

8 LONDON BOROUGH OF TOWER HAMLETS

MINUTES OF THE STRATEGIC DEVELOPMENT COMMITTEE

HELD AT 7.00 P.M. ON THURSDAY, 10 APRIL 2014

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

Members Present:

Councillor Helal Abbas (Chair)
Councillor Marc Francis (Vice-Chair)
Councillor Rajib Ahmed
Councillor Zara Davis
Councillor Dr. Emma Jones
Councillor Kabir Ahmed
Councillor Md. Maium Miah
Councillor Khales Uddin Ahmed
(Substitute for Councillor Carli Harper-
Penman)
Councillor Judith Gardiner (Substitute for
Councillor Denise Jones)

Other Councillors Present:

Councillor Shahed Ali
Councillor Abdul Asad

Apologies:

Councillor Carli Harper-Penman and Councillor Denise Jones

Officers Present:

Jerry Bell	(Applications Team Leader, Development and Renewal)
Paul Buckenham	(Development Control Manager, Development and Renewal)
Jane Jin	(Planning Officer, Development and Renewal)
Katie Cooke	(Planning Officer, Development and Renewal)
Jen Pepper	(Affordable Housing Programme Manager, Development and Renewal)
Fleur Brunton	(Senior Lawyer - Planning, Directorate, Law Probity and Governance)
Zoe Folley	(Committee Officer, Directorate Law, Probity and Governance)

1. DECLARATIONS OF DISCLOSABLE PECUNIARY INTERESTS

No declarations of disclosable pecuniary interests were made.

Councillors Helal Abbas, Rajib Ahmed and Khales Uddin Ahmed declared an interest in agenda item 6.2, 100 Whitechapel road and land rear at Fieldgate Street & Vine Court (PA/13/3049). This was on the basis that the Councillors had received correspondence from interested parties in relation to the application.

Councillor Kabir Ahmed declared an interest in agenda item 6.2, 100 Whitechapel road and land rear at Fieldgate Street & Vine Court (PA/13/3049). This was on the basis that the Councillor was a Board Member of Tower Hamlets Community Housing.

Councillor Zara Davis declared an interest in agenda item 6.3 Heron Quays West, Heron Quay, London, E14 (PA/13/3159). This was on the basis that the Councillor had received hospitality from an interested party.

Councillor Md. Maium Miah declared an interest in agenda items 6.1 Suttons Wharf North, Palmers Road, London (PA/13/02938) and 6.3 Heron Quays West, Heron Quay, London, E14 (PA/13/3159). This was on the basis that the Councillor was a Board Member for the One Housing Group in respect of item 6.1 and had received hospitality from an interested party in respect of item 6.3.

2. MINUTES OF THE PREVIOUS MEETING(S)

The Committee **RESOLVED**

That the minutes of the meeting of the Strategic Development Committee held on 25th February 2014 and the extraordinary meeting of the Strategic Development Committee held on 13th March 2014 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

Nil items.

6. PLANNING APPLICATIONS FOR DECISION

6.1 Suttons Wharf North, Palmers Road, London (PA/13/02938)

Update Report tabled.

Jerry Bell (Applications Manager, Development and Renewal) introduced the application for a variation of the Planning Permission to seek minor material amendments to the approved Block A of the Suttons Wharf North development.

The Chair then invited registered speakers to address the Committee.

Dr Stephen Goldup spoke in objection to the proposal. He objected to the proposed increase in density of the development. The proposal exhibited signs of overdevelopment and would worsen anti social behaviour. The figures regarding density were inaccurate. He also questioned the impact on the proposed health care facility on site from the plans that was supposed to mitigate the increase in population. The survey of doctor covering the area was inaccurate. Some were not accepting new patients. The proposal would remove all retail space in Block A. However, this had not been given proper consideration.

Iain Rhind and Justine Elcombe (Applicant's Agents) spoke in support of the scheme (dividing the allocated three minutes). The speakers explained the nature of the amendment. The changes were minor in nature and there was adequate infrastructure to support the scheme (public transport, health facilities). The new units would be car free. The proposed health care facility would be re-provided in accordance with the NHS requirements. The population density figures were based on survey evidence.

