

**LONDON BOROUGH OF TOWER HAMLETS**

**MINUTES OF THE STRATEGIC DEVELOPMENT COMMITTEE**

**HELD AT 7.00 P.M. ON TUESDAY, 2 FEBRUARY 2010**

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

**Members Present:**

Councillor Shafiqul Haque (Chair)

Councillor Marc Francis (Vice-Chair)

Councillor Rupert Eckhardt

Councillor Stephanie Eaton

Councillor Alibor Choudhury

Councillor Shahed Ali

Councillor Shiria Khatun

Councillor Muhammad Abdullah Salique

**Other Councillors Present:**

Councillor Bill Turner

Councillor Abdal Ullah

**Officers Present:**

Stephen Irvine

– (Development Control Manager)

Megan Crowe

– (Legal Services Team Leader, Planning)

Jerry Bell

– (Strategic Applications Manager Development and Renewal)

Ila Robertson

– (Applications Manager, Development and Renewal)

Alan Ingram

– (Democratic Services)

Laura Webster

– Planning Officer

Zoe Folley

– (Committee Officer, Democratic Services Chief Executive's)

**1. APOLOGIES FOR ABSENCE**

Apologies for absence were received from Councillor Rania Khan, for whom Councillor Muhammed Abdullah Salique deputised, and Councillor Dulal Uddin

**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            | 6.1, 7.1, 7.2, 7.3, 7.4, 7.5 | Personal             | Correspondence received from concerned parties. He occasionally went to prayers in the mosque. |
|                           | 7.1                          | Personal             |  |
| Shahed Ali                | 6.1, 7.1, 7.2, 7.3, 7.4, 7.5 | Personal             | Correspondence received from concerned parties.  |
| Shiria Khatun             | 7.2                          | Personal prejudicial | She was a member of Poplar HARCA Board.  |
| Alibor Choudhury          | 7.1                          | Personal             | Correspondence received from concerned parties and a Ward Councillor for the site.             |
| Muhammed Abdullah Salique | 7.1                          | Personal             | He occasionally went to prayers in the mosque. He was a former member of Poplar HARCA Board.   |
|                           | 7.2                          | Personal             |  |
| Marc Francis              | 6.1, 7.1, 7.2, 7.3, 7.4, 7.5 | Personal             | Correspondence received from concerned parties   |
| Stephanie Eaton           | 6.1, 7.2                     | Personal             | Correspondence received from concerned parties   |

### 3. UNRESTRICTED MINUTES

The minutes of the meeting of the Committee held on 15 December 2009 were agreed and approved as a correct record.

### 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

be 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 be 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 Site at 438 – 490 Mile End Road, London, E1 4PE (PA/09/1916)**

Mr Stephen Irvine, Development Control Manager, introduced the report regarding the application for planning permission concerning the premises at 438-490 Mile End Road, London, E1, which had been deferred at the meeting of the Committee held on 15 December 2009.

He then presented details of the suggested reasons for refusal of the planning application, based on concerns voiced by Members at that meeting and referred to the detailed statements in the report which addressed those concerns, together with a revised S106 offer from the developer to better mitigate the impact of the development.

The Committee considered each proposed reason for refusal in turn:

Height, bulk and massing – Mr Irvine reported that the GLA advised that the design of the scheme was in accordance with design policies and complied with all relevant GLA policies. English Heritage had raised no objections and considered that it should be approved in line with national policy, the London Plan and the Council's own policies. Planning officers considered that, overall, the scale of the proposed scheme was acceptable and in keeping with the area and in line with policy. In short there was no policy support for residential use of the site but there was support for use as an educational facility.

In relation to the absence of affordable housing, the site was located in the Knowledge Hub and it would have no impact on available housing land. Officers also clarified the terms of the revised S106 agreement including plans to allocate bursary places to students on the Ocean Estate.

Councillor Shahed Ali expressed concern over the proposed student accommodation. He commented that the plans did not take into account the Council's desire to encourage more mixed used development in the Borough. In reply Mr Irvine commented that the Council's own plans stated that the site was suitable for educational use and was not ideal for residential development. Therefore it was policy compliant.

In reply to a question from a Member Mr Irvine clarified the meaning of the term beneficial occupation, and explained that the main difference between the previous plans in December and the present application was the revised Section 106 package.

Councillor Francis pointed out that the scale of the proposed new building had been reduced from 11 to 7 storeys. In addition, there were substantial additional S106 financial mitigations and the original public realm mitigations remained in force.

The Chair indicated that Councillors Shiria Khatun and Muhammed Abdullah Salique were ineligible to vote as they had not been in attendance when the application had been previously considered by the Committee.

Councillor Marc Francis proposed an amendment to conditions 3, 5 and 9 and additional conditions 14 and 15 of the S106 agreement which, on being put to the vote, was declared carried three for and nil against. On a vote of three for and nil against on the substantive motion, it was –

**RESOLVED** that, subject to any direction by the Mayor of London, planning permission for demolition of existing structures at 438-490 Mile End Road, London, E1 and erection of a new building ranging from three to nine storeys in height to provide a new education facility comprising teaching accommodation and associated facilities, student housing, cycle and car parking, refuse and recycling facilities be **GRANTED** subject to execution of a section 106 agreement with the Council under the following heads, together with the conditions set out at paragraph 3.4 of Appendix 1 (the report considered by the Strategic Development Committee on 15<sup>th</sup> December 2009).

1. The student residential accommodation shall only be occupied for the predominant part of the year by students attending the INTO education facility, Queen Mary University of London, or from a list of other further educational establishments that has been approved by the local planning authority.
2. In perpetuity; no part of the student residential accommodation shall be used as a Use Class C3 dwellinghouse.
3. Prior to commencement of development a financial contribution of £120,000 towards environmental improvements to the public space to the east of the development and in Union Drive, Canal Close and Solebay Street; and accent lighting to "heritage" buildings at the end of Grove Road.

4. Prior to commencement of development a £20,000 contribution to Transport for London to enhance the pedestrian crossing on Mile End Road.
5. Prior to commencement of development a contribution of £100,000 towards community projects and cultural facilities.
6. Prior to commencement of development a contribution of £20,000 towards local employment and training initiatives (Fastlane).
7. Prior to first occupation of the development a contribution of £1,490,000 towards the provision of new youth facilities.
8. Arrangements that provide for the teaching facility within the development to be made accessible to the local community for up to 20 hours a month.
9. The establishment of a bursary scheme for five years to facilitate students from the Ocean Estate, or failing that others from other parts of Tower Hamlets studying at QMUL (£3,000 per student / £30,000 per annum up to a total of £150,000).
10. Car free arrangements that prohibit residents and users of the development, other than disabled people, from purchasing on-street parking permits from the borough council.
11. The submission and implementation of a Travel Plan comprising a Workplace and Residential Travel Plan, a Service Management Plan and a Construction Logistics & Management Plan.
12. To participate in the Council's Access to Employment and / or Skillsmatch programmes.
13. To participate in the Considerate Contractor Protocol.
14. Prior to commencement of development, a financial contribution of £500,000 towards the enhancement of the Bancroft Local History Archive and Library.
15. Hours of use of the roof terrace to be restricted from 9 a.m. to 9 p.m.

## **7. PLANNING APPLICATIONS FOR DECISION**

### **7.1 81& 83 Duckett Street, London E1 4TD (PA/09/00676)**

Mr Jerry Bell, Strategic Applications Manager, introduced the report seeking planning permission for a two-storey mosque and cultural centre at 81 and 83 Duckett Street, London, E1 4TD. He referred to the public consultation measures that had been undertaken and to the material planning considerations that had been taken into account.

