

LONDON BOROUGH OF TOWER HAMLETS

MINUTES OF THE DEVELOPMENT COMMITTEE

HELD AT 7.00 P.M. ON TUESDAY, 13 JULY 2010

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

Members Present:

Councillor Carli Harper-Penman (Chair)

Councillor Judith Gardiner (Vice-Chair)

Councillor Shelina Aktar

Councillor Mohammed Abdul Mukit MBE

Councillor Kosru Uddin

Councillor Gloria Thienel

Other Councillors Present:

Nil

Officers Present:

Megan Crowe	– (Legal Services Team Leader, Planning)
Stephen Irvine	– (Development Control Manager, Development and Renewal)
Jerry Bell	– (Strategic Applications Manager Development and Renewal)
Jen Pepper	– (Affordable Housing Programme Manager, Development and Renewal)
Ila Robertson	– (Applications Manager Development and Renewal)
Shay Bugler	– (Strategic Applications Planner, Development and Renewal)
Alan Ingram	(Democratic Services)

NOTE: At 7.00 p.m. the meeting was opened by the Vice-Chair, Councillor Judith Gardiner, who explained that the Chair had been delayed due to travel problems. She added that there would be a short adjournment to allow the Chair to arrive.

The Chair arrived at 7.07 p.m.

COUNCILLOR CARLI HARPER-PENMAN (CHAIR) IN THE CHAIR

1. APOLOGIES FOR ABSENCE

Apologies for absence were received from Councillor Peter Golds, for whom Councillor Gloria Theniel deputised.

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
Carli Harper-Penman	8.1	Personal	She was the owner-occupier of a property in Bow Quarter which was adjacent to the site of the application.
Judith Gardiner	7.1 7.4	Personal Personal	She was a former Board member of Poplar HARCA. Ward Member for the area of the application.
Kosru Uddin	7.1	Prejudicial	He had been nominated to serve as a Board member of Poplar HARCA.

3. UNRESTRICTED MINUTES

The Committee **RESOLVED**

That the unrestricted minutes of the meeting of the Committee held on 16 June 2010 be agreed as a correct record and signed by the Chair.

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

There were no deferred items.

7. PLANNING APPLICATIONS FOR DECISION

7.1 Site At Car Park Adjacent to 31 Arrow Road, London (PA/10/00849)

Mr Jerry Bell, Strategic Applications Manager, gave a detailed presentation as contained in the circulated report regarding the erection of six three-storey, five bedroom dwellinghouses at the car park site adjacent to 31 Arrow Road, London. He added that information concerning further objections to the scheme was set out in the addendum report tabled at the meeting. This also contained corrections to typographical errors in the main report. Mr Bell added that the main point at issue was that of management of car parking but this was not a material planning matter.

The Chair then invited Mr Muktar Miah, who had registered to speak in objection to the application, to address the meeting. Mr Miah not being present, the Chair indicated that it was not now appropriate for two registered speakers in support of the application to make comments.

At 7.30 p.m. Councillor Kosru Uddin, who had earlier declared a prejudicial interest in this item, left the meeting room and took no part in the debate nor voted on the application.

Mr Bell responded to queries from Members relating to affordable housing provision and parking arrangements by Poplar HARCA for new residents.

On a unanimous vote, the Committee **RESOLVED**

- (1) That planning permission be **GRANTED** at the car park site adjacent to 31 Arrow Road, London, for the erection of six three-storey five bedroom dwellinghouses, subject to the conditions and informatives set out in the report.
- (2) That the Corporate Director Development & Renewal be delegated power to impose the conditions and informatives to secure the matters listed in the report.

7.2 Hammond House, Tiller Road, London, E14 (PA/10/00123)

At 7.37 p.m. Councillor Kosru Uddin rejoined the meeting.

Ms Ila Robertson, Applications Manager, made a detailed presentation of the proposals for the demolition of Hammond House, Tiller Road, London, E14 and development of a six-storey building with landscaping and boundary treatment. The matter had been initially considered by the Strategic Development Committee on 20 April 2010 but was now being submitted as a fresh item to address concerns raised by Members relating to:

- Impact on the levels of sunlight and overshadowing to Mellish Street.
- Clarification on the height of the proposed and existing buildings.
- Clarification on the provision of family accommodation, proposed and existing.

