

LONDON BOROUGH OF TOWER HAMLETS

MINUTES OF THE STRATEGIC DEVELOPMENT COMMITTEE

HELD AT 7.30 P.M. ON MONDAY, 10 APRIL 2006

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

Members Present:

Councillor Rofique U Ahmed (Chair)

Councillor David Edgar (Vice-Chair)

Councillor Janet Ludlow

Councillor Martin Rew

Other Councillors Present:

(none)

Officers Present:

Stephen Irvine	– (Applications Manager, Planning)
Richard Humphreys	– (Development Control)
Chris Proudley	– (Legal Adviser/Trowers and Hamlins)
Alison Thomas	– (Manager, Social Housing Group)
Louise Fleming	– (Senior Committee Officer)

1. APOLOGIES FOR ABSENCE

Apologies were received from Councillors Abdul Asad and Julian Sharpe.

2. DECLARATIONS OF INTEREST

Councillor Rofique Ahmed declared a personal interest in item 5.1, which related to Sutton's Wharf North, Palmers Road, London E2 0SF as the application site was within his ward. Accordingly he remained and took part in the discussion and decision making on this item.

3. UNRESTRICTED MINUTES

The minutes of the meeting held on 2nd March 2006 were agreed as a correct record and signed by the Chair.

4. DEPUTATIONS

It was agreed to allow Xanthe Pitt to speak against the proposed development at item 5.1 and Trevor Selwyn to speak in favour.

5. PLANNING APPLICATIONS FOR DETERMINATION

5.1 Suttons Wharf North, Palmers Road, London E2 0SF

Mr Richard Humphreys introduced the report which assessed an application for the demolition of existing buildings and construction of seven buildings rising from 7 storeys up to 16 storeys to provide 419 new dwellings, 656sq m of Class B1 floor space, 225sq m of either Class B1 and/or D1 floor space, 330 sq m of Class A1 (retail) floor space, a health clinic (1,902sq m), and a day nursery (367sq m), 183 parking spaces and landscaping at Suttons Wharf North, Palmers Road, London E2 0SF.

Mr Humphreys summarised the grounds for objection received following the consultation period as follows: the height and proximity of the proposed buildings to Victoria Wharf would reduce the amount of available natural light to the apartments; the development, in particular the 20 storey tower, would significantly reduce available afternoon sunlight to Mile End Ecology Park and the outside area of the Palm Tree Pub; the density and height of the buildings would be out of keeping with the surrounding area; there would be an additional pressure on local services and the transport infrastructure; Palmers Road was too narrow to accommodate the increased levels of traffic; the removal of trees would be unacceptable; the scheme was contrary to London Plan policies; and would cause an increase in crime.

Members expressed concerns regarding the location of the proposed pedestrian bridge and whether the local college had been consulted; and the density of the development.

Officers addressed the concerns raised by Members. The Committee was informed that the pedestrian bridge would be built north of the railway line and that the local college had been consulted. Officers felt that, although the density was higher than the normal range recommended in the density guidelines, it was a similar density to that at the development on the south side of Suttons Wharf and therefore would not cause demonstrable harm.

Ms Xanthe Pitt addressed the Committee on behalf of the objectors to the application, on the grounds that the height and bulk of the proposed development would cause a significant loss of light to residents, the park and the outside seating area of the Palm Tree Public House, and would cause overshadowing and overlooking. It was also felt that there would be an adverse impact on the ecology of the area. She urged the Committee to consider the application carefully, as the site did have much potential.

Mr Trevor Selwyn addressed the Committee on behalf of the applicant. He informed Members that the scheme had been amended in response to the

consultation undertaken. It had been approved by the ecology expert from the Environment Agency and had received no objections from British Waterways. The proposed development would be the first developer-led 50% affordable housing scheme in the Borough and would generate employment in the area.

Members sought clarification on the organisations which had supported, and also those which had objected to the scheme. The representative of the developer also confirmed that funding had been obtained from the Housing Corporation for the 2006/07 financial year. Members expressed concern in respect of the design of the development and whether it was sympathetic to the character of the area; the potential impact of traffic turning onto the Roman Road; and the proposed car-free agreement.

Officers advised the Committee that the Highways Agency did not have any objections on highway grounds, but had recommended conditions. It was explained to the Committee that while the car-free agreement precluded residents from purchasing on-street parking permits from the Council, it did not restrict all parking on site.

The objectors requested that two letters, from two chartered surveyors relating to the daylight and sunlight report, be tabled for all Members. After receiving advice from the legal adviser and Mr Irvine, the Committee adjourned between 8.25pm and 8.35pm to allow the applicant and officers to consider the documents as they had not previously been seen by either party. When the meeting resumed, both the applicant and Mr Irvine confirmed that the letters referred to the previous scheme, and were therefore not relevant. Mr Humphreys advised the Committee that there would be a loss of light associated with the amended scheme. However, it would not be significant enough to sustain a reason for refusal.

On a recorded vote - Councillors Rofique Ahmed and David Edgar voted in favour of the officers' recommendation and Councillors Janet Ludlow and Martin Rew voted against. The Chair used his casting vote and voted in favour.

It was AGREED that planning permission be GRANTED subject to the following:

A Section 106 legal agreement to secure the following planning obligations:

1. A minimum of 35% on-site affordable housing accommodation (by habitable rooms).
2. Car-free agreement.
3. Local labour in construction.
4. A financial contribution of £200,000 towards the provision of the pedestrian bridge over the Grand Union Canal.

