

LONDON BOROUGH OF TOWER HAMLETS**MINUTES OF THE DEVELOPMENT COMMITTEE****HELD AT 7.00 P.M. ON WEDNESDAY, 14 SEPTEMBER 2011****COUNCIL CHAMBER, TOWN HALL, MULBERRY PLACE, 5 CLOVE CRESCENT,
LONDON, E14 2BG****Members Present:**

Councillor Helal Abbas (Chair)

Councillor Kosru Uddin

Councillor Tim Archer

Councillor Shiria Khatun (Vice-Chair)

Councillor Marc Francis

Councillor Helal Uddin

Other Councillors Present:

None.

Officers Present:

Owen Whalley	– (Service Head Planning and Building Control, Development & Renewal)
Jerry Bell	– (Strategic Applications Manager Development and Renewal)
Fleur Brunton	– (Senior Lawyer - Planning Chief Executive's)
Zoe Folley	– (Committee Officer, Democratic Services Chief Executive's)

1. APOLOGIES FOR ABSENCE

Apologies for absence were submitted on behalf of Councillor Craig Aston for whom Councillor Tim Archer was deputising.

2. DECLARATIONS OF INTEREST

Councillor	Item(s)	Type of interest	Reason
Tim Archer	7. 1	Personal	Lived in a gated development on the Isle of Dogs.

3. UNRESTRICTED MINUTES

The Committee **RESOLVED**

That the unrestricted minutes of the meeting of the Committee held on 24th August 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

Nil Items.

7. PLANNING APPLICATIONS FOR DECISION

7.1 St David's Square, Westferry Road, E14 (PA/10/2786)

Update Report tabled.

Owen Whalley, (Service Head Planning and Building Control) introduced the report and tabled update report concerning St David's Square, Westferry Road, E14 (PA/10/2786).

The Chair then invited registered speakers to address the meeting.

Fred Sutton spoke as the Applicant's Agent. He was the Chair of the St David's Square Residents Association and a resident of the square. He expressed concern at the many acts of vandalism and incursions in the Square. The Applicant had held meetings to mitigate such concerns and the Police have suggested a number of alternative options. None of which had solved the problems. The only solution was to gate the community as proposed. The square was a microcosm of London and there were issues in achieving community cohesion. For example it was impossible to identify residents and invited visitors. The proposal would facilitate community cohesion and would also improve security. He referred to gated schemes nearby secured due to similar problems with nuisance behaviour. This precedent could be followed here. The residents funded maintenance, repair of damage and improvement works however the lack of gates undermined this. The square was seen as a soft option for criminals.

Members then put questions to Mr Sutton. He responded that the Applicant did consider gating the water feature to prevent anti social behaviour. However this would also require planning permission. It would also hinder permeability making residents including children walk extra distances via dangerous roads. Segregating the development in this way would also be divisive and cause a lot of inconvenience. In terms of accessibility the plans remained as per the last application. He explained the pedestrian entrance changes via Westferry Road. There would be little inconvenience. The residents most affected were supportive of the changes.

Jerry Bell (Strategic Applications Manager) presented the detailed report assisted by a power point presentation. Mr Bell explained the site, location and nature of the proposal, deferred in April 2011 by the Committee for further information now before it. Mr Bell explained the outcome of the statutory consultation including the representations in support and the case for refusal as recommended by Officers.

In relation to crime, Mr Bell referred to the statistics from the Police comparing crime levels in each ward in LBTH. The report also provided a break down of the types of crime in St David's Square itself. He also reported the advice of the Council's Crime Prevention Officer. Their advice indicated that crime in the square was higher than expected in terms of certain crimes. However crucially the levels of crime were not exceptional compared to other areas in LBTH. Therefore there were insufficient levels to justify contravening policy and creating a gated community. Lesser measures should be tried as set out in the report. The plans would also decrease permeability and access, be visually intrusive and create unacceptable level of segregation. For these reasons the application contradicted policy so should be refused.

Members then put a number of questions to Officers.

Questions were raised over crime levels in Millwall given the statistics in the report. According to a Member, the ward had the fourth highest crime rates in LBTH, twice as many as the lowest rated ward. It was questioned what levels of crime justified gating a community. As well as the recorded crime, Members

also had regard to the incidents of anti social behaviour recorded by residents in the log books.

A key issue for Members was whether the residents in the square itself were experiencing higher than average incidences of crime as suggested by the Crime Prevention Officer.

The Committee also referred to gated communities nearby. In particular the Lockesfield Place site scheme allowed on appeal due to local concerns over crime. It was argued that the reasons for allowing this application also applied in this instance. This case justified similar action. The Committee requested that the recommendations be reviewed with this in mind.

Members also asked about the measures to prevent misuse of the water feature. Concern was expressed at the option of glass screening. Was there any other measure that could be tried. Members also questioned the crime comparisons. Specifically the logic in comparing Millwall with all wards rather than just similar residential areas. It was also asked whether the plans would restrict access to the Thames Pathway.

Some support was also expressed for trying the alternative options.

Mr Bell than responded to each question. He referred to the crime statics supplied by the Crime Prevention Officer and the Police. Planning based their judgements on expert advisers who were of the view that, whilst crime in the area was higher than expected (say in relation to Blackwall and Cubbitt Town) it was not significant enough to warrant gating the square. They were not exceptionally high. That was the key issue. The information was based on the latest statistics. He also explained the reasons for comparing Millwall with all wards as this was requested by the Committee at the last meeting.

It was also feared that gating the community could displace the problems elsewhere and segregate the community. The scheme would also restrict permeability via the Thames Pathway. In relation to the Lockes Field site, a key difference was that it didn't affect the permeability of that site as there was no through route there.

