

LONDON BOROUGH OF TOWER HAMLETS

MINUTES OF THE STRATEGIC DEVELOPMENT COMMITTEE

HELD AT 7.30 P.M. ON THURSDAY, 24 JANUARY 2013

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

Members Present:

Councillor Helal Abbas (Chair)
Councillor Bill Turner (Vice-Chair)
Councillor Shahed Ali
Councillor Zara Davis
Councillor Stephanie Eaton
Councillor Judith Gardiner
Councillor Carlo Gibbs
Councillor Dr. Emma Jones

Other Councillors Present:

Councillor Peter Golds

Officers Present:

Pete Smith	– (Development Control Manager, Development & Renewal)
Jerry Bell	– (Applications Team Leader, Development and Renewal)
Paul Buckenham	– (Team Leader Pre-applications, Planning & Building Control, Development & Renewal)
Mandip Dhillon	– (Principal Planning Officer, Development and Renewal)
Michael Bell	– (Strategic Planning Manager, Development & Renewal)
Megan Nugent	– (Legal Services Team Leader, Planning, Chief Executive's)
Zoe Folley	– (Committee Officer, Democratic Services Chief Executive's)

1. APOLOGIES FOR ABSENCE

Apologies for absence were received on behalf of Councillor Helal Uddin.

2. DECLARATIONS OF DISCLOSABLE PECUNIARY INTERESTS

Councillor Stephanie Eaton declared a disclosable pecuniary interests in agenda item 7.1 (Skylines Village, Limeharbour, London (PA/11/3617))
The declaration was made on the basis that she had a beneficial interest in land close to the application site that had been recorded in the register of Members interests. She indicated that she would leave the meeting room for the consideration of this item.

3. UNRESTRICTED MINUTES

The Committee **RESOLVED**

That the unrestricted minutes of the meeting of the Committee held on 13th December 2012 be agreed as a correct record and signed by the Chair subject to the inclusion of Councillor Peter Golds in the list of other Councillors in attendance.

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

6.1 Car Park at South East Junction of Preston's Road and Yabsley Street, Preston's Road, London, E14 (PA/12/02107)

Jerry Bell (Application Team Leader, Development and Renewal) introduced the item regarding Car Park at South East Junction of Preston's Road and Yabsley Street, Preston's Road, London.

Mandip Dhillon (Planning Officer) made a further brief presentation on the details of the application. At the last meeting on 13th December 2012, Members were minded to refuse the application due to concerns over: the child play space, density, impact on infrastructure and the adequacy of the s106 funding. Since that time, the applicant had amended the scheme to increase the level of community and child play space. This had been achieved through a slight reduction in private amenity space. However, the latter still complied with policy.

Overall, the scheme continued to comply with policy and the Officer recommendation remained to grant. Officers also explained the implications of a refusal including the possibility that the application may be called in by the Mayor of London.

In reply to questions, Officers confirmed that the POD rent levels in the report would be transferred into the legal agreement. The nearest parks were a short walking distance away from the site (East India Dock Basin was less than a mile away). Therefore, the proposal complied with policy in terms of off site child play space.

Councillor Zara Davies proposed an amendment to the suggested reasons for refusal to include the impact on health. This amendment fell.

On a vote of 3 in favour, 3 against with the Chair casting a second vote in support, the Committee **RESOLVED**:

1. That the suggested reasons for refusal (paragraph 5.19-21 of the report) be **NOT ACCEPTED** and that planning permission (PA/12/02107) at Car Park at South East Junction of Preston's Road and Yabsley Street, Preston's Road London be **GRANTED** for the erection of two buildings of 7 & 26 storeys comprising 190 residential units (78 x 1 bed; 58 x 2 bed; 50 x 3 bed; 2 x 4 bed; 2 x 5 beds), 134sq.m of gym space at upper ground level, 42 car parking spaces and 244 cycling spaces at basement level, communal open space and associated works SUBJECT TO:
2. Any direction by The London Mayor;
3. The prior completion of a legal agreement to secure the planning obligations set out of the report;
4. That the Corporate Director Development & Renewal be delegated power to negotiate the legal agreement indicated above acting within normal delegated authority;
5. That the Corporate Director Development & Renewal be delegated power to impose conditions and informatives on the planning permission to secure the matters set out in the report;

6. 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.

(Councillors Bill Turner and Judith Gardiner did not vote on this item as they were not present when the item was previously considered and deferred at the 13th December 2012 committee meeting)

7. PLANNING APPLICATIONS FOR DECISION

7.1 Skylines Village, Limeharbour, London (PA/11/3617)

Update report tabled.

Councillor Stephanie Eaton left the meeting room for the duration of this item only.

Jerry Bell (Application Team Leader, Development and Renewal) introduced the item regarding Skylines Village, Limeharbour, London.

The Chair invited registered speakers to address the Committee.

Councillor Peter Golds, speaking in objection to the application, stated that he was representing the Blackwall and Cubitt Town Ward. He was also representing the views of the St John's Tenants and Residents Association (St John's TRA) and other such associations in the area that were opposed to the scheme. He objected to the height and scale of the scheme; the cumulative impact with the consented ASDA and the Angel House plans. He objected to the impact on local services, i.e. schools, health services and transport. They were already at full capacity. He objected to the poor success of the car free agreements in the area given the amount of vehicles on the streets. The application should be referred back to the applicant for further consideration.

In response to Members, Councillor Golds objected to the impact on the businesses on site. He highlighted the benefits of the site (in terms of proximity to Canary Wharf, DLR stations). However there was nothing in the application to support displaced businesses or compensate. He expressed concern at the displacement of the drugs service on site given the drug related problems in the area. The nearest GP surgeries were some distance away.

Jan Donovan, speaking in support of the application, stated that the scheme would deliver 764 units with 228 affordable houses with 154 social rents at Council levels. The applicant had met with residents, Councillor Golds, Officers TfL and the Police amongst other agencies to consider the issues and mitigate the impact. Ms Donovan listed the benefits of the scheme

including: the high quality design, new community facilities, child play space, potential new health and education facilities; new employment space; a full s106 package that would contribute to infrastructure, The existing employment units were tired and out of date. The tenants were on a short lease and were fully aware of this.

In response to Members, Ms Donovan reported that the applicant had not spoken specifically to the drugs and alcohol services about the impact on the drugs services on site and crime levels should it be removed. She saw no conflict in locating such facilities with residential properties. There would be a community floor space for such facilities. There were proposals to provide a support package to help the businesses relocate. There would be opportunities for all existing tenants to come back with discounted rent levels for the first two years. The applicant had met with the Police and there were conditions to address their comments, (for example CCTV monitoring, gates to public space be locked at night). The scheme would help community cohesion with no segregation between private and affordable tenants. All units would look the same, were all close together and would share community space.

Pete Smith (Development Control Manager) made a detailed presentation of the committee report and tabled update, as circulated to Members. The application was previously considered by the committee on 8th November 2012 where it was withdrawn to address Members questions. Since that time Officers had carried out further work with the relevant agencies to address the questions. (This included National Grid, Thames Water, Environmental Health, the Crime and Prevention Officers). Officers had also worked with the applicant to consider the Inspectors Report on the Managing Development Document.

The Marsh Wall area had been identified in policy as an area for housing growth and high density development. The scheme would provide a policy compliant level of affordable housing in favour of social target rents with a significant percentage of family housing. He explained the merits of the scheme including: the design; the community facilities, creation of new jobs and public open space; a full s106 and the good public transport rating. It was noted that the density exceeded policy. However, it was considered that, on balance, the merits of the scheme outweighed this. Mr Smith explained the outcome of the consultation including the GLA's responses on social target rents (noted by the applicant).

It was considered that the height and massing was satisfactory given the pattern for new developments in the area and policy. It was considered that the impact on education was acceptable given the contributions for education and the allocations for schools in the Managing Development Document.

Officers were recommending that the scheme should be granted.

The Chair then invited questions from Members, which covered the following issues:

- The loss of daylight to properties. Particularly, the number expected to suffer a 'major loss'. (40% or more). Clarification was sought on the extent of the losses.
- Loss of existing businesses due to the rent levels (at full rate) and the completion time.
- The impact on the drugs services currently on site. It was questioned whether Officers had engaged with the providers and the Police to consider the disruptions to this service and how they would fit into the scheme on return.
- The shortfall in child play space.
- The density range given it exceeded policy.
- Impact on the DLR in terms of overcrowding.
- The noise impact from the DLR, particularly on the affordable housing . The insulation to mitigate this.
- The comments of the London Fire Authority about the lack of a detailed ground floor plan showing road access.
- The comments of National Grid and Thames Water about the ability of the services to cope with this development. Members sought further assurances on these matters.
- The size of the retail units. Support was expressed for a mix of small and medium sized units to reflect the local economy. Clarification was sought on the size of the units to ensure this.
- The discussion to involve St John's TRA in the community space.
- Excessive height in relation to the surrounding area.

Officers' responses included the following information

- The impact on sunlight and day light was considered acceptable taking into account the overall benefits of the scheme and the outlooks at present.
- It was possible to control the size of the retail units to prevent undue amalgamation and secure a balance of small and medium sized units. This was supported in policy.
- Environmental Health were satisfied with the scheme and that any noise impact could be dealt with by the conditions.
- It would be necessary to prepare a programme with the existing businesses for potential relocation and return. This would be written into the legal agreement.
- The density matrix in the London Plan was London wide. It was important to take into account the local context and the challenges with housing needs when considering density. On this basis, it was considered that the density range was acceptable.
- The child play space complied with policy and there were parks nearby for older children. There were also contributions for open space. The applicant was supportive of providing a youth facility on site and were exploring this option.

- TfL had requested a sum for additional lifts at South Quay DLR Station. Aside from this, they were satisfied with the scheme and the networks capacity to cope with the scheme.
- Officers had recently contacted Thames Water. It was emphasised that they did not wish for the scheme to be refused. They merely sought reassurances about capacity.
- There was a full section in the emergency plans on access routes and fire points. Officers were satisfied with these plans.
- It was possible that discussions could take place with St John's TRA about relocation to the retail floor space.

On a vote of 0 in favour, 5 against and 2 abstentions, the Committee **RESOLVED:**

That the Officer recommendation to grant planning permission (PA/11/3617) at Skylines Village, Limeharbour, London **BE NOT ACCEPTED** for proposed demolition of all existing buildings within Skylines Village and the erection of buildings with heights varying from 2 to 50 storeys.

The Committee were minded to refuse the application due to concerns over:

- Height;
- Density in relation to the London Plan;
- Daylight and sunlight impact to the surrounding properties;
- Lack of child play space on site, particularly for the 11-15 age range;
- Impact on health services generally and, in particular, the existing drug services on site;
- Loss of existing employment uses on site.

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, along with the implications of the decision.

(The Members that voted on this item were Councillors Helal Abbas, Bill Turner, Shahed Ali, Zara Davis, Judith Gardiner, Carlo Gibbs, Dr Emma Jones)

Adjournment

At this point (10.15pm) the Chair proposed and it was

RESOLVED that the proceedings be adjourned for a five minutes break.

7.2 Land to the south of 52 Stainsby Road to the north of 88 Stainsby Road and at the western end of Cotall Street E14 (PA/12/02856)

Councillor Stephanie Eaton rejoined the meeting for the rest of the agenda.

Update report tabled

Jerry Bell (Application Team Leader, Development and Renewal) introduced the item regarding Land to the south of 52 Stainsby Road to the north of 88 Stainsby Road and at the western end of Cotall Street E14 (PA/12/02856)

The Chair invited registered speakers to address the Committee.

Simon Rayner spoke in objection to the application, on behalf of the Abbots and Vickery Wharf Residents Association. The proposal was contrary to policy and contradicted the conservation area. In particular, the plans conflicted with the LBTH Service Head of Planning's letter of 16th July 2010 that in summary stated that no large buildings should be located very close to Bartlett Park. The proposed buildings would dominate the park, was of excessive height adding to the cumulative impact of the other new developments such as the New Festival Hall. It would cast shadows on the park and create parking stress. There was a lack of affordable units. No residents supported the scheme.

