

LONDON BOROUGH OF TOWER HAMLETS

MINUTES OF THE DEVELOPMENT COMMITTEE

HELD AT 7.00 P.M. ON WEDNESDAY, 6 APRIL 2011

**M71 7TH FLOOR, TOWN HALL, MULBERRY PLACE, 5 CLOVE CRESCENT,
LONDON, E14 2BG**

Members Present:

Councillor Carli Harper-Penman (Chair)

Councillor Judith Gardiner (Vice-Chair)

Councillor Peter Golds

Councillor Ann Jackson

Councillor Kosru Uddin

Councillor Stephanie Eaton

Other Councillors Present:

Councillor David Snowdon

Councillor Amy Whitelock

Officers Present:

- | | |
|-----------------|---|
| Jerry Bell | – (Strategic Applications Manager Development and Renewal) |
| Richard Murrell | – (Deputy Team Leader, Development and Renewal) |
| Jen Pepper | – (Affordable Housing Programme Manager, Development and Renewal) |
| Ila Robertson | – (Applications Manager Development and Renewal) |
| Pete Smith | – Development Control Manager, Development and Renewal |
| Shay Bugler | – (Strategic Applications Planner, Development and Renewal) |
| Fleur Brunton | – (Senior Lawyer - Planning Chief Executive's) |
| Alan Ingram | – (Democratic Services) |

COUNCILLOR CARLI HARPER-PENMAN (CHAIR) IN THE CHAIR

1. APOLOGIES FOR ABSENCE

Apologies for absence were submitted on behalf of Councillor Mohammed Abdul Mukit MBE and from Councillor Judith Gardiner for lateness.

2. DECLARATIONS OF INTEREST

| Councillor | Item(s) | Type of Interest | Reason |
|---------------------|----------------|-------------------------|--|
| Carli Harper-Penman | 7.2 | Personal | She lived in a gated community and the application sought the provision of gates to a discrete residential estate. |
| Peter Golds | 7.2 | Personal | He lived in close proximity to the application site. He had received information from the applicant but had only read this and drawn no conclusions about his likely decision. |
| | 7.3 | Personal | |

3. UNRESTRICTED MINUTES

The Committee **RESOLVED**

That the unrestricted minutes of the meeting of the Committee held on 10th March 2011 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, together with details of persons who had registered to speak at the meeting.

6. DEFERRED ITEMS

7. PLANNING APPLICATIONS FOR DECISION

7.1 Land Adjacent To Bridge Wharf, Old Ford Road, London

At the request of the Chair, Mr Pete Smith, Development Control Manager, introduced the circulated report and **Tabled** update concerning the application for planning permission at land adjacent to Bridge Wharf, Old Ford Road, London (Ref. No. PA/10/02510).

The Chair then invited persons who had registered for speaking rights to address the meeting.

Mr Tom Ridge, a local resident, indicated that he was also a representative of the East London Waterways Group and was speaking in objection to the application. He pointed out that he had sent a letter to all Members of the Committee commenting on the matters of whether or not the site adjacent to Bridge Wharf had brownfield status, however his letter had been reduced to four bullet points in the report. He expressed the view that the site was not brownfield and had not been previously developed land, as there had only been a temporary structure there in the late 1980s. The proposed residential use did not comply with PPS3 as claimed in the report. The fact that the front view of the site was obscured by a wall was irrelevant as it could be seen well from other locations. To open up and develop the site would destroy a unique feature in two conservation areas, which also provided a green corridor, with Mile End Park and Victoria Park. This was also maintained by two small, wooded areas opposite the lock.

Ms Emily Greaves, a resident and owner at Bridge Wharf, speaking in objection stated that the proposed building would have a severe negative impact on open space, security, outlook and view, natural light and a quiet community. Development would produce dust that would affect the health of residents and wildlife. The size was unsustainably large and there would be no parking for builders or residents. There would be no waste disposal facilities and security would be compromised. The scheme would be at odds with the surrounding area and quality of life would be compromised. Environmental issues included the removal of a willow tree and damage to the roots of others. The site provided a breeding ground for birds, animals and bats, which should be protected so as to comply with legislation and the Council's own policies.