Mr Bell also explained the options in relation to the central water feature. A number of measures could be explored to prevent its misuse as set out in the report.

On a vote of 2 for 3 against, the Committee **RESOLVED**

That the Officer recommendation to refuse permission for the erection of entrance gates to Westferry Road, Ferry Street and Thames Walkway together with associated walls to perimeter estate be **NOT ACCEPTED**

The Committee indicated that they were minded not to accept the recommendation due to the following reasons:

- The levels of crime at St David's Square.

- The precedence set by the Lockesfield Place Appeal, which adjoined the site.

In accordance with Development Procedure Rules, the application was **DEFERRED** to enable Officers to prepare a supplementary report to a future meeting of the Committee setting out the implications of the decision.

7.2 British Prince Public House, 49 Bromley Street, London, E1 0NB (PA/09/02576 and PA/09/02577)

Update Report tabled.

Owen Whalley, (Service Head Planning and Building Control) introduced the report and tabled update concerning the British Prince Public House, 49 Bromley Street, London, E1 0NB (PA/09/02576 and PA/09/02577)

The Chair then invited registered speakers to address the meeting.

Helen New spoke in objection to the application. She objected on a number of grounds. Any development would unduly impact on parking, attract crowds and anti social behaviour. Furthermore, the plans failed to show: the location of the waste facility, the impact on noise in the evening and the health implications. It also would damage the listed building as the Applicant had in the past failed to apply for listed building consent. She requested that the sale of fast food and alcohol be prohibited, that the terminal hours for the A1 use be limited to 7pm, there be a ban on signage harmful to the building and parking outside the area. There was a case for the Council to take back the premises and use it for community purposes.

Members then asked questions of clarification of the speaker. In reply she stated that there was a large crate (bin) situated on the pavement . The plans failed to show exactly where the refuse bins would be located and this would add to the existing problems with waste storage on that road. She feared that visitors of the retail shop would park their cars on the corner in visiting it in blind spots especially as there was a school at the end of the road.

Samir Hawes (Applicant's Agent) addressed the Committee. The Applicant stated that the existing planning permission was for a public house which generated anti social behaviour. The plans for retail use with housing would greatly reduce such incidences compared to a pub and be more in keeping with the area. In addition the premises was in need of restoration and inhabited by squatters. There were also issues with vandalism and crime. The plans would restore the building, improve security and respect and maintain the listed building. It would be car free. The refuse storage system would be located within the building. In terms of the commercial use, the initial idea was to have a grocery store.

Mr Jerry Bell (Strategic Applications Manager) presented the detailed report assisted by a power point presentation. He explained the location of the site and the poor state of the existing building. The plans would bring the building

back into use and would significantly improve the site and the area. The scheme protected amenity with no significant impact. Furthermore, the hours of operation of the A1 unit would be controlled to protect amenity. Therefore it was a significantly better option on amenity grounds compared to a public house. The waste storage facilities complied with policy and would be retained on the site.

Members asked questions of Officers regarding: the idea of whole residential use, the reason for the 10pm closing time for the A1 unit, the concerns around signage damaging the buildings, how this would be prevented, the enforcement history at the site and the measures to prevent cars parking on the corner whilst using the shop.

Members also asked whether restrictions could be imposed to control parking on the corner. Whilst not a planning issues, Officers undertook to put their views regarding this matter to Highways responsible for such matters.

Officer also addressed the other points. It was required that any signage put up should complement the building and would be controlled. The opening hours of the retail unit would be restricted. It was not normally necessary to impose restrictions on shops due to their compatibility with residential areas. However it was considered that this would mitigate the concerns. Highway Services have no issues with parking and the servicing arrangements were acceptable. The proposed use would protect the internal features of the listed building far better than whole residential.

Councillor Marc Francis moved an amendment to the conditions, seconded by Councillor Tim Archer changing the hours of operation of A1 to 07:00 – 20:00 (from 07:00 -2200). On a unanimous vote this was **AGREED**.

On a unanimous vote the Committee **RESOLVED**

1. That planning permission and Listed Building Consent be **GRANTED** for Works to a Listed Building and change of use from public house (Use Class A4) to retail (Use Class A1) on front ground floor and conversion of rear ground floor and first floor to form one x one bedroom flat and one x three bedroom flat subject to:
2. That the Head of Planning and Building Control is delegated power to impose conditions [and informatives] on the planning permission and the Listed Building Consent to secure the matters set out in the circulated report, including the following amendment:
 - That the hours of operation of A1 be 07:00 – 20:00

8. OTHER PLANNING MATTERS

8.1 Phoenix School, 49 Bow Road, London, E3 2AD (PA/11/00400)

Owen Whalley, (Service Head Planning and Building Control) introduced the

report concerning Phoenix School, 49 Bow Road.

Mr Jerry Bell presented the detailed report outlining the key issues.

On a unanimous vote the Committee **RESOLVED**

That the application for the Internal remodelling and refurbishment of Grade II listed building, including removal of internal partitions External works comprising of the installation of three air-conditioning units, an extract duct and two ventilation louvers be referred to the Government Office for London with the recommendation that the Council would be minded to grant Conservation Consent subject to conditions as set out in the report.

8.2 Planning Appeals

Owen Whalley, (Service Head Planning and Building Control), presented the report. The report provided details of appeals, decisions and new appeals lodged against the Authority's Planning decisions.

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

RESOLVED

That that details and outcomes of the appeals as set out in the report be noted.

The meeting ended at 8.30 p.m.

Chair, Councillor Helal Abbas
Development Committee