

**LONDON BOROUGH OF TOWER HAMLETS**

**MINUTES OF THE DEVELOPMENT COMMITTEE**

**HELD AT 7.00 P.M. ON TUESDAY, 26 NOVEMBER 2013**

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

**Members Present:**

Councillor Helal Abbas (Chair)  
Councillor Anwar Khan (Vice-Chair)  
Councillor Judith Gardiner  
Councillor Tim Archer  
Councillor Gulam Robbani  
Councillor Harun Miah  
Councillor Denise Jones (Substitute for  
Councillor Kosru Uddin)

**Other Councillors Present:**

None.

**Apologies:**

Councillor Kosru Uddin

**Officers Present:**

Jerry Bell	– (Applications Team Leader, Development and Renewal)
Richard Murrell	– (Deputy Team Leader, Planning, Development and Renewal)
Fleur Brunton	– (Senior Lawyer - Planning Chief Executive's)
Shay Bugler	– (Strategic Applications Planner, Development and Renewal)
Beth Eite	– (Planning Officer, Development and Renewal)
Piotr Lanoszka	– (Planning Officer, Development and Renewal)
Iyabo Johnson	– (Planning Officer, Development and Renewal)
Zoe Folley	– (Committee Officer, Democratic Services Chief Executive's)

–

**1. DECLARATIONS OF DISCLOSABLE PECUNIARY INTERESTS**

No declarations of disclosable pecuniary interests were made.

Councillors Helal Abbas and Denise Jones declared an interest in agenda items 6.1, 18-22 Damien Street, London, E1 2HX (PA/12/00133) and 6.2 King Henrys Wharf, Phoenix Wharf, Swan Wharf and Corner of Wapping High Street And Brewhouse Lane, London (PA/13/00982 & PA/13/00983). This was on the basis that the Councillors had received correspondence from interested parties.

## **2. MINUTES OF THE PREVIOUS MEETING(S)**

The Committee **RESOLVED**

That the minutes of the meeting of the Committee held on 9<sup>th</sup> October 2013 be agreed as a correct record and signed by the Chair.

## **3. 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

## **4. 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.

## **5. DEFERRED ITEMS**

### **5.1 65 Tredegar Square, London, E3 (PA/13/633 & PA/13/634)**

Jerry Bell (Applications Team Leader, Development and Renewal) introduced the item at 65 Tredegar Square, London for the Erection of 8 no self contained houses with 2 no on site car parking spaces (Planning Permission) and for the demolition of existing warehouse (conservation area consent).

Shay Bugler (Planning Officer) presented the committee report. The Committee were advised that at its last meeting, the Committee were minded

to approve the scheme, contrary to the recommendation, for a number of reasons as set out below:

- The proposal would provide much needed family housing with amenity space and, on balance, this outweighed the failure to provide any one bed units as required in policy.
- The proposal presents an innovative design that contributes positively to the character and appearance of Tredegar Square Conservation Area
- The proposal does not present any demonstrable harm to the amenity of the adjoining occupiers.
- Any symptoms of overdevelopment would be outweighed by the benefits of making the most efficient use of the land.

Officers have since considered these reasons in light of planning policy and considered that the reasons could be supported in policy. Conditions could be also added to the planning permission to mitigate any impact.

The Officers recommendations remained to refuse. However, should Members be minded to approve the application, it was recommended that it should be subject to the conditions set out in the report.

The Committee firstly voted on the Officer recommendation to refuse the planning permission and Conservation Area Consent as recommended. On a vote of 0 in favour, 4 against and 1 abstention, the Officer recommendation was refused.

The Committee then voted on the motion to grant the application.

On a vote of 4 in favour, 0 against and 1 abstention, the Committee **RESOLVED:**

1. That planning permission (PA/13/633) at 65 Tredegar Square, London be **GRANTED** for the erection of 8 no self contained houses with 2 no on site car parking spaces subject to the conditions and informatives set out in paragraph 4.2 of the committee report dated 26<sup>th</sup> November 2013.
2. That Conservation Area Consent (PA/13/634) at 65 Tredegar Square, London be **GRANTED** for the demolition of existing warehouse subject to the conditions set out in paragraph 4.4 of the committee report dated 26<sup>th</sup> November 2013.

Councillor Denise Jones could not vote on this item as she had not been present at the last meeting on 9<sup>th</sup> October 2013 when the item was considered.

