

LONDON BOROUGH OF TOWER HAMLETS

MINUTES OF THE STRATEGIC DEVELOPMENT COMMITTEE

HELD AT 7.30 P.M. ON THURSDAY, 15 MARCH 2007

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

Members Present:

Councillor Ohid Ahmed
Councillor Alibor Choudhury (Vice-Chair, in the Chair)
Councillor Rupert Eckhardt
Councillor Ahmed Hussain
Councillor Abjol Miah
Councillor Ahmed Adam Omer
Councillor Joshua Peck

Councillor Stephanie Eaton

Other Councillors Present:

Officers Present:

Renee Goodwin	– (Acting Applications Manager)
Michael Kiely	– (Service Head, Development Decisions)
Alison Thomas	– (Manager, Social Housing Group)
Neil Weeks	– (Legal Advisor)
Louise Fleming	– Senior Committee Officer

1. APOLOGIES FOR ABSENCE

Apologies were received from Councillors Rofique Ahmed and Louise Alexander. Councillor Stephanie Eaton deputised for Councillor Alexander.

2. DECLARATIONS OF INTEREST

Councillor Ahmed Omer declared a personal interest in item 6.1 as the ward member for Bow East.

Councillor Josh Peck declared a personal interest in item 6.1 as an employee of the Heritage Lottery Fund, which was one of the lottery distributors whose income would be reduced to fund the Olympic Games.

Councillor Ahmed Hussain declared a personal interest in item 6.2 as the ward member for Mile End East.

Councillor Rupert Eckhardt declared a personal interest in item 6.3 as the ward member for Millwall.

3. UNRESTRICTED MINUTES

The minutes of the meeting held on 13th February were agreed and approved as a correct record by the Chair.

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 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 and that no objectors had registered to speak.

6. PLANNING APPLICATIONS FOR DECISION

6.1 Olympic Applications

Mr Michael Kiely, Head of Development Decisions, gave a detailed presentation on the three separate applications submitted by the Olympic Delivery Authority (ODA). He detailed the site preparation, the facilities and their legacy transformation. Mr Kiely presented the proposals for Tower Hamlets for the Olympics and Legacy phases; and the implications for the Borough. The Committee was advised of the concerns of officers in relation to the Legacy design and the impact on residents. Members considered a draft response to the ODA, contained at Appendix L to the agenda item, and made the following comments:

- Ensure that Tower Hamlets residents get the best deal possible from the Olympics and have clear links to the Games.

- Safeguard the future of Fish Island, whilst making the area more accessible.
- Concerned over link roads and bridges. The link road should not dissect the area and the bridges should be made permanent structures.
- Ensure that the ODA is made aware of the Council's concerns and put forward proposals for the improvement of the applications. Ensure that the ODA is aware that the Council's support is not unconditional and that, while fully supportive of the Games, it was important to protect the interests of its residents.
- Concerned over the implications of the Combined Cooling and Heat and Power Plant (CCHP).
- Proposals should not compromise the open space.
- Ensure public access to the waterways network and not "privatise" through development.
- Concern over the loss of allotment space, including Manor Gardens Allotments.

The Committee RESOLVED that

- (i) the draft letter of observations, attached as Appendix L to the agenda report, be amended to include the comments made by the Committee; and
- (ii) the Corporate Director of Development and Renewal be delegated authority to make further observations and/or recommendations as appropriate to the Olympics Development Agency (ODA).

6.2 48-52 Thomas Road, London E14 7BJ

Mr Michael Kiely, Head of Development Decisions, introduced the site and proposal for the redevelopment to provide a mixed use development within 3 buildings ranging from 5 to 12 storeys (including a mezzanine level at the top floor), 182 residential units, of which 91 will be affordable dwellings, 750 sqm of B1 floor space, 91 underground parking spaces, 182 cycle spaces, landscaping and ancillary works at 48-52 Thomas Road, London E14 7BJ.

Ms Renee Goodwin, Strategic Applications Manager, presented a detailed report and update report on the application, which provided Members with further clarity in respect of contributions required by Transport for London towards Bus Network Development, and detailed the reasons why the proposals were acceptable and recommended for approval.

