

LONDON BOROUGH OF TOWER HAMLETS

MINUTES OF THE STRATEGIC DEVELOPMENT COMMITTEE

HELD AT 7.00 P.M. ON THURSDAY, 20 JANUARY 2011

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

Members Present:

Councillor Carli Harper-Penman (Chair)

Councillor Stephanie Eaton
Councillor Dr. Emma Jones
Councillor Bill Turner
Councillor Kabir Ahmed
Councillor David Edgar
Councillor Shahed Ali

Other Councillors Present:

Nil

Officers Present:

Megan Nugent	– (Legal Services Team Leader, Planning, Chief Executive's)
Owen Whalley	– (Service Head Planning and Building Control, Development & Renewal)
Jerry Bell	– (Strategic Applications Manager Development and Renewal)
Jill Bell	– Head of Legal Services (Environment), Legal Services
Pete Smith	– (Development Control Manager, Development and Renewal)
Alan Ingram	– (Democratic Services)

COUNCILLOR CARLI HARPER-PENMAN (CHAIR) IN THE CHAIR

1. APOLOGIES FOR ABSENCE

No apologies for absence were submitted.

2. DECLARATIONS OF INTEREST

Councillor	Item(s)	Type of Interest	Reason
Carli Harper-Penman	7.1	Personal Personal	She was a member of Queen Mary University Alumni Association and was aware of comments made by QMU but this had no bearing on her consideration of the application. She had been contacted by Cllr Whitelock who had e-mailed her a copy of the representations as set out in the update report. However, she had not discussed the matter with Cllr Whitelock and had given no indication of any opinion.
Bill Turner	7.1	Personal	Had received email from Cllrs Whitelock and Francis and had received representations from others. He was a Ward Councillor for the application and had attended meetings of the Ocean Estate Tenants' and Leaseholders' Association in a general capacity.
Kabir Ahmed	7.1	Personal	Had received

			representations from Cllrs Whitelock and Francis.
David Edgar	7.1	Personal	Had received representations from interested parties but had not discussed the matter.
Stephanie Eaton	7.1	Personal	Had received representations from Councillors Whitelock and Francis and from other interested parties.
Shahed Ali	7.1	Personal	Had received correspondence from interested parties.
Dr Emma Jones	7.1	Personal	Had received correspondence from Councillors and residents.

3. UNRESTRICTED MINUTES

The Committee **RESOLVED**

That the unrestricted minutes of the meeting of the Committee held on 9 December 2010 be agreed as a correct record and signed by the Chair.

4. 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.

5. PROCEDURE FOR HEARING OBJECTIONS

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

6. DEFERRED ITEMS

Nil items.

7. PLANNING APPLICATIONS FOR DECISION

7.1 438-490 Mile End Road, London, E1

Mr Owen Whalley, Service Head Planning & Building Control, briefly introduced the report concerning the application for planning permission at the site at 438-490 Mile End Road, E1.

The Chair then invited registered speakers to address the Committee.

Ms Brenda Daley, a local resident and Chair of the Ocean Estate Tenants' and Leaseholders' Association, speaking in objection to the application, stated that she was surprised at the application being submitted to Committee as numerous petitions had been sent in opposition to what people perceived as a monstrosity at their back door. The application had been refused twice and was not wanted by local residents. There were over 600 students in the proposal that had been agreed previously and the new application would bring in a further 600. She commented that while students came and went, local people were left with the persistent problems of rubbish, noisy parties, etc. Ms Daley expressed the opinion that another 56 flats were neither needed nor wanted and people wished to protect their quality of life but the developers only wanted to make money.

Mr Derek England, a local resident and member of the Ocean Estate Tenants' and Leaseholders' Association and also objecting to the application, stated that Ms Daley had made all the appropriate points and he did not wish to address the Committee.

Mr Charles Moran, speaking for the applicant, stated that the project had been the subject of substantial discussion over the past two to three years but was now underway with a completion date of mid-2012. The scheme provided a major new educational investment and employment possibilities. The developers had taken account of residents' views and the project had been

redesigned on several occasions accordingly. There had been very limited objections made to the latest application, which was aimed particularly at filling in the existing gap in the wall at Lindrop House. The proposal would maintain the proportions of the scheme, especially to the west of the building, which would be better balanced and was actually the furthest point away from neighbouring homes. The S106 contributions would also be increased, with additional finances and also the opportunity for £278,835 to be directed to the local Primary Care Trust for health provision. He felt that the changes proposed were relatively small but produced real benefits.

Mr Jerry Bell, Strategic Applications Manager, then made a detailed presentation of the report and indicated that details of a letter of objection received from Councillor Amy Whitelock, a Ward Member, together with the Officer response thereto, were included in the tabled update report. Mr Bell reminded Members about the history of the site and previous proposals, commenting that the current application would house 641 students, about 10% more than the scheme previously agreed. He added that there had been two objections, rather than one as quoted in the report, and these raised issues that had been addressed when the previously agreed scheme had been considered. The main difference between that and the new application related to the addition of another storey on the western elevation of the building, plus an extension of the building to Lindrop House. The S106 agreement had been adjusted pro rata for the extra student units and there had been additional health provision to mitigate the likely impact to doctors' and dentists' surgeries. It was considered that there would be very little visual impact regarding the additional storey as the development was along Mile End Road, which was a heavily trafficked location.

The Chair then invited questions from the Committee.

Members raised points regarding:

- Increased density arising from additional bedspaces; increased external floorspace; issues of height and bulk arising from the additional storey.
- Ownership of planning gain for new facilities.
- The rationale for S106 financial contributions relating to health facilities and whether this might be increased.
- How the use for student, rather than private accommodation might be protected.
- Buildings/areas with which the proposed development had been compared and considered appropriate.
- The need for extra bedspaces in view of the possible reduction in student numbers following Government policies.
- The effects on daylight/sunlight given that there had been failures to adhere to guidelines in the previously approved application.
- The need to accept that all areas needed a different approach owing to variations in character.
- The apparently more overbearing aspect of the development as seen from Mile End Road/Lindrop House.

- Other issues that might have been taken into account when assessing the impact of density, apart from public transport and at what point density might be considered too high.
- The actual number of concerns raised by local objectors.

Mr Bell responded to the questions in detail, commenting that:

- The new application included an increase in internal floorspace and density but not to a significant enough degree to warrant refusal, particularly in the context of the setting in Mile End Road.
- S106 contributions had been negotiated with the developer and were in line with Council policies. With regard to health contributions, the HUDU model was robust but there was currently no model to mitigate for student accommodation, although a contribution had been secured.
- The S106 agreement made provision for the building to be used for student accommodation only and not residential. This could be enforced and any future proposals for residential use would have to be submitted to the Committee.
- Buildings of a similar size had been used as comparisons and it was felt that the additional 2.8m in height of the new proposal would not be obvious from any view of the location.
- Any change of use due to reduction in overall student numbers would require to be considered afresh in line with current policies.
- The eastern end of the building remained unchanged, so any failures in daylight/sunlight guidelines would simply remain the same.
- 60 Commercial Road had been used as a reference for comparison but the HUDU model did not provide for health contributions in the case of a non-residential scheme. However, it had been necessary to use the most comparable and recent example available geographically.
- Factors to take into account when assessing density related to effects on travel, noise and infrastructure. A management plan would be in place to reduce impacts on the local community. This was included in the S106 agreement. Density in this case was considered acceptable.

The Chair then indicated that the matter would be put to the vote and, on a vote of nil for and six against, with one abstention, the Committee **RESOLVED**

That the Officer recommendation to grant planning permission at 438-490 Mile End Road, London, E1, for the erection of a new building ranging from 3 to 10 storeys to provide a new education facility comprising teaching accommodation and associated facilities, student housing, cycle and car-parking, refuse and recycling facilities be NOT ACCEPTED.

The Committee indicated that they were minded to refuse the planning application because of concerns over:

- The increase in height, bulk and scale of the new application and the potential impact of the increased density on the local community.
- Inappropriate design of the application and overdevelopment.
- The impact of the new application on sections 4B.1, 4B.9 and 4B.10 of the London Plan 2008.

The point was made that any differences in daylight/sunlight between the previously approved scheme and the current application should also be addressed.

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.

The meeting ended at 8.10 p.m.

Chair, Councillor Carli Harper-Penman
Strategic Development Committee