Councillor Judith Gardiner could not vote on this item as she had not been present from the start of the item.

## 6. PLANNING APPLICATIONS FOR DECISION

### 6.1 18-22 Damien Street, London, E1 2HX (PA/12/00133)

Update Report tabled.

Jerry Bell (Applications Team Leader, Development and Renewal) introduced the item regarding 18-22 Damien Street, London, E1 2HX for the extension and alteration of the London Islamic School and Mosque comprising erection of an additional storey to the existing building, erection of a four storey extension and associated work to provide additional classrooms, prayer facilities and improvements to access in around the building.

The Chair invited registered speakers to address the Committee.

Neville Ebanks spoke in objection to the proposal, as a local resident and a representative of the Damien Street Residents Association. He objected to the principle of the development regardless of what the use was. He referred to the wide range of objections from people near the site and further afield. He objected to the existing noise and nuisance from the Mosque that had been a source of many complaints. The Mosque had failed to address this. The plans would only worsen this. He questioned how the conditions regarding the restrictions on numbers could be enforced?

He objected to the impact of the development in terms of increased traffic. The proposals would block the path way of ambulances to the hospital and disrupt bus services. There would also be an increase in pedestrian traffic with a loss of sightlines and also increased parking stress. Highway Services were of the view that the level of parking in the area was already at its peak. The plans would make this situation intolerable

The scheme would also put undue pressure on the Ford public square, particularly from use by school pupils. In relation to this, there was a lack of recreational space within the scheme to cope with such pressures. He objected to the impact of the development on privacy and light on neighbours.

In reply to Members, he emphasised the level of parking stress in the area that had displaced local residents and resulted in illegal parking. In view of this, how could the conditions to minimise this be enforced?

Lonnie Frisby also spoke against the proposal. He expressed concern about the impact on 54 Cavell Street in terms of loss of light. The mitigation measures proposed to alleviate this in the design were inadequate.

He also objected to the impact of the scheme in terms of increased traffic, parking stress and pedestrian numbers from the development. The plans would be impossible to carry out without a significant increase in such activity given the proposed capacity. The predictions regarding this underestimated the impact. He did not understand how the travel plan could reduce car trips given the increase in attendees of the site from the proposal. Incidents of

illegal parking would increase. Pedestrian safety would be put at risk given the impact on sightlines. No bus audit had been carried out to assess the impact on the bus network.

Guljar Alam spoke in support of the scheme. He explained the scope of the School and Mosque's present facilities, the need to expand them and the range of the new facilities and services to be provided. The services were and would continue to be inclusive including rehabilitation services to assist young people back into education. The applicant worked closely with the community and the Council Officers. He explained the measures to manage any traffic and parking impact as set out in the Travel Plan.

Ms Shamima Khanom also spoke in support of the scheme as a female teacher at the Mosque. She understood the lack of female facilities at the site. As a result, women cannot attend the facility. Therefore, the proposals would encourage more women in the community to get involved in the activities.

Jerry Bell, (Applications Team Leader) presented the detailed report. Mr Bell explained the site location and surrounds, the scope of the consultation (carried out twice in 2012 and 2013) that received 117 representations with 108 in favour and 63 against. He explained the main issues of concern and the points in support. He explained in detail the proposal including the layout of the new facilities, the access arrangements, the mitigation to prevent overlooking, the design and appearance that, in Officers opinion, sat comfortable with the Conservation Area. There were conditions to mitigate any impact from noise and disturbance. Environmental Health were satisfied with the conditions. The sunlight and daylight impacts were acceptable. Mr Bell explained in detail the condition to mitigate the highways impact as set out in the report including the bespoke Travel Plan. As a result of this, Highway Services were now supportive of the application. In summary, Officers were recommending that the scheme be granted.

In response to Members, Officers noted the additional pressures on Ford public square from the scheme and the lack of on site play space for the school given the site constraints. However, this was typical for many schools in such an urban environment. The standards for schools are controlled by the Department for Education and this is regulated by them. The Council did not have any planning policies that specifically require a certain amount of play space for schools in square metres. Officers also clarified the scope of the local transport assessment.

Conditions would be attached to facilitate the operation of the London Overground services given the proximity of the scheme to LO facilities. A condition would also be attached to ensure that the proposal achieved secure by design standards.