Members also sought assurances as to whether the capacity of the proposed Mosque was sufficient; the proposals to replace the lost trees; the need to ensure that human remains from the burial ground were suitably relocated; the need to ensure the portacabin was only a temporary structure.

In relation to the removal of remains to another burial site, Officers reported that that there was a condition in the application that would ensure this. English Heritage were happy with this condition and would ensure that this

issue was dealt with in a proper and humane way. A standard English Heritage condition designed to secure this was also in place.

In relation to concerns raised over whether the Mosque could accommodate the expected number of visitors during prayer times (1500), the proposed Mosque would have capacity to accommodate 2,000 visitors on prayer days. Officers considered that this was sufficient capacity.

It was also reported that as part of the S106 agreement, a £50,000 contribution had been secured to ensure the trees were replaced in the park. One of the conditions required the temporary structure to be removed in 5 years.

On being put to the vote, it was unanimously –

### **RESOLVED**

- (1) That planning permission for the erection of a two-storey mosque and cultural centre (Use Class D1) at 81 and 83 Duckett Street, London, E1 4TD and the siting of a temporary portacabin onto adjoining parkland for prayers and community use for the duration of construction be **GRANTED**, all as shown on the plans and subject to the prior completion of a legal agreement and to the conditions and informatives set out in the report.
- (2) That power be delegated to the Head of Development Decisions to impose the conditions and informatives.
- (3) That, if within three months of the date of this committee the legal agreement has not been completed, power be delegated to the Head of Planning & Building Control to refuse planning permission.

At 7.45 p.m., the Chair indicated that the meeting would adjourn briefly to allow members of the public to leave the public gallery. The meeting reconvened at 7.56 p.m.

## **7.2 Brownfield Estate, London, E14 (PA/09/2100)**

Councillor Shiria Khatun, having earlier declared a personal, prejudicial interest in this item, left the meeting prior to consideration of the planning application.

Ms Ila Robertson, Planning Officer, introduced the report regarding the application for planning permission for the development of the car park at the Brownfield Estate, London, E14.

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 Malcolm Millington, a local resident, expressed a number of concerns regarding site E application (the Willis Street application). He considered that there was a shortage of affordable family sized affordable units in the area but 80% of the units were 1-2 bedroom units. The proposed dwelling would be too expensive for local residents, who would have to be earning around £30,000 a year to be able to afford the properties. He also drew attention to the need for open space in the area. The car park supplied this but the Tower removed it. Mr Millington supported the concerns expressed by 'CAPE' and considered that the proposals would harm the Conservation area. In relation to traffic issues, more information was needed on traffic access. He considered that the new junction at the Blackwall Tunnel would bring new traffic to the site and that the construction traffic would add to this.

Mr Colin Woollard, a local resident, stated that there was a large contingency of local residents from the estate present, who supported the application. He added that housing accommodation was a basic need and this continued to be an increasing problem. Housing shortages resulted in long waiting lists and overcrowding, and meant that there was not much hope for young people of being able to have homes locally. The proposed high rise development would meet people's needs and was environmentally friendly as it would be a car free zone.

Ms Kazi Begum reported that she was a teacher and a resident of the estate. She had first hand knowledge of how overcrowding affected students. It led to low self esteem, underachievement, under-employment and anti-social behaviour. More homes were needed to break this vicious cycle. This was not a luxury but an essential. There was a lot of support for the proposals on the estate.

Ms Robertson reported the following points.

- There would be some overshadowing, but this fell under the 40% standard in the BRE guidance.
- In relation to the loss of amenity and day light and sun light the report indicated that there would be a minimum loss. The construction impact would be controlled by conditions. The proposals would result in an acceptable amount of affordable family housing and complied with the requirements of the Council's UDP. English Heritage had not raised any objections.
- In summary the proposals would have no impact on the strategic views, listed buildings, open spaces traffic or parking impact.

