

LONDON BOROUGH OF TOWER HAMLETS

MINUTES OF THE DEVELOPMENT COMMITTEE

HELD AT 7.00 P.M. ON WEDNESDAY, 25 NOVEMBER 2015

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

Members Present:

Councillor Marc Francis (Chair)
Councillor Shiria Khatun
Councillor Sabina Akhtar
Councillor Rajib Ahmed
Councillor Mahbub Alam (Substitute for Councillor Suluk Ahmed)
Councillor Peter Golds (Substitute for Councillor Chris Chapman)
Councillor Shah Alam (Substitute for Councillor Gulam Kibria Choudhury)

Other Councillors Present:

Councillor Oliur Rahman

Apologies:

Councillor Suluk Ahmed
Councillor Gulam Kibria Choudhury
Councillor Chris Chapman

Officers Present:

Paul Buckenham	– (Development Control Manager, Development and Renewal)
Nasser Farooq	– (Deputy Team Leader, Planning Services, Development and Renewal)
Jane Jin	– (Deputy Team Leader, Development and Renewal)
Piotr Lanoszka	– (Planning Officer, Development and Renewal)
Gillian Dawson	– (Team Leader, Legal Services, Law, Probity and Governance)
Zoe Folley	– (Committee Officer, Directorate Law, Probity and Governance)

1. DECLARATIONS OF DISCLOSABLE PECUNIARY INTERESTS

Councillor Peter Golds declared a personal interest in agenda item 6.2 Site south west of the junction of Glenworth Avenue and Saunders Ness Road, E14 3EB (PA/15/00360) as he had spoken to residents about the plans in his capacity of ward Councillor for the area. He also declared a personal interest

in agenda item 6.3 Wickham House, 69-89 Mile End Road and 10 Cleveland Way, London, E1 (PA/14/03547) as he had seen and commented on plans however had kept an open mind pending consideration of the application at the Committee meeting

Councillor Rajib Ahmed declared a personal interest in the agenda items as he had received representations from interested parties.

Councillor Mahbub Alam declared a personal interest in agenda item 6.3 Wickham House, 69-89 Mile End Road and 10 Cleveland Way, London, E1 (PA/14/03547) as he had raised a Members Enquiry on the proposal and had received representations from interested parties.

Councillor Sabina Akhtar declared a personal interest in agenda items 6.2 Site south west of the junction of Glenworth Avenue and Saunders Ness Road, E14 3EB (PA/15/00360) and 6.4 Balfron Tower, 7 St Leonards Road, London, E14 0QR (PA/15/02554 & PA/15/02555) as she had received representations from interested parties.

Councillor Shiria Khatun declared a personal interest in agenda items 6.1, Vic Johnson House Centre, 74 Armagh Road, London, E3 2HT (PA/15/01601) 6.2, Site south west of the junction of Glenworth Avenue and Saunders Ness Road, E14 3EB (PA/15/00360), 6.3, Wickham House, 69-89 Mile End Road and 10 Cleveland Way, London, E1 (PA/14/03547) and 6.4, Balfron Tower, 7 St Leonards Road, London, E14 0QR (PA/15/02554 & PA/15/02555) as she had received representations from interested parties.

Councillor Shiria Khatun declared a prejudicial interest in agenda item 6.5 Attlee House, Sunley House, Profumo House and College East, 10 Gunthorpe Street, London (PA/15/02156) as she worked for organisation that had an interest in the properties. She announced that she would be leaving the meeting for the consideration of this item.

Councillor Marc Francis declared a personal interest in agenda items 6.2 Site south west of the junction of Glenworth Avenue and Saunders Ness Road, E14 3EB (PA/15/00360), 6.4, Balfron Tower, 7 St Leonards Road, London, E14 0QR (PA/15/02554 & PA/15/02555) and 6.5 Attlee House, Sunley House, Profumo House and College East, 10 Gunthorpe Street, London (PA/15/02156) as he had received representations from interested parties.

2. MINUTES OF THE PREVIOUS MEETING(S)

The Committee **RESOLVED**

That the minutes of the meeting of the Committee held on 28 October 2015 be agreed as a correct record and signed by the Chair.

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

None.

6. PLANNING APPLICATIONS FOR DECISION

6.1 Vic Johnson House Centre, 74 Armagh Road, London, E3 2HT (PA/15/01601)

Update report tabled.

Councillor Shiria Khatun (Chair) for this item.

Paul Buckenham (Development Control Manager, Development and Renewal) introduced the proposal for the part demolition, part refurbishment, part new build (extension) to total 60 age restricted apartments (over 55s) sheltered housing scheme.

The Chair then invited registered speakers to address the Committee.

Marcus Cook, resident of the property and Councillor Marc Francis spoke in objection to the scheme. They expressed concern about:

- Impact on the amenity of the existing residents especially during the construction phase.
- Loss of valuable community space and green space in view of the proposed increase in units and loss of green space generally in the area.
- Appearance of the proposal – unsightly appearance
- Affordability of the new units.
- Impact on the health and wellbeing of the elderly residents arising from the stress of moving.
- Overdevelopment of the site in view of the above.

In response to questions, they reported that whilst there had been a series of consultation meetings, there was a lack of engagement on the substance of this scheme (i.e. the doubling of the number of units, the demolition work and the relocation of tenants). They also clarified their concerns about the loss of amenity space (including the part at the back of the warden's house and along the bungalows), that was much used by residents. There was a lack of detail in the report about what exactly was being lost. Concern was also expressed about the displacement of the occupant of the warden's house.

Maureen Jackson (resident) and James Wallace (Applicant's agent) spoke in support of the application. They stated that many of the residents supported the proposal given the proposed improvements to their living environment. The scheme would also deliver a number of good quality new apartments. Consultation had been carried out with residents and support provided to help them fully understand the plans. There were measures to mitigate the impact on the existing residents, intending to stay, during the construction phase (such as the provision of a separate day lounge and day visits with free transport). One of the reasons why the warden's houses needed to be removed was to address the drainage problems that it was causing.

The speakers then responded to questions from Members, explaining that the new units would be at affordable rents, the main entrance would be relocated and the vehicle and emergency access points would remain as existing.

They also explained the number of existing residents that would remain on the scheme and that those who had moved would have option of coming back. There would be a net increase in amenity space and private amenity space in the form of balconies.

Jane Jin (Team Leader, Development and Renewal) presented the report and update explaining the nature of the proposal including the number of new units and those to be retained. Consultation had been carried out and the issues raised were summarised in the presentation slide and in the Committee report.

Members were advised of the existing and proposed layout of the Vic Johnson House including the proposed extension. They were also advised of the proposed height of the proposal, design, the range of new facilities and the significant improvements to the amenity space. In terms of the housing,

the new units would be at the borough framework rents levels and the existing units would remain social rent units. The new units complied with the London Plan in terms of quality.

Consideration had been given to the amenity impact of the scheme both on residents of the development itself and also neighbouring amenity. No adverse impacts were anticipated in terms of sunlight/daylight and privacy as shown by the technical assessment. Careful consideration had been given to the impact from the construction phase in view of the concerns about this. To minimise the impact, there were a range of measures to mitigate the impact, during each phase of the scheme, that would be secured by condition.

In view of the merits of the scheme, Officers were recommending that the application be granted planning permission.

In response to the presentation, Members asked questions about:

- The impact on the green space given the proposed increase in residential units.
- Loss of the communal gardens and the quality of the replacement space.
- The consultation carried out with residents to see if they were supportive of the changes.
- The petition in objection.
- Construction impact on residents.
- Quality of the units (existing and new) in terms of wheelchair accessibility
- Design and scale of the scheme.

In response, it was emphasised the plans would deliver a good standard of amenity space, that exceeded the minimum in policy for a scheme of this nature. It would be of a much superior quality space to that there now and far easier to access. The layout of the reconfigured space and proposed features was noted. All of the new units would be wheelchair adaptable. Details of the arrangements were set out in the Committee report and were explained at the meeting.

