

**LONDON BOROUGH OF TOWER HAMLETS**

**MINUTES OF THE DEVELOPMENT COMMITTEE**

**HELD AT 7.30 P.M. ON WEDNESDAY, 11 MARCH 2015**

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

**Members Present:**

Councillor Sirajul Islam (Chair)  
Councillor Marc Francis  
Councillor Shiria Khatun  
Councillor Suluk Ahmed  
Councillor Shah Alam  
Councillor Chris Chapman

**Other Councillors Present:**

Councillor Andrew Cregan  
Councillor Andrew Wood

**Apologies:**

Councillor Gulam Kibria Choudhury

**Officers Present:**

Paul Buckenham	– (Development Control Manager, Development and Renewal)
Christopher Hunt	– (Senior Planning Lawyer, Directorate Law, Probity and Governance)
Tim Ross	– (Deputy Team Leader - Pre-application Team, Development and Renewal)
Shahara Ali-Hempstead	– (Planning Officer, Development and Renewal)
Brett McAllister	– (Planning Officer, Development and Renewal)
Jane Jin	– (Deputy Team Leader, Development and Renewal)
Andrew Hargreaves	– (Borough Conservation Officer, Development and Renewal)
Jen Pepper	– (Affordable Housing Programme Manager, Development and Renewal)
Pat Watson	– (Head of Building Development, Resources, Education Social Care and Wellbeing)
Zoe Folley	– (Committee Officer, Directorate Law, Probity and Governance)

## 1. DECLARATIONS OF DISCLOSABLE PECUNIARY INTERESTS

No declarations of disclosable pecuniary interests were made.

Councillor Shah Alam declared an interest in agenda items 6.1, Land Between St Pauls Way and Masjid Lane, including Linton House, Printon house and the Burdett Estate Community Centre, St Pauls Way, E3 (PA/14/02618) and 6.2 Burdett Community Square, Land off Masjid Lane, St Pauls Way, London E14 (PA/14/03243). This was on the basis that the application sites were in the Councillor's ward.

Councillor Marc Francis declared an interest in agenda item 6.5, 598 Roman Road and land at rear of 596 Roman Road London, E3 2RW (PA/14/01567). This was on the basis that the application site was in the Councillor's ward.

## 2. MINUTES OF THE PREVIOUS MEETING(S)

The Committee **RESOLVED**

That the minutes of the meeting of the Committee held on 11<sup>th</sup> February 2015 be agreed as a correct record and signed by the Chair.

In response to a question about item 6.2 Silwex House, Quaker Street, London, E1 6NS (PA/14/01897), it was reported that Officers had met with the Applicant to discuss the design of the scheme and pending consideration of the design issues, it was anticipated that the application could be brought back to the next meeting of the Committee.

## 3. 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

**4. PROCEDURE FOR HEARING OBJECTIONS AND MEETING GUIDANCE**

The Committee noted the procedure for hearing objections and meeting guidance.

**5. DEFERRED ITEMS****5.1 Land at rear of 81-147 Candy Street And Wendon Street, London, E3 (PA/14/00623)**

It was reported that the application had been withdrawn from the agenda for further discussions between the Council, the applicant and the London Legacy Development Corporation about the impact on Candy Street of their work to replace the bridge at Crown Close.

It was explained that since agenda publication, the LLDC had provided further information about their work and it was important that this information was considered by the Applicant, Officers and the LLDC before it came back to the Committee.

**6. PLANNING APPLICATIONS FOR DECISION****6.1 Land Between St Pauls Way and Masjid Lane, including Linton House, Printon house and the Burdett Estate Community Centre, St Pauls Way, E3 (PA/14/02618)**

Update Report Tabled.

Paul Buckenham (Development Manager, Development and Renewal) introduced the application and also application 6.2. Burdett Community Square, Land off Masjid Lane, St Pauls Way, London E14 (PA/14/03243). It was reported that the items would be considered together given the relationship between the two applications. However there would be separate votes on the applications and that they should be considered on their own planning merits.

