

LONDON BOROUGH OF TOWER HAMLETS

MINUTES OF THE DEVELOPMENT COMMITTEE

HELD AT 7.00 P.M. ON WEDNESDAY, 17 DECEMBER 2014

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

Members Present:

Councillor Sirajul Islam (Chair)
Councillor Marc Francis (Vice-Chair)
Councillor Suluk Ahmed
Councillor Gulam Kibria Choudhury
Councillor Shah Alam
Councillor Chris Chapman Deputy Leader of the Conservative
Group
Councillor Asma Begum

Other Councillors Present

Councillor Danny Hassell

Apologies:

Councillor Shiria Khatun

Officers Present:

Paul Buckenham – (Development Control Manager, Development
and Renewal)
Christopher Hunt – (Senior Planning Lawyer, Directorate Law,
Probity and Governance)
Kamlesh Harris – (Planning Officer, Development and Renewal)
Amy Thompson – (Pre-Applications Team Leader, Development
and Renewal)
Jen Pepper – (Affordable Housing Programme Manager,
Development and Renewal)
Jane Jin – (Deputy Team Leader, Development and
Renewal)
Dale Walker – (Interim Head of Capital Delivery, Development
and Renewal)
Zoe Folley – (Committee Officer, Directorate Law, Probity and
Governance)

1. DECLARATIONS OF DISCLOSABLE PECUNIARY INTERESTS

No declarations of disclosable pecuniary interests were made.

Councillor Marc Francis declared an interest in agenda item 6.2, Former Caspian Works and Lewis House, 55-57 Violet Road, London (PA/14/01762 and PA/14/02059). This was on the basis the Councillor was a Board Member of Old Ford Housing Association. He declared that he had not been lobbied on the application. .

2. MINUTES OF THE PREVIOUS MEETING(S)

The Committee **RESOLVED**

That the minutes of the meeting of the Committee held on 19th November 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 AND MEETING GUIDANCE

The Committee noted the procedure and meeting guidance.

5. DEFERRED ITEMS

5.1 Land at rear of 81-147 Candy Street And Wendon Street, London, E3 PA/14/00623

It was reported that the Application had been withdrawn from the agenda by Officers for further discussion with the London Legacy Development Corporation. The Application would be brought back to the Committee once the issues had been addressed.

6. PLANNING APPLICATIONS FOR DECISION

6.1 Watts Grove Depot, bounded by Watts Grove, Glaucus Street and Yeo Street, London E3 (PA/14/02585)

Update report tabled.

Paul Buckenham (Development Control Manager) introduced the application. The Chair invited registered speakers to address the Committee.

Councillor Danny Hassell spoke in support of the application welcoming the number of number of units given that would this reduce overcrowding in his ward. He had been actively involved in bringing the scheme forward. He thanked the Service Head for Learning and Achievement, LBTH for bringing this scheme forward as the proposal was a Council led initiative.

He stated that he would have preferred the units to be provided as social rent. He only knew about the proposed affordable (Tower Hamlets Framework) rents when reading the Committee report.

He welcomed the quality of the units and whilst the number of wheelchair units was just under 10%, welcomed their provision on the ground floor level of the proposed building along with the high quality open space and the public realm improvements.

Kamlesh Harris (Planning Officer) presented the detailed report and the update explaining the site location, surrounds and the current depot use. Given that the site was a brownfield site in a mainly residential area and the shortage of housing in the Borough, residential use of the site was welcomed. Four representations had been received in response to the consultation and the objections were noted.

The scheme was of a high quality design ranging from low rise 3 storey to 7 storey buildings to fit in with the surrounding areas. The quality of the detailed design was explained including the different types of balconies for the residential units. The development proposed a homezone, community space, child play space and a pedestrian route thorough the development.

There would be 148 units in the affordable rent tenure (100% of the units) with lifetime assured tenures and private amenity space. The impact on surrounding amenity was generally acceptable in terms privacy, overlooking day light and sunlight - as shown by the technical assessment and in view of the separation distances. Planning contributions had been secured in line with policy. The car parking, cycle parking, access, refuse and recycling arrangements were also explained.

In view of the benefits of the scheme, Officers were recommending that the scheme was granted planning permission.

Members ask questions about the rent levels for the units given the initial perceptions that the rent levels would be at social rent levels. Members felt that more action should be taken in the future to ensure that the tenure type of proposed developments was made clear to the public at an early stage.

In response, Officers assured Members there had been no changes to the application since submission in this regard. Officers circulated the Planning Statement for the application that had been published on the website which stated the rent levels.

In connection to this, Members heard from Dale Walker, (Interim Head of Capital Delivery, LBTH) about the viability assessment of the scheme. It was found that the scheme could only be afforded by the Council with affordable rents taking into account the viability of the scheme. The rents would be broadly in line with the Borough affordable rent levels for the area a right to buy for occupants. The development was on target to commence by March 2015, as required by the Mayor of London funding.

Mr Buckenham explained that Members should consider the case on its planning merits and there was no grounds in policy to refuse an application based on the affordable rent levels.

In response to further questions, Officers described the measures to save energy and also provided further assurances on the sunlight and daylight impact in view of the objection from David Hewitt House. With the exception of a small number of windows, most of the units tested complied with the policy including the property of the objector. Whilst there was a shortfall of dedicated child play space on site, there were a number of parks in the area within the recommended walking distance in policy that should compensate for the shortfall.

Officers also listed the number of community facilities nearby and these were listed and shown on a map.

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

1. That planning permission (PA/14/02585) at Watts Grove Depot, bounded by Watts Grove, Glaucus Street and Yeo Street, London E3 be **GRANTED** for the complete redevelopment consisting of the demolition of all buildings and structures on the old depot site and associated areas of hardstanding to provide 148 new homes (flats and houses) in buildings of varied heights ranging from three storeys to seven storeys (Use Class C3) together with new and upgraded vehicular access, new pedestrian accesses, open space, landscaping and associated works including relocation of existing telecommunications mast subject to:
2. That the Corporate Director, Development & Renewal is delegated authority to issue the planning permission and impose conditions and informative to secure the matters set out in the Committee report:

3. Any other conditions/informatives considered necessary by the Corporate Director Development and Renewal.

6.2 Former Caspian Works and Lewis House, 55-57 Violet Road, London (PA/14/01762 and PA/14/02059)

Update report tabled.

Paul Buckenham (Development Control Manager) introduced the application that sought to erect entrance gates at the main vehicle entrance to the Caspian Wharf Development. The Chair invited registered speakers to address the Committee.

Vivienne Alps (speaking on behalf of residents of the development) and Councillor Danny Hassell, ward Councillor, spoke in support of the application. The installation of the gates would help create a safer and secure community and protect amenity by reducing anti-social behaviour in line with policy. There was compelling evidence of serious problems with crime on the development. The application had been initiated by the residents. The occupants of all types of tenures supported the installation of gates, so it should not cause segregation within the development. There was a petition in support with over 300 signatures from local residents. The Crime and Prevention Officer and the Housing Association for the development supported the application.

The plans would not restrict public access to the site given it was not possible to access the Limehouse Cut through the site (as suggested in the report). Furthermore, the gates would be open in the day time. The gates would sit well with the area as they would be set back under the undercroft. In response to Members, the speakers explained that there had been a number of serious crimes recently within the development and incidences of dangerous driving in the square so the gates were required to prevent this. Other alternatives had been tried, for example additional security, but this had not been effective. Bollards would be unsightly.

Jane Jin (Planning Officer) gave a presentation on the scheme, describing the site location, the location of and nature of the proposed gates in the undercroft of the main vehicle access of the development. She also described views of the open space beyond.

It was considered that the installation of the gates would restrict access to the canalside walkway and the Limehouse Cut and the movement of people through the site generally. This would be contrary to the planning permission for the site that stated that the gates were to be permanently removed to allow such access and the wider planned approach to provide links throughout the wider area.

It was noted that access to the canal side walkway through one of the buildings, required by the permission, had not been provided as shown on the submitted plans. The Enforcement Team were investigating the breach in

planning permissions in relation to this matter and the status of the existing gates south of the proposed gates.

However, the Committee needed to consider the applications for gates in this location in the context of the permissions for the site as approved with the obligations for unrestricted public access between Caspian Wharf and the Canal and the continuation of this route through Caspian Wharf and the residential scheme proposed on the adjoining site at Bow Enterprise Park

The Committee decision on this application would be a material consideration in considering other retrospective applications in relation to gates on this site.

Careful consideration had been given to the concerns about crime. However it was found that the crime rates per property for the development were lower than those for the Bromley by Bow Ward from 2011 data.

The proposed gate would also be an unsightly addition to the public realm

In view of the issues, Officers were recommending that the scheme was refused.

Members sought clarity on the planning policy regarding the installation of gates, the access routes to the canal and the importance of such routes and the enforcement investigation in respect of the canal side walk way restricting access to the canal. Confirmation was also sought that the building in its place was a storage unit as shown on the submitted maps.

Members also asked about the comments of the Crime and Prevention Officer in the report that stated that the gates would reduce crime and noted the strength of local feeling supporting the gates to improve security.

In response, Officers stressed the need to consider the broader material issues such as the impact on permeability, visual appearance along with the crime levels. Whilst careful consideration had been given to the crime rates, it was felt that, given that the crime rates were relatively low and the planning history to provide access through the site, that on balance, this should be given more weight.

The scheme conflicted with policy due to the impact on permeability amongst other issues rather than because it sought to install gates. The planning policy was not opposed to this in principle. The proposal would also impact on access via the Bow Enterprise Park by creating a cul-de-sac at the end of that route at an inconvenience to users. It was Council Policy to create public footpaths along the blue ribbon network as part of developments where possible.

Officers outlined the enforcement process and expressed caution about deferring the application pending the conclusion of enforcement action as this might significantly delay the determination of this application. Members should consider the application on its planning merits.

Members then made a number comments about the application.

It was felt that should the enforcement action be successful (to remove the unlawful barriers), then the proposal would restrict access to the Canal and movement around the site contrary to the Planning Permission for the site.

However, should such barriers not be removed, then the removal of the proposed gates would neither succeed in opening up the routes or help improve community safety especially in view of the potential for crime from congregation under the undercroft. Community safety was clearly an issue for residents.

In view of these issues, Members requested to receive more information on the enforcement action to make an informed decision, including information on the current use of the storage building in place of the canal side walk way as shown on the submitted maps

Accordingly, Councillor Sirajul Islam moved a proposal to defer the item seconded by Councillor Marc Francis for the reasons set out below.

On a vote six in favour of this proposal and one against, the Committee **RESOLVED:**

That planning permission at Former Caspian Works and Lewis House, 55-57 Violet Road, London (PA/14/01762 and PA/14/02059) be **DEFERRED** for erection of entry gates at the main vehicular access fronting Violet Road.

The Committee were minded to defer the application for further information on the enforcement action and investigation in respect of the canal side access and the unlawful gates in the development and also for consultation with the applicant about other alternatives measures to minimise anti-social behaviour within the Caspian Wharf development site.

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 about the above matter

7. OTHER PLANNING MATTERS

None.

The meeting ended at 8.40 p.m.

Chair, Councillor Sirajul Islam
Development Committee