

LONDON BOROUGH OF TOWER HAMLETS

MINUTES OF THE DEVELOPMENT COMMITTEE

HELD AT 7.00 P.M. ON WEDNESDAY, 16 JANUARY 2013

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

Members Present:

Councillor Helal Abbas (Chair)
Councillor Shiria Khatun (Vice-Chair)
Councillor Kosru Uddin
Councillor Md. Maium Miah
Councillor Anwar Khan

Other Councillors Present:

None.

Officers Present:

Jerry Bell	– (Applications Team Leader, Development and Renewal)
Mandip Dhillon	– (Principal Planning Officer, Development and Renewal)
Benson Olaseni	– (Planning Officer, Development and Renewal)
Fleur Brunton	– (Senior Lawyer - Planning Chief Executive's)
Zoe Folley	– (Committee Officer, Democratic Services Chief Executive's)

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1. APOLOGIES FOR ABSENCE

No apologies for absence were submitted.

2. DECLARATIONS OF DISCLOSABLE PECUNIARY INTERESTS

No declarations of disclosable pecuniary interests were made.

3. UNRESTRICTED MINUTES

The Committee **RESOLVED**

That the unrestricted minutes of the meeting of the Committee held on 12th December 2012 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 **Bancroft Green, Mantus Road, London E1 (PA/12/02685)**

Update report tabled.

Jerry Bell (Applications Team Leader) introduced the report regarding Bancroft Green, Mantus Road, London E1 (PA/12/02685) for the installation of temporary mosque on Bancroft Green area.

The Chair invited the registered speakers to address the meeting.

Robert Waites addressed the committee in objection. He objected to the loss of open space for residents. He objected to the impact on traffic and the highway from the increased car use from the proposal. There would be over 200 additional worshippers. There were two empty buildings nearby. Consideration should be given to locating the proposed facility there as they were not in a residential area.

Members put a number of questions to Mr Waites.

In reply, he objected to the lack of consultation by the applicant. The only time that he had any contact with the applicant was when he made his objection. The Council sent two notification letters. This was the only consultation

carried out as far as he was aware. The first letter merely stated it would be a building. It was only the second letter that stated it would be a mosque. He was not opposed to the mosque. Rather the siting of a building on the green. In reply to Members, he referred to the grass area that would be affected. The area was frequently used by the public for recreation (for walking dogs, etc). He noted that the majority of open space would still be available for public use including the play area.

Councillor Sirajul Islam addressed the committee in support as a ward councillor. He reported that the applicant had responded to the conditions in the report. He explained the history of their work in the community over many years. Their current facility was out of date and they now needed a new facility to maintain and expand their services. This proposal would facilitate this, prevent the displacement of worshippers and help with fundraising. The applicant had actively looked at sites elsewhere but none were suitable. The proposed site had been identified through consultation. He referred to the plans to work with Tower Hamlets Community Housing given their plans for a nearby site.

In reply to Members, he considered that the proposal would help address the problems with ASB at the site as shown by experience around the existing mosque. There were no longer any ASB problems at this site.

Councillor Mizan Chaudhury also spoke in support as a ward Councillor. He disputed the objection around increased visitors as it was evident that local residents would mostly use the facility. Therefore, there would be minimal impact from car use. There was no evidence that the facility would increase ASB. There were a number of large parks nearby (Victoria park and Bethnal Green park) that the public may use in the interim period. There were conditions and restrictions to protect amenity. The proposal was supported in policy.

Mandip Dhillon (Planning Officer) presented the detailed report and the update. The proposal was required to facilitate the development of a new Mosque at 49 Braintree Street. She highlighted the information in the update regarding:

- the submission of an addition representation in support;
- the removal of condition 3 following the submission of the plans for the Braintree Street development.

The updated conditions were set out in the update for consideration.

She explained the surrounding area that was mainly residential. She explained the location of the existing facility, the proposed scheme and the 49 Braintree Street scheme. She explained the outcome of the consultation carried out in November and December 2012. The key concerns raised were around loss of green space and increase in car use.

On balance, Officers considered that the impact was acceptable given the permission was only temporary and the benefits of the permanent scheme

that would deliver new community facilities. Most of the trips would be by foot given the proximity to the community that would be served. The site also had excellent public transport links and a travel plan would be submitted. There were conditions to mitigate the amenity impact. There would be a minimal impact on the green space with the majority still in public use. Attached to the report was the finding of the equalities impact assessment.

Therefore, Officers were recommending that the permission be granted for an 18 month period.

Members then asked a number of questions and Officers reported the following:

- The applicant had submitted a schedule of works with a start date. The permission would run from the actual start date.
- The applicant had provided a written undertaking to complete the works in 18 months. They fully expected that it could be completed on time. The site would be restored to its former condition.
- It was necessary to balance the needs of the mosque against the impact on residents when considered hours of use.
- There was a further application pending to provide housing as mentioned by the speakers (the Tower Hamlets Community Housing application). However, this was on another site. There were no other installations on the Bancroft Green, aside from this proposal if granted.
- Officers explained the need for a time limit. It was important that the site was returned back for community use. Balancing the needs of both sides, it was considered that an 18 month time limit was appropriate

In response, Members noted the need for late prayer times especially during the Ramadan period in the summer months. Therefore, Councillor Kosru Uddin proposed an amendment to condition 6 (in the update) to extend the closing hours to 12midnight generally and 1am during the Ramadan period where necessary. This was seconded by Councillor Shiria Khatun. This was unanimously supported by the committee.

Councillor Anwar Khan also proposed an amendment to accommodate any delays in finishing the planning permission at 49 Braintree Street. Councillor Khan therefore proposed an amendment to condition 1, that the time limit be extended from 18 to 24 months. This was seconded by Councillor Maium Miah. This was unanimously supported by the committee.

On a unanimous vote, the Committee RESOLVED:

1. That planning permission at Bancroft Green, Mantus Road, London E1 (PA/12/02685) be **GRANTED** for the installation of temporary portacabin on Bancroft Green area for use as a mosque whilst building is being erected at 49 Braintree Street under planning permission PA/11/00987;

2. That the Corporate Director of Development and Renewal is delegated power to impose conditions and an informative on the planning permission to secure the matters as set out in the **Update** report SUBJECT to the following amendments agreed by the committee
 - Condition 1. That the time limit be extended to 24 months.
 - Condition 6. That the closing hour be extended to 12 midnight generally and to 1am during the Ramadan period where necessary.

8. OTHER PLANNING MATTERS

8.1 **WITHDRAWN - Bethnal Green Gardens, Cambridge Heath Road, London (PA/12/02234)**

Item withdrawn by the applicant.

8.2 **Phoenix School, 49 Bow Road, London, E3 2AD (PA/12/02919)**

Jerry Bell (Applications Team Leader) introduced the report Phoenix School, 49 Bow Road, London, E3 2AD (PA/12/02919)

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

That planning permission Phoenix School, 49 Bow Road, London, E3 2AD (PA/12/02919) for listed building consent for revised condenser and ventilation equipment required following proposed changes to the proposed energy strategy be referred to the Government Office for West Midlands with the recommendation that the Council would be minded to grant Listed Building Consent subject to conditions set out in the report.

8.3 **Appeals Report**

Jerry Bell presented the report and highlighted the key points.

On a unanimous vote the Committee **RESOLVED**

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

The meeting ended at 8.10 p.m.

Chair, Councillor Helal Abbas