The Chair then invited registered speakers to address the Committee.

Juned Miah and Azad Miah spoke in objection to item 6.1. The speakers drew attention to the large number of objections to the application including a petition with over 500 signatures and over 200 pro forma letters. Their main issue was with Poplar Harca and the TH Mayor and the lack of engagement with the community over the scheme. Many letters had been sent to them requesting that they listen to the concerns. Yet to date, this they had not done so and the promised further meeting between the two sides had not been arranged. The application should be refused until the two sides had discussed the issue and found a solution given the strength of local feeling. Information about the impact of the scheme had been sent to Committee Members by the objectors.

The speakers also expressed concern about the impact of the development on the well-established local community. It would fundamentally change the character of the area due to its scale and location at the heart of the community. They also felt that the scheme would lead to overdevelopment of the area given the density of the area (including schools), the lack of community facilities, the loss of green space at the site and the impact on neighbouring amenity. They also expressed concern about the quality of the open space in terms of location and quality of the play equipment.

The speakers questioned the need for a further school at this site, in addition to the recently expanded Stebon Primary School, given the lack of educational facilities for other age groups. The speakers noted the need for education facilities in the Borough but felt that in view of the issues, another site should be found.

In response to questions from Councillors, the speakers explained their concerns about the lack of consultation in further detail. Residents had attended a meeting with the Applicant and the Mayor where it was agreed that a further meeting was to be arranged but this had not happened. The speakers also clarified the nature of their objections around overdevelopment and expressed concern about the noise impact from the school as many residents worked shift work. Mr Azad Miah stated that he was mainly concerned with the impact of the scale of the scheme on the community rather than the impact on the housing mix.

In relation to item 6.2, the speakers explained that their main concern was with Poplar Harca and their failure to consult residents on the plans and previous schemes. This second application was an afterthought to mitigate the impact of the first application showing that that application was flawed. Concern was also expressed about the quality of the space in terms of poor location and whether the community space would be open to the public. The St Paul's Way School had a track record of not honouring their pledge to allow public access to community facilities. So it was feared that the same thing would happen here. In response to questions from Members, concern was expressed about the loss of access route to the estate and the lack of proposed child play equipment for the proposal.

Neal Hunt (Applicant's agent) and Graham Price (St Paul's Way Trust) spoke in support of item 6.1. They drew attention to St Paul's Way regeneration scheme and the works already delivered under this. Similar mixed used schemes had been approved in other Boroughs. The concept would allow the scheme to be delivered earlier than a new build school. All existing tenants would be rehoused with the same rights. The scheme would result in an increase in family size affordable units by habitable room and significantly expand the capacity of the Mosque.

They also explained the make up of St Paul's Way Trust partnership and the merits of through schools in terms of academic performance. They gave specific examples of how the proposed through school would improve performance. It was necessary that the proposed school should be close to the St Paul's Way secondary school to safeguard entry to the school in view

of the admissions criteria. There were no plans to deviate from the entrance criteria. The applicant had engaged extensively with the community on the plans and had engaged with parents at an early stage over a number of years and places had been allocated to students from the Burdett Estate. They also explained the nature of the new community facilities, the measures to protect overlooking from the residential units and to minimise the noise impact from the school.

In response to questions from Councillors, it was clarified that the applicant had held meetings with the community at the St Paul's Way Centre and had not refused to meet objectors. They had taken on board the concerns of residents, particularly about the need for open space. It was pointed out that the plans at 6.2 stemmed from such discussions. This was why the scheme was developed after this application.

In response to further questions, the speakers confirmed the housing mix in the new scheme compared to the existing development.. The Trust were working closely with the Stebon Primary to manage the relationship between the proposed school and that school. Such measures would include staggering entry times to the schools.

They also noted the concerns about the community use of the school facilities. Steps were being taken to address this

Turning to item 6.2, it was reported that the scheme sought to provide good quality open space to address residents concerns regarding 6.1. The play space would be equipped with play equipment. The Applicant would work with the residents in delivering the proposal and to address ASB. The open space would be maintained to the highest possible standard. In response to questions from Councillors, it was stated that the plans should held address ASB in the area. The parking on site would be replaced.

