

LONDON BOROUGH OF TOWER HAMLETS

MINUTES OF THE STRATEGIC DEVELOPMENT COMMITTEE

HELD AT 7.30 P.M. ON THURSDAY, 10 MAY 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)
Councillor Rupert Eckhardt
Councillor Abjol Miah
Councillor Ahmed Adam Omer
Councillor Joshua Peck

Other Councillors Present:

Councillor M. Mamun Rashid

Officers Present:

Megan Crowe – (Planning Solicitor, Legal Services)
Renee Goodwin – (Acting Applications Manager)
Michael Kiely – (Service Head, Development Decisions)
Graham White – (Legal Adviser)

Louise Fleming – Senior Committee Officer

1. APOLOGIES FOR ABSENCE

Apologies were received from Councillor Rofique Ahmed. Councillor Alibor Choudhury would be arriving late.

Therefore, in the absence of the Chair and Vice-Chair, the Committee RESOLVED that Councillor Josh Peck be elected Chair of the meeting.

2. DECLARATIONS OF INTEREST

Councillor Abjol Miah declared a personal interest in item 7.1 as the ward Member for Shadwell.

Councillor Rupert Eckhardt declared personal interests in item 7.2 as it was an important site on the Isle of Dogs and in item 7.3 as the ward Member for Millwall.

Councillor Josh Peck declared a personal interest in item 8 as Christ Church Gardens had previously received funding from his employer, the Heritage Lottery Fund.

3. UNRESTRICTED MINUTES

The minutes of the meeting held on 15th March 2007 were confirmed as a correct record by the Chair, subject to an amendment to the recommendation on item 6.2 relating to a contribution to the lighting of the towpath.

4. RECOMMENDATIONS

The Committee RESOLVED that, in the event of amendments to recommendations being made, the task of formalising the wording of any amendments be delegated to the Corporate Director Development & Renewal along the broad lines indicated at the meeting.

5. PROCEDURE FOR HEARING OBJECTIONS

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

6. DEFERRED ITEMS

The Committee noted the current position in relation to deferred items.

7. PLANNING APPLICATIONS FOR DECISION

7.1 John Bell House, 10 King David Lane, London

Mr Michael Kiely, Head of Development Decisions, introduced the site and proposal for the redevelopment to provide a 10 storey plus ground floor building comprising 132 bedroom student accommodation and landscaping at John Bell House, 10 King David Lane.

Mr Ron Osborne addressed the Committee on behalf of the residents in objection on the grounds of height, proximity to neighbouring properties, pollution, disruption and noise and disturbance from the student accommodation use.

Mr Stuart Black addressed the Committee on behalf of London Metropolitan University. He informed the Committee that the site was currently in use as student accommodation and that there was only one other facility in the Borough for the University, with a large number of students to house. He

believed the proposal would improve the current accommodation and security at the site.

Ms Renee Goodwin presented a detailed report and update report. She detailed the objections received and the conditions which would mitigate against the concerns raised. She advised the Committee that the Council's Conservation officers were satisfied with the design amendments to the scheme and did not believe it would have an adverse effect on the nearby St Paul's Church. Ms Goodwin outlined the issues for consideration and advised that the London Plan recognised the need for student accommodation across London. She emphasised that the use on the site had already been established, the proposal was to upgrade it.

Members asked questions relating to the Section 106 legal agreement and the demand for student accommodation in the Borough. Concern was expressed that there had been a number of similar applications and that Tower Hamlets should not be providing more than its share of student accommodation when there was a current housing shortage for its residents.

The Committee RESOLVED that planning permission for the redevelopment to provide a 10 storey plus ground floor building comprising 132 bedroom student accommodation and landscaping at John Bell House, 10 King David Lane 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) Car Free Agreement
 - b) Preparation of a Green Travel Plan
 - c) Public realm improvements including footpath upgrade, signage and street furniture: £150,000
 - d) Transport improvements: £25,000
 - e) Use of Local Labour in Construction
 - f) TV reception mitigation measures
- 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:
 - Elevational treatment including samples of materials for external fascia of building;
 - Ground floor public realm (detailed landscape plan for ground floor public realm improvements)
- 3) Student housing Management Plan required

- 4) Terrace use hours restriction
- 5) Archaeological investigation
- 6) 278 (Highways) agreement required for public realm works
- 7) Hours of construction limits (0800 – 1800, Mon-Fri, 0800 – 1300 Sat)
- 8) Details of insulation of the ventilation system and any associated plant required
- 9) Hours of operation limits – hammer driven piling (10am – 4pm, Mon – Fri)
- 10) Details required for on site drainage works
- 11) Full particulars of the refuse/recycling storage required
- 12) Code of Construction Practice, including a Construction Traffic Management Assessment required
- 13) Details of finished floor levels required
- 14) Details of surface water source control measures required
- 15) Biomass heating and renewable energy measures to be implemented
- 16) Black redstart habitat provision required
- 17) Land contamination study required to be undertaken
- 18) Any other condition(s) required necessary by the Head of Development Decisions.