The Committee was pleased with the amount of affordable housing being offered. Members asked questions relating to the lighting of the towpath; the decontamination of the site; and the provision for waste and recycling facilities. The Committee was advised that such matters would be dealt with by Condition.

The Committee RESOLVED that planning permission for the redevelopment to provide a mixed use development within 3 buildings ranging from 5 to 12 storeys (including a mezzanine level at the top floor), 182 residential units, of which 91 will be affordable dwellings, 750 sqm of B1 floor space, 91 underground parking spaces, 182 cycle spaces, landscaping and ancillary works at 48-52 Thomas Road, London E14 7BJ be GRANTED subject to

A The prior completion of a legal agreement to the satisfaction of the Chief Legal Officer, to secure the following:

- a) Affordable Housing provision of 50% of the proposed residential units measured by habitable rooms with an 80/20 split between rented/shared ownership in accordance with the mix specified in the Committee report;
- b) a contribution of £763,755 towards healthcare to mitigate the demand of the additional population on healthcare services;
- c) a contribution of £345,576 towards education to mitigate the demand of additional school places generated by the proposal;
- d) a contribution of £100,000 towards access to employment initiatives;
- e) a contribution of £150,000 towards highways, pedestrian and cycle improvements within the surrounding area and the funding of a study to investigate improved linkages in the wider area;
- f) a contribution to TfL of £20,000 towards improving bus accessibility as well as bus stop upgrades on Bow Common Lane to the north of the site and Upper North Street to the south of the site;
- g) completion of a car free agreement to restrict occupants applying for residential parking permits;
- h) preparation of a Travel Plan (for both the residential and commercial component);
- i) a contribution of £10,000 towards improvements to the riverside walkways and access to the canal to be implemented by British Waterways. This would equate to approximately 25% of the current estimated cost of canalside works in the vicinity of the site;
- j) Code of Construction Practice;
- k) TV and Radio reception.

B An agreement under Section 278 of the Highways Act for highways, pedestrian and cycle improvements within the surrounding area.

C That the Head of Development Decisions be delegated power to impose conditions and informatives on the planning permission to secure the following:

Conditions

- 1) Permission valid for 3 years.
- 2) Submission of samples/details/full particulars.

- 3) Submission of a Secured by Design Statement.
- 4) This scheme shall include an unobstructed access strip of at least six metres between the new development and the canal wall.
- 5) Submission of a Landscaping scheme and landscape management plan, including the provision of landscaping within 6m buffer zone to the Limehouse Cut.
- 6) Submission of investigation to assess the degree of contamination of the site and determine water pollution potential.
- 7) Submission of details of site drainage.
- 8) No soakaways shall be constructed in contaminated ground.
- 9) Submission of details of site foundations.
- 10) Submission of an investigation and remediation measures for land contamination.
- 11) Submission of a Noise and Vibration Survey and details of sound insulation/attenuation measures to ensure minimal impact during construction to surrounding properties and to protect future residents from surrounding industrial impacts.
- 12) Provision of a minimum of 214 cycle spaces.
- 13) Submission of a traffic management plan detailing all routes to be used by construction vehicles and maintenance programmes.
- 14) Parking, access and loading/unloading, manoeuvring.
- 15) No parking on site, other than in the basement car park.
- 16) Vehicular access.
- 17) Refuse and recycling facilities.
- 18) Hours of Construction (8.00 am to 6.00 pm Monday to Friday and 9.00 am to 5.00 pm on Saturdays. You must not carry out the required building works on Bank Holidays).
- 19) Power/hammer driven piling/breaking (10.00 am to 4.00 pm Monday to Friday).
- 20) Submission of full details of the proposed lighting and CCTV scheme.
- 21) Submission of a survey of the condition of the waterway wall, and a method statement and schedule of the repairs identified.
- 22) Submission of a Risk Assessment and Method Statement outlining all works to be carried out adjacent to the water.
- 23) Implementation of the mitigation measures detailed in the Bat Survey.
- 24) Any other conditions considered necessary by the Head of Development Decisions.
- 25) Lifetime Homes.
- 26) 10% Disables Access.
- 27) Renewable Energy Measures (at least 10% reduction in carbon dioxide emissions).