The representatives also estimated the value of the proposal as a financial contribution and apologised for past mistakes regarding the timing of the works to the Community Centre and the Stebon school. Steps were taken to mitigate this.

Tim Ross (Planning Officer, Development and Renewal) presented the detailed report and the update for items 6.1 and 6.2 that were both stand alone applications and should be considered on their own planning merits. In relation to 6.1, he explained the site location, the existing use of the site including the location of Stebon Primary and the housing mix of Linton and Printon House. He also described the layout of the scheme, the proposed school and nursery, the play area, the facilities that would be open to the community for use and the appearance of the new Mosque. He also described the servicing and refuse collection arrangements, the proposed car parking and cycle parking.

It was considered that the height, scale and appearance of the scheme was acceptable and would enhance the area. Details of this was explained. The density fell within the London Plan density range.

The scheme would deliver good quality private and affordable housing and there would be an uplift of affordable housing by habitable room. This included a number of large family houses. The impact on neighbouring amenity was acceptable and generally complied with policy. The impact on the properties most adversely affected in terms of sun light and day light was explained. Consultation had been carried out and the issues raised in objection were noted. In view of the merits of the scheme, Officers recommended that the scheme was granted planning permission.

In relation to item 6.2, Members were advised of the key features of the application, including current use of the site, the nature of the proposed open space and the plans to improve the permeability of the site. They also received a summary of the outcome of the consultation. In view of the merits of the scheme, Officers were recommending that the scheme was granted.

In response to Members questions, Officers referred to the level of planning contributions. According to the viability testing, the maximum amount had been secured. A contribution for education had not been sought as the plans sought to provide a school. The new school would be funded by government grant. Other schools coming forward would be funded by s106 contributions. The plans would provide much needed larger affordable units and accordingly to housing colleagues, there was a particular need for such accommodation in this area and for the new intermediate units. Jen Pepper (LBTH Affordable Housing Programmes Manager) was present to answer questions about the housing plans. She also gave an update on progress with rehousing the existing tenants of Linton and Printon House.

Whilst there would be a net loss of social housing, it was considered that the scheme satisfied the policy tests for assessing such applications where they are part of an estate regeneration programme and there were exceptional circumstances (provision of a new school and larger Mosque) that justified such a loss. Officer drew attention to the policy tests set out in the report.

In response to further questions, Pat Watson (LBTH, Head of Building Development Resources) explained the need for a new school given that the Stebon Primary school had already reached maximum capacity following expansion. The evidence showed that this was a great deal of demand for school places in this area. It was required by condition that a Travel Plan be submitted and this could deal with any impact on the highway from the schools. It was also reported that there would be a canopy around the play areas of the school and aspects of the residential buildings would be set back to prevent overlooking. Consideration could be given to further measures to restrict noise from the proposal such as restricting the opening hours of the ball court.

There had been door stop consultations with the occupants of Linton and Printon House, presentations to the Burdett Estate Board and regular updates in the Burdett Estate Newsletter. Consultations events were held in summer 2014 with a good turn out and the feedback from the proposals was mixed. A Statement of Community Involvement had been submitted for the scheme that

detailed the consultation. Officers summarised the concerns raised in the Burdett Estate Board letter dated 9th March which were summarised in the Committee report

The Committee felt that Poplar Harca needed to take on board the concerns of the residents and work closely with them in delivering the scheme if granted to address any concerns.

The applicant had met with the management for the Mosque to discuss the plans for the Mosque. The Applicant explained that the terms of the new lease mirrored those in the existing agreement. It was also reported that it would be subject to periodic review with the intention of granting a lifetime lease and that the current management would continue to run the facility. This would be secured under the legal agreement.