Councillor Amy Whitelock commented that she and Councillor Bill Turner had sent written objections when the application had been put before the Committee on 10th March 2011 and she had been delighted that Members had heeded her concerns about over-development, loss of open space and

loss of wildlife habitat. There had since been no substantial changes to the concerns she had raised and she was further concerned that Officers were still supporting the development. She felt that the report did not adequately address the concerns and objections raised. She could not understand why two large houses were being built in such a small space and this would not benefit the local community. Officers admitted that concerns about scale were sound and there was no mention of matters affecting wildlife. Many residents had commented on highways issues and the site linked two conservation areas and two parks, therefore the previous decision should be upheld. She noted that she lived on Old Ford Road and heard of near misses along this stretch of road all the time. She was therefore surprised that this concern had been dismissed by Officers.

Mr Andrew Hamilton, the applicant's agent, stated that he had worked in conjunction with the Planning Design Team on preparing the scheme. The site was not greenfield as it had been occupied by community buildings and a restaurant. It had been earmarked for future development. The site was currently walled, with no public access and had been subject to flytipping. The proposed two houses had been carefully designed for the site, with the scale and mass being subservient to existing houses. The development would contribute to the conservation area, not detract from it and there would be no overlooking of windows.

At the request of the Chair, Mr Richard Murrell, Deputy Team Leader, made a detailed presentation of the report and update including powerpoint maps relating to the application. He pointed out that the site history confirmed its status as brownfield, there having been a previous development, and earmarked for a social club but that proposal had fallen through. The housing provision would also help in meeting Borough targets. The development was clean and crisp and trees would be retained, with unattractive parkside fencing being removed. Windows relative to buildings to the south of the site were more than the standard distance away at 19m and there would be no direct overlooking. Nor would there be overshadowing of existing houses. Tree roots would be protected and there would be some pruning of willows, that would soon grow back. A condition of the planning approval would be to protect the use of the area by bats as a corridor and roost. Following earlier concerns raised by residents on highways matters, he pointed out that the houses would be set further back than the existing wall line, which would reduce footpath congestion. There had been one serious accident and two others around the location in the last 36 months and Officers felt that the development would improve the road situation.

There being no questions from Members, on a vote of 5 for and 0 against, the Committee **RESOLVED**

That planning permission at land adjacent to Bridge Wharf, Old Ford Road, London, for the erection of 2 no. three storey, four bed houses be **REFUSED** for the following reasons:

1. The proposed development, by reason of its scale, mass and increased sense of enclosure, would result in an overdevelopment of

this restricted site and a loss of open space, detrimental to the open character and visual amenities of the area and the character and appearance of the Victoria Park Conservation Area and the Regents Canal Conservation Area, contrary to polices SO23, SP02 and SP10 of the adopted Core Strategy Development Plan Document (2010), policy DEV1 and OS7 of the Unitary Development Plan 1998 ("saved") and polices DEV2, CON2 and HSG1 of Tower Hamlets Interim Planning Guidance (2007).

2. The proposed development, in view of the restricted pavement width found within this stretch of Old Ford Road, the highway alignment in the vicinity of the site and the proposed layout of the buildings close to the back edge of footway, would be detrimental to highway/pedestrian safety, contrary to policies SO20, SO21, SP03 and SP09 of the adopted Core Strategy Development Plan Document (2010) and policy DEV17 of Tower Hamlets Interim Planning Guidance (2007).

7.2 St David's Square, Westferry Road, E14

At the request of the Chair, Mr Pete Smith, Development Control Manager, introduced the circulated report and **Tabled** update report concerning the application for planning permission at St David's Square, Westferry Road, E14, for the erection of entrance gates to Westferry Road, Ferry Street and Thames Walkway together with associated walls to perimeter estate.

The Chair then invited persons who had registered for speaking rights to address the meeting.

Mr Tim Edens, the applicant's agent, spoke in support of the application, stating that there was a high incidence of anti-social behaviour affecting the estate. This category of offence was not investigated by the Police but included vehicular damage, theft, graffiti and personal abuse. The gates at the main entrance would be set back and not be an alien or oppressive feature. There was no requirement for a public right of way through the estate and there was already clearly marked public access via Ferry Street. There was no record of any accidents at the entrance but Officer proposals would lead to vehicular/pedestrian conflict. He felt that there were shortcomings in the circulated report and it would be unsafe for Members to endorse that.

Ms Suzanne Parker, a resident of St David's Square, spoke in support of the application pointed out that there had been problems in contacting the local Crime Prevention Officer. Access to the walkway was much easier through Ferry Street. There were many incidents of anti-social behaviour, including constant ringing of doorbells, defecation in the estate and noisy behaviour of young people around the pool made her nervous. She was also nervous about using the car park at night.

Councillor David Snowdon, a Millwall Ward Councillor, spoke in support of the application, stating that there were clear problems with anti-social behaviour on the estate. Residents were trying to solve this themselves using their own resources. There were clear precedents for approvals of estate gates, at

Langbourne Place and Lockesfield Place on the Isle of Dogs and other locations throughout the Borough. Other partially social housing estates were gated and the issue did not relate solely to private housing. The measures had been taken principally to combat anti-social behaviour. He did not think there would be any impact on the Thames Walkway access. As a local resident he lived nearby and would not walk through the estate as there was no need to.

Ms Ila Robertson, Applications Manager, gave a detailed presentation based on the circulated report, **Tabled** update and a powerpoint map display. She pointed out that:

- St David's Square had 484 households and over 1,000 residents, with the front entrance to the estate being the main vehicular access to Westferry Road. There were three pedestrian access routes to the site and a circular link road around the estate was a shared surface for cars, pedestrians and other vehicles.
- Statutory consultation had resulted in concerns being raised about crime, anti-social behaviour, precedents of gated developments and the use of the car park and water feature by non-residents. Objections to the application were that a gated community would create a prison-like environment.
- This was one of the largest riverside sites on the Isle of Dogs, which comprised mainly ungated sites. It was 18 months since the application for gates at Lockesfield Place had been approved. Other such requests had been denied on appeal and security issues could be addressed by means other than gates.
- Borough policy was against gated sites so they would be permeable and to avoid dividing communities.
- The Crime Prevention Officer had advised that there were few problems on this site and were not of a level to justify gates. Vehicle crimes were low in relation to other areas and security measures such as rising bollards were available. Specific security measures for particular buildings would be preferable.

The Chair then invited questions from Members.

Members then asked questions relating to: access routes through the site, recording of crime and anti-social behaviour, attendance at Ward panel meetings, the doctrine of precedent in planning law; impact on people who wanted to access the Thames Walkway and alternative routes; lack of community meetings regarding security and anti-social behaviour issues; whether the levels of reported crime were sufficient to over-ride wider planning policies; the need for the size of the proposed gates compared with the general design of the area.

In response, Ms Robertson indicated that:

- The information from the Crime Prevention Officer had been given in good faith and the Safe Neighbourhood Team had discussed issues of crime and anti-social behaviour on the estate. She made the point that a number of other appeals had been won for gated estates. The

policy position had strengthened further since the adoption of the Core Strategy.

- Original commissions for the current gated estates would have been made in 1990 and 1997, when the London Docklands Development Corporation controlled planning matters. Subsequent projects such as the Millennium Quarter etc. were ungated.
- All other avenues should be exhausted before gating was considered.
- There had been discussions with the Crime Prevention Officer and Local Police Sergeant and there was no reason to doubt their advice. Much of what residents had said was not logged as evidence in the planning submission.
- The gate design had been provided by the applicants.

The Chair stated that, on the basis of comments made by Members during debate, there would be a vote on whether the report should be deferred.

Councillor Ann Jackson proposed a **motion**, seconded by Councillor Kosru Uddin and, on a vote of 5 for and 1 against, the Committee **RESOLVED**

That the application for planning permissions at St David's Square, Westferry Road, E14, for the erection of entrance gates to Westferry Road, Ferry Street and Thames Walkway together with associated walls to perimeter estate be **DEFERRED** to enable further information to be obtained on:

- the levels of anti-social behaviour at St David's Square and comparable levels with the remainder of the Isle of Dogs and the Borough;
- the availability of alternate routes to Thames Walkway and Westferry Road and any likely access restrictions.