Members queried the conclusions reached by CAPE; the validity of their findings; the plans to remove trees; the adequacy of the parking proposals for the family units; the possibility of expanding the scope of the Section 106 contributions. Councillor Eaton also felt that any removal of the trees be limited to only 1-2 trees.

Members considered that the high percentage of affordable housing proposed under the scheme should be welcomed, especially as the family

sized units were at a ground level. Members considered that the development could be accommodated on the site and considered that on balance it should be supported.

Councillor Stephanie Eaton proposed an amendment to condition 3.3B(c) concerning the legal agreement which, on being put to the vote, was carried unanimously. On a unanimous vote, the Committee then -

## **RESOLVED**

(1) That planning permission be **GRANTED** at Brownfield Estate, London, E14 for:

- Demolition of existing buildings at 132-154 Brownfield Street, site south of 15-37 Ida Street and 1-19 Follett Street, E14 (Sites G, I (1) & I (2)).

- Erection of a 20 storey building on the Willis Street Car Park (66 spaces) site and its use as 112 residential units (50 x 1 bed, 43 x 2 bed & 19 x 3 bed) and 150 sq.m community facility (Class D1) - Site E

- Erection of a part 4 & part 5 storey building and its use as 23 residential units (8 x 2 bed, 4 x 3 bed, 10 x 4 bed & 1 x 5 bed) - Site G

- Erection of a two storey building and its use as 4 four bedroom houses. - Site I (1)

- Erection of a three storey building and its use as 2 four bedroom and 3 five bedroom houses - Site I (2).

All as shown on the plans subject to the completion of a prior legal agreement and the conditions and informatives set out in the report, with condition 3.3 B(c) being amended to read:

“Provide a contribution of £84,733 towards the provision of Leisure facilities and include provision of additional lighting, if appropriate, at Langdon Park School to mitigate for the loss of light to the school playing field.”

(2) That authority be delegated to the Corporate Director Development & Renewal to negotiate the legal agreement.

(3) That power be delegated to the Corporate Director Development & Renewal to impose the conditions and informatives.

(4) That, if by 29<sup>th</sup> March 2010 the legal agreement has not been completed, power be delegated to the Corporate Director Development & Renewal to refuse the planning permission.

### **7.3 Sainsbury's Foodstore, 1 Cambridge Heath Road, London, E1 5SD (PA/09/02421)**

Councillor Shiria Khatun rejoined the meeting prior to consideration of this planning application.



Mr Jerry Bell, Strategic Applications Manager, introduced the report regarding the application for planning permission for a temporary car park at Sainsbury's Foodstore, 1 Cambridge Heath Road, London, E1 5SD to maintain existing customer car parking levels during Crossrail works on the adjacent site.

Mr Bell indicated that there had been an extensive consultation exercise to which a number of objections were raised. In summary, the objections centred around loss of privacy; height of the building; loss of car parking spaces. There were also concerns about anti social behaviour. Mr Bell addressed each of these concerns and reported that they would be mitigated by conditions. Overall, officers considered that the benefits of the scheme outweighed the concerns. The height of the structure was in keeping with the surrounding buildings. The issues around the loss of light had been looked at by Environmental Health and they considered that the scheme was acceptable.

Councillor Eaton put forward questions which were answered by officers about the need for additional disabled persons' parking bays; the comments made by the LBTH Access Officer; whether the plans for the entrance to the store would affect the Idea Store. Members also stressed the need to ensure the proposals were only temporary.

Councillor Salique asked questions which were answered by officers about the plans for addressing any loss of light, the impact on Swanley School in Brady Street, the Section 106 assessment and the environmental improvements to Brady Street.

Councillor Stephanie Eaton proposed an amendment to add a further condition requiring provision of disabled parking to conform to LBTH standards and this was carried on a unanimous vote. On a further unanimous vote, the Committee then –

Overall Members were minded to support the proposals subject to the inclusion of Councillor Eaton's proposed condition.

## **RESOLVED**

- (1) That planning permission for the installation of a temporary car park at Sainsbury's Foodstore, 1 Cambridge Heath Road, London, E1 5SD to maintain existing customer car parking levels (258) during Crossrail works on adjacent site be **GRANTED**, as shown on the plans, subject to the completion of a prior legal agreement and to conditions and informatives set out in the report (as amended by the supplemental report tabled at the meeting) and subject to the following further condition:
  - The number of disabled parking bays to conform to London Borough of Tower Hamlets standards.

- (2) That power be delegated to the Head of Development Decisions to impose the conditions and informatives.
- (3) That, if by 10<sup>th</sup> February 2010 the legal agreement has not been completed to the satisfaction of the Chief Legal Officer, power be delegated to the Head of Development Decisions to refuse planning permission.

**7.4 Site at 82 West India Dock Road and 15 Salter Street, London (PA/09/2099)**

Ms Laura Webster, Planning Officer, introduced the report regarding the application for planning permission for development of a vacant site at 82 West India Dock Road and 15 Salter Street to erect a 3, 14 and 16 storey building providing a 252 room hotel, incorporating meeting/conference rooms, restaurant, café and bar, along with formation of a drop-off area and servicing access off Salter Street.

Councillor Francis expressed concern at the mitigation measures. He considered that, whilst the proposal to provide affordable homes was welcomed, the mitigation measures did not go far enough given the scale of the proposal and the impact on the local area. He queried whether any other requests were made of the developer in terms of the Section 106 agreement.

Members also expressed concern about the loss of parking; queried where the coaches and large vehicles would park; how they would access/leave the site as the streets were narrow, and considered that the majority of hotel guests would use cars not the DLR. It was also considered that there were a large number of residential properties nearby, therefore a hotel would not be in keeping with the local area.

Members also queried the impact on 1-44 Compass Point and considered that there would be a loss of sunlight/day light and overshadowing. Members also queried whether all of the neighbouring properties had been consulted.

In reply officers reported that:

- The section 106 agreement clarified the circumstances in which a planning obligation could be sought.
- Officers had carefully considered the access arrangements, which had been discussed with the Highways engineers and approved by the Highways departments. They also complied with GLA access policies. HGV and coach parking arrangements were considered suitable.
- In relation to the consultation exercise, 265 of the neighbouring properties had been consulted by letter and two notices were put up. Adverts were also placed in the local press. A widespread consultation exercise was carried out and a large number of local residents were supportive of the proposals.

- On balance it was considered that the proposals would not give rise to an unacceptable loss of local amenity.
- In terms of loss of daylight, the Council's experts raised no objections and considered that the proposal was acceptable in this regard. It was not considered that there would be an overbearing impact on Compass Point, due to the distance away from the proposed scheme.

In summary, Members considered that the proposal would have an unacceptable impact on the surrounding area, notably Grenada House and others on that estate, and that there would be a loss of car parking spaces. With this in mind Members also felt that the mitigation measures were inadequate.

On a vote of two for and five against, it was –

### **RESOLVED**

That the Officer recommendation to grant planning permission for erection of a part 3, 14 and 16 storey building on the site at 82 West India Dock Road and 15 Salter Street, London, to provide a 252 hotel and incorporating meeting/conference rooms, restaurant, café and bar as well as formation of a drop-off area and servicing access off Salter Street be **NOT ACCEPTED**.

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

- The height, bulk and mass of the proposed building.
- Possible inadequacy of the degree of public consultation undertaken.
- Loss of street car parking spaces.
- Hotel use was incompatible with the residential nature of the area.

In accordance with Development Procedural Rules, the application was **DEFERRED** to enable 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.

### **7.5 The Innovation Centre, 225 Marsh Wall, London E14 9FW (PA/09/01637)**

Item withdrawn.

The meeting ended at 9.20 p.m.

Chair, Councillor Shafiqul Haque  
Strategic Development Committee