On a vote of 4 in favour and 3 against with the Chair using a casting vote in favour, the Committee **RESOLVED**:

1. That planning permission be **GRANTED** at Land Between St Pauls Way and Masjid Lane, including Linton House, Printon house and the Burdett Estate Community Centre, St Pauls Way, E3 for the demolition of Linton House, Printon House, the Burdett Community Centre building and Mosque to facilitate the redevelopment of the site to create a two-form entry primary school and nursery (Use Class D1), a two storey Mosque (Use Class D1) and 3 residential blocks ranging between 4 and 8 storeys to provide 109 new dwellings (10x studio, 40x 1 bed, 31x 2 bed, 22x 3 bed, and 6x 4 bed), a new ball court, children's play space, amenity space and cycle parking

Subject to:

2. The prior completion (within three months) of a legal agreement to secure the planning obligations set out in the Committee report and the Update report.
3. That the Corporate Director Development & Renewal and the Service Head (Legal Services) are delegated power to negotiate and complete the legal agreement indicated above acting within normal delegated authority.
4. That the Corporate Director Development & Renewal is delegated power to impose conditions and informative on the planning permission to secure the matters set out in the Committee report and the Update Report.
5. That, if within 3 months of the date of this committee the legal agreement has not been completed, the Corporate Director of Development & Renewal is delegated power to refuse planning permission.

**6.2 Burdett Community Square, Land off Masjid Lane, St Pauls Way, London E14 (PA/14/03243)**

Update Report Tabled.

For details of the discussion, see above minute.

Officers proposed additional conditions to the application regarding the management of the open space which was agreed by the Committee.

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

1. That planning permission be **GRANTED** at Burdett Community Square, Land off Masjid Lane, St Pauls Way, London E14 for the demolition of a block of seven domestic garages and the introduction of a new publicly accessible open space incorporating a landscaped garden area, revised car parking layout, additional tree planting and improved boundary treatment,

Subject to:

2. That the Corporate Director Development & Renewal is delegated power to impose conditions and informative on the planning permission to secure the matters set out in the Committee report and the update report and the following conditions:
  - Landscaping Management and Maintenance Plan for the open space.
  - Completion of a legal agreement or unilateral undertaking to secure public access to the open space in perpetuity.

**6.3 95 New Road, London, E1 1HH (PA/14/02772)**

Paul Buckenham (Development Manager, Development and Renewal) introduced the application and the update.

Shahara Ali-Hempstead, (Planning Officer) presented the detailed report explaining the site location, appearance of the scheme and the issues raised in consultation that were addressed in the committee report.

Whilst mindful of the steps to restrict A3 uses along New Road to prevent overconcentration of such uses, it was not felt that the proposal would add to the concentration of such uses as it only sought to extent the existing use. It was also considered that the loss of the retail unit was acceptable given the proximity of the site to a number of retail units. The scale, mass and appearance of the extension was acceptable and would be in keeping with the character and appearance of the conservation area. The proposal would retain and re-introduce original features and a traditional style shop front would be installed. There were measures to protect residential amenity and the impact on highways would be acceptable given the good PTLA rating for the



site and lack of on street parking spaces on New Road. Whilst the proposed housing mix did not meet planning policy, the quality of the residential accommodation exceeded minimum standards and responded to the size constraints of the site. Given the merits of the scheme, Officers were recommended that it was granted planning permission.

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

1. That planning permission be **GRANTED** at 95 New Road, London, E1 1HH for change of use of the basement to restaurant A3 use, retention of ground floor restaurant use and addition of a 3rd floor to create 3 x studio flats
2. That the Corporate Director Development & Renewal is delegated power to impose conditions and informatives on the planning permission to secure the matters set out in the Committee report.

#### **6.4 The Forge, 397 & 411 Westferry Road, London, E14 3AE (PA/14/02753 and PA/14/02754)**

Update Report Tabled.

Paul Buckenham (Development Manager, Development and Renewal) introduced the application and the update.

Mohan Chandegra, Tom Ridge and Councillors Andrew Wood and Andrew Cregan (ward Councillor) spoke in objection to the application. They objected to the harm to the Grade 11 listed warehouse and the Conservation Area from the proposed changes in view of its historic value as the last remaining iron ship building forge in London. In particular, they expressed concern at the internal divisions and the plans to install a new external door for the retail unit. It was questioned why this additional door was needed in view of the harm it would cause to the building? Consideration should be given to use of the existing entrance as an alternative. It was requested that the building should be leased as a single space in accordance with the 2007 planning permission granted for the building. History Boards should also be put up for the building.

They also objected to the impact on the Post Office as a result of the proposal. The scheme would undermine the viability of the facility by removing the subsidy derived from the adjacent shop, if this had to close due to a dilution in trade. Many local residents trusted and relied on the Post Office and it had been there for many years.

It was also felt that there was a lack of parking on Westferry Road for a retail store, especially for deliveries vehicles. The delivery vehicles would obstruct traffic along the highway, which would be very dangerous. If granted there should be conditions limiting the size of the delivery vehicles and that only one delivery vehicle should be allowed to be there at any time. In response to this, Officers felt that a planning condition restricting use of the public highway could not be enforced.

In response to questions from Councillors, the speakers noted the support for a commercial unit at the site but on balance felt that the harm caused to the building would outweigh this along with the other concerns. They also explained in further detail their concerns about the internal divisions and the proposed new external access to cater for the requirements of the retail unit.

David Brown (Applicants Agent) spoke in support of the scheme, highlighting the results of the marketing exercise that supported the scheme. The Applicant had worked hard to address the concerns with the previously refused scheme. The report showed that the scale and appearance of the scheme was acceptable and it would improve the viability of the Town Centre. The Council's Conservation Officer, Transport for London and Highways had no concerns about the impact on the scheme. The scheme would bring the longstanding vacant building back into use, whilst protecting the special features of the listed building. In view of the merits, it was recommended that the scheme should be granted planning permission.

Brett McAllister, (Planning Officer, Development and Renewal) presented the detailed report explaining the planning history for the site, the site location, surrounds, the outcome of the local consultation and the issues raised. He also explained the main features of the listed building and referred to the Town Centre policies that supported the location of such uses at the edge of town centres where appropriate.

The building had been vacant for a number of years and the evidence from the marking assessment, that had been independently reviewed, showed that there was a lack of demand for the current warehouse type use but there was a demand for the proposed use. The impact study also showed that the proposal would preserve the character of the listed building and the public benefits of the scheme would outweigh the less than substantial harm to the building. Many of the changes would be reversible.

Details of the main changes were explained including the proposed new access point, the requirements under the Listed Building Consent, the plans to relocate car parking spaces and the measures to improve the servicing arrangements compared to the previous scheme. LBTH Highways had no concerns about the scheme.

A noise impact assessment had been submitted and Officers were satisfied with this subject to the conditions. There were conditions restricting the hours of operation and that a Site Management Plan be submitted amongst other matters. Officers were recommending that the application was granted permission.

In response, Members asked questions about:

- The need for the new entrance for the retail unit given the concerns about the impact on the listed building.
- The suitability of the existing entrance as an alternative entrance for the retail unit to minimise the impact on the building.

- The impact of the proposal on the internal features and how such features would be safeguarded.
- The proximity of the scheme to the Town Centre given that the policy appeared to direct retail uses to Town Centre locations. It was feared that the proposal could undermine the viability of the Town Centre given the location.
- Whether the units could be divided into smaller office units
- Whether the proposed commercial units could be provided in other emerging schemes.

Some concern was also expressed about the marking exercise to justify the change of use. It was questioned whether more could have been done to bring the warehouse back into use without the changes. It was commented that the only justification appeared to be that the building had been vacant for so long.

In response, Officers clarified that the scheme sought to provide separate uses, so separate entrances were required. The Council's Conservation Officer had considered these proposals and was of the view that they were the most sensible option to minimise the impact on the listed building. The submitted marketing material showed that due to the large floor plates, amongst other issues, there was a lack of demand for the building in its current use. No consideration had been given to dividing down the proposed office space further and competition from the office space in Canary Wharf should be taken into account. There would be strict conditions to manage any internal installations under the Listed Building Consent and any further changes to the building would require further planning consent.

