

LONDON BOROUGH OF TOWER HAMLETS

MINUTES OF THE STRATEGIC DEVELOPMENT COMMITTEE

HELD AT 7.00 P.M. ON THURSDAY, 16 FEBRUARY 2017

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

Members Present:

Councillor Marc Francis (Chair)
Councillor Denise Jones
Councillor Helal Uddin
Councillor Gulam Robbani
Councillor Shafi Ahmed
Councillor John Pierce (Substitute for Councillor Asma Begum)
Councillor Andrew Wood (Substitute for Councillor Julia Dockerill)

Other Councillors Present:

Councillor David Edgar
Councillor Peter Golds

Apologies:

Councillor Asma Begum
Councillor Danny Hassell
Councillor Julia Dockerill

Officers Present:

Jerry Bell	(East Area Manager, Planning Services, Place)
Beth Eite	(Team Leader, Planning Services, Place)
Piotr Lanoszka	(Principal Planning Officer, Place)
Brett McAllister	(Planning Officer, Place)
Marcus Woody	(Legal Advisor, Legal Services, Governance)
Zoe Folley	(Committee Officer, Governance)

1. DECLARATIONS OF DISCLOSABLE PECUNIARY INTERESTS

No declarations of interests were made.

2. MINUTES OF THE PREVIOUS MEETING(S)

The Committee **RESOLVED**

That the minutes of the meeting of the Committee held on 19th January 2017 be agreed as a correct record and signed by the Chair.

3. RECOMMENDATIONS AND PROCEDURE FOR HEARING OBJECTIONS AND MEETING GUIDANCE

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) To note the procedure for hearing objections at meetings of the Development Committee and the meeting guidance.

4. DEFERRED ITEMS

None.

5. PLANNING APPLICATIONS FOR DECISION

5.1 562 Mile End Road & 1a, 1b, 1c Burdett Road (PA/16/00943)

Update report tabled.

Jerry Bell, (East Area Manager, Planning Services), introduced the application for the demolition of existing buildings and construction of a mixed use development comprising part 3-storey, part 8-storey and part 15-storey building residential led building.

The Chair invited registered speakers to address the meeting.

Nigel Whitfield, Tom Kaneko, Ms M. McGinley, Councillor Peter Golds and Councillor David Edgar (Ward Councillor) addressed the Committee in objection to the application.

The speakers objected to the height of the proposal and its scale. It was too large for and did not relate well with the context of the area given the mid - rise nature of the street scape. Therefore, it would have an overbearing and oppressive affect on the area and would set a precedent for future developments. It also conflicted with the policy in respect of these matters. In addition, the density was twice that recommended in the London Plan for the site.

They also objected to the poor design. This would exacerbate the above issues and would not offset the impact of the height. They also questioned the quality of the affordable housing given the air quality issues, the demand for the retail space, the lack of parking and assessable wheelchair spaces for the development, the servicing provision and the pollution issues. Concern was also expressed about the loss of the existing night club. This was a unique club that had been there many years. It was understood that the owner wished to continue with its operation and its relocation should be secured as part of the S106 agreement.

They also expressed concern about the construction costs of building over the LUL infrastructure. It was felt that this could potentially impact on the viability of the application meaning less affordable housing could ultimately be delivered.

The proposal would also overshadow gardens. Insufficient consideration had been given to this in the Committee report.

In response to questions from Members about the consultation, it was reported that a public consultation meeting was held in 2013. It was also reported that access to the site and parking around the site was already very restricted. The proposal would make this much worse. The speakers also stressed the need for the club to be relocated and commented on the features of the premises. In response to further questions, they described the location of the gardens that would be affected by the proposal, and clarified the concerns about the height and design.

Richard Evans (Applicant's agent) Catriona O'Meara and Josephine Roscoe addressed the Committee in support of the application.