There would only be a small increase in child yield. The affordable housing across the scheme exceeded policy. The applicant had increased the s106 to reflect the variation. In summary, the applicant had listened to the Committee views on the scheme. It was recommended that the scheme is approved. In response to the Committee, it was explained that the NHS were satisfied with

the plans regarding the health facility with responsibility for the lease of the unit.

Jane Jin (Planning Officer, Development and Renewal) presented the report and the update. She explained the nature of the plans relating to Block A, including the changes to the internal layout, the amenity space and the revised housing mix (taking into account the recent changes to the scheme). Overall, the percentage of affordable housing across the entire scheme continued to be acceptable totalling 45%. Members were also advised of the plans to rationalise the D1 use with the largest space reserved for NHS use in accordance with their requirements. The Committee were also informed of the planning obligations. Officers were recommending that the planning permission be granted.

In response, Members stressed the need for some type of barrier or landscaping around the canal side walkway for safety reasons. Officers agreed to explore this further and to secure a suitable barrier as part of the conditions with the Canal and River Trust and will review previous details secured through a planning condition.

In response to questions, it was confirmed that the units complied with the relevant standards. There would be sufficient car parking around the site to accommodate the need for the doctors surgery.

Officers also clarified the percentage of affordable housing secured at an earlier stage. The overall offer exceeded policy. The housing tenure of the overall development would be mixed and balanced.

On a unanimous vote the Committee **RESOLVED**

That Application under s.73 of the Town and Country Planning Act at Suttons Wharf North, Palmers Road, London (PA/13/02938) be **GRANTED** for a variation of Condition 22 of the Planning Permission PA/11/3348 dated 30/03/12 to seek minor material amendments to the approved Block A of the Suttons Wharf North development comprising:

- Removal of one ground floor links between Block A2 and A3 and the creation of separate D1 Use Class units (390sq.m; 280sq.m; and 1035sq.m);
- Insertion of an additional internal floor level (no resulting increase of heights to the consented buildings);
- Alterations to the dwelling mix within Block A, resulting in a net increase of 41 residential units
- Other associated external changes

SUBJECT to the variation to the legal agreement to secure the additional planning obligations, conditions and informative(s) set out in the committee report.

6.2 100 Whitechapel road and land rear at Fieldgate Street & Vine Court (PA/13/3049)

Update Report tabled.

Jerry Bell (Applications Manager, Development and Renewal) introduced the application at 100 Whitechapel road and land rear at Fieldgate Street & Vine Court for a mixed used development.

The Chair then invited registered speakers to address the Committee.

Mr Mohammed Zabadne spoke in support of the application as the applicant. (Note: With the agreement of the Chair, Mr Zabadne addressed the Committee for six minutes (having been given an additional three minutes in view of language and hearing difficulties). He described the benefits of the scheme including high quality housing and improvements to the Mosque. He highlighted the strength of the local support and that there had been very few objections. The Greater London Authority considered that the scheme was acceptable in principle and complied with the London Plan. The plans also complied with the Council's planning policy for the area. The Council had approved similar developments in the area. The density and affordable housing offer was acceptable.

Mr Zabadne challenged each reason for refusal, drawing attention to the resubmitted information. He challenged the evidence supporting the suggested reasons and considered that the concerns could be dealt with by condition. In response to the Committee, he confirmed that Tower Hamlets Community Housing were supportive of the scheme given the level of new affordable housing.

Councillor Shahed Ali spoke in support of the scheme as a local ward Councillor. He considered that the plans would be in keeping with the area given it was mixed in nature. The current use was an eyesore. The scheme would improve the permeability of the site, provide local jobs, 29% affordable housing, much needed family housing and public realm improvements. The housing mix and amenity impacts were not uncommon for a development in this area. Councillor Ali highlighted the plans for the Mosque to support inclusive community events.

In response to questions, Councillor Ali further explained the benefits of the scheme to the local area. The scheme would generate local employment, vastly regenerate the site and encourage business. He noted the issues around the child play space. However, he considered that the offer should be sufficient given the expected child yield and the amount of play space and facilities nearby. Not all approved schemes met the requirements in this regard.

Councillor Abdul Asad also spoke in support of the application as the local ward Councillor. He also highlighted the potential benefits of the scheme to

the local area and that aspects accorded with the visions of the Council's area Masterplan. The applicant had played an active role in transforming the local community and supporting community projects. They were committed to serving the local community. He also welcomed the plans for the Mosque highlighting their work in the community. These proposal would facilitate such work. Councillor Asad recommended the application for approval.

Paul Buckenham (Development Manager, Development and Renewal) presented the application. Firstly he drew attention to the tabled update report which amongst other matters, reported the removal of the concerns about servicing following the submission of further information (Paragraph 3.6) as well as minor changes to the reason at Paragraph 3.3 and an additional reason relating to the contributions.

He explained the site location and surrounds, the outcome of the local consultation and gave a summary of the whole proposal. Officers had no objections to the development of the site in principle and the proposed Mosque extension.

He reminded Members of the reasons for refusal around: the housing mix, design, standard of residential accommodation, the amenity impact, amenity space, the waste plans, fire safety, the impact on noise and air quality. He also explained the concerns about the viability assessment given the lack of information to confirm the outputs. As a result, the viability of the proposed affordable housing could not be properly tested.

Officers were recommending that the planning permission be refused.

Questions.

Members asked questions about the following issues:

- The letters in support and the issues raised; whether any of the neighbours most affected by the proposal had raised objections.
- The impact of the proposal on the neighbouring buildings.
- The Police concerns about the proposed link road in terms of crime.
- The views of the Fire Authority in relation to access.
- The concerns about the height, bulk, design, the quality of the residential accommodation, the child play space and amenity space. Further clarification was sought on these concerns.
- Whether the affordable housing offer could be made a requirement of the application.
- The discussions with the applicant to overcome the concerns.
- Current land use.

Officers Response.

In response, Officers highlighted the concerns about the residential units given the number of single aspect units, the light failings, the privacy issues

and the separation distances. This would create a sense of enclosure and affect quality of life both for future occupants and the neighbours. It was felt that collectively the amenity impacts were a major issue.

Whilst there were a number of representations in support, the letters of objection were very detailed. No representations had been received from the neighbouring Tower House that would be most affected. Nevertheless, the impact on this development was still a material consideration.

Officers supported the plans to improve the permeability of the site in principle. If approved, further consideration would need to be given to addressing the concerns about anti-social behaviour as detailed in the report and update. Consideration had been given to the amended plans from the applicant regarding fire access. However, the Fire Authority considered that the proposals did not comply with building regulations in this regard as stated in the update.

There were concerns about the height, scale and the design of the development in relation to the setting of the area and the nearby Conservation Area. Officers explained the nature of these concerns. The advice from the Council's Design and Conservation Area Officer was that the development would fail to enhance the setting of these areas. It was also considered that the child play space was deficient in terms of quality and quantity.

There had been a number of meetings with the applicant to consider the issues. The application had been amended in view of this. Tower Hamlets Community Housing were supportive of the scheme having regard to the level of affordable housing. There were issues with both the quality of the affordable and private units. The requirements around the level of affordable housing would normally be dealt with through the s106 Agreement. However, there was insufficient information to assess whether the maximum amount of which had been secured.

Comments

Members then made a number of comments about the suitability of the design in relation to the surrounding area. The view was expressed that this very much depended on the view point and it could be seen as appropriate from certain angles. Members also expressed support for the redevelopment of the site as it was considered to be an 'eyesore'. It was also considered that the height of the development would be in keeping with the area given the number of similar high - rise developments in the area.

