Owen Whalley, Head of Major Project Development, reported that the application had not been determined and remained live. The applicant had indicated that they wished to make amendments to their proposal to address the issues raised by the Committee and this was permissible. The amended proposal had not yet been received and the officers therefore decided not to bring a report to the current meeting. However, the matter would come back to the Committee at a future date. In the event that the amendments to the scheme were substantial, this would be as a fresh report and new public speaking rights would apply. If no amended scheme was submitted, the officers would report back with reasons for refusal as agreed at the last meeting.

The Chair and a number of Members expressed concern about the delay in determining this application and asked that a report be submitted to the next meeting. Councillor Archer asked that in the meantime the officers circulate a note of the reasons given by the Committee as to why they were minded to refuse the application and Mr Whalley undertook to do this.

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 meeting.

6. DEFERRED ITEMS

6.1 Hertsmere House, 2 Hertsmere Road , London E14 4AB

After consideration of the reasons for refusal as set out in the officers' report and the additional information set out in the officers' update report, on a vote of 5 for and 0 against with 1 abstention, the Committee **RESOLVED:-**

That planning permission be **REFUSED**, subject to any direction by the Mayor of London, for the following reasons:

Application for planning permission PA/08/02709

1. The proposed development, by virtue of its design, scale and massing would detract from the setting of nearby Grade I and Grade II listed buildings and would fail to preserve or enhance the character and appearance of the West India Quay Conservation Area and as such is contrary to policies 4B.11 and 4B.12 of the London Plan (Consolidated with Alterations since 2004), saved policy DEV28 of the adopted Tower Hamlets Unitary Development Plan 1998, and policies CON1 and CON2 of the Council's Interim Planning Guidance (2007): Core Strategy and Development Control, which seek to ensure the preservation or enhancement of built heritage.
2. The proposed development would result in unacceptable loss of daylight to Matthew House, Riverside House and Mary Jones House and an unacceptable loss of sunlight to Riverside House and as such is contrary to saved policies DEV1 and DEV2 of the adopted Tower Hamlets Unitary Development Plan 1998 and policies DEV1 and DEV2 of the Council's Interim Planning Guidance (2007): Core Strategy and Development Control, which seek to ensure development does not have an adverse impact on neighbouring amenity.

That conservation area consent be REFUSED, for the following reasons:

Application for conservation area consent PA/08/02710

The proposed building, by virtue of its design, scale and massing would not represent a suitable replacement for the existing building. The proposed demolition of the existing office block on-site is therefore contrary to the objectives of saved policy DEV28 of the adopted Tower Hamlets Unitary Development Plan 1998 and policy CON2 of the Council's Interim Planning Guidance (2007) Core Strategy and Development Control.

(Councillors Helal Abbas and Rania Khan could not vote on the above application as they were not present when the item was considered on 25th June 2009.)

7. PLANNING APPLICATIONS FOR DECISION

7.1 100 Violet Road, London, E3 3QH

Ms Annamaria Mignano addressed the committee in objection. Ms Jade Khilji then addressed the committee on behalf of the applicant.

Mr Bell corrected two typographical errors in the officers' report:- At paragraph 4.2 the split between social rented and intermediate tenures should read '78:22', not '68:22'; and at paragraph 8.52 the number of child bed spaces should read '21/26', not '62'.

Councillor Archer moved and Councillor Eaton seconded an AMENDMENT that the application be deferred to allow for (i) consultation with the head office of Providence Row Housing Association, proprietors of the adjacent Heather Lodge; (ii) a corridor study of the area to be completed; and (iii) investigation of the possible provision of car club spaces and additional disabled parking spaces in the development. On a vote of 1 for and 6 against with 1 abstention the amendment was defeated.

After consideration of the information set out in the officers' report and update report, and the points raised by the speakers, on a vote of 7 for and 1 against, the Committee **RESOLVED:-**

- (1) That planning permission be GRANTED for the demolition of the existing 2190sqm (GIA) building at 100 Violet Road, E3 3QH currently used for clothing manufacture (Use Class B1c); and redevelopment to provide buildings of between five and nine storeys for mixed-use purposes including 73 residential units (Class C3) (1 x studio; 20 x 1 bedroom; 36 x 2 bedroom; 16 x 3 bedroom), 1,300 sqm (GIA) of floorspace for the manufacture of clothing (Use Class B1c) and 100 sqm (GIA) of flexible commercial floorspace (Classes A1/A2/A3/A4/A5) or Gymnasium (Class D2), with associated roof terraces, landscaping, access and servicing, subject to:-

- (a) Any direction by the Mayor of London; and to

- (b) The prior completion of a legal agreement, to the satisfaction of the Chief Legal Officer, to secure the items listed at paragraph 3.2 of the officers' report
- (2) That the Corporate Director Development & Renewal be delegated power to negotiate the legal agreement above.
- (3) That the Corporate Director Development & Renewal be delegated power to impose conditions and informatives on the planning permission to secure the matters listed at paragraphs 3.5 and 3.7 of the officers' report, as amended by paragraph 4.1 of the officers' update report and subject to a further amendment to secure the following:-
- Hammer drilling/piling works shall be undertaken for no more than two hours in any continuous session and shall then cease for at least one hour before resuming.
- (4) That, if by the decision date specified in the PPA, the legal agreement has not been completed to the satisfaction of the Assistant Chief Executive (Legal Services), the Corporate Director, Development & Renewal be delegated the authority to refuse planning permission.

7.2 2 Trafalgar Way, London

Councillor Archer moved and Councillor Eaton seconded an AMENDMENT that the proposed off-site affordable housing contribution of £12.857m be ring-fenced to fund the building of new, additional housing in the borough not already planned. On a vote of 2 for and 4 against with 2 abstentions the amendment was defeated.

After considering the information in the officers' report, on a vote of 7 for and 0 against with 1 abstention, the Committee **RESOLVED:-**

- (1) That planning permission be GRANTED for the redevelopment of the site at 2 Trafalgar Way to provide a residential-led mixed use scheme including two towers of 29 storey and 35 storeys and comprising 414 residential units, re-provision of drive-through restaurant, retail/financial and professional service units, crèche, gymnasium, association residential and community amenity space and car parking, subject to:-
- (a) Any direction by the Mayor of London;
- (b) The prior completion of a legal agreement to secure the planning obligations listed at paragraph 3.1B of the officers' report and in addition:-
- the provision of up to 3 car club parking spaces within the development.

- (2) That the Corporate Director, Development & Renewal be delegated power to negotiate the legal agreement indicated above.
- (3) That the Corporate Director, Development & Renewal be delegated power to impose conditions and informatives on the planning permission to secure the matters listed at paragraph 3.3 of the officers' report.
- (4) That, if within 3 months of the date of this committee the legal agreement has not been completed, the Corporate Director, Development & Renewal be delegated power to refuse planning permission.

7.3 438-490 Mile End Road, E1

Ms Brenda Daley and Mr Tom Ridge each addressed the committee in objection to the application. Mr Charles Moran then addressed the committee on behalf of the applicant.

After consideration of the information set out in the officers' report and update report, and the points raised by the speakers, on a vote of 0 for and 7 against with 1 abstention, the Committee **RESOLVED:-**

That the officers' recommendation to grant planning permission for the demolition of existing structures at 438-490 Mile End Road, E1 and the erection of a part 3, part 5, part 7 and part 11 storey building to provide a new education facility comprising teaching accommodation and associated facilities, student housing, cycle and car parking, refuse and recycling facilities be NOT AGREED.

The Committee indicated that they were minded to refuse the planning application because of concerns over:-

- The proposed density of the development;
- Inappropriate design and height of the proposed development in this location
- Overdevelopment of the site; and
- A lack of benefit for local residents

In accordance with the Development Procedure Rules the application was DEFERRED to enable the officers to prepare a supplementary report to a future meeting of the committee, setting out proposed detailed reasons for refusal and the implications of the decision.

Kevan Collins
INTERIM CHIEF EXECUTIVE

(Please note that the wording in this document may not reflect the final wording used in the minutes.)