5. A financial contribution of £50,000 for improvements to Meath Gardens (e.g. new footpath and lighting).
6. Improvement works to the Meath Garden park edge including new brick wall and gates, and ecological improvements/mitigation works to the Grand Union Canal (as shown on submitted drawings).
7. A financial contribution of £50,000 for any highway improvements deemed necessary for Palmers Road.
8. To provide and maintain a new public footpath along west bank of canal, and new public footpath between Meath Gardens and the canal (providing unrestricted public access to provide unrestricted public access 365 days a year).
9. Financial contribution of £730,000 to mitigate the demand of the additional population on education facilities.
10. TV and radio reception mitigation measures where identified impacts.
11. The provision and retention of a Primary Care Trust health clinic.
12. The provision and retention of a day nursery.
13. Implementation of Public Art works (to sum of at least £35,000).
14. Implementation of sustainable design/construction measures.

The following planning conditions:

1. Three year time limit.
2. Details of the following to be agreed prior to the commencement of the development:
 - (i) details (samples) of external materials;
 - (ii) treatment of open ground including hard and soft landscaping, including details of boundary treatment including gates, walls, fences and railings, canal side footpath and floating baskets, external lighting, and a tree retention and planting scheme;
 - (iii) means of access to car park, including location and details of control point(s);
 - (iv) provision for disabled access, including parking provision;
 - (v) balcony details;
 - (vi) shop fronts for ground floor units (to scale at least 1:20), including proposals for signage;
 - (vii) public art;
 - (viii) details of a monitoring programme (before and during construction phase) for Black Redstart and subsequent

- provision of any necessary foraging habitat, including brown roofs;
- (ix) details of all roof level plant equipment; and
 - (x) details of refuse/waste recycling, and refuse storage arrangements.
3. Programme of the separate phases of the development to be submitted and approved, and the development only be carried out in accordance with the details approved to ensure the comprehensive development of the site.
 4. Demolition and construction works to be carried out in accordance with a site management scheme/code, which shall cover demolition/construction works, including details of pollution control measures, details of access and vehicle circulation arrangements during construction phase, the arrangements for the removal of any hazardous materials, and emergency procedures and controls.
 5. Construction works restricted to between 8.00am to 18.00pm on Mondays to Fridays and 8am to 1pm on Saturdays only, and not on Sundays or Public Holidays. Any driven piling shall only occur between 10am and 4pm Mondays to Fridays.
 6. Archaeological investigation to be undertaken.
 7. A detailed soil survey to be carried out to investigate the extent of any soil contamination, and any remedial works to be agreed in writing by the Council.
 8. The car, bicycle and motor-cycle parking spaces shown on the approved drawings, shall be provided before the occupation of any of the dwellings, and shall only be used for parking by the vehicles of the occupiers of the dwellings, including visitors.
 9. The approved landscaping shall be implemented prior to the occupation of any part of the approved development; any damaged, defective or dying plants/trees to be replaced with the same type/species, unless agreed otherwise in writing by the local planning authority.
 10. All plant and machinery noise emissions (including that providing mechanical ventilation, heating and cooling) shall be controlled and operated at noise levels that do not cause noise nuisance to adjoining residential properties (the rating level of noise emitted by fixed plant shall not exceed the existing background noise level at any time by more than 10dBA).
 11. The Class A1 use hereby permitted shall be open only between hours of 8am to 10pm.

12. The Class D1 uses hereby permitted shall be open only between the hours of 8am to 8pm.
13. No deliveries to take place outside hours of 7am to 7pm Mondays to Fridays and 8am to 1pm on Saturdays, with no deliveries on Sundays or Public Holidays.
14. No doors to open over or across the public highway.
15. The windows on the flank elevations of Blocks D, E and F shall be fitted with opaque glazing before the occupation of any of the flats, and thereafter be permanently retained, and shall be permanently fixed shut.
16. Details of sound insulation/noise attenuation measures for windows to be submitted.
17. Details of surface water control measures to be submitted.
18. No solid matter shall be stored within 10m of the banks of the canal during construction works.
19. An Air Quality Assessment (to minimise the impact on air quality) to be submitted for approval, to include (i) the identification of emission sources; (ii) consideration of the potential impacts of the development on the Council's Air Quality Action Plan (AQAP); and (iii) a qualitative and quantitative evaluation of existing air quality.
20. Four serviced visitor moorings to be provided before the completion of the development, and thereafter retained.
21. No handrails, or other barriers/boundary treatment shall be installed along the length of the canal side walkway adjacent to the moorings.
22. Barges to be used for transportation of construction materials.

Any direction by the Mayor of London pursuant to the Town & Country Planning (Mayor of London) Order 2000.

The Committee confirmed that its decision had taken into account the environmental assessment information, required by Regulation 3 (2) of the Town & Country Planning (Environmental Impact Assessment) Regulations 1999.

The Committee agreed, as required by Regulation 21(1)(c) of the Town & Country Planning (Environmental Impact Assessment) Regulations 1999, that following the issue of the decision, a statement be placed on the statutory register confirming that the main reasons and considerations on which its decision was based were those set out in the Planning Officer's report to the Committee.

The meeting ended at 8.56 p.m.

Chair, Councillor Rofique U Ahmed
Strategic Development Committee