Informatives

- 1) Section 106 of the Town and Country Planning Act 1990.
- 2) Locally native plant species only, of UK genetic origin.

- 3) During construction no solid matter shall be stored within 10 metres of the banks of the Limehouse Cut.
 - 4) No lightspill onto the Limehouse Cut
 - 5) Adequate sewerage infrastructure in place
 - 6) With regard to (Decontamination), contact Council's Environmental Health Department.
 - 7) Code of Construction Practice, discuss this with Council's Environmental Health Department.
 - 8) Consult with the Council's Highways Development Department regarding any alterations to the public highway.
 - 9) During construction consideration must be made to other developments within the area and the impact to traffic movements on Bow Common Lane.
 - 10) Any discharge of surface water into the waterways required British Waterway's written permission before development commences.
 - 11) In the event of any balcony overhangs or other encroachments into British Waterways' airspace, land or water, enter into an appropriate agreement with British Waterways.
 - 12) Contact British Waterways engineer, "Code of Practice for Works affecting British Waterways".
 - 13) Contact the GLA regarding the energy proposals.
- D That if by 15th September 2007, the legal agreement has not been completed to the satisfaction of the Chief Legal Officer, the Head of Development Decisions be delegated power to refuse planning permission.

6.3 22 Marsh Wall, London E14

Mr Michael Kiely, Head of Development Decisions, introduced the site and proposal for the construction of one building of 44 storeys (within the existing consented envelope – PA/05/00052) and two buildings of eight storeys to provide 802 dwellings, and a total of 3,267 sq m of retail (A1, A2, A3), Office (B1) and Community Uses (D1) at lower ground, ground and level 1, 5833 sq m plant, public spaces and parking at 22-28 Marsh Wall and 2 Cuba Street and 17-23 Westferry Road, Marsh Wall, London.

Ms Renee Goodwin, Strategic Applications Manager, presented a detailed report and update report on the application. She explained the differences between the current and previously approved application and detailed the reasons why the application was acceptable and recommended for approval.

Members expressed concern over the tabling of a letter of support for the application, in that its inclusion in full in the update report presented an imbalance as letters were normally summarised. It was explained that it had been received after the agenda had been published, and that no further letters of objection had been received. It was also noted that neither of the two objectors had expressed a wish to address the Committee. Members

suggested deferring the item to seek clarification on the author of the letter and their relationship to the developer. However, after receiving legal advice on the role of lobbying in the planning process and issues surrounding transparency and probity it was agreed to proceed with the consideration of the application. It was also agreed that in future all letters would be summarised in the update report.

Members asked questions relating to density and consultation with surrounding boroughs. Concern was expressed over the percentage of affordable housing in the scheme. The Committee was informed of the process for assessing the viability of the scheme, using the Greater London Authority toolkit and advised that the scheme was reasonable and in accordance with policy. Ms Alison Thomas, Housing Development Manager, informed the Committee that the affordable housing element would be solely for Tower Hamlets residents, provided without recourse to public funds.

Concern was also expressed over the high number of small units and the sizes of those units. The Committee was advised that all the units complied with the Council's internal space standards.

The Committee RESOLVED that planning permission for the construction of one building of 44 storeys (within the existing consented envelope – PA/05/00052) and two buildings of eight storeys to provide 802 dwellings, and a total of 3,267 sq m of retail (A1, A2, A3), Office (B1) and Community Uses (D1) at lower ground, ground and level 1, 5833 sq m plant, public spaces and parking at 22-28 Marsh Wall and 2 Cuba Street and 17-23 Westferry Road, Marsh Wall, London be GRANTED subject to

- A Any direction by the Mayor.
- B The prior completion of a legal agreement to the satisfaction of the Chief Legal Officer, to secure the following:
 - a) a proportion of 26.67% habitable room basis of the proposed units (i.e. 158 units) to be provided as on site affordable housing with the mix as specified in 8.49 of the Committee report;
 - b) provide £400,419 towards open space improvements to relieve the pressure that will arise from the new housing on existing overcrowded open space and recreational facilities within the Borough;
 - c) preparation of a right of way “walking agreement” for crossing through the proposed site across Marsh Wall;
 - d) provide £452,649 (being £150,883 per annum for three years) to London Buses towards bus capacity;
 - e) equipment upgrade to mitigate the adverse effects on DLR radio communications (Such as a booster to offset signal interruption);
 - f) provide £116,064 towards the upgrade of the section of highway south of Westferry Circus;

- g) provide £406,223 for pedestrian and cycle improvements (i.e. to make 20 m/ph zone or pedestrian friendly) to Cuba Street, Manilla Street, Tobago Street and Byng Street;
- h) provide £292,480 towards employment initiatives such as the Local Labour in Construction (LliC) or Skillsmatch in order to maximise the employment of local residents;
- i) provide £583,618 towards education to mitigate the demand of the additional population on education facilities;
- j) provide £2,929,377 towards healthcare to mitigate the demand of the additional population on healthcare services;
- k) preparation and implementation of a public art strategy including involvement of local artists;
- l) TV reception monitoring and mitigation;
- m) Preparation of a Travel Plan (for both the residential and commercial component); and
- n) Completion of a car free agreement to restrict occupants applying for residential parking permits.

Section 278 agreement to secure the following:

- 1) Off site highway works from Byng Street to the roundabout south of Westferry Circus Roundabout, and along boundary of property on Marsh Wall prior to the commencement of works on site. (This work is currently estimated at £464,255. Should the work not cost this amount the Council will reimburse the difference, should it cost more, the developer will be invoiced direct.)

C That the Head of Development Decisions be delegated power to impose conditions and informatives on the planning permission to secure the following:

Conditions:

- 1) Time limit for Full Planning Permission
- 2) Details of the following are required:
 - Samples of materials for external fascia of building
 - Ground floor public realm (including children's play space and pedestrian route
 - All external landscaping (including lighting and security measures), walkways, screens/canopies, entrances, seating and litter bins
 - The design of the lower floor elevations of commercial units including shopfronts
 - Signage strategy
 - Roof treatment (Biodiversity roof for Black Redstarts and amenity space)
- 3) Landscape Management Plan required

- 4) Parking – maximum of 195 cars and a minimum of 813 cycle and 20 motorcycle spaces
- 5) Hours of construction limits (Between the hours of 8 am and 6 pm Mondays to Fridays and between the hours of 8 am and 1 pm Saturdays).
- 6) Details of insulation and of the ventilation system and any associated plant required
- 7) Hours of operation limits – hammer driven piling (10 am – 4 pm)
- 8) Wheel cleaning during construction required
- 9) Details of surface and foul water drainage system required
- 10) Impact study of water supply infrastructure required
- 11) Details required for on site drainage works
- 12) Details of finished floor levels required
- 13) Land contamination study required to be undertaken
- 14) The refuse/recycling storage strategy to be implemented
- 15) Ground borne vibration limits
- 16) Construction Environmental Management Plan
- 17) Renewable energy measures to be approved in writing by the Local Planning Authority in consultation with the Greater London Authority and implemented in perpetuity
- 18) Details of the proposed D1 use
- 19) The southern elevations of Levels 2 to 7 of the two apartments of block 2 are required to have a visually opaque translucent frit
- 20) All residential accommodation to be built to Lifetime Homes standard, including at least 10% of all housing being wheelchair accessible.

Informatives

- 1) Thames Water advice
 - 2) Environment Agency advice
 - 3) Entertainment licensing advice
 - 4) Site notice specifying the details of the contractor required
 - 5) Surface water drainage advice
 - 6) Construction Environmental Management Plan Advice
 - 7) Highways Department Advice
- D That if the 15th December 2007 the legal agreement has not been completed to the satisfaction of the Chief Legal Officer, the Head of Development Decisions be delegated power to refuse planning permission.

The meeting ended at 9.15 p.m.

Chair, Councillor Rofique U Ahmed
Strategic Development Committee