The Committee also recommended that a meeting of Millwall Crime Team, the local Police and residents should be arranged to discuss problems of anti-social behaviour affecting St David's Square.

7.3 Site L11, Chrisp Street, E14

At the request of the Chair, Mr Pete Smith, Development Control Manager, introduced the report and **Tabled** update concerning the application for planning permission at Site L11, Chrisp Street, E14.

There being no registered speaker, Mr Shay Bugler, Strategic Applications Planner, made a detailed presentation of the application, making the points that:

- Access to public transport from the site was good.
- The density of 700 habitable rooms per hectare was acceptable.
- Affordable and social housing provision conformed to Borough policies.
- Massing of the development was appropriate for its context and quality materials were to be used.
- One letter of objection had been received but there was no loss of daylight/sunlight; loss of outlook or lack of amenity space.

There being no questions from Members, on a vote of 5 for and 0 against, the Committee **RESOLVED**

- (1) That planning permission be **GRANTED** at Site L11, Chrisp Street, E14, for the demolition of existing garages and erection of four residential buildings ranging from 2-9 storeys in height providing 75 residential units (comprising 25 x 1 bed; 34 x 2 bed; 12 x 3 bed; 4 x 4 bed) and associated child playspace; public and private amenity space, subject to the prior completion of a legal agreement to secure planning obligations, and to the planning conditions and informatives as set out in the circulated report and amended by the update report **Tabled** at the meeting.
- (2) That the Corporate Director Development & Renewal be delegated authority to negotiate the legal agreement indicated in resolution (1) above.
- (3) That the Corporate Director Development & Renewal be delegated authority to impose planning conditions and informatives on the planning permission to secure the matters listed in the circulated report.
- (4) That, if by 6th July 2011 the legal agreement has not been completed, the Corporate Director Development & Renewal be delegated power to refuse planning permission.

7.4 Blitkehale Court, 10 Witan Street, London

Councillor Judith Gardiner declared a pecuniary interest as she was a member of the Olympic Development Authority Planning Committee. She left the meeting room and did not participate in discussion, nor vote upon the matter.

At the request of the Chair, Mr Pete Smith, Development Control Manager, introduced the report concerning the application concerning Blitkehale Court, 10 Witan Street, London.

As there were no registered speakers, Ms Ila Robertson, Applications Manager, made a detailed presentation of the application as contained in the circulated report. She added that there had been no objections received from residents.

Members then asked questions relating to the possibility of obtaining S106 financial contributions; what would happen to students displaced by the temporary change of use of accommodation.

Ms Robertson explained that there was no supplementary guidance documentation for S106 monies in these circumstances, particularly as the use would only be for two months. Most students went home during the period that the Olympics were in progress and the use as student accommodation would revert immediately afterwards.

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

- (1) That planning permission be **GRANTED** at Blithehale Court, 10 Witan Street, London, for temporary change of use from Student accommodation (Sui Generis use class) to allow occupation by officials and other persons associated with the London Olympic Games between 12/07/12 and 07/09/12 inclusive; reverting to original use as student accommodation thereafter, subject to the planning conditions as set out in the circulated report.
- (2) That the Corporate Director Development & Renewal be delegated power to impose planning conditions to secure the matters listed in the circulated report.

8. OTHER PLANNING MATTERS

8.1 Planning Appeals

Mr Pete Smith (Development Control Manager, Development and Renewal) presented the report. The report provided details of appeals decisions and new appeals lodged against the Authority's Planning decisions.

In response, the Committee discussed the main findings and noted with thanks successful appeals and enforcement action at 1 Kingfield Street and Platinum Court.

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

That the details and outcomes of the appeals be noted as outlined in the report.

CHAIR'S COMMENTS

The Chair stated that this would be the final meeting of the Committee she chaired in the Municipal Year and thanked Members and Officers for their contributions in undertaking the business of the Committee.

Councillors Golds and Jackson requested that their thanks be recorded for the work of the Chair over the past year.

The Chair then declared the meeting closed.

The meeting ended at 9.10 p.m.

Chair, Councillor Carli Harper-Penman
Development Committee