

LONDON BOROUGH OF TOWER HAMLETS

MINUTES OF THE STRATEGIC DEVELOPMENT COMMITTEE

HELD AT 7.00 P.M. ON THURSDAY, 19 FEBRUARY 2015

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

Members Present:

Councillor Sirajul Islam (Chair)
Councillor Md. Maium Miah (Vice-Chair)
Councillor Danny Hassell
Councillor Amina Ali
Councillor John Pierce
Councillor Helal Uddin
Councillor Suluk Ahmed
Councillor Muhammad Ansar Mustaqim
Councillor Julia Dockerill

Other Councillors Present:

None

Apologies:

None

Officers Present:

Paul Buckenham	– (Development Control Manager, Development and Renewal)
Fleur Francis	– (Acting Team Leader - Planning, Directorate, Law Probity and Governance)
Shay Bugler	– (Planning Officer, Development and Renewal)
Tim Ross	– (Deputy Team Leader - Pre-application Team, Development and Renewal)
Alison Thomas	– (Private Sector and Affordable Housing Manager, Development and Renewal)
Zoe Folley	– (Committee Officer, Directorate Law, Probity and Governance)

1. DECLARATIONS OF DISCLOSABLE PECUNIARY INTERESTS

No declarations of disclosable pecuniary interests were made.

Councillor Sirajul Islam declared an interest in agenda item 5.1 Ashington House East, Orion House, Coventry Road, London, E1 5RX (PA/14/03196). This was on the basis that the Councillor was acquainted with the following speakers on the application:

- Chris Weavers who was Chair of the Tower Hamlets Labour Group and a member of the Collingwood Estate Residents Association
- Ahmad Dawood who was a former constituent of the Councillor.

Councillor Md Maium Miah declared an interest in agenda item 5.1 Ashington House East, Orion House, Coventry Road, London, E1 5RX (PA/14/03196). This was because the Councillor was a Board Member of Tower Hamlets Homes.

Councillors Danny Hassell, John Pierce, Amina Ali and Helal Uddin declared an interest in agenda item 5.1 Ashington House East, Orion House, Coventry Road, London, E1 5RX (PA/14/03196). This was on the basis that the Councillors were also acquainted with Chris Weavers, Chair of the Tower Hamlets Labour Group.

2. 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

3. PROCEDURE FOR HEARING OBJECTIONS AND MEETING GUIDANCE

The Committee noted the procedure for hearing objections, together with details of persons who had registered to speak at the meeting.

4. DEFERRED ITEMS

None.

5. PLANNING APPLICATIONS FOR DECISION

5.1 Ashington House East, Orion House, Coventry Road, London, E1 5RX (PA/14/03196)

Update report tabled.

Paul Buckenham (Development Manager, Development and Renewal) introduced the application explaining that due to the ongoing legal proceedings (as explained in the Committee report), that the Council's Constitution required that the application be considered by the Strategic Development Committee, rather than the Development Committee where it would normally be considered. The Chair then invited the registered speakers to address the Committee.

Victor Vassallo and Ahmad Dawood spoke against the application as residents of Orion House who oppose the application. The speakers noted that large groups hire out the centre and expressed concern about disturbance from the existing Collingwood Community Centre in terms of anti-social behaviour (ASB), some of it alcohol fuelled, general noise and disturbance from the visitors. In view of these issues, relocating the Community Centre beneath their properties would greatly worsen their quality of life. The speakers had approached the management of the centre who were generally unresponsive. They also expressed concern about the impact on the water system and flood risk. The site lay in a flood risk area.

Concern was also expressed that there had been a lack of consultation with the Fire Authority; that the heating and energy plans were inadequate and that there were property ownership issues. Furthermore, there was no real need for a further community centre in this location as there were many in walking distance.

Recent case law indicated that the legal action, instigated in November 2014, complied with the relevant requirements. So, the legal action was not premature.

In response to Members questions about the nature of the problems and residents' complaints, the speakers reported that the residents had brought the issues to the attention of the management and residents association. On one occasion, customers were seen leaving the community centre as late as 23:45. It was confirmed that the objection was regarding the community centre and not the other buildings proposed. In view of the impact from this, the scheme would breach the tenants human rights, as stated in the legal claim. Examples of this were given. The conditions would be difficult to enforce.

Chris Weavers of the Collingwood Estate Residents Association and Alex Wythe, Applicant's Agent, spoke in favour of the application. The speakers

explained that there was a clear need for the community centre and gave examples of the numerous community groups that held activities at the centre. There had been no complaints to the residents association for a number of years about nuisance from the centre under current management. The centre was a not for profit organisation and was only available at weekends for private hire with any profits reinvested back into the community activities. There would be a manager on site and the centre would close at the weekends at 23:00. There was evidence that the community centre had helped reduce ASB in the area. It was confirmed that the existing community centre was larger than the existing but that this reflects the architecture of the building.

The speakers also explained the merits of the scheme including: the secure by design measures, improved natural surveillance of the area, the high quality soundproofing, 100% affordable housing of good quality that was a relatively unique feature of a scheme and improved landscaping. The Applicant and the residents association worked with the Metropolitan Police and would work with residents and the Council to address any concerns about ASB.

In response to Members questions, the speakers further explained the measures to protect residential amenity from activity from centre and the aspects of the design to minimise noise. The community centre did not sell alcohol. It was also confirmed that the roof top terrace of the development would close at 21:00.

Alongside the above measures, the scheme had been carefully designed to minimise ASB in the surrounding area. The speakers explained these measures.

(Officers confirmed that, should the application be approved, it was required by condition that a Community Centre Management Plan be submitted prior to occupation to protect residential amenity and that a Secure by Design Certificate be secured).

In response to further questions, it was explained that consideration had been given to alternative places for the community centre within the development. However, it was found that the proposed location was the most viable and desirable option and that positioning it in any location in the development would have some impact. There was good mix of one bed units and family units, reflecting current demand, at Borough Rent Framework levels. The developer had held many meetings with the residents including the residents of Orion House. Judging by the door step consultation, the residents from Orion House were not greatly concerned with the plans. The feedback was mostly positive. Officers circulated the Statement of Community Involvement for the scheme. The speakers questioned whether the ASB referred to was coming from the centre and noted that the centre did not have an alcohol licence and that most events did not involve alcohol. It was confirmed that any revenue generated subsidised the community use of the centre and the accounts were published at the AGM.

The speakers also answered questions about the impact of the grant funding in terms of the rent levels.

Shay Bugler (Planning Officer) gave a detailed presentation on the application explaining the site location, the surrounding area, the excellent public transport rating for the site and the existing use of the site. He also explained the outcome of the local consultation, that was addressed in the report (which largely related to concerns about the community centre), the height, design and scale of the scheme that was sensitive to the area.

The housing mix was appropriate comprising 100% affordable units with family sized housing and wheelchair accessible units. There would be a good standard of residential amenity and there were no symptoms of overdevelopment.

He also explained the level of play space and amenity space within the development and nearby, the contribution for open space in the legal agreement, the plans to relocate the community centre, the nature of this new facility and the need for it.

He also described the measures to minimise noise and disturbance from the scheme as set out in the Committee report, the impact on car parking from the scheme, the number of spaces proposed and the eligibility criteria for these spaces.

In terms of neighbouring amenity, the majority of properties tested complied with policy and due to the minor nature of failings, on balance this was acceptable.

Planning contributions had been secured in line with policy to mitigate the impact of the scheme.

In view of the merits of the scheme, the application should be granted planning permission.

In response, Members noted the concerns about ASB in the surrounding area. Concern was expressed that such activity could be displaced to the roof top terrace of the development as a result of the plans given that this was quite a secluded area. Therefore, steps should be taken to prevent this. This could include the installation of a secured entrance to the roof terrace, greater surveillance of the area, (CCTV/ a caretaker) or even liaising with the Collingwood Estate Residents Association to identify if they could monitor the roof top area. Concern was also expressed about noise from the roof top generally from residents of the development.

Accordingly, Officers explained that the content of the management plan was to be agreed pursuant to conditions and highlighted the provisions that it could make to address ASB. Officers suggested that an informative could be added to the permission to set out precisely how the applicant would ensure the

scheme was secure by design, what should be included in the management plan and the measures minimise noise particular from the roof top terrace. With the assent of the Committee, this was agreed. Officers also noted the remedy available to Tower Hamlets Homes under the tenancy agreements where there were problems caused by residents and that noise problems could be notified to the Council's noise control team.

In response to questions, it was confirmed that the application would be subject to the Council's Permit Transfer scheme. The occupants could also apply for Estate Parking Permits. Subject to this, the scheme would be car free. LBTH Highways had been consulted on the scheme and they had not raised any concerns about increased parking stress from the scheme. Officers also explained the proximity of the disabled parking spaces to the wheelchair accessible properties.

It was also reported that there was a condition requiring that a feasibility study be undertaken of expanding the communal heating system. Once carried out, a decision would be taken on whether this should be implemented.

In response to questions, Officers advised that it was planned that works to improve the appearance of Orion House would be carried out separately under the Decent Homes Programme. Contributions could only be requested in accordance with the policy tests for planning contributions and according to the viability assessment, the maximum level of contributions had been secured. Whilst there was a shortfall in play space, it was felt that given the quality of the play space, the contributions for off site space and the number of parks nearby, that this was acceptable.

In response to further questions, Officers explained the housing lettings policy, service charges, the amount of subsidy needed to provide social rent properties, the impact on Orion House from the installation of the new energy system (and the need to relocate the existing heating facilities), the facilities to be provided by the community centre. Officers also advised why the proposed hours of operation for the community centre were considered necessary and reasonable and also provided further clarification on the sunlight and daylight assessment

It was also confirmed that the Environmental Agency had not made any objections subject to the conditions including the submissions of a service water management and that the site was located in a Zone 1 area for flooding which is the lowest risk area.

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

1. That planning permission be **GRANTED** at Ashington House East, Orion House, Coventry Road, London, E1 5RX for the demolition of the existing community hall and erection of three buildings ranging from 4-5 storeys in height to provide 53 residential units (comprising of 23 x 1 bed; 8 x 2 bed; 16 x 3 bed and 6 x 4 bed) and the re-provision of the community Centre (438 sqm); 35 parking space; 88 bicycle spaces;

communal, private and public open space (application reference PA/14/03196).

SUBJECT TO:

2. The prior completion of a legal agreement under Section 106 of the Town and Country Planning Act 1990 (as amended) and s111 of the Local Government Act 1972 within three months of the date of this resolution, to secure the planning obligations set out in the Committee report.
3. In addition to the above, the development would be liable for approximately £17,815 to the Mayor of London's Community Infrastructure Levy (CIL). As the scheme is 100% affordable the, affordsble housing floorspace would be eligible for relief.
4. That the Director of Development & Renewal is delegated authority to negotiate the legal agreement indicated above.
5. That the Director of 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
 - An additional informative setting out specific measures to prevent anti-social behaviour and noise nuisance, particularly from the roof top amenity space.

The Committee suggested that the following could be explored and where necessary, informatives to be included in the decision notice:

- Additional security measures to restrict access to the roof top space to residents of the development only.
- Greater surveillance of the site (CCTV a caretaker).
- Measures to minimise noise disturbance from the roof top area.
- Engagement with the Collingwood Estate Residents Association to see if they could monitor the roof top area.

The meeting ended at 8.45 p.m.

Chair, Councillor Sirajul Islam
Strategic Development Committee