

LONDON BOROUGH OF TOWER HAMLETS

MINUTES OF THE DEVELOPMENT COMMITTEE

HELD AT 7.05 P.M. ON WEDNESDAY, 9 AUGUST 2017

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

Members Present:

Councillor Marc Francis (Chair)
Councillor John Pierce (item 5.2 only)
Councillor Helal Uddin
Councillor Suluk Ahmed
Councillor Chris Chapman
Councillor Andrew Cregan

Other Councillors Present:

None

Apologies:

Councillor Sabina Akhtar

Officers Present:

Paul Buckenham	(Development Manager, Planning Services, Place)
Marcus Woody	(Legal Advisor, Legal Services, Governance)
Tim Ross	(Team Leader, Planning Services Place)
Kevin Crilly	(Planning Officer, Place)
Beth Eite	(Team Leader, Planning Services, Place)
Zoe Folley	(Committee Officer, Governance)

1. DECLARATIONS OF DISCLOSABLE PECUNIARY INTERESTS

No declarations of disclosable pecuniary interests were made.

2. MINUTES OF THE PREVIOUS MEETING(S)

The Committee **RESOLVED**

That the minutes of the meeting of the Committee held on 14 June 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, Place 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, Place 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

5.1 114 -150 Hackney Road, London, E2 7QL (PA/17/00250)

Update report tabled.

Paul Buckenham (Development Manager) introduced the application for the mixed use redevelopment of the site including part demolition, part retention, part extension of existing buildings alongside erection of complete new buildings ranging in height, to house a maximum of 9 residential units, employment floorspace and retail floorspace and provision of Public House along with associated works.

The Chair invited registered speakers to address the meeting.

Amy Roberts (Friends of the Joiners Arms) and Frank Davidson (New Joiners Arms Shoreditch Ltd) spoke in objection to the proposal. They expressed regret about the loss of LGBT+ venues in the community given their value to the community. Accordingly, they expressed concern about the development's impact on the viability of the A4 unit (that served the LGBT+ community) given: its poor design (compared to the existing unit as noted by CAMRA), the costs of bringing the new unit into use, the excessive rent levels, the earlier closing time and the terms of the s106 agreement. Under which, the terms of the lease would remain in the control of the management and favoured the applicant. They wished to see a like for like establishment

provided to the Joiners Arms that would preserve this important longstanding community asset.

In response to questions, they clarified their concerns about the terms of the legal agreement. They also recommended that the A4 unit should be relocated to the corner of the site to provide a far more like for like premises. This would also provide opportunities for community uses above the unit. They also clarified their concerns about the expected rent levels, the design and the potential fit out costs to provide a functioning bar area and the developer's consultation. They also responded to questions about the merits of locating the A4 unit at the alternative location underneath residential properties and potential soundproofing measures.

Jim Poole (Applicant's agent) spoke in support of the application. The plans were a product of lengthy engagement with officers, the LGBT+ community and the Mayor of London's Night Time Czar. The legal agreement contained measures to protect the LGBT+ use. The future occupants would have a rent free period and also have a larger trading area. The plans would provide employment and enterprise opportunities and would preserve the heritage of the local area. The applicant would continue to work with the LGBT+ community in carrying out the project. In view of the merits, he recommended that the application was granted permission.

In response to questions about the location and the expense of fitting out the A4 unit, Mr Poole confirmed that the unit would be placed at the heart of the development. He felt that a corner location would place it closer to noise sensitive residential properties so would be a less desirable location. The applicant was aware of the issues around the set up costs and was prepared to look at ways of assisting with this. There could also be opportunities to put a break clause into the 12 year lease. Regarding the impact on neighbouring amenity, he stated that the rooms mostly effected would be kitchens and bedrooms. There would also be set backs in the design to preserve amenity and the proposed opening hours should also help ensure this. The results of the light analysis has been independently tested and validated. In terms of the commercial units, he reported that there would be range of flexible retail/office unit types and affordable spaces. Units could be subdivided and would provide opportunities for start up business.

Tim Ross (Planning Services) presented the application and the update report explaining the site location, the character of the surrounding area, the location of the Joiner's Arms Public House that was a listed Asset of Community Value, the principles for the site in policy and the planning history. He also explained the key features of application.

In land use terms, the principle of an office led redevelopment of the site complied with policy given that it would create employment and new houses whilst preserving the setting of the Hackney Road Conservation Area. The proposed provision of a new Public House within the scheme (approximately of equal size of the existing unit) was considered to meet the policy in respect of Community Infrastructure and promote equality subject to the obligation offering first right of refusal on the lease to a LGBT+ operator. Such an

operator would also be offered a one year rent free period. (The terms of the proposed legal agreement was set out in the update report). The development would also provide a number of flexible retail/office units, that could be occupied by small business. The number of A1-4 retail units would be capped so as to prevent any undue impact on the viability of the town centre. The application would also provide public realm improvements.

It was noted that there would be daylight impacts to a neighbouring terrace of houses located near the site. However on balance officers considered that these impacts were acceptable when due weight was given to the public and regeneration benefits of the proposals. Mitigation was also proposed to minimise the impacts.

Given the merits of the application, Officers were recommended that it was granted permission.

The Committee asked questions about the costs of converting the A4 unit to provide the necessary infrastructure and the merits of the location, noting the concerns of CAMRA. In view of the concerns, it was questioned whether the changes could result in the loss of the public house and if this was the case, whether the merits of the scheme would outweigh the impacts of the development.

In response, Officers explained that a lot of effort had gone into maximising the benefits of the application and addressing the concerns around the LGBT+ use. The draft legal agreement included a range of measures that should safeguard the LGBT use. Furthermore, due to the design of the proposal and the differences between it and other public house that had closed down, Officers were confident that it could operate as a viable business.

The Committee also asked questions about the speakers offer to help fund the costs of the fit out. Officers report that whilst it was a positive offer further consideration would need to be given to this especially if it turned out to be a determining factor for the Committee. Officers would need more information from the applicant about this and report back to the Committee.

The Committee also asked questions about the amenity impacts to the Vaughan Estate giving the information in the Committee report. In response it was confirmed that a number of the windows facing the site (within these properties) would experience a marked reduction in daylight, due to the massing of the development. But the rooms affected were mostly non habitable rooms. An objection had been received from a resident on Vaughan Estate.

Councillor Andrew Cregan proposed and Councillor Helal Uddin seconded a motion that the planning permission be deferred (for the reasons set out below) and on a vote of 3 in favour 1 against and 1 abstention, the Committee

RESOLVED:

That the planning permission at 114 -150 Hackney Road, London, E2 7QL be **DEFERRED** for mixed use redevelopment of site including part demolition, part retention, part extension of existing buildings alongside erection of complete new buildings ranging in height from four storeys to six storeys above a shared basement, to house a maximum of 9 residential units (Class C3), 12,600 sqm (GEA) of employment floorspace (Class B1), 1,340 sqm (GEA) of flexible office and retail floorspace at ground floor level (falling within Use Classes B1/A1-A5) and provision of 316 sqm (GEA) of Public House (Class A4), along with associated landscaping and public realm improvements, cycle parking provision, plant and storage (PA/17/00250)

The Committee were minded to defer the application for the following reasons:

To undertake a Committee site visit

To receive further information about:

- The future viability of the A4 use that could be used as a LGBT+ venue.
- The fit out of the unit and the applicant's contribution to this
- The daylight impacts to neighbouring properties.

5.2 Brussels Wharf, Glamis Road, E1W 3TD (PA/16/01978)

Update report tabled

Paul Buckenham (Development Manager) introduced the application for the development of 50 x 8.5m natural swimming pool and kid's pool, a café restaurant, ecological improvements to Shadwell Basin, a new foot bridge and decked area and a new canoe polo court in Shadwell Basin

The Chair invited registered speakers to address the meeting.

Mads Myeo Jorgensen and Sylvia White (local residents) spoke in objection to the application. They expressed concern about increased ASB from the proposal giving the existing problems in this area and the lack of action to deal with this by the management. The speakers also called into question the compatibility of locating a restaurant that could serve alcohol with children's swimming activities. Concern was also expressed about the traffic impact, the adequacy of the travel plan, the noise impact due to visitor numbers, litter, the credibility of the evidence supporting the site improvements and the adequacy of the developers consultation. Concern was also expressed about the impact on other community facilities, the viability of the proposal and the need for a new swimming pool in this area in view of the comments of Sports England. In response to questions, they clarified their concerns about increased traffic and parking stress from the proposal given the expected number of vehicle trips and increased ASB from the development.