Informatives

- 1) Environment Agency advice
 - 2) Site notice specifying the details of the contractor required
 - 3) Standard of fitness for human habitation, means of fire escape and relevant Building Regulations
- D That if by 10th August 2007 the legal agreement had not been completed to the satisfaction of the Chief Legal Officer, the Head of Development Decisions be delegated power to refuse planning permission.

(Councillor Alibor Choudhury arrived at 7.45 pm and therefore could not take part in the vote on this item.)

7.2 The London Arena, Limeharbour, London E14

Ms Renee Goodwin introduced the site and proposal for the redevelopment by the erection of 8 buildings 7 to 43 storeys to provide 149,381 sq m of floor space over a podium for use as 1057 residential units, 25,838 sq m of Class B1 (offices), a 149 room hotel; a 10,238 sq m apart-hotel; a Class D1/D2 community facility of 1,329 sq m, 2,892 sq m for use within Classes A1, A2, A3, A4 and A5, Class D2 health club of 1,080 sq m, associated car parking, landscaping including new public open spaces and a dockside walkway at the London Arena, Limeharbour.

Ms Goodwin presented a detailed report and update report. She outlined the amendments to the proposal from the previously approved scheme and advised the Committee of the response from the GLA in respect of affordable housing, which was optimum for the site. She detailed the issues for consideration and the conditions proposed.

Members asked questions relating to the financial contribution to medical facilities, the amount of affordable housing and the traffic congestion. Ms Goodwin informed the Committee that a contribution would be made to the Tower Hamlets PCT and the money would be allocated to areas of need. The percentage of family sized affordable housing had increased from the previous scheme and TfL had carried out a traffic assessment and was satisfied.

The Committee RESOLVED that planning permission for the redevelopment by the erection of 8 buildings 7 to 43 storeys to provide 149,381 sq m of floor space over a podium for use as 1057 residential units, 25,838 sq m of Class B1 (offices), a 149 room hotel; a 10,238 sq m apart-hotel; a Class D1/D2 community facility of 1,329 sq m, 2,892 sq m for use within Classes A1, A2, A3, A4 and A5, Class D2 health club of 1,080 sq m, associated car parking, landscaping including new public open spaces and a dockside walkway at the London Arena, Limeharbour 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 35% on a gross floor space basis of the proposed units to be provided as affordable housing with the socially rented mix as specified in the table attached in Section 8.15.
 - b) Provide £150,000 towards the installation of Docklands Arrival Information System (DAISY) within the London Arena development.
 - c) Provide a minimum of £400,000 towards the D5 bus service or new bus service (TFL proposal) and potential new bus stops on East Ferry Road.
 - d) Implement measures to offset signal interruption to mitigate the adverse effects on DLR radio communications.
 - e) Provide £125,000 towards general improvements to pedestrian and cycle routes in the area including crossings and new paving surfaces.
 - f) Provide £75,000 towards the signalisation of the junction of Marsh Wall/ Limeharbour with a green man phase.
 - g) Provide £108,848 towards open space improvements to cater for the demand that will arise from the new housing on existing open space and recreational facilities.
 - h) Set of measures for the public realm including provision of the public piazza and access to the Dockside Walkway.
 - i) Provide £524,877 towards education to mitigate the demand of the additional population on education facilities.

- j) Provide £2,856,640 towards medical facilities to mitigate the demand of the additional population on medical facilities.
- k) Provide £125,000 towards the Local Labour in Construction (LliC) programme.
- l) Provide £75,000 towards Skillsmatch to maximise the employment of local residents.
- m) Preparation of a Workplace Travel Plan (including welcome pack for residents).
- n) Preparation of a Service and Delivery Plan.
- o) Obligations in relation to construction works (noise levels, hours of work, transport arrangements, air quality, method statements) to be secured through a Code of Construction Practice.
- p) TV Reception monitoring and mitigation
- q) Preparation and implementation of a public art strategy including involvement of local artists.
- r) Completion of a car free agreement to restrict occupants applying for residential parking permits.
- s) Preparation of an Environmental Management Plan – post construction.
- t) Provision of a health club incorporating a football pitch and associated facilities for community use.
- u) Further negotiation to provide the following to LDA's requests:
 - A portion of the business space to be provided as managed affordable workspace
 - Firming up and further developing initiatives to create training and employment opportunities for local people and businesses both during construction and within the completed development through the production of employment and training strategy.

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:
 - Elevational treatment including samples of materials for external fascia of building
 - Ground floor public realm (detailed landscape plan for amenity courtyards and ground floor public realm improvements)
 - Interface of retail areas with public space
 - Cycle parking design and location
 - The design of the lower floor elevations of commercial units including shopfronts and indoor football pitch
 - External lighting and security measures
- 3) Landscape Management Plan required
- 4) 278 agreement to be entered into for Highway works surrounding the site
- 5) Parking maximum cars and minimum cycle and motorcycle spaces

- 6) Hours of construction limits (0800 – 1800, Mon-Fri: 0800 – 1300 Sat)
- 7) Details of insulation of the ventilation system and any associated plant required
- 8) Hours of operation limits – hammer driven piling (10am – 4pm)
- 9) Details required for on site drainage works
- 10) Full particulars of the refuse/ recycling storage required
- 11) Code of Construction Practice, including a Construction Traffic Management Assessment required
- 12) Details of finished floor levels required
- 13) Details of surface water source control measures required
- 14) Renewable energy measures to be implemented
- 15) Black redstart habitat provision required
- 16) Green roofs
- 17) Land contamination study required to be undertaken
- 18) Signage for basement parking
- 19) Foundation design and ground works
- 20) Construction operations and impact on dock walls
- 21) Horizontal access strip from dock wall
- 22) Materials, openings and maintenance regime for boundary with DLR
- 23) Use of barges for construction traffic
- 24) Access by construction vehicles limited to Limeharbour
- 25) Limit A1 retail floorspace
- 26) Health club management plan required (to secure access for local people etc)
- 27) Recycling plan
- 28) Access and circulation
- 29) Amended plan indicating the location and number of disabled and cycle parking places.
- 30) Any other condition(s) considered necessary by the Head of Development Decisions.

Informatives

- 1) Environment Agency advice
 - 2) Site notice specifying the details of the contractor required
 - 3) Standard of fitness for human habitation, means of fire escape and relevant Building Regulations
 - 4) Landscape management plan
 - 5) Thames Water
 - 6) English heritage – London region
 - 7) Code of Practice for Works affecting British Waterways
 - 8) Entertainment licensing
 - 9) Control of Pollution Act
 - 10) Link the combined Heat and Power System with other nearby developments
- D That if by 10th August 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.

7.3 Arrowhead Quay (East of 163 Marsh Wall), Marsh Wall, London

Mr Michael Kiely, Head of Development Decisions, introduced the site and proposal for the redevelopment of site to provide a 16 storey and 26 storey plus plan (119m AOD to top of plant) office building including retail (Class A1)/ restaurant (Class A3) uses on part of the ground floor and basement car park (79,244 sq m gross), dockside walkway and landscaped plaza at Arrowhead Quay (East of 163 Marsh Wall), Marsh Wall.

Ms Renee Goodwin, Strategic Applications Manager, presented the report and update report on the application. She detailed the changes which had been made to the application since the previously approved application and outlined the main issues for the Committee to consider when making its decision.

The Committee RESOLVED that planning permission for the redevelopment of site to provide a 16 storey and 26 storey plus plan (119m AOD to top of plant) office building including retail (Class A1)/ restaurant (Class A3) uses on part of the ground floor and basement car park (79,244 sq m gross), dockside walkway and landscaped plaza at Arrowhead Quay (East of 163 Marsh Wall), Marsh Wall 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 contribution of £50,000 to public art
 - A contribution of £4,971,376.62 in accordance with the Millennium Quarter Masterplan Tariff.
 - A contribution of £20,000 towards the provision of (Docklands Arrival Information System) boards at appropriate locations within the proposed development.
 - Contributions towards any equipment upgrade required to mitigate the adverse affects of this development on DLR's radio communications. Furthermore, a radio survey is to be conducted before and after the construction phase to assess the level of impact the development may have on the DLR radio signal.
 - The provision of a public walkway through the site as part of the east-west dockside walkway and a north – south link for the public piazza.
 - Commitment towards utilising employment initiatives such as the Local Labour in Construction (LliC) in order to maximise the employment of local residents.
 - TV reception monitoring and mitigation.
 - Environmental Management Plan

- Restrictions on Additional Floorspace
- Preparation of a Travel Plan

A Section 278 agreement to secure the following:

Associated highways works to the frontage along Marsh Wall and the area under public ownership across the junction with Admirals Way.

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. Details of the following are required:
 - Samples of all building materials;
 - The design of the lower floor elevations, including shopfronts;
 - Signage strategy;
 - External lighting;
 - Design of new plaza area and all other landscaping, including details of the extent of outdoor seating associated with potential café/restaurant uses;
 - Details of glazing (including acoustic performance) for all external sensitive facades by DLR train noise;
 - Public art/craft; and
 - The provision to be made for the storage and collection/disposal of rubbish.
3. Landscape Management Plan.
4. Completion of the restaurant/retail units prior to occupation of any other part of the development.
5. Archaeological investigation.
6. Full details of access for people with disabilities
7. The following parking spaces are to be provided:
 - A maximum of 48 car parking spaces of which 5 have been allocated for disabled drivers
 - A minimum of 266 cycle spaces at basement level for the office accommodation and 20 at ground level for the retail units and office visitors
 - 90 motorcycle spaces
8. Limit hours of construction to between 8.00 Hours to 18.00 Hours, Monday to Friday and 8.00 Hours to 13.00 Hours on Saturdays.
9. Level of noise emitted from the site to be restricted.
10. Ground borne vibration limits.
11. Limit hours of power/hammer driven piling/breaking out to between 10.00 Hours to 16.00 Hours, Monday to Friday.
12. Details of route for construction traffic.
13. Details of on-site parking and delivery arrangement during construction stage
14. Environmental Management Plan.

15. Details of a monitoring and control regime of the Environmental Management Plan.
16. Investigation and remediation measures for land contamination (including water pollution potential).
17. Details of the construction of the site foundations.
18. Details of surface and foul water drainage system required.
19. Impact study of water supply infrastructure required.
20. Details of Water Efficiency measures.
21. Details required for surface water drainage works.
22. Details required for surface water source control measures.
23. A strip of land 6 metres wide to preserve access to the watercourse for maintenance and improvement.
24. Assessment to identify the life of the river wall, compared to the life of the development
25. Implementation of a biodiversity measures as submitted, including green roof.
26. Renewable energy measures to be approved in writing by the Local Planning Authority in consultation with the Greater London Authority and implemented in perpetuity.
27. During construction no solid matter shall be stored within 10 metres of the banks of the West India Dock South and thereafter no storage of materials shall be permitted in this area.
28. Details of access strip to preserve access to the watercourse for maintenance and improvement shall be submitted and approved in writing by the Local Planning Authority prior to commencement of development. The development shall not be carried out otherwise than in accordance with the details so approved.
29. Any other condition(s) considered necessary by the Head of Development Decisions.

Informatives

1. Section 106 agreement required
2. Section 278 (Highways) agreement required
3. Site notice specifying the details of the contractor required
4. Construction Environmental Management Plan Advice
5. Use of dock to transport bulky materials
6. London City Airport Advice
7. Conditions 2(a), (b) and (e) to comply with microclimate and ecological studies and the remedial measures in the Environmental statement
8. Environment Agency Advice
9. British Waterways Advice
10. Environmental Health Department Advice
11. Transport Department Advice
12. Metropolitan Police Advice
13. DLR advice
14. Advertising signs and/or hoardings consent
15. Contact the GLA regarding the energy proposals
16. Any other informative(s) considered necessary by the Head of

Development Decisions

- D That, if by 10th August 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.

8. BISHOPS SQUARE S106 PLANNING OBLIGATIONS ALLOCATION FOR DECISION

Mr David Williams, Development Manager, presented a detailed report on the allocation of S106 monies from the Bishops Square development. The development, which had been completed in 2005, had generated a £8,580,377 financial contribution to be spent in accordance with the legal obligations detailed in the Section 106 legal agreement.

The Committee considered the list of projects for the S106 monies, which had been recommended by the Planning Contributions Overview Panel. Mr Williams explained that the Panel had consisted of officers representing each area of the Council and each had identified priorities for the Borough. Members asked a number of questions relating to the process of consultation and the specific projects recommended.

The Committee RESOLVED that

- (i) the project list, attached as Appendix 1 to the Committee report be approved;
- (ii) the Boundary extension indicated to enable resources to support projects recommended by PCOP which are outside the original s106 boundary, as shown on Plan 1 attached to the Committee report, be approved;
- (iii) the completion of the negotiation of a Deed of Variation to the existing s106 legal agreement, to the satisfaction of the Chief Legal Officer, to secure the boundary extension and any other variations required to allow allocation in line with the project list and subsequent re-allocations be approved;
- (iv) that the Corporate Director of Development and Renewal be authorised to amend project allocations and/or identify new projects, in relation to issues such as the following:
 - the re-allocation of any outstanding funds or resources not able to be spent if the intended s106 variation cannot be agreed;
 - additional boundary changes to secure the Deed of Variation negotiations;
 - any re-allocation if projects cannot ultimately go-ahead; and
 - allocation of any additionally accumulated interest.

The meeting ended at 8.23 p.m.

Chair, Councillor Rofique U Ahmed
Strategic Development Committee