As described in the presentation, the applicant had submitted a mitigation framework to alleviate the impact of the construction works on residents, based on similar successful scheme. These measures were listed. It was also considered that the design of the scheme was consistent with others in the area and there would be minimal impact on the setting of Conservation Area.

On a vote of 0 in favour, 5 against the Officer recommendation and 1 abstention, the Committee did not agree the Officer recommendation to grant planning permission.

Accordingly, Councillor Shiria Khatun proposed and Councillor Sabina Akhtar seconded a motion that the planning permission be not accepted (for the reasons set out below) and on a unanimous vote it was **RESOLVED:**

That the Officer recommendation to grant planning permission be **NOT ACCEPTED** at Vic Johnson House Centre, 74 Armagh Road, London, E3 2HT (PA/15/01601) for the part demolition, part refurbishment, part new build (extension) to total 60 age restricted apartments (over 55s) sheltered housing scheme, including new communal areas (lounge, function room, hair salon and managers office), and associated landscape gardens. The proposed use remains as existing. The scheme is on part 2, part 3 and part 4 storeys.

The Committee were minded to refuse the scheme due to concerns relating to:

- Loss of amenity space in view of proposed increase in units and the loss of the communal lounge that would not be replaced like for like
- Overdevelopment of the site.
- Bulk and size of the proposal that would be out of character with the surrounding area.
- Impact on the amenity of the existing residents of the development in terms of noise and disruption during the construction phase.

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 and the implications of the decision.

6.2 Site south west of the junction of Glenworth Avenue and Saunders Ness Road, E14 3EB (PA/15/00360)

Councillor Marc Francis (Chair) for the remaining items of business

Update report tabled.

Paul Buckenham (Development Control Manager, Development and Renewal) introduced the proposal for the construction of a 1,705 GIA sq. m. 3-storey primary school to accommodate 280 pupils and approximately 30 staff.

The Chair then invited registered speakers to address the Committee.

Sandra Ireland and Kathy McTasney (local residents) spoke in objection to the proposal, objecting to:

- The lack of benefits for local children. Given this, it was questioned whether the funding would be better spent extending the existing schools for local children.
- Impact on neighbouring amenity – due to noise and nuisance from the scheme especially during the construction phase, the proximity of the waste storage for the scheme to residents properties.
- Duplication of existing services.

- Design was too big for the site
- Impact on the highway from the school runs.

Anna - Marie Hulme (resident) and Sarah Counter (Applicant's agent) spoke in support of the scheme. They spoke about the quality of the existing Canary Wharf College and felt that the plans would allow other children to benefit from such facilities. The highway impact would be minimal as detailed in the technical assessment. It was expected that most of the pupils would walk to the school. The scheme would be car free. The measures to mitigate the impact from the school run on the highway were noted.

The plans would be in keeping with area. The new building would be of a high quality design and be a decent distance from the nearest neighbouring properties. The measures to mitigate the construction impact were noted.

In response to questions from Members, Ms Counter described the colour of the proposed brick work. She also explained that that all 50 staff travelled on foot or public transport (that was in their contracts of employment). Places were offered by distance to the school. It was also stated that 100 children were in temporary accommodation and it was intended that they would be moved to the new site. Ms Counter also answered questions about the expected student profile for the school and also their admissions policy. At this point, Officers advised that Members must only take into account the material planning matters in considering this application.

The Chair stated there should be no interventions from the public gallery during the meeting.

Jane Jin (Team Leader, Development and Renewal) gave a presentation on the application describing the site location and surrounds, the proximity to listed buildings and the St Luke's School. Consultation on the scheme had been carried out and the issues raised were set out in the presentation slides and the Committee report.

Members were advised of the proposed facilities, expected pupils numbers, the layout of the scheme, the design, height and massing that would accord with the surroundings and the measures to prevent disturbance from the play ground.