Officers explained in further detail the impact on sunlight and daylight on 1-3 Cavell Street. It was felt that the losses were acceptable given the wider community benefits of the scheme. Any development on this site was likely to have a similar impact. The consented permission for the 54 Cavell Street had been taken into account.

Officers gave further assurances on the measures to reduce traffic, waste management and parking as set out in the conditions, and addressed questions around the Equality Assessment and the use of Ford public square.

On a vote of 4 in favour, 2 against and 1 abstention, the Committee **RESOLVED:**

1. That planning permission (PA/12/00133) at 18-22 Damien Street, London, E1 2HX be **GRANTED** for the extension and alteration of the London Islamic School and Mosque comprising erection of an additional storey to the existing building, erection of a four storey extension and associated work to provide additional classrooms, additional male prayer area, new ladies prayer hall including ablutions facilities, including improvements to access in around the building.
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 committee report.

## **6.2 King Henrys Wharf, Phoenix Wharf, Swan Wharf and Corner of Wapping High Street And Brewhouse Lane, London (PA/13/00982 & PA/13/00983)**

Update Report tabled.

Jerry Bell (Applications Team Leader, Development and Renewal) introduced the item regarding King Henrys Wharf, Phoenix Wharf, Swan Wharf and Corner of Wapping High Street and Brewhouse Lane, London for the change of use of the existing wharf buildings (King Henry's Wharf and Phoenix Wharf) to provide 35 residential units, the creation of a new three-storey dwelling house (on land formerly occupied by Swan Wharf), and the erection of new five storey building (on land on the north-western corner of the junction of Wapping High St and Brewhouse Lane) to provide 18 affordable units.

The Chair invited registered speakers to address the Committee.

Nicholas Lightbown spoke in objection to the scheme. He broadly supported the redevelopment of the site but had a number of concerns. He considered that the affordable housing element should mirror surrounding buildings including the adjacent New (and 'Old') Tower Building. However, the appearance of the current proposal contrasted with the neighbouring buildings and would detract from the setting of the Conservation Area. He highlighted examples of alternative designs that were more in keeping with the area.

Sarah North also spoke in opposition to the scheme. She objected to the appearance of the proposed building on Brewhouse Lane on the setting of the Conservation area. The materials were out of keeping. She objected to the impact on parking stress (as the scheme would be car free) given the limited number of on street parking spaces. There would also be undue pressure on

local services from the increase in population. The proposal at the Landside site would also impact on light to surrounding properties.

She expressed concern about the impact from the construction process, particular the proposed re-routing of the bus services that would cause great inconvenience to passengers.

She also expressed concern about overdevelopment of the area given the number of recent planning consents in the Wapping area. Ms North questioned the scope of the local consultation, as some of the neighbours had not been consulted

Joe Cunnane spoke in support of the scheme. He addressed each objection. He reminded the Committee that the scheme would be car free and there would be contributions for health and education. The amenity impact complied with policy, as shown by the expert assessments. He also explained the proposal to improve the highway and the junction under the s106. He outlined the scope of the consultation that complied with the relevant requirements. There were notification letters to residents and exhibition events. In response to Members, he clarified the scope and benefits of the highway improvements –to reallocate land to the public highway from the application site to make it safer and facilitate pedestrian use.

Rex Wilkinson spoke in support as the architect for the scheme. He described the proposed material, that were mainly London stock brick which sought to comply with the more traditional elements of the Conservation Area.

Richard Murrell (Planning Officer) presented the detailed report and the update. Mr Murrell explained the site and surrounds. He described in detail the proposal for planning and listing building consent including the housing and affordable housing offer. He explained the lack of demand for the existing employment space and the merits of the proposed residential use in view of viability. He also explained the design and the minimal changes to the appearance of the existing buildings. Overall, Officers considered that the proposal would fit conformable with the setting of the Conservation Area and that the plans would preserve the historic features of the existing buildings. Mr Murrell also explained the proposed highway improvements to facilitate access. The amenity impacts were acceptable on balance. The s106 complied with policy.

In response to questions, Officers confirmed the benefits of prioritising affordable housing in this case in view of the demand for such housing in the Borough. Mr Murrell also confirmed the need for the tenures to be separated in view of the site constraints of the listed buildings and to maximise viability. It was also reported that the registered providers preferred to have affordable housing with a separate core. Officers were satisfied with the concrete slab floors within the development taking into account the comments from the various conservation specialists. It was considered that the floor structures, on balance, offered the best means of securing the insulation required with the least amount of intervention.