Ms Robertson commented on those issues, stating particularly that further daylight/sunlight assessments had shown that 8 out of 81 windows would see a marginal reduction in winter sunlight and none of the gardens in Mellish Street would have a loss of more than 20% sunlight. She further pointed out that, in addition to the 44 affordable units proposed on the site, East Thames Homes (the applicant) had also secured funding to purchase 12 family sized properties from the open market to allow for the decant of Hammond House residents. 11 properties had been purchased, with 10 Hammond House families already relocated. This comprised an additional affordable housing gain for the Borough. The height of the proposed building would be taller than existing by approximately 4.8 to 1.8 metres with the difference occurring where roof terraces were provided. It was felt that the design was of a high quality that would be a positive addition to the Tiller Road streetscape.

Members then asked questions relating to the following matters, which were answered by Ms Robertson: the possibility of refurbishing the existing building; the application of the car free policy to the scheme and the issue of visitors' parking permits; the overall number of habitable rooms to be provided and the floorspace of rooms in the proposed development.

On a vote of 4 for, with 2 abstentions, the Committee **RESOLVED**

- (1) That planning permission be **GRANTED** at Hammond House, Tiller Road, London, E14, for the demolition of existing residential building and development of a six-storey building to provide 56 residential units (comprising 13 x one bedroom, 10 x two bedroom, 26 three bedroom, 6 x four bedroom and 1 x five bedroom) with landscaping and boundary treatment, subject to the prior completion of a legal agreement and to the conditions and informatives as set out in the report.
- (2) That the Corporate Director Development & Renewal be delegated authority to negotiate the legal agreement indicated above.
- (3) That, if by 17 August 2010 the legal agreement has not been completed, the Corporate Director Development & Renewal be delegated power to refuse planning permission.
- (4) That the Corporate Director Development & Renewal be delegated power to impose the conditions and informatives on the planning permission to secure the matters listed in the report.

7.3 16-24 & 48-50 Bow Common Lane and site at Land South of 12 Furze Street (PA/09/1656)

The Chair asked that it be recorded that Councillor Marc Francis had intended to speak in favour of the application but was unable to attend the meeting due to other commitments. She added that Councillor Francis had not discussed the proposals with her.

The Chair then invited registered objectors to address the meeting.

Mr Clive Harrison, a resident of Bow Common Lane, spoke in objection to the application, indicating that the scheme would result in him and a neighbour being deprived of light and overlooking of a glass ceiling to the rear of his property would cause a loss of privacy. His home and garden would also be overlooked by roof terracing. The daylight and sunlight survey mentioned in the report did not include him and his neighbour. The previous planning permission granted on 21 November 2007 had related to 12-50 Bow Common Lane, rather than 16-50.

Mr Daniel Botting, a resident of Park View Court, spoke in objection to the application. He stated that he had moved to that part of the Borough as it did not have many tower blocks but the development would cause a sense of enclosure and loss of outlook, with a five storey block being built close to his home. The proximity of the proposed building, at 11m from his home, meant that Block A would completely obscure the view from his front room. This part of his objection had not been reflected in the report. There would be a massive impact on his property regarding daylight/sunlight and there would be a heavy impact from construction noise. He felt that this would reduce his quality of life and there would be a negative effect on the value of his property.

Mr Philip Villars, the applicant's agent, commented that a very comprehensive report had been prepared regarding the application and the scheme had been the subject of negotiations with Officers over a long period of time, with changes having been made to address residents' concerns. The daylight/sunlight survey showed that there had been adherence to all guidelines and the impact was shown as satisfactory. Overlooking of other properties had been reduced to a satisfactory level through the use of obscure glazing to balconies and windows. The distance from other properties had been amended on a number of occasions and was now also satisfactory. He added that the development would provide significant benefits through the provision of affordable housing.

Mr Nick Rees, the applicant's architect, stated that the design quality and principles of the development exceeded the Borough's aspirations. The general design had not changed since first approved in 2007, when the Committee had felt there was enough amenity space and this would be improved. The new public route between Bow Common Lane and Furze Street would be well overlooked for personal security and there would be improved synergy between the development and parkland on Furze Green.

