

LONDON BOROUGH OF TOWER HAMLETS

MINUTES OF THE STRATEGIC DEVELOPMENT COMMITTEE

HELD AT 7.30 P.M. ON TUESDAY, 13 FEBRUARY 2007

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

Members Present:

Councillor Rofique U Ahmed (Chair)

Councillor Ohid Ahmed

Councillor Alibor Choudhury (Vice-Chair)

Councillor Rupert Eckhardt

Councillor Abjol Miah

Councillor Ahmed Adam Omer

Councillor Joshua Peck

Other Councillors Present:

Officers Present:

Richard Finch – (Team Leader, Strategic Transport Development)

Renee Goodwin – (Acting Applications Manager)

Michael Kiely – (Service Head, Development Decisions)

Neil Weeks – (Legal Advisor)

Winnie Gasca – (Democratic Services)

1. APOLOGIES FOR ABSENCE

None received.

2. DECLARATIONS OF INTEREST

Councillor Rupert Eckhardt declared a personal interest in item 6.1 as the ward member for Millwall.

3. UNRESTRICTED MINUTES

The minutes of the meetings held on 16th November 2006 and 18th January 2007 were agreed and approved as a correct record.

4. RECOMMENDATIONS

- 4.1 The Committee NOTED that the Chair had agreed to the submission of the Update Report of the Head of Development Decisions in accordance with urgency provisions at Section 100B(4) of the Local Government Act 1972 to ensure Members had before them all relevant facts and information about the planning applications set out in the agenda.
- 4.2 The Committee RESOLVED that, in the event of amendments to recommendations being made by the Committee, the task of formalising the wording of any amendments be delegated to the Head of Development Decisions along the broad lines indicated at the meeting.

5. PROCEDURE FOR HEARING OBJECTIONS

The Committee noted the procedure for hearing objections and those who had registered to speak.

6. PLANNING APPLICATIONS FOR DECISION

6.1 Delta Junction DLR, Land At Under DLR South Of Aspen Way West India Quay DLR Canary Wharf DLR, Aspen Way, London

Mr Michael Kiely, Head of Development Decisions, presented the report and informed the Committee that it was requested to delegate power to the Corporate Director of Development and Renewal to determine the development of Delta Junction Docklands Light Railway (DLR), Land At Under DLR South Of Aspen Way West India Quay DLR Canary Wharf DLR, Aspen Way, London. The development would consist of:

1. Rebuilding viaduct on existing columns.
2. Building new viaduct under the Delta Junction
3. Building new viaduct "tie-in" to the railway between West India Quay and Canary Wharf stations.
4. Demolition of existing viaduct and columns.
5. Diversion of utilities required for the construction of new columns.

Mr Michael Kiely informed Members of the background of the application, that a Transport & Works Act order (TWA) gave power for the Secretary of State for Transport to authorise by order certain types of infrastructure project that had previously been authorised by Act of Parliament. The types of project covered by the TWA included railways, tramways, inland waterways and works which interfered with rights of navigation. The Transport and Works (Applications and Objections Procedure) (England and Wales) Rules 2000 ("the Applications Rules") made under sections 6, 6A, 7 and 10 of the TWA

set out the procedural requirements for those who wished to apply for or object to proposed orders.

Council officers had been negotiating a draft legal agreement with the DLR to ensure that any environmental and traffic impacts from the works resulting from the proposed DLR Transport & Works Act (TWA) (Capacity Enhancement and 2012 Games Preparation) order were mitigated as far as possible for local residents. A decision was made by Full Council on 13th December 2006 to delegate the completion of the legal agreement to the Corporate Director of Development & Renewal.

However, this related planning application (PA/06/02121) had been received by the Council which also formed part of the above TWA Order. Therefore, the Corporate Director of Development & Renewal considered that it would not be appropriate to conclude negotiations on the legal agreement with the DLR until the Council's position on the planning application had been clarified and any outstanding issues resolved by the DLR to the satisfaction of the planning authority.

The TWA inquiry had been set for the 20th February 2007 and the Council needed to determine its position in relation to the inquiry. The undetermined application created a problem in that by adopting a particular position at the inquiry the Council could be seen to be fettering its position as the Local Planning Authority.

The planning application was subject to an EIA and the procedures associated with that meant that the Council were not yet in a position to determine the application. Moreover, there was enough clarity around the substantive issues to enable the report to be presented to Members to enable them to delegate the determination of the application by the Corporate Director of Development and Renewal. The decision would enable officers to prepare for the inquiry.

Councillor Shirley Houghton, on behalf of her constituents in the ward of Millwall, informed Members that the Environmental Statement (ES) was missing from the report and as it had not been made available to the residents and businesses in the locality, they had not been fully consulted nor had they been given the opportunity to digest the information.

She further suggested that the report was not clear on the maximum number of night time working 'exceptions'; whether it was 5 per week or 5 in total. Officers confirmed that it was 5 'work-nights' in total.

In reference to the Grade 1 listed Banana Wall Councillor Houghton submitted that stringent conditions were essential due to the cumulative effects the new viaduct could cause.

Ms Renee Goodwin, Strategic Applications Manager, informed the Members that the upgrade was critical for the 2012 Olympic Games and that therefore

there were timetable considerations for the commencement of the development.

In reference to the ES, this was submitted with the application and subject to consultation. A draft analysis of it had been submitted to officers by the Council's consultants. Any amendments to the ES would be subject to public consultation before any decision was made.

With reference to the Banana Wall, Ms Goodwin informed the Members that it would be protected and the issue of vibrations would be included into the conditions.

Ms Goodwin further advised the Members that the main issues were the impact on the DLR network and construction effects. The developments were to improve the DLR capacity by 50% for journeys to/from Canary Wharf, on the Bank, Stratford, Lewisham, London City and Woolwich Arsenal DLR Lines. The benefit extended to Tower Hamlets and London as a whole in comparison to the limited number of passengers who were to be affected.

The Committee raised concern over the impact on residents who relied on the service of West India Quay Station.

Mr Richard Finch, Strategic Transport Development Team Leader, advised that only West India Quay DLR station passengers heading southbound from Bank in the morning and evening peaks (Monday – Friday) would be affected and that they could alight and change trains at Canary Wharf, which in total would constitute a delay of no more than 3 minutes, or travel to Poplar and travel back to West India Quay DLR station which would add a maximum of an extra 4 minutes to journey times.

The Committee RESOLVED that the Corporate Director of Development and Renewal be given delegated powers to determine the application for DLR development works, comprising of:

1. Rebuilding viaduct of existing columns;
2. Building new viaduct under the Delta Junction;
3. Building new viaduct "tie-in" to the railway between West India Quay and Canary Wharf stations;
4. Demolition of existing viaduct and columns; and
5. Diversion of utilities required for the construction of new columns

at Delta Junction DLR, Land at under DLR South of Aspen Way West India Quay DLR Canary Wharf DLR, Aspen Way, London.

Conditions:

1. A condition is included to ensure that the maximum number of night time works is specified.
2. The delegated report that is produced for the determination of this application includes an explicit analysis of the impact on residents

using the West India Quay Station during peak times (Monday – Friday) southbound DLR services on the Bank-Lewisham branch.

The meeting ended at 8:10p.m.

Chair, Councillor Rofique U Ahmed
Strategic Development Committee