It was considered that the land use was acceptable taking into account two key factors - that it would bring the disused building back into use and the policy in the Core Strategy that supported the development of local shops at the edge of Town Centres where there was a demonstrable need.

The Committee should consider this proposal on its planning merits rather than any opportunities to deliver the scheme as part of another residential scheme in the area that could not be guaranteed.

On a vote of 5 in favour and 1 against, the Committee **RESOLVED:**

That the application for Full Planning Permission and Listed Building Consent at The Forge, 397 & 411 Westferry Road, London, E14 3AE be **DEFERRED** for the following proposal to enable a site visit to be held to fully explore the impact of the proposal on The Forge including the impact of the proposed external accesses and the internal changes.

- Change of use of part of The Forge from business use (Use Class B1) to convenience retail food store (Use Class A1) with gross internal floor area of 394m<sup>2</sup> and net sales area (gross internal) of 277m<sup>2</sup>;
- Change of use of a separate unit of The Forge (Use Class B1) to interchangeable uses for either or financial and professional services,

restaurants and cafes, drinking establishments, office, non-residential institutions (nursery, clinic, art gallery, or museum), or assembly and leisure (gym), namely change of use to uses classes A2, A3, A4, B1a, D1 and D2 with gross internal floor area 275.71m<sup>2</sup>;

- The remainder of the ground floor would be for office use split into 3 units (Use Class B1a)
- 297.17m<sup>2</sup> GFA of new floor space created at 1st floor level (internally) for office use, split into 3 units (Use Class B1a)
- Internal and external changes and maintenance to the Forge to facilitate the change of use to retail convenience store including new customer access to the north west elevation, internal partitions, works to the roof to facilitate new plant equipment and satellite dish; making good to walls (internal and external), maintenance to internal cranes and general building maintenance;

#### **6.5 598 Roman Road and land at rear of 596 Roman Road London, E3 2RW (PA/14/01567)**

Councillor Shiria Khatun left the meeting before the consideration of this item.

Update Report Tabled.

Paul Buckenham (Development Manager, Development and Renewal) introduced the application and the update.

Jane Jin, (Planning Officer, Development and Renewal) presented the detailed report explaining the site and surrounds, the existing use of the site, the outcome of the consultation as detailed in the committee report. She also explained the key changes to the application, the appearance and layout of the scheme, the housing mix, the measures to protect privacy and the impact on the highway given the car free agreement. In view of the merits of the scheme, Officers were recommending that the application was granted planning permission.

In response, the Committee praised Officers for taking on the views of the Roman Road Town Centre Partnership and for negotiating the improvements to the scheme

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

That Planning Permission be **GRANTED** at 598 Roman Road and land at rear of 596 Roman Road London, E3 2RW for:

- Change of use of part of rear ground floor retail area and conversion to refuse storage area, creation of new entrance doorway to upper floor flats, erection of ground and 2<sup>nd</sup> floor rear extension associated with the creation of 2 x 2 bed flat at first and second floors;

- Formation of new residential access point from Hewison Street and provision of associated cycle parking and refuse disposal arrangement at rear of No.'s 596-598 Roman Road
- Replacement roof slates on the front elevation of 598 Roman Road.

Subject to the conditions and informatives set out in the Committee report:

Councillor Suluk Ahmed did not vote on this item having not been present throughout the consideration of the item.

## **7. OTHER PLANNING MATTERS**

### **7.1 St Pauls Primary School, Wellclose Square, London E1 8HY (PA/14/01181)**

Application withdrawn from the agenda.

This was because the school was owned by the London Diocesan Board for Schools not LBTH. Therefore, the application could be dealt with under delegated powers.

The meeting ended at 11.15 p.m.

Chair, Councillor Sirajul Islam  
Development Committee