Landscaped courtyards would be provided, with glazed balconies and there would be a generous cycle park provision.

Mr Jerry Bell, Strategic Applications Manager, gave a very detailed presentation of the proposals for the development of 129 housing units, commercial floorspace, a pedestrian and cycle pathway bicycle parking spaces and landscaping works at 16-24 & 48-50 Bow Common Lane and site at land south of 12 Furze Street, as contained in the circulated report and tabled update report. He indicated that there had been additional representations regarding sunlight/daylight and referred to the consultation procedures that had been undertaken. He confirmed that obscured windows in Block A would prevent overlooking and there were no windows facing 36 Bow Common Lane to protect privacy. Four four-bed housing units would be available for social renting and the amenity space would be above the level required in the Borough's policies. The S106 contributions were also very good.

Members then put forward questions, which were answered by Mr Bell, in connection with: the relation of objectors' properties to the various blocks of the development; proximity of the development to other properties; measures to address possible overlooking and loss of privacy; the sunlight/daylight survey; control of noise during construction; retention of employment levels in the site area; provision of disabled parking; the effects on families of a car free development; public transport assessment and use of S106 monies for local projects; highways improvement works to Bow Common Lane.

On a unanimous vote, the Committee **RESOLVED**

- (1) That planning permission be **GRANTED** at 16-24 & 48-50 Bow Common Lane and site at land south of 12 Furze Street for the development of 129 units (comprising 65 x 1 bed, 44 x 2 bed, 16 x 3 bed and 4 x 4 bed) and 139 sq m of commercial floorspace Use Class B1 (office space), a pedestrian and cycle pathway, 142 bicycle parking spaces and landscaping works, subject to the prior completion of a legal agreement and to the conditions and informatives as set out in the report.
- (2) That if by 13 October 2010 the legal agreement has not been completed to the satisfaction of the Assistant Chief Executive (Legal Services), the Corporate Director Development & Renewal be delegated power to refuse planning permission.
- (3) That the Corporate Director Development & Renewal be delegated power to impose the conditions and informatives on the planning permission to secure the matters listed in the report.

7.4 Fulneck, 150 Mile End Road, London (PA/10/925) (PA/10/926)

The Chair invited registered objectors to address the meeting.

Ms Shirin Uddin, a local resident, indicated that she was speaking on behalf of local people who felt that the development would have an enormous adverse

effect on their environment. There would be overcrowding and obstruction of natural sunlight, obstruction of airspace and views including increase in pollution and health hazards. The scheme would result in increased pressure on the local school, which was already oversubscribed, and on post office facilities. Concerns regarding the school included a negative effect on children's quality of education. There would be additional parking problems in the surrounding area. A proper community centre was also needed and there would be loss of privacy to existing properties due to overlooking. There should be no reduction in parking spaces to cater for the needs of more and larger families.

Mr S. Khan, a local resident, stated that there had been no effective consultation with local people about the application. The shared vehicle and pedestrian access caused great concerns for residents and particularly children. Educational provision would be insufficient and the proposed open space was insufficient for the community. Larger residences were required but the development would be overbearing and too big. Provision of commercial loading and unloading bays was inappropriate. There should be a reduction in cycle parking and increase in car parking.

Mr Mark Collins, the applicant, stated that the benefits of the proposal were significant and, although redevelopment of the existing block had been investigated, structural problems meant that it could not be refurbished to Decent Homes standards. Benefits to Stepney Green estate would result from more parking and there would be landscaping to the central green area and provision of play facilities, with a much more secure feel. There had been a large consultation day for residents, 33% of whom had attended and were overwhelmingly in favour of the proposals. There would also be eight large family units built to address the overcrowding problems in Fulneck House.

Mr Tim Gaskell, the applicant's representative, commented that the scheme would deliver much-needed housing for the area. Fulneck House was in poor condition and now not fit for purpose. Redevelopment of the site was needed to enable a fresh start. Better quality accommodation would be provided to modern standards. There would be landscaping improvements with new lawns, a children's play area for the whole estate and wild flower meadow. Jobs and local services would be provided. The new building was very well designed, of high quality and would enhance the Stepney Green Conservation Area.

Ms Ila Robertson, Applications Manager, introduced the report and tabled update report, making a detailed presentation of the application for demolition of Fulneck House, 150 Mile End Road, London, and erection of a part four, part six storey building comprising commercial floorspace, 78 residential units, car/bicycle parking, refuse/recycling facilities and access, landscaping and amenity proposals. She added that habitable rooms provision exceeded housing policy requirements. Some parking provision would be lost but a proportion of that had been used illegally for storage. The position regarding underground parking was clarified in the tabled update. Sunlight/daylight assessment of all affected properties had proved satisfactory and proximity to other buildings exceeded the 18m requirement, at about 30m. No habitable

rooms or windows were overlooked due to the use of obscure glazing and there would be no adverse noise emissions. Construction noise would be addressed through a management plan. There was a slight excess in terms of density but this had no adverse amenity impact. Financial contributions had been secured to mitigate impacts on health and education services. The provision of a community hall had not been required by Borough policies, but over £100,000 had been secured for cultural and community purposes. A management plan was also in place to limit the size of commercial units. In addition, pedestrian access had been widened and was now considered satisfactory.

Members then put questions, which were answered by Ms Robertson, in connection with: the need for commercial units in the scheme; possible business losses; how financial contributions could mitigate effects of population increase and health service impacts; effects on local school; usability of the playspace; commercial use along the Mile End frontage; provision of new employment; parking issues and the need to ensure take-up of underground spaces.

On a vote of 3 for, with 1 against and two abstentions, the Committee **RESOLVED**

- (1) That planning permission be **GRANTED** at Fulneck House, 150 Mile End Road, London, for the demolition of existing block and erection of part four, part six storey building to provide 412 sq m commercial floorspace comprising retail (Use Class A1), financial and professional services (Use Class A2), restaurant/café (Use Class A3), business (Use Class B1) and/or non-residential institution (Use Class D1) to the ground floor, together with 78 residential units, car/bicycle parking, refuse/recycling facilities and access, landscaping and amenity proposals, subject to the prior completion of a legal agreement and to conditions and informatives as set out in the report.
- (2) That the Corporate Director Development & Renewal be delegated power to negotiate the legal agreement indicated above.
- (3) That, if within six weeks of the date of this Committee meeting the legal agreement has not been completed, the Corporate Director Development & Renewal be delegated power to refuse planning permission.
- (4) That Conservation Area consent be **GRANTED** for the demolition and redevelopment works at Fulneck House, 150 Mile End Road, London, subject to the conditions set out in the report.
- (5) That the Corporate Director Development & Renewal be delegated power to impose conditions and informatives on the planning permission and Conservation Area consent to secure the matters listed in the report.

8. OTHER PLANNING MATTERS

8.1 744 Wick Lane And 46-52 Fairfield Road, Fairfield Road, London, E3 (PA/10/00797)

The Chair referred to her declaration of a personal interest earlier in the meeting and commented that she wished to declare a further personal interest in that she was Ward Councillor for the site of the application.

Mr Stephen Irvine, Development Control Manager, introduced the report relating to the application for a non-material amendment to approved planning permission for demolition of existing buildings and construction of new residential development with financial and professional services, car parking and landscaping at 744 Wick Lane and 46-52 Fairfield Road, London, E2.

Referring to a query concerning consultation for the application, Mr Irvine indicated that site notices had been posted as required.

On a unanimous vote, the Committee **RESOLVED**

- (1) That the application for a non-material amendment to approved planning permission ref. PA/04/1203 dated 16 March 2006 at 744 Wick Lane and 46-52 Fairfield Road, London, E3, be **APPROVED**.
- (2) That a Deed of Variation to the S106 agreement be entered into, to the satisfaction of the Chief Legal Officer, in accordance with the affordable housing proposal as outlined in section 1 of the report.
- (3) That the Corporate Director Development & Renewal be delegated power to negotiate the legal agreement indicated above.
- (4) That, if within three months of the date of this Committee meeting the legal agreement has not been completed, the Corporate Director Development & Renewal be delegated power to refuse planning permission.

The meeting ended at 9.35 p.m.

Chair, Councillor Carli Harper-Penman
Development Committee