In terms of amenity, the scheme met the tests in policy for sunlight and daylight and there would be no direct overlooking from the school. Therefore, no adverse impacts on amenity were anticipated.

The application had been accompanied by a transport plan (that looked at the cumulative impact of the proposed school and other schools on the local highway). The study found that the impact would be acceptable given the measures to mitigate the impact. Highway Services had not expressed concern with the scheme.

In view of the merits of the scheme, Officers were recommended that it be granted planning permission.

In response to the presentation, Members asked questions about:

- The impact on the highway from the development with regards to school drop off and pick ups given the existing pressures on the highway and the number of children expected to travel from a distance
- The transport assessment in view of the above.
- Adequacy of the proposed play space and disturbance from this.
- Size of the school in relation to the site.
- Proximity to residents and the impact on amenity.
- Loss of trees.

In response to further questions, the Chair reminded members that they must stick to material planning considerations. Officers also reminded Members that this application was for a school and that the composition of the teachers and children was not a material planning consideration.

In response, Officers explained that none of trees at the site were protected. The Council's Biodiversity Officer had considered the scheme and felt that the proposals were acceptable given the limitations in providing new trees on the site. It was felt that the height and scale of the scheme could be accommodated at the site and was consistent with similar schemes.

Careful consideration had been given to the highway impact including a site visit by Officers at 3pm to witness first hand the impact on the highway of the school run. Given the findings along with the nature of the scheme (the staggered start times, the catchment area, the predication that most of the pupils would travel by foot and the measures in the transport plan), Officers did not consider that the scheme would cause any major harm in this regard.

In response to further questions, Officers explained in greater detail the measures in the travel plan to minimise the impact on the highway (including the promotion of alternative modes of transport). They also gave examples of the type of issues that may be considered in assessing whether the site could accommodate a school of this size (in the absence of any specific planning guidance regarding the amount of school space per pupil).

In relation to the Cruise terminal, it was reported that the planning permission would include measures to mitigate the impact of the scheme. It was also noted that there was a presumption in national planning policy in favour of state school developments. It was hoped that the new school would open in time for the start of the new school next September.

Councillor Mahbub Alam proposed and Councillor Shah Alam seconded a motion that the planning application be **DEFERRED** for a site visit.

Accordingly on a vote of 4 in favour, 1 against and 2 abstentions it was **RESOLVED:**

That the planning application be **DEFERRED** at Site south west of the junction of Glenworth Avenue and Saunders Ness Road, E14 3EB (PA/15/00360) for a SITE VISIT to enable Members to better understand the impact of the scheme on the area including the highway impact of the school run.

Under Procedure Rule 17.6, Councillor Peter Golds requested that it be recorded that he voted against this decision.

6.3 Wickham House, 69-89 Mile End Road and 10 Cleveland Way, London, E1 (PA/14/03547)

Update report tabled.

Paul Buckenham (Development Control Manager, Development and Renewal) introduced the proposal for the refurbishment of former Wickham's department store

The Chair then invited registered speakers to address the Committee.

Dr Fuad Ali (Friends of Wickham House), Shams Doha (Ebrahim Community College) and Councillor Oliur Rahman, spoke in objection to the proposal. They spoke about the need for the existing D2 use community facility at the development and the lack of evidence that the issues stemmed from that unit. In fact, complaints had been made about other units in the development and the report failed to mention the other incidents of non compliance with planning regulations in the development. Some of the complaints made about the existing community use were immaterial. The application should be deferred for a site visit. In response to Member questions, they also spoke about the merits of the D2 use in terms of size, affordability to community groups, charities etc. its accessibility and the uniqueness of the facilities. Officers reminded Members that whilst they may put weight on the planning enforcement issues and the fire safety issues, the building regulation issues were controlled by separate regulations.

James Mcallister (Agent) and Rupert Scott, (local resident) spoke in support of the scheme. They advised that the proposal would provide new jobs, community and leisure space of a better quality to what was there already. There had been changes to the scheme to retain the frontage and minimise the impact on neighbouring amenity amongst other changes. As a result Historic England and most of the local residents now considered that the proposal was acceptable. Complaints had been received about the community facility about disturbance from the property effecting neighbours and other issues. Yet the issues had not been dealt with. It was evident from this that the unit was not fit for use. They also spoke about the suitability of the site for the proposal given the location and the operation of a similar operation on the first floor of the development.

The speakers then responded to questions of clarification about: the plans for Spiegelhalter House, the complaints about the D2 unit and the evidence that they were the source of the problems, (questioned by some Members) and

the highway issues. It was expected that given the nature of the proposal most of the trips would be by foot.

Piotr Lanoszka (Planning Officer, Development and Renewal) gave a detailed presentation on the scheme describing the site location, surrounding area in the Stepney Green Conservation Area. Whilst not listed, the subject buildings were non designated heritage assets.

The proposals involved the refurbishment and extension of the department store to create a large co-worker hub for start up and SME businesses. The scheme had been amended to address objections. Images of the scheme before and after amendment were shown. Consultation had been carried out on both the revised proposal and the main issues raised were summarised on the presentation slide and in the Committee report. As a result, both Historic England and the Victorian Society were pleased with the improvements.

The scheme, including the roof extension, had been carefully designed to preserve the setting of the buildings and the surrounds including the operation of the nearby Mosque. The measures to ensure this were noted including generous set backs in the design. Overall, it was considered that the changes would be minor in nature and that due to the improvements would deliver a net benefit in terms of heritage. Furthermore, as a result of these measures, the scheme would not adversely affect amenity.

It was also considered that the site was particularly suitable for the intended use given amongst other matters: the need for SME start up space, the town centre location with good public transport links and the regeneration benefits. It was also noted that the flexible business space in the basement may accommodate a range of different business within the permitted classes. They may be subdivided to accommodate their specific needs and included a D2 use.

Officers were mindful of the ongoing issues with the existing D2 facility partly caused by noncompliance with the planning regime. Whilst mindful of the representations made in support of the facility, it was considered that benefits of the proposal outweighed the limited public benefits of this facility.

In view of the merits of the scheme, Officers were recommended that it be granted planning permission.

In response to the presentation, Members asked questions about:

- The changes to the appearance of the building.
- Capacity of the banqueting hall and whether it could be retained.
- The case for locating the scheme in this particular area.
- The type of the businesses that may occupy the office floor space.

In response, Officer stressed the merits of the scheme from a heritage perspective. Specifically, it was pointed out that roof extension would be subservient to the building and that the Council's Conservation Officer was supportive of the scheme given the heritage benefits. It was also noted that

little of the original internal features had been preserved. The evidence suggested that small and SME businesses would naturally be attracted to this type of environment given the merits of the site mentioned above and the relatively affordability of the units compared to other places.. Furthermore, in view of the economic benefits, it made sense to group the various uses together. As explained above, the layout may be adapted to accommodate a variety of different business types within the permitted classes of use.

It was also noted that substantial changes would need to be made to the scheme to retain the existing community D2 use.

Councillor Mahbub Alam proposed and Councillor Shah Alam seconded a motion that the planning application be **DEFERRED** for a site visit.

Accordingly on a vote of 4 in favour and 3 against, it was **RESOLVED**:

That the planning application be **DEFERRED** at Wickham House, 69-89 Mile End Road and 10 Cleveland Way, London, E1 (PA/14/03547) for a SITE VISIT to enable Members to better understand the impact of the scheme on the area

6.4 Balfon Tower, 7 St Leonards Road, London, E14 0QR (PA/15/02554 & PA/15/02555)

Application not considered due to lack of time.

6.5 Attlee House, Sunley House, Profumo House and College East, 10 Gunthorpe Street, London (PA/15/02156)

Application not considered due to lack of time.

7. OTHER PLANNING MATTERS

None.

The meeting ended at 10.50 p.m.

Chair, Councillor Marc Francis
Development Committee