

LONDON BOROUGH OF TOWER HAMLETS

MINUTES OF THE DEVELOPMENT COMMITTEE

HELD AT 7.00 P.M. ON WEDNESDAY, 15 MAY 2013

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

Members Present:

Councillor Helal Abbas (Chair)
Councillor Shiria Khatun (Vice-Chair)
Councillor Md. Maium Miah
Councillor Anwar Khan
Councillor Khaled Uddin Ahmed
(Substitute for Councillor Denise Jones)

Other Councillors Present:

None.

Officers Present:

Jerry Bell	– (Applications Team Leader, Development and Renewal)
Fleur Brunton	– (Senior Lawyer - Planning Chief Executive's)
Richard Murrell	– (Deputy Team Leader, Planning, Development and Renewal)
Mary O'Shaughnessy	– (Planning Officer, Development and Renewal)
Benson Olaseni	– (Planning Officer, Development and Renewal)
Amy Thompson	– (Deputy Team Leader, Development and Renewal)
Shay Bugler	– (Strategic Applications Planner, Development and Renewal)
Iyabo Johnson	– (Planning Officer, Development and Renewal)
Zoe Folley	– (Committee Officer, Democratic Services Chief Executive's)

Order of Business.

The order of business was varied at the meeting as follows:
Items 6.1, 6.2, 7.1,6.3,7.2. The remaining part of the agenda remained unchanged. However for ease of reference, the items in these minutes follow the agenda order.

1. APOLOGIES FOR ABSENCE

Apologies for absence were submitted from Councillors Craig Aston and Denise Jones for who Councillor Khaled Uddin Ahmed was deputising. Apologies for lateness was received on behalf of Councillor Anwar Khan.

2. DECLARATIONS OF DISCLOSABLE PECUNIARY INTERESTS

No declarations of disclosable pecuniary interests were made.

However Councillor Shiria Khatun declared a personal interest in agenda item 7.2 (Units 24, 26, 28, 30 & 32, Mastmaker Road, London, E14 9UB (PA/13/00116) as she was a resident of the ward concerned.

Councillor Khaled Uddin Ahmed declared a personal interest in agenda item 6.3 (Site At Bow Wharf Adjoining Regents Canal And Old Ford Road, Old Ford Road, London (PA/11/03371 - 3372 - 3373) as he had received telephone calls from interested parties.

Councillor Md. Maium Miah declared a personal interest in agenda items 6.3 (Site At Bow Wharf Adjoining Regents Canal And Old Ford Road, Old Ford Road, London (PA/11/03371 - 3372 - 3373) and 7.2 (Units 24, 26, 28, 30 & 32, Mastmaker Road, London, E14 9UB (PA/13/00116). He had received telephone calls and had been approached by interested parties.

3. UNRESTRICTED MINUTES

The Committee **RESOLVED**

That the unrestricted minutes of the meeting of the Committee held on 11th April 2013 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

6.1 Land adjacent to railway viaduct, Mantus Road, London (PA/12/01758)

Update Report tabled.

Jerry Bell (Applications Team Leader) introduced the report regarding Land adjacent to railway viaduct, Mantus Road, London for redevelopment to provide 93 residential units and associated works.

Benson Olaseni (Planning Officer) presented the report. At the last meeting of the Committee in April, Members were minded to approve the application for three reasons regarding the delivery of new housing, sufficient amenity space off site to accommodate the scheme and the good transport links for the site. Officers had since considered these reasons and had drafted suggested reasons for approval, based on the initial views as set out in the report with proposed conditions on the application. This included condition 11 covering the materials in accordance with the Committees wishes. Mr Olaseni highlighted the key aspects of the scheme for the committee. The Officers' initial recommendation remained unchanged to refuse permission.

On a vote of 3 in favour and 0 against, the Committee **RESOLVED**:

That planning permission for Land adjacent to railway viaduct, Mantus Road, London (PA/12/01758) be **GRANTED** for redevelopment to provide 93 residential units in buildings ranging from three to six storeys including amenity space, landscaping, disabled car parking and cycle parking for the reasons set out in paragraph 3.0 of the 15th May 2013 Committee report subject to the conditions, informatives and planning obligations set out in the 15th May 2013 committee report.

6.2 Bath House, Dunbridge Street, London (PA/12/02632 & PA/12/02633)

Update Report tabled.