The plans were a product of substantial amount of discussions with both LBTH and the GLA. The plans would regenerate the site and would deliver: a number of benefits in terms of new housing and commercial space amongst other features. The proposal would maximise the housing potential of the site in accordance with the London Plan in a transport hub. So the overall density could be accommodated on the site. In relation to the nightclub, the applicant had expressed a commitment to securing a new premises for the occupants

given its planning status, and were happy for them to continue to operate in the premises for the next 12 months.

The plans would preserve neighbouring amenity due to the separation distances. There would be biodiversity enhancements, wind mitigation measures and the air quality levels fell within the permitted range. The design, that had been informed by the site constraints, would respond well to the area. The massing and height had been reduced to fit in better with the area. Whilst there would be some impact on heritage assets, it was considered that the public benefits of the application would outweigh this. The accommodation would be of a high quality. The development would be car free but there would be a wheelchair assessable space.

In response to questions from the Committee, the speakers provided further reassurances about the height and density of the plans and the consultation. They also explained the difficulties in retaining the nightclub at the site due to its incompatibility with the proposed residential use.

In response to further questions, the speakers highlighted the quality of the proposed new commercial space and expressed optimism about their marketability. It was also explained that the scheme included dedicated play space in the form of separate terraces for the private and affordable units. Access to which was a management issue. Whilst a number of the units would have balconies overlooking Burdett Road (contrary to the Air Quality Officers advice), on balance, it was considered that the benefits in terms of the provision of private amenity space would outweigh any concerns. It was required that plans be submitted to demonstrate the feasibility of building over the LUL infrastructure. There had been ongoing discussion with LUL about the plans.

Brett McAllister, (Planning Services) presented the report explaining the site location, and the character of the area, serviced by good transport links. He explained the key features of the application drawing attention to the quality of the design, the layout, the standard of accommodation and the policy compliant level of affordable housing, the terrace play space and contributions for Mile End Park. Consultation had been carried out resulting in 90 representations in objection and 1 in support.

Turning to the assessment, the provision of good quality residential units in a transport hub was a key priority. An agreement had been reached to allow the night club to temporarily stay at the premises and for it ultimately to be relocated. Whilst the height of the building would exceed that of the surrounding buildings, it had been carefully designed to relate well to the area and would provide a landmark building. The building would cause some harm to the setting of heritage assets. Overall it was considered that this would be less than substantial and that the public benefits of the application would outweigh this. There would be mitigation to preserve neighbouring amenity and the neighbouring properties would broadly continue to receive adequate light. The Committee were also advised of the transport and highway issues.

Given the benefits of the application, Officers were recommending that it was granted planning permission.

In response, the Committee asked questions about the loss of the club and why this was considered acceptable. Officers felt that it could invite a conflict with the residential use in terms of the amenity impact. It was also explained that the relocation of the taxi business was a commercial matter given its lack of planning status.

The Committee also questioned the adequacy of the servicing arrangements given the scale of the residential development. It was confirmed that the servicing would take place from an existing servicing bay near the site. Highway Services had no objection to the plans.

The Committee also asked about the plans to build over the LUL infrastructure. Assurances were sought about the safety of this. It was noted that a condition would be attached to the permission dealing with this in a similar fashion to those attached to other developments involving such work.

Members also sought assurances about the air quality measures, particularly the coverage of the mechanical ventilation system. It was confirmed that there would be a condition ensuring that the system would cover all of the units requiring the system.

The Committee also questioned the density of the application given it exceeded the recommended range in policy for the site. In response, Officers advised that given the sites attributes (the good transport links and access to services), the application met the criteria in policy for exceeding the density range. The proposal lacked any symptoms of overdevelopment and the amenity impacts were minimal for a taller development. The development would maximise the housing development potential of the site in line with policy.

In response to further questions, Officers provided assurances about the impact on gardens from the development, fire safety issues, the quality of the entrances to the affordable and the private houses, the CIL contributions and the commercial units.