Mike Wardle (Shadwell Basin Outdoor Activity Centre) spoke in support of the application. The applicants were Shadwell Basin Outdoor Activity Centre and the Turks Head Charity. He reported that the centre had carried out a lot of work to enhance and facilitate use of the water basin. The development sought to create the first natural 50 metres pool in the Borough with step free access. The plans would provide biodiversity enhancements, economic benefits, increase footfall to the area and natural surveillance as well as opportunities for swimming training and for children to appreciate the local environment.

In response to questions from the Committee, he advised that the proposed closing time of the development had been adjusted downwards to 9:30pm to allay concerns and could be varied according to demand in the winter season. The redevelopment of the site should help address any ASB issues by improving natural surveillance. It was hoped that the majority of visitors would travel to the facility by public transport and there would be a travel plan to encourage this to minimise parking stress from the development.

Kevin Crilly (Planning Services) presented the report explaining the current site use, the nature of the surrounding area, the key features of the application including the changes to the application. He also explained the outcome of the consultation.

The proposed development would bring a number of benefits to the locality including the utilisation of an underused site for a community leisure provision, biodiversity enhancements and public realm improvements. Amendments had been made to minimise the impact of the development on local heritage assets. Whilst the application would result in less than substantial harm to the setting of the Grade 11* listed Pumping Station, Officers had concluded that the public benefits would outweigh the identified harm.

The proposals could also be considered acceptable in terms of the impact on the amenity of neighbouring residents. Officers also considered that the impact on local residents arising from noise disturbance and highway issues, could be sufficiently mitigated and that given the reduction in the size and opening hours of the restaurant, it should not unduly affect local trade.

In view of the merits of the application, Officers were recommending that it was granted planning permission.

The Committee asked questions about: the consultation, the entrance charges, the winter trading hours, the opening hours of the restaurant space and the measures to prevent ASB. Members also asked about the opportunities for local businesses, the benefits of the proposal given its' proximity to the St Georges Pool, increased on street parking from the proposal and the expected customer profile in terms of age ranges.

In response, it was noted that whilst the facility would be a commercial entity, it would also provide a number of features that would be open to the public for free.

The facility would be opened all year round and the restaurant space would only be open when the lido was in use. The restaurant had been reduced in scale to ensure that it was an ancillary use. The development would provide a completely different offer to that offered by the St Georges Pool, in terms of size and the nature of the facilities amongst other issues. It should complement the pool. There would be a range of attractions for customers of all age groups and the proposal should reduce ASB at the site by improving natural surveillance. Officers also responded to the points about the consultation.

The Committee sought to ensure that the condition proposed by the London Wildlife Trust requiring a long term management plan would be secured by condition. Officers confirmed that a condition would be imposed to secure a Wetland Monitoring and Management Plan. In drafting the condition, Officers would consult the London Wildlife Trust and incorporate their suggestion in the condition.

On a vote of 5 in favour of the Officer recommendation, 1 against and 0 abstentions the Committee **RESOLVED**:

That the planning permission at Brussels Wharf, Glamis Road, E1W 3TD be **GRANTED** for

Development of 50 x 8.5m natural swimming pool and kid's pool incorporating a surfaced beach area and sun terrace, changing rooms, toilet, disabled facilities and kiosk (Use Class D2, A1-A3).

A café restaurant incorporating 1st floor viewing platform and integrated public toilet block and ground floor level (Use Class A3)

Ecological improvements to Shadwell Basin including new wet land park with improved fishing pitches

A new foot bridge and decked area (Science Deck). A new canoe polo court in Shadwell Basin(PA/16/01978)

Subject to:

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 and the additional conditions in the update report.

6. OTHER PLANNING MATTERS

None.

The meeting ended at 9.30 p.m.
Chair, Councillor Marc Francis
Development Committee