It was also explained that the sunlight impacts to the neighbouring properties would mainly affect the windows at the ground floor. However it was felt that overall, the light levels that the rooms would continue to receive was adequate. The the separation distances between the proposal was acceptable.

Some concern was expressed about the proposed rerouting of the bus routes as this could cause many problems for the users. Alternatives to this should be considered.

Accordingly, Councillor Denise Jones requested that Officers ensure the Construction Management Plan takes all reasonable steps to minimise disruption to residents, particularly in relation to any diversion of the bus route. Officers undertook to do this.

On a vote of 6 in favour, 0 against and 1 abstention, the Committee **RESOLVED:**

1. That planning permission and Listed building consent (PA/13/00982 & PA/13/00983) for King Henrys Wharf, Phoenix Wharf, Swan Wharf and Corner of Wapping High Street And Brewhouse Lane, London be **GRANTED** for the change of use of the existing wharf buildings (King Henry's Wharf and Phoenix Wharf) to provide 35 residential units, the creation of a new three-storey dwellinghouse (on land formerly occupied by Swan Wharf), and the erection of new five storey building (on land on the north-western corner of the junction of Wapping High St and Brewhouse Lane) to provide 18 affordable units subject to:
2. The prior completion of a legal agreement to secure the planning obligations set out in the committee report.
3. That the Corporate Director Development & Renewal is delegated power to negotiate the legal agreement indicated above
4. 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 committee report.
5. That, if within 3-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.

### **6.3 4 Crispin Place, E1 (PA/13/00719)**

Update Report tabled.

Jerry Bell (Applications Team Leader, Development and Renewal) introduced the item regarding 4 Crispin Place, E1 London for the change of use from use Class A3 (Restaurant \ café) to use Class A4 (Drinking establishment).



The Chair invited registered speakers to address the Committee.

Josef Cannon spoke against the proposal as a legal representative of the St George Residents' Association. He stated that this was the first change of use from A3 to A4 in the Spitalfields area, so there was cause for concern about the potential impact. He considered that the key concern was the impact of the proposal on residential amenity. In particular, from noise and disturbance from people standing around and drinking outside the premises, typically associated with public houses. The residents supported the initial comments of Environmental Health that use of the outdoor terraces be restricted to 8pm, including the western terrace. He disputed the findings in the noise assessment that drinking would be at its peak at 9pm. Experience showed that it would go on to more like 11pm.

Steve Cousins also spoke in objection to the proposal who lived immediately opposite the area. He echoed the previous points around noise disturbance particularly from the outside areas. It was clear from the evidence of similar A4 units that many of the customers tended to gather outside, especially in the summer. He questioned that the condition that only five smokers be allowed outside could be enforced, given the capacity of the premises and the likelihood that they would take other customers outside with them. It was naive to say that there would be hardly any noise from this and the outdoor area generally. He questioned whether the northern terrace would close at 8pm or if there would be additional eating/drinking up time.

Ed Turner spoke in support of the application. He referred to the applicant's successful track record in managing similar premises to the one proposed. He referred to the noise assessment carried out. This showed that there would be no worsening of the existing situation with regards to noise. He outlined the conditions to mitigate the impact including a condition preventing smokers from going outside with a drink that should minimise congregation from this. In response to Members, he reported that the Applicant was committed to working with the Police, the Council and residents to protect residential amenity and to enforce the conditions. He considered that the proposals for the western terrace was essential for the business. The noise assessment showed that use of this terrace should not impact on residents.

Helen Cuthbert spoke in support of the application. Ms Cuthbert reported on the suitability of the area for the proposed use given it was in a Central Activities Zone. Most of the eating establishments in this area were restaurants so there was a need for a new public house. The premises was already a restaurant with a bar. She also described the conditions to mitigate the impact on amenity including the plans to close the terrace at 8pm to allow customers to enjoy their meal. The proposals would also bring jobs to the area and benefit the local economy.

Beth Eite (Planning Officer) gave a presentation on the application, highlighting objections received, the number of A4 uses nearby and the proximity of the proposal to the nearest residential property.

In summary, Officers considered that the proposal was acceptable given the low number of A4 uses in the area, the measures to protect amenity (that Officers were confident could be enforced) and that the premises was already a restaurant with a bar. In response to questions, Officers confirmed that the Council's new saturation policy was a Licensing Policy and the application needed to be considered on its planning merits.

On a vote of 5 in favour, 1 against and 1 abstention, the Committee **RESOLVED:**

That planning permission (PA/13/00719) at 4 Crispin Place, E1 London be **GRANTED** for the change of use from Use Class A3 (Restaurant \ café) to Use Class A4 (Drinking establishment) subject to the conditions and informatives set out in the committee report.

#### 6.4 Stepney Green Park, Stepney Way, London (PA/13/02142)

Update Report tabled

Jerry Bell (Applications Team Leader, Development and Renewal) introduced the item at Stepney Green Park, Stepney Way for the refurbishment of an existing sports pitch.

Piotr Lanoszka (Planning Officer) gave a detailed presentation on the proposal explaining the outcome of the local consultation. He explained the public benefits of the 3G refurbishment for football use that was linked to the wider plans to refurbish the 2 pitches at John Orwell Centre and Mile End Stadium for hockey use. Officers considered the proposed works would be of an acceptable visual appearance and protect residential amenity. The plans would also enhance the quality of the football pitch without prejudice to the provision of an adequate amount of hockey sport pitches in the borough in accordance with policy. Officers were recommending that the application be granted.

In response to Members, Officers clarified the scope of the community facilities including dedicated women's sporting facilities and disabled persons facilities as part of the grant funding. Officers also confirmed the timetable for this proposal to complement the timing of the work for the other two pitches.

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

1. That planning permission (PA/13/02142) at Stepney Green Park, Stepney Way, London be **GRANTED** for the refurbishment of an existing sports pitch, resurfacing of external 2G Synthetic Turf Pitch with a 3G surface, installation of ball-stop fencing to the pitch perimeter and replacement of existing pitch lighting with a modern artificial floodlighting system.
2. That the Corporate Director Development & Renewal is delegated authority to issue the planning permission and impose conditions to secure the matters set out in the report.

## 6.5 Black Lion House, 45 Whitechapel Road E1 1DU (PA/13/02162)

Update Report Tabled.

Jerry Bell (Applications Team Leader, Development and Renewal) introduced the item at Black Lion House, 45 Whitechapel Road for the change of use, refurbishment and extension to existing office building to provide a 217 bed hotel including an additional 7th, 8th and 9th storey extension; erection of a single storey office building measuring 29 square metres and associated works, including associated highways and landscaping works

Iyabo Johnson (Planning Officer) presented the detailed report, explaining the site and surrounds, the current site use, the outcome of the consultation, the justification for the change in land use on viability grounds. It was also considered that the proposal hotel use in this area was acceptable and was supported in policy. The Committee were also advised of the design of the proposal, the materials, the height of the proposed roof extension, the daylight and sunlight impacts, the coach and taxi drop off arrangements and the planning obligations that complied with policy and included training and job opportunities for local people. The Committee also noted the concerns around crime and anti-social behaviour (ASB) around the alleyway in Kings Arms Court. Although this fell outside the site boundary, the applicant was proposing measures to improve the security of the alleyway that should help address this as well as the increase in natural surveillance from the proposal. It was also noted that there was a Section 106 contribution towards public realm improvements and there was potential for some of this to be used towards improvements to address ASB.

In response to Members, Officers explained further the plans to address the asb issues around the alleyway. The applicant was fully aware of the issues. Officers also referred to the traffic assessment and that Highways Services were satisfied with the proposal subject to the conditions. Highway services had not expressed concern about any increase in or impact from traffic from the proposal

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

1. That planning permission (PA/13/02162) at Black Lion House, 45 Whitechapel Road E1 1DU be **GRANTED** for the change of use, refurbishment and extension to existing office building (Use Class B1), to provide 11, 537 square metres / 217 bed hotel (Use Class C1) including an additional 7th, 8th and 9th storey extension, erection of a single storey office building measuring 29 square metres (use class B1) and associated works, including associated highways and landscaping works subject to:
2. The prior completion of a legal agreement, to the satisfaction of the Head of Legal Services to secure the obligation set out in the Committee 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 Head of 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 Committee report.
6. Any other informative(s) considered necessary by the Head of Development Decisions.

**7. OTHER PLANNING MATTERS**

**8. PLANNING APPEALS REPORT**

On a unanimous vote the Committee **RESOLVED**

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

The meeting ended at 10.30 p.m.

Chair, Councillor Helal Abbas  
Development Committee