Jerry Bell (Applications Team Leader) introduced the report regarding Bath House, Dunbridge Street, London for the removal of existing hipped roof to Block E and replacement with new mansard roof to provide flats.

Richard Murrell (Planning Officer) presented the report. At the last meeting of the committee in April, Members were minded to refuse the application for a number of reasons. Since that time, Officers had drafted suggested reasons for refusal based on Members initial views as set out in the report. The report

also detailed the implications of such a decision. The Officers recommendation remained unchanged to grant permission.

On a vote of 3 in favour and 0 against the Committee **RESOLVED**:

That planning permission (PA/12/02632) and Listed building consent (PA/12/02633) at Bath House, Dunbridge Street, London be **REFUSED** for the removal of existing hipped roof to Block E and replacement with new mansard roof to provide 2 x 1 bedroom flats and 1 x 2 bedroom flat including raising the stairwells and associated works to refuse and cycle stores for the following reasons as set out in paragraph 4 of the May committee report :

Planning Permission

The proposal by reason of overdevelopment of the site resulting in the increased pressure on the existing facilities such as adequate provision for the storage of refuse and recycling and cycle parking. The proposal is therefore contrary to policy SP05(1b) of the Tower Hamlets Core Strategy (Adopted 2010), policies DM14(2) and DM22(4a) of the Managing Development Document (2013), which require development to make adequate provision for waste and cycle storage.

The proposal by virtue of noise and disturbance created by the demolition of the existing roof and the construction of a mansard roof would be detrimental to the amenity of existing residential occupiers within the building. Insufficient information has been submitted to demonstrate how impacts on residents would be mitigated to acceptable level and as such the proposal is contrary to policy SP10(4b) of the Core Strategy (Adopted 2010) and DM25(e) of the Managing Development Document (2013).

The proposed roof extension appears excessively bulky compared to the form of the building below and those surrounding in the bathhouse complex. The addition increases the prominence of Block E, and in doing so means it does not appear subsidiary to the original Bathhouse building. The proposal is therefore considered to detract from the setting of the original Grade II Listed Bathhouse, and the other surrounding Listed Buildings. The benefits of the proposal do not outweigh the harm caused to a designated heritage asset and the proposal is contrary policy SP10 of the Core Strategy (Adopted 2010) and policies DM24 and DM27 of the Managing Development Document (2013).

Listed Building Consent

The proposed roof extension appears excessively bulky compared to the form of building below and those surrounding in the bathhouse complex. The addition increases the prominence of Block E, and in doing so means it does not appear subsidiary to the original Bathhouse building. The proposal is therefore considered to detract from the setting of the original Grade II Listed Bathhouse, and the other surrounding Listed Buildings. The benefits of the proposal do not outweigh the harm caused to a designated heritage asset and the proposal is contrary to policy SP10 of the Core Strategy (Adopted 2010)

and policies DM24 and DM27 of the Managing Development Document (2013).

6.3 Site At Bow Wharf Adjoining Regents Canal And Old Ford Road, Old Ford Road, London (PA/11/03371 - 3372 - 3373)

Update Report tabled

Jerry Bell (Applications Team Leader) introduced the report regarding the site at Bow Wharf adjoining Regents Canal and Old Ford Road, Old Ford Road, London for the demolition of existing buildings to facilitate the redevelopment of the site to provide three buildings.

At the last meeting of the Committee, Members were minded to refuse the applications for planning permission, conservation area and listed building consent. Officers had since considered Members initial reasons and had drafted suggested reasons for refusal. However, the Officer recommendation remained unchanged to grant permission.

Listed building consent.

Mary O'Shaughnessy (Planning Officer) presented the detailed report and the update on the application.

It was noted that the listed building application could be considered separately as the work could be carried out independently of the main development. With the permission of the Chair, the application was therefore considered accordingly.

Ms O'Shaughnessy gave a presentation on the key aspects of this scheme. She highlighted the views of the historical societies as reported at the last meeting. (The East London Waterway Group and the Greater London Industrial Archaeology Society). It was noted that whilst these groups objected to the main scheme, they supported this aspect of the work to resurface the bridge. The Borough's Conservation Officer supported this application.

On a vote of 4 in favour and 0 against the Committee **RESOLVED:**

That listed building consent (PA/11/03372) at Bow Wharf Adjoining Regents Canal and Old Ford Road, Old Ford Road, London be **GRANTED** for proposed alterations for the stop lock listed bridge subject to the conditions and informatives set out in the 11th April 2013 committee report.

Planning Permission and Conservation Area Consent

Mary O'Shaughnessy gave a presentation on these applications. In particular, she explained the proposed materials as design and appearance was a key issue for Members. The main material would be brick and was in keeping with the surrounding area. Samples of the brick work were on display for the

committee. The materials also included slate roof and aluminium windows and doors. Officers considered that they would preserve the character of the area.

Members raised questions about the s106 funding. It was proposed that the funding be ring fenced to a particular ward.

In response, Officers explained the requirements as set out in policy for s106 agreements for seeking and allocating the funding. They also highlighted the need to pool certain contributions. It was noted that further consideration would need to be given to the suggestion in light of the policy.

Accordingly Councillor Anwar Khan proposed an amendment to the application that the s106 contributions be ring fenced to the Bow West ward. This was seconded by Councillor Shiria Khatun and agreed by the Committee on a vote of 3 in favour and 1 against.

The Chair then took a vote on the suggested reasons for refusal in the report. On a vote of 0 in favour, this proposal fell.

Decision.

On a vote of 4 in favour and 0 against the Committee **RESOLVED:**

That planning permission (PA/11/03371) and conservation area consent (PA/11/03372) at Bow Wharf Adjoining Regents Canal and Old Ford Road, Old Ford Road, London be **DEFERRED** for the demolition of existing buildings to facilitate the redevelopment of the site.

The application was deferred to enable Officers to investigate the possibility of ring fencing the s106 agreement for the Bow West ward. A supplementary report would be brought back to a future meeting of the Committee setting out the implications of the proposal.

(The Members that voted on this item were Councillors Helal Abbas, Shiria Khatun, Khales Uddin Ahmed and Anwar Khan)

7. PLANNING APPLICATIONS FOR DECISION

7.1 Site at corner of King Lane and The Highway and site at 448 Cable Street (Juniper Hall) (PA/12/03138)

Update report tabled.

Jerry Bell (Applications Team Leader) introduced the report regarding site at corner of King Lane and the Highway and site at 448 Cable Street (Juniper Hall) (PA/12/03138) to provide residential units with associated works.

The Chair invited the registered speakers to address the meeting.

John Wright spoke in objection to the application. He expressed concern about the King David's site application about the following issues:

- Increased noise from the highway and the junction. The highway was already very busy and noisy. This would significantly worsen if granted. The noise assessment failed to take into account the bus stop on the corner. The noise levels exceeded policy.
- Air quality in relation to the roof top space. The play space was in a very confined area and would be exposed to traffic fumes. There was a danger of pollution and contamination.

The Council had set up the Glamis Estate Board to oversee the redevelopment of the estate. However, the views and feedback from residents in this case had been ignored by the applicant. Mr Wright requested that the application be deferred to enable the applicant to prepare a safer scheme for children and families.

Maria Pennycuick spoke in objection to the application as a resident of Glamis Estate. She considered that the scheme would have a harmful impact on residents amenity (in terms of light levels, privacy). The plans would restrict the emergency access routes. The plans overlooked the two existing covenants for the estate. They related to the right of way and the servicing turning circle. She sought clarity on the s106 assessment. Particularly, the sum for public open space. She questioned who would cover the costs? How had it been calculated? She requested that the application be deferred and a new application be submitted that was financially realistic and based on proper consultation with residents.

Steven Inkpen (Applicant's agent) spoke in support of the application. He highlighted the merits of the scheme, based on extensive public consultation. This included the delivery of new housing, improvements to the community space, public realm and also improved safety and security for the site. He also highlighted the plans to convert the community hall into two affordable units for elderly occupiers at Juniper Hall.

He explained the scope of their public consultation. This included a discussion at the Glamis Estate Board, leafleting and meetings with residents. As a result, the height and density of the scheme had been reduced (from 12 to 10 storeys) due to the feedback. There were also set backs in the design to protect amenity. He referred to the plans for the wider estate works supported by government subsidy. It was intended that the applicant would work with residents to implement these community works.

In reply to Members, he underlined the scope of the public consultation and the alterations made in response (as outlined above). The applicant believed that they had fully taken on board the residents concerns.

David Black (Applicant's agent) spoke in support of the scheme. He referred to the outcome of the air quality testing carried out by specialists. The study took into account the most recent information including the nearby bus stop.

The methodology had been approved by the relevant Council experts. The findings showed that the proposed mitigation (such as the mechanical ventilation systems) could adequately deal with emissions. The findings also showed that the air quality to the play space fell within acceptable standards.

The applicant had appointed a specialist to carry out a similar survey of the noise impact. The methodology had also been approved by the relevant Council experts. This found that the plans could attain a good standard of noise insulation.

Mr Black also considered that the impact on sunlight and day light was acceptable. The majority of windows would achieve the required standards.

Shay Bugler (Planning Officer) presented the detailed report and the update. He explained the site location for the St David Lane site and the surrounding area. He highlighted the good transport links for the site. He explained in detail the floor plans including the access routes, the car parking plans, the child play pace and the housing mix with a good level of social housing.

He explained the outcome of the Council's consultation and the addressed the issues raised. On balance, taking into account the key issues (land use, density, design, amenity, transport, open space), Officers considered that the proposal was acceptable and in line with policy.

The community play space was in excess of policy and there was dedicated play space for younger children. It was also considered that the plans adequately catered for older children given the levels of off site play space and contributions for open space. It was considered that the servicing and emergency vehicle access plans were acceptable with adequate manoeuvring space for such vehicles.

As explained above, a noise and air quality assessment had been carried out of the development. Officers in Environmental Health were satisfied with the findings and had no objections with regard to noise and air quality subject to the imposition of the conditions. Officers listed the mitigations measures to ensure this throughout the scheme and for the roof top space in particular.

Mr Bugler also explained the plans for the Juniper Hall site.

In summary, given the benefits of the scheme, Officers were recommending that the scheme be granted.

Members asked a number of questions. In response, Officers clarified the car parking plans. Officers also explained the purpose of the monitoring fee for the s106 based on a standard calculation. They outlined the scope of the statutory consultation (the findings of which were set out in the report), and the expectations about the applicant's consultation.

On a vote of 1 in favour and 1 against with the Chair using his casting vote in favour, the Committee **RESOLVED:**

1. That planning permission Site at corner of King Lane and The Highway and site at 448 Cable Street (Juniper Hall) (PA/12/03138) be **GRANTED** for the construction of a part four/part ten storey building on the corner of King David Lane and the Highway to provide 37 new residential units (comprising 8 x one bed; 21 x two bed; 7 x three bed; 1 x four bed), and the conversion of Juniper Hall to provide 2 x two residential units, together with associated works including disabled parking and cycle parking, landscaped public open space and private amenity space subject to:
2. The prior completion of a legal agreement, to the satisfaction of the Assistant Chief Executive (legal Services), to secure the matters set out in the report
3. That the Corporate Director of Development and Renewal is delegated powers to negotiate the legal agreement indicated above acting with normal delegated authority.
4. That the Assistant Chief Executive (Legal Services) is delegated power to complete the legal agreement.
5. That the Corporate Director Development & Renewal is delegated power to impose conditions and informatives on the planning permission to secure the matters set out in the report AND the update report.
6. That, if within three months of the date of this committee the legal agreement has not been completed, the Corporate Director Development & Renewal is delegated power to refuse planning permission.

Councillor Anwar Khan joined the meeting during this item (7:25pm) therefore did not vote.

7.2 Units 24, 26, 28, 30 & 32, Mastmaker Road, London, E14 9UB (PA/13/00116)

Update report tabled.

Councillor Khales Uddin Ahmed left the meeting before the consideration of this item (8:30pm).

Jerry Bell (Applications Team Leader) introduced the report regarding Units 24, 26, 28, 30 & 32, Mastmaker Road, London, E14 9UB (PA/13/00116) for change of use for a secondary school.

Mary O'Shaughnessy (Planning Officer) presented the detailed report and the update. She explained the site location and the scope and outcome of the consultation. She addressed the key concerns raised about increased anti-social behaviour (asb) and noise. She described the aims of the school to help young people to return to education and find employment. It was

intended that the applicant would relocate from their existing school site to this new site if approved.

She explained the key aspects of the proposal and the nature of the vocational training and social enterprise. Such uses would be ancillary uses to the school. It was planned to secure a Student Management Plan regarding student movement around the site that would be secured by condition.

Officers displayed figures on predicted school trips. This was based on similar schools elsewhere. This showed that the vast majority of journeys should be on foot and during off peak hours. Staff would also be in attendance to supervise arrivals and exits. There would also be designated walkways to ensure timely and safe arrivals. Therefore, the impact on the highway and disruption to the area should be minimal.

In summary, the plans sought to provide much needed schools places in the Borough with minimal impacts. Officers were recommending that the application should be granted.

In response, Members raised the following issues/concerns:

- Concerns around increased asb at the site, especially in the evening given the crime rates.
- Increased asb due to the 11pm closing time for the social enterprises.
- The plans for supervising pupils around the site. Members questioned the practicalities and enforceability of these plans given the pupil teacher ration.
- The impact on the transport network, including buses, that was already at full capacity.
- The impact on the highway from school drops offs/pick ups.
- The levels of consultation by the applicant.

In response, Officers addressed each question highlighting the following. A public consultation event was held at the site by the applicant at the pre-application stage along with separate consultation with the existing occupants and residents. There was a lack of evidence linking the proposed use to asb. It was hoped that the plans would improve safety in the area and reduce crime by regenerating the area and providing a natural surveillance.

It was confirmed that the maximum capacity of the school was 302 pupils based on consultation with TfL. As a result, TfL had no objections to the development due to this maximum capacity and the expected journey times. They considered that it should not have an adverse impact on the highway.

Officers were confident that the plans for supervising pupils could be implemented given the group sizes (around 10-15) and the staggered teaching times. There would also be limited movements between buildings.

The site had good transport links including a number of bus routes and a nearby DLR station. There was a presumption in favour of school

developments in national planning policy. Therefore the application was supported by policy.

With the permission of the Chair, a representative of the applicant briefly addressed the committee to answer points of clarification. He briefly explained the aim of the social enterprise units. The applicant was willing to reduce the social enterprise uses hours. He highlighted the demand for the school places and the applicant's objectives in respect of pupil capacity at the new school.

Councillor Anwar Khan proposed restrictions on the pupil numbers and opening hours of the social enterprises in view of the concerns raised by Members. The amendments were seconded by Councillor Shiria Khatun and agreed by the committee on a vote of 4 in favour and 0 against.

On a vote of 4 in favour and 0 against, the Committee **RESOLVED**:

1. That planning permission for Units 24, 26, 28, 30 & 32, Mastmaker Road, London, E14 9UB (PA/13/00116) be **GRANTED** for change of use of existing light industrial units (Use Class B1) (numbers 24, 26, 28, 30 and 32) to a secondary school (Use Class D1) offering vocational courses for 14-19 year olds.
2. That the Corporate Director Development & Renewal is delegated authority to recommend the conditions and informatives in relation to the matters set out in the report and update Subject to the following amendments agreed by the Committee

Pupils numbers.

- That the maximum pupil numbers at any one time be restricted to 150.
- That the overall pupil capacity be restricted to 280 pupils.

Social enterprise units.

- That the opening hours of the units be restricted to 10am to 6pm.

8. OTHER PLANNING MATTERS

8.1 Toilet Block, Poplar Recreation Ground, East India Dock Road, London E14 (PA/12/03218)

Councillor Shiria Khatun left the meeting before the consideration of this item.

Jerry Bell (Applications Team Leader) introduced the report regarding Toilet Block, Poplar Recreation Ground, East India Dock Road, London for demolition of disused facility.

Iyabo Johnson (Planning Officer) presented the detailed report.

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

That application regarding Toilet Block, Poplar Recreation Ground, East India Dock Road, London E14 (PA/12/03218) for the demolition of disused single storey toilet block in Poplar Recreation Ground be **REFERRED** to the Government Office for West Midlands with the recommendation that the Council would be minded to grant Conservation Area Consent subject to the conditions set out in the report.

8.2 Trinity Centre, Key Close, London, E1 4HG (PA/13/00718)

Jerry Bell (Applications Team Leader) introduced the report regarding Trinity Centre, Key Close, London, for listed building consent for the installation of security bars to front windows.

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

That application at Trinity Centre, Key Close, London, E1 4HG (PA/13/00718) for listed building consent for the installation of internal steel security bars to the ground floor front elevation windows be **REFERRED** to the Government Office for West Midlands with the recommendation that the Council would be minded to grant Listed Building Consent subject to conditions set out in the report.

8.3 PLANNING APPEALS REPORT

Jerry Bell presented the report and highlighted the key points.

On a unanimous vote the Committee **RESOLVED**

That the details and outcomes as set out in the report be noted.

The meeting ended at 9.30 p.m.

Chair, Councillor Helal Abbas
Development Committee