In response to questions from Members, Mr Rayner indicated that he was aware of the outline plans for the park when he moved into his property but was under the impression that any plans would comply with the Service Head's letter. The scheme was right on the parameters of the park. There would be overlooking to Abbots Wharf as the windows were glass fronted. It would be overpowering.

Leah Massouras spoke in support of the application as a local resident. She welcomed the enhanced facilities for residents and children such as the waterside centre and café. It would increase the size of the park; improve the dangerous road and provide affordable homes. There was a need for something on Bartlett Park as the children have nothing to do.

Paul Buckenham (Planning Officer) made a detailed presentation of the committee report and tabled update. He described the site location. He explained the principles agreed by the Cabinet in 2008 and 2011 regarding the delivery of new homes at the site and improvements to Bartlett Park. The proposal sought to provide 150 new homes with 52 affordable housing at or below POD rent levels. It would also provide new recreational facilities for Bartlett Park and a land swap to increase the size of the park with a link to the canal.

He explained the outcome of the local consultation. He also explained the design, height, amenity space and the full s106 contributions. The scheme would generally be car free. There was adequate on street parking to accommodate the scheme as shown by the parking survey. The site was within a reasonable distance to transport facilities

He also explained the changes to the timing of conditions as set out in the update report.

Following questions from Members, Officers' reported the following points:

- The comments of NHS Tower Hamlets had been received and were set out in the update.
- The letter of the Service Head was a pre application letter that sets out general principals for the site. However, Officers had since balanced this against the principles in the Cabinet reports, the overall benefits of this scheme including viability. On balance, Officers considered that the benefits outweighed any impact and it generally complied with policy.
- It was considered that the child play space was acceptable given the proximity to Bartlett Park and other play facilities in the area.
- The application was supported by a day light and sun light assessment. This found that the impact on the Bartlett Park was acceptable with no significant overshadowing. The assessment had been independently tested.
- The waterside centre would be open to all levels of ability and all of the community.
- Officers noted the importance of the safety plans for the facility that would be provided via the legal agreement.
- Officers also reported on the deadline for receipt of the New Homes Bonus.

Councillor Bill Turner proposed an amendment to the construction hours for Saturday that they be amended from 0.800 to 13:00 to **09.00 to 13:00**. This was agreed by the committee.

On a vote of 4 in favour, 0 against and 3 abstentions, the Committee **RESOLVED:**

1. That planning permission (PA/12/02856) at Site at Land to the south of 52 Stainsby Road to the north of 88 Stainsby Road and at the western end of Cotall Street E14 be **GRANTED** for the demolition of the existing single storey temporary shower rooms south of 52 Stainsby Road and the erection of two buildings of 5, 6 and 10 storeys, one on the corner of Stainsby Road/Cotall Street and the other on the corner of Stainsby Road/Lindfield Street comprising 150 new residential dwellings (43 x 1 bed, 64 x 2 bed, 37 x 3 bed, 4 x 4 bed and 2 x 5 bed), together with a 794 sq.m waterside centre (including associated boat storage) (Use Class D1) and café (Use Class A3), cycle parking, private amenity space and other associated works SUBJECT to.
 - Condition 8 (Compliance) Hours of construction for Saturday be amended to 09.00 to 13:00.

AND:

2. Any direction by The London Mayor;
3. The prior completion of a legal agreement under Section 106 of the Town and Country Planning Act 1990 (as amended) within three

months of the date of this resolution, to secure the planning obligations set out in the report;

4. That the Corporate Director Development & Renewal is delegated authority to negotiate the legal agreement indicated above.
5. That the Corporate Director Development & Renewal is delegated authority to issue the planning permission and impose conditions and informatives to secure the matters set out in the report subject to the changes to the triggers for the discharge of conditions in the update.

The meeting ended at 11.30 a.m.

Chair, Councillor Helal Abbas
Strategic Development Committee