At the conclusion of the discussion, Members expressed concern about the height massing, bulk and the design and impact of this on the townscape. It was also considered that the plans showed symptoms of overdevelopment due to the density. The impacts on Beckett Court and 564 Mile End Road was evidence of this. Members also expressed concern about the highway issues, in terms of the road access and servicing issues. It was also commented that it would be premature to go ahead with the plans without further guarantees from LUL. Concern was also expressed about the air quality issues particularly in relation to the proposed balconies and the loss of the night club.

On a vote of 0 in favour of the Officer recommendation to grant planning permission and 6 against, the Committee did not agree the Officer recommendation to grant planning permission.

Accordingly, Councillor Marc Francis proposed a motion that the planning permission be not accepted (for the reasons set out below) and on a vote of 6 in favour and 0 against the Committee **RESOLVED:**

That the Officer recommendation to grant planning permission be **NOT ACCEPTED** at 562 Mile End Road & 1a, 1b, 1c Burdett Road for the demolition of existing buildings and construction of a mixed use development comprising part 3-storey, part 8-storey and part 15-storey building, 52 residential units, 760sqm (GIA) commercial floorspace (A1, A2 & B1), landscaping, public realm improvements, access and servicing (including 1 disabled car parking space; 107 cycle parking spaces; and associated highway works) and other associated infrastructure (PA/16/00943)

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

- Height, bulk and massing and the impact on the townscape.
- Density and overdevelopment of the site.
- The servicing provision.
- Loss of the community facility.
- Design of the proposal.
- Air quality issues.

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

Councillor Gulam Robbani could not vote on this application having not been present from the beginning of the Committee's consideration of the application.

5.2 10 Whitechapel High Street, E1 8DX (PA/16/02250)

Update report tabled.

Jerry Bell (East Area Manager, Planning Services) introduced the application for the change of use of part of ground floor, part first floor, Basement 1 and Basement 2 from B1 (including ancillary floorspace), and Professional driver training / testing facility to a Sui Generis cultural facility and other associated works.

Beth Eite (Planning Services) presented the application describing the site and surrounds. It was reported that the Sui Generis use would include a mixture of different uses including exhibition space, office and conference facilities.

In addition to this, the application sought the construction of a new two storey extension fronting Mansell Street. This proposal was identical to the application that had been previously consented save for the inclusion of the Sui Generis use.

The application also included changes to the façade of the building including the provision of a raised terrace to be used as a seating area. This would overlook Braham Street Park and ensure constant surveillance of the park. Consultation had been carried out on the proposal and no representations in objection had been received.

Whilst the loss of office space in a Preferred Office Location was normally resisted, it was considered that in this case, there were special circumstances justifying the loss of such use given the deficiencies with the basement space and that the proposal would enable the building to be brought back into active use and would generate employment.

Furthermore, it was considered that the impacts in terms of residential amenity including that from the cultural facility (that could open until 1am) would be acceptable given the lack of residential units near the premises and that the site fell in the Central Activities Zone where night time economy was directed to.

Given the benefits of the application, Officers were recommending that it was granted planning permission.

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

1. That planning permission be **GRANTED** at 10 Whitechapel High Street, E1 8DX for

Change of use of part of ground floor, part first floor, Basement 1 and Basement 2 from B1 (including ancillary floorspace), and Professional driver training / testing facility for a vehicle hire company use (D1) to a Sui Generis cultural facility including exhibition space, event space, office, retail and restaurant uses

Alterations and extension to the existing lean-to element that forms part of the west elevation of the building and works to realign and resurface the existing ramp and stairs in connection with improvements to the access of the basement and all ancillary and associated works.

Minor alterations to north and south elevations of the building including a new access ramp(PA/16/02250).

2. Subject to the prior completion of a S106 legal agreement to secure the planning obligations in the Committee report.

3. That the Corporate Director of Place is delegated power to negotiate the legal agreement indicated above acting within normal delegated authority.
4. That the Corporate Director of Place is delegated authority to issue the planning permission and impose conditions and informatives to secure the matters set out in the Committee report.

The meeting ended at 9.10 p.m.

Chair, Councillor Marc Francis
Strategic Development Committee