Members also stressed the need for developments of this type in the Borough given the housing demand and that the activities from the Mosque could decrease anti-social behaviour. The concerns of the Police could be addressed by condition. Furthermore, the option of roof top play space was a common feature of many approved schemes

On a vote of 4 in favour of the Officer recommendation to refuse planning permission and 5 against, the Committee **RESOLVED**:

That the Officer recommendation to refuse planning permission at 100 Whitechapel road and land rear at Fieldgate Street & Vine Court (PA/13/3049) be **NOT ACCEPTED** for the demolition of existing vehicle workshop and car showroom; erection of a residential development comprising a total of 223 dwellings (comprising 48 studios; 91 x 1 bed; 52 x 2 bed; 20 x 3 bed; 11 x 4 bed) in an 18 storey building facing Fieldgate Street; and 2 buildings ranging in height from 8-12 storey building facing Whitechapel Road and Vine Court, provision of ground floor retail and restaurant spaces (Class A1 and A3), 274.9 sqm extension to the prayer hall at the East London Mosque and provision of pedestrian link between Fieldgate Street and Whitechapel Road, extension to existing basement to provide 20 disabled car parking spaces, motorcycle spaces, 360 bicycle parking spaces and bin storage in basement, associated landscape and public realm works.

The Committee were minded to approve the application due to the following reasons:

- That the proposal would provide additional affordable and private housing in the Borough and would meet the requirements in policy regarding inclusive access.
- That the concerns around the child play space could be mitigated by improving the quality of the amenity space provided elsewhere in the scheme recognising the site constraints.
- That the impact on daylight and sunlight was marginal recognising the site constraints and the Borough's density levels.

In accordance with Development Procedural Rules, the application was **DEFERRED** to enable Officers to prepare a supplementary report to a future meeting of the Committee, setting out proposed detailed reasons for approval and conditions on the application.

The Councillors that voted on this item were Councillors Helal Abbas, Marc Francis, Rajib Ahmed, Khaled Uddin – Ahmed, Judith Gardiner, Zara Davis, Dr Emma Jones, Kabir Ahmed, Md Maium Miah.

6.3 Heron Quays West, Heron Quay, London, E14 (PA/13/3159)

Update Report tabled.

Councillor Md. Maium Miah left the meeting before the consideration of this item.

Jerry Bell (Applications Manager, Development and Renewal) introduced the application at Heron Quays West, Heron Quay, London, for outline planning permission for the demolition of existing building and the construction of a new office lead development.

Katie Cooke (Planning Officer, Development and Renewal) presented the report and the update. Ms Cooke explained the key features of the proposal including the site and surrounds, the planning history, the outcome of the local consultation, the height, floor plans and the controls documents to secure a high quality building at reserved matters stage including the detailed design. She highlighted the successful plans to relocate existing on site occupants near the site.

It was considered that the impact on amenity was acceptable. The Council's Highway Services and Transport for London had no concerns with the scheme subject to the mitigation.

Members also noted the proposed contributions (the s106 agreement and the Community Infrastructure Levy) pending finalisation when the final details of the scheme were known. The Council's Planning Contributions Panel were supportive of this approach. The application accorded with policy and was recommended for approval.

In response to Members, it was confirmed that Officers had met with National Grid to confirm that there were no hazardous installations near the site. Their comments in the report about this were generic. Officers also clarified the status of the listed dock.

Details of the contributions for the Borough were set out in the report.

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

1. That outline planning permission (all matters reserved) at Heron Quays West, Heron Quay, London, E14 (PA/13/3159) be **GRANTED** for the demolition of existing buildings and structures and erection of a new building with a maximum height of 191.5 metres AOD comprising a maximum of 129,857 square metres GIA of office floor space (Use Class B1) and a maximum of 785 square metres GIA of flexible floor space (Use Class A1, A2, A3, A4 and A5) along with a decked promenade to the South Dock, access and highways works, landscaping and other associated works SUBJECT to
2. Any direction by the Mayor
3. The prior completion of a legal agreement to secure the planning obligations set out in the Committee report.
4. That the Corporate Director Development & Renewal is delegated power to negotiate the legal agreement indicated above acting within normal delegated authority.
5. That the Corporate Director Development & Renewal is delegated authority to recommend conditions and informatives on the planning permission to secure the matters set out in the Committee report.

The meeting ended at 9.40 p.m.

Chair, Councillor Helal Abbas
Strategic Development Committee