

LONDON BOROUGH OF TOWER HAMLETS

MINUTES OF THE STRATEGIC DEVELOPMENT COMMITTEE

HELD AT 7.30 P.M. ON THURSDAY, 31 JANUARY 2008

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

Members Present:

Councillor Rofique U Ahmed (Chair)

Councillor Helal Abbas (Vice-Chair)

Councillor Louise Alexander

Councillor Shahed Ali

Councillor M. Shahid Ali

Councillor Joshua Peck

Councillor Simon Rouse

Other Councillors Present:

Councillor Philip Briscoe

Councillor Stephanie Eaton

Councillor Carli Harper-Penman

Councillor Shirley Houghton

Councillor Dr. Emma Jones

Officers Present:

Suki Binjal – (Interim Head of Non-Contentious Team, Legal Services)

Stephen Irvine – (Development Control Manager, Planning)

Michael Kiely – (Service Head, Development Decisions)

Terry Natt – (Strategic Applications Manager)

Dianne Phillips – (Legal Adviser)

Alison Thomas – (Manager, Social Housing Group)

Louise Fleming – Senior Committee Officer

1. APOLOGIES FOR ABSENCE

Apologies were received from Councillor Sirajul Islam.

2. DECLARATIONS OF INTEREST

Councillors made declarations of interest in the items included on the agenda as follows:

Councillor	Item	Type of interest	Reason
Rofique Ahmed	7.2	Personal	Received material from objectors. Has not been read.
Helal Abbas	7.2	Personal	Received e-mails relating to the application.
Louise Alexander	7.2	Personal	Lives in the vicinity of the site. Contacted by the objectors asking for advice on how to object to the application. Received written material from both objectors and the applicant.
Shahed Ali	7.2	Personal	Received e-mails relating to the application.
M. Shahid Ali	7.2	Personal	Received e-mails relating to the application.
Josh Peck	7.2	Personal	Received e-mails relating to the application.
Phil Briscoe	7.1	Personal	Applicant known to him.

3. UNRESTRICTED MINUTES

The unrestricted minutes of the meetings held on 8th November and 20th December 2007 were agreed as a correct record.

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 of 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

6.1 21 Wapping Lane, London E1W 2RH

Mr Michael Kiely, Head of Development Decisions, introduced the site and proposal for the demolition of all existing buildings and the construction of five buildings ranging in height from 3 to 19 storeys plus plant (to maximum height of 70.15m AOD) for mixed use purposes to provide 380 residential units (Class C3), 240 sqm of retail space (A1, A2 and A3), 201 sqm of concierge/management space plus 195 sqm of ancillary leisure and 247 sqm of meeting room/function space for the occupiers of the development, car parking, landscaping, new vehicular and pedestrian access points and other ancillary work (amended scheme) at 21 Wapping Lane, London E1W 2RH.

Mr Stephen Irvine, Development Control Manager, presented a detailed update report, outlining the reasons why the application had been deferred by Members at the previous meeting. He advised that discussion had taken place between the applicant and the officers to address the concerns of the Committee and certain changes had been made to the application. The retail element had been reduced and changes had been made to the affordable housing mix. Mr Irvine also advised the rationale behind the contribution to healthcare provision as part of the S106 legal agreement. He advised that planning appeals had been lost on the basis of healthcare contributions which did not relate directly to the development, and therefore the provision was considered acceptable. Officers felt that Members' concerns had been addressed through the amendments to the scheme and that the application was therefore recommended for approval.

Members asked a number of questions relating to the affordable housing, the capped healthcare provision and local employment initiatives. Members proposed an amendment to the S106 agreement to secure the lighting of the canal footpath and an additional condition to prevent the use of gating in the development.

On a vote of 3 for and 1 against, the Committee RESOLVED that planning permission for the demolition of all existing buildings and the construction of five buildings ranging in height from 3 to 19 storeys plus plant (to maximum height of 70.15m AOD) for mixed use purposes to provide 380 residential units (Class C3), 240 sqm of retail space (A1, A2 and A3), 201 sqm of concierge/management space plus 195 sqm of ancillary leisure and 247 sqm of meeting room/function space for the occupiers of the development, car parking, landscaping, new vehicular and pedestrian access points and other ancillary work (amended scheme) at 21 Wapping Lane, London E1W 2RH be GRANTED subject to

- A. Any direction by The Mayor
- B. The prior completion of a legal agreement, to the satisfaction of the

Assistant Chief Executive (Legal Services), to secure the following:

1. Affordable housing provision of 35.1% of the proposed habitable rooms with a 68/32 split between rented/ shared ownership to be provided on site
2. A contribution of £300,000 to mitigate the impacts of the additional population on the surrounding highways, to be provided as follows:
 - £75,000 towards the provision of a raised table on Wapping Lane between the development and Tobacco Dock;
 - £100,000 towards pavement improvements (including street lighting and furniture) from the development to Wapping Station and other local amenities including shops and schools, to the direct benefit of residents of the new development;
 - £25,000 towards the realignment of the bus stops to the south of the development on Wapping Lane to improve accessibility;
 - £100,000 towards improving the eastern footway from the northern edge of the development site to The Highway, but not including the length adjacent to the development site as this should be a s278 agreement. This is for supply and lay of ASP paving for improved access to The Highway and Shadwell Station to the north;
3. A contribution of £310,800 to mitigate the demand of the additional population on health care facilities. In addition to this contribution, within 12 months of the final occupation of the development, a survey/assessment of health care facilities and provision in the immediate area will be undertaken in consultation with the PCT. Should this survey/assessment identify that there are health care projects that require additional funding, a further contribution up to a capped figure of £310,800, will be provided.
4. A contribution of £530,706 to mitigate the demand of the additional population on education facilities.
5. Provide £250,000 towards open space improvements to relieve the pressure that will arise from the new dwellings on existing open space and recreational facilities within the area.
6. A contribution of £80,000 towards the maintenance and improvement of the Cable Street Mural (public art).
7. A capped contribution of £20,000 to TFL for bus facility and accessibility improvements.
8. The provision and maintenance of a new public canal footpath along south bank of ornamental canal (providing unrestricted public access), to include appropriate lighting.
9. The provision and maintenance of a public walkway along the north-west and northern parts of the site as part of the 'the East-West link'

connecting Wapping Lane to Wapping Woods.

10. Completion of a car free agreement to restrict occupants applying for residential parking permits.
11. TV reception monitoring and mitigation.
12. Commitment towards utilising employment initiatives in order to maximise the employment of local residents.
13. Preparation, implantation and review of a Green Travel Plan.
14. Preparation, implantation and review of a Service Management Plan.

That the Head of Development Decisions be delegated authority to impose conditions on the planning permission to secure the following:

Conditions

1. Permission valid for 3 years.
2. Details of the following are required:
 - Samples of materials for external fascia of building
 - Ground floor public realm
 - Entrance to Blocks C and D
 - Cycle parking
 - Security measures to the building
 - All external landscaping (including roof level amenity space and details of brown and/or green roof systems) including lighting and security measures, details of the ground floor defensible spaces overlooking the internal courtyard and Wapping Woods, finishes, levels, walls, fences, gates and railings, screens/ canopies, entrances, seating and litter bins
 - The design of the lower floor elevations of commercial units including shopfronts; and
 - The storage and collection/disposal of rubbish
3. Details of the design and layout of proposed canal side pedestrian walkway.
4. Landscape Maintenance and Management Plan.
5. Parking – maximum of 164 cars (including 4 disabled spaces) and a minimum of 248 residential and 20 non-residential bicycle parking spaces.
6. Archaeological investigation.
7. Record of the nineteenth century warehouse on the eastern flank of the building (south east corner) to be undertaken.
8. Investigation and remediation measures for land contamination (including water pollution potential).
9. Full particulars of the following:
 - Surface/ foul water drainage plans/ works; and
 - Surface water control measures.
10. Details of safe dry escape route from the basement levels below the flood

water levels.

11. Details of the site foundation works.
12. Construction Environmental Management Plan, including a dust monitoring.
13. Submission of the sustainable design measures and construction materials, including details of energy efficiency and renewable measures.
14. Further baseline noise measurements during construction and operational phase (plant noise) to be undertaken for design work purposes.
15. 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.
16. Limit hours of power/hammer driven piling/breaking out to between 10.00 Hours to 16.00 Hours, Monday to Friday.
17. Ground borne vibration limits.
18. Noise level limits.
19. Implementation of micro-climate control measures.
20. Implementation of ecological mitigation measures.
21. All residential accommodation to be built to Lifetime Homes standard, including at least 10% of all housing being wheelchair accessible.
22. Details of the disabled access and inclusive design.
23. Details of additional cycle parking spaces where identified by the travel plan survey.
24. Details of the highway works surrounding the site.
25. No gating to be included in the site.
26. 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. Environment Agency Advice.
6. English Heritage Advice.
7. Ecology Advice.
8. Environmental Health Department Advice.
9. Metropolitan Police Advice.
10. Thames Water Advice.
11. Transport Department Advice.
12. London Underground Advice.
13. Landscape department advice.
14. Contact the GLA regarding the energy proposals.

That, if by 30th April 2008 the legal agreement has not been completed to the satisfaction of the Assistant Chief Executive (Legal Services), the Head of Development Decisions be delegated authority to refuse planning permission.

(Councillors Helal Abbas and Louise Alexander could not vote on the application as they had not been present at the previous meeting when the item was first considered.)

6.2 Site at Caspian Works and Lewis House, Violet Road

Mr Michael Kiely, Head of Development Decisions, introduced the site and proposal for the redevelopment to provide buildings of between four and eleven storeys (38.95 metres AOD) for mixed use purposes including 143 residential units, Class A1, A2, A3 and B1 (shops, financial and professional services, restaurants/cafes and business) uses with associated works including car parking and cycle parking, roof terraces, landscaping and servicing (amended proposal) at Caspian Works and Lewis House, Violet Road, London.

Mr Terry Natt, Strategic Applications Manager, presented a detailed update report and explained the reasons why the application had been deferred at the previous meeting and the further objections received. He advised that the gated access to the site had been part of a previous Committee approval in May 2007 and therefore a refusal on those grounds could not be sustained.

Members expressed their concern at the way the application had been handles in terms of the consultation and whether there had been sufficient time to consider the objections received.

Mr Kiely advised the Committee that the Council had a duty to consider all applications in a timely manner and that the consultation which had been carried out was in accordance with statutory requirements.

A motion was proposed by Councillor Rouse, and seconded by Councillor Shahed Ali, to defer the application again to allow sufficient consideration of objections received. On a vote of 2 for and 3 against, the motion was lost.

Members asked questions relating to the gated access, whether it was in line with policy, and the affordable housing provision.

On a vote of 0 for, 2 against and 2 abstentions, the Committee indicated that it did not support the officers' recommendation to grant planning permission for the redevelopment to provide buildings of between four and eleven storeys (38.95 metres AOD) for mixed use purposes including 143 residential units, Class A1, A2, A3 and B1 (shops, financial and professional services, restaurants/cafes and business) uses with associated works including car parking and cycle parking, roof terraces, landscaping and servicing (amended proposal) at Caspian Works and Lewis House, Violet Road, London on the grounds that the gated element was not in accordance with policy. It was therefore proposed and agreed that the application be DEFERRED to allow officers to negotiate further with the applicant on the gated element.

(Councillors Helal Abbas and Louise Alexander could not vote on the application as they had not been present at the previous meeting when the item was first considered.)

7. PLANNING APPLICATIONS FOR DECISION

7.1 Building C, New Providence Wharf, Blackwall Way, London

Mr Michael Kiely, Head of Development Decisions, introduced the site and proposal for the erection of a part 12, part 44 storey building to provide 486 flats, a 323 sqm retail unit (Use Class A1) and concierge, a 948 sqm Health and Fitness club (Use Class D2) together with associated landscaping, car parking, servicing and plant at Building C, New Providence Wharf, Blackwall Way, London.

Councillor Phil Briscoe addressed the Committee in relation to the development. He felt that there was a benefit to the redevelopment of the site as the current underpass had been a site of violent attacks and local residents did not feel safe using it. The development would bring much needed improvements to the crossings on the Preston's Road roundabout.

Mr Steve Brown addressed the Committee on behalf of the applicant. He agreed that the improvements to the roundabout were a priority and outlined the three options for financial contributions which were contained in the update report, highlighting that the first option would provide a £4,000,000 contribution towards the roundabout, but a lower percentage of affordable housing.

Mr Aktar Hussain addressed the Committee in support of the application on behalf of the Robin Hood Gardens TRA. He reiterated the concerns over the safety of the underpass.

Mr Stephen Irvine, Development Control Manager, presented a detailed report on the application. He outlined the proposals and advised that the application was considered acceptable in terms of land use, amenity space, density and height. He outlined the three options which had been presented by the applicant in respect of the financial contributions towards roundabout improvements, affordable housing and healthcare, and the implications of those options. He advised that the Council's policy aspiration was the provision of affordable housing and transport improvements. Therefore, the applicant's third option, which included a lower contribution towards the roundabout improvement, but a higher percentage of affordable housing, should be approved.

Members expressed concern that the interruption of the speaker, Mr Brown, had been discourteous. They asked a number of questions relating to the affordable housing provision, the contributions towards the roundabout improvements and healthcare provision, the amenity space and children's

play space. Concern was also expressed over the height of the building and the unsecured TfL land. Members asked for clarification on matters relating to separate entrances, which were required by Registered Social Landlords, and the responsibility of Canary Wharf Ltd for the maintenance of the surrounding area.

The Committee was advised that the contribution towards the roundabout improvement would be sufficient to implement a reduced number of the overall crossings plan and that it was anticipated that contributions from other developments in the surrounding area would enable its completion.

On a vote of 4 for and 2 against, the Committee RESOLVED that planning permission for the erection of a part 12, part 44 storey building to provide 486 flats, a 323 sqm retail unit (Use Class A1) and concierge, a 948 sqm Health and Fitness club (Use Class D2) together with associated landscaping, car parking, servicing and plant at Building C, New Providence Wharf, Blackwall Way, London be GRANTED subject to

A. Any direction by The Mayor

B. The prior completion of a legal agreement, to the satisfaction of the Assistant Chief Executive (Legal Services), to secure the following:

1. Affordable housing provision of 32% (of the total proposed habitable rooms);
2. A contribution of £1,500,000 towards the proposed Preston's Road Roundabout Project, to mitigate the impacts of the additional population on the surrounding highways;
3. Establish and prepare the legal framework for a Working Group (consisting of the Council, developers, statutory stakeholders and other parties) to deliver
 - short term improvements to enhance north-south connections at grade level between the application site and local amenities north of Aspen Way; and
 - long term public realm improvements within the existing Preston's Road Roundabout and surrounding linkages.
4. A contribution of £500,000 to mitigate the demand of the additional population on healthcare facilities;
5. A contribution of £654,125 to mitigate the demand of the additional population on education facilities;
6. Provision of public open space to the north of the application site (on TfL land), including landscape and management plan, to relieve the pressure that will arise from the new dwellings on existing open space and recreational facilities within the area;
7. A contribution of £250,000 towards public open space (TfL land if secured or then other space), to relieve the pressure that will arise from the new dwellings on existing open space and recreational facilities within the area;
8. Completion of a car free agreement to restrict occupants applying for residential parking permits;

9. Preparation, implementation, and review of a Green Travel Plan;
10. Preparation, implementation and review of an Environmental Management Plan;
11. Commitment towards utilising employment initiatives in order to maximise the employment of local residents in and post construction phase;
12. TV reception monitoring and mitigation;
13. DLR Radio Communication investigation, mitigation and monitoring; and
14. Any other planning obligation(s) considered necessary by the Corporate Director Development & Renewal.

That the Head of Development Decisions be delegated authority to impose conditions on the planning permission to secure the following:

Conditions

- 1) 3 year time limit for reserved matters
- 2) Particular details of the development
 - External materials;
 - Balcony details;
 - External plant equipment;
 - Hard landscaping;
 - External lighting and security measures; and
 - Communal telecommunication reception facilities
- 3) Refuse details required
- 4) Demolition and Construction Management Plan needs to be provided
- 5) Environmental Noise Assessment needs to be provided
- 6) Contamination Assessment required
- 7) Parking Management plan required
- 8) Landscape Plan required
- 9) Biodiversity Plan required
- 10) Flood Risk Management and Emergency Evacuation Plan required
- 11) Air Quality Assessment required
- 12) Radio impact survey on DLR signals required
- 13) Archaeological evidence details required
- 14) Drainage system details required
- 15) Section 278 highway works associated with the development required
- 16) Maximum and minimum parking standards for car, motorcycle and cycle.
- 17) Full details of the proposed CHP system required
- 18) Full particulars of energy efficiency technologies required
- 19) Site foundation details required
- 20) Lifetime Homes standards required
- 21) Protection of public sewers
- 22) Noise control limits
- 23) Hours of operation (only between the hours of 0800 to 1800 Mondays to Fridays and between the hours of 0800 to 1300 Saturdays)
- 24) Control of development works (restricting hours of use for hammer driven piling or impact breaking)
- 25) Maximum limits for vibration on site
- 26) Any other planning condition(s) considered necessary by the Corporate Director

Development & Renewal

Informatives

1. Section 106 agreement required
2. Section 278 (Highways) agreement required
3. Contact Environment Agency
4. Contact Environmental Health Department Advice
5. Metropolitan Police Advice.
6. Contact Thames Water
7. Contact LBTH Landscape Department
8. Contact London City Airport on cranes
9. Contact the GLA regarding the energy proposals.

That, if within 3-months of the date of this Committee the legal agreement has not been completed, the Corporate Director Development & Renewal be delegated authority to refuse planning permission.

7.2 Greenheath Business Centre, 31 Three Colts Lane, London

Mr Michael Kiely, Head of Development Decisions, introduced the site and proposal for the demolition of some of the existing commercial buildings, erection of a side roof extension plus atrium to the existing Greenheath Business Centre in connection with its use as class B1 business space (10,275 sqm), the erection of new 9 and 16 storey buildings in connection with the use of the premises as 101 units (253 beds) of student accommodation and 572 sqm of commercial floorspace (Class B1) at the Greenheath Business Centre, 31 Three Colts Lane, London.

Mr Jeremy Taylor spoke in objection on behalf of the residents of Sunlight Square, on the grounds that the proposal would create a transient student population and would destroy the character of the East End. He felt that the design was ugly and that the development would create an unacceptable level of noise for surrounding residents.

Ms Petra Salva spoke in objection on the grounds that the Borough had a greater need for affordable housing and that Tower Hamlets should not provide student housing for the rest of London. She felt that the development was too high and would overshadow residents, causing a loss of daylight and sunlight.

Mr Angus Boag spoke on behalf of the applicant for the development. The building in its current form was not fit for purpose and the cost of renovating would be unviable without the addition of the student housing. He informed the Committee that it was intended to create a centre of excellence of small fashion businesses; and read out a statement of support from London Metropolitan University.

Councillor Phil Briscoe spoke on behalf of the residents. He outlined the concerns over the provision of student housing instead of much needed affordable housing; the open space and roof terrace provision which would create a noise nuisance; and the height which would impact on the daylight and sunlight to neighbouring properties.

Mr Stephen Irvine, Development Control Manager, presented a detailed report on the application. He outlined the reasons why the application had been recommended for approval and addressed the points raised by the speakers. The proposal was in line with policies for the provision of student housing; it would generate employment and improve a run down industrial area; and it was acceptable in terms of traffic and sustainable energy. Tests had been carried out on daylight and sunlight and although there was a loss, it was considered, on balance, to be a small loss and would not therefore justify a refusal on those grounds.

Members expressed considerable concern over the concentration of students in the area, taking into account the other student housing approvals in the vicinity. It was felt that Tower Hamlets should not shoulder the responsibility for housing all London's students. Concern was also expressed over the need for affordable housing provision in the Borough and the environmental and social impact of the development.

Mr Irvine advised of the location of both the residential and industrial uses in the area. He informed the Committee that the GLA had considered the height and design acceptable; and the application had been screened relating to its environmental impact. The Committee was reminded that it would need to demonstrate the harm caused by such a development in order to refuse.

RESOLVED that in accordance with Council Procedure Rule 14.1.13 (motion to extend the meeting under Rule 9) the meeting be extended by up to 1 hour.

Members accepted the contribution that students could make to an area. However, they were concerned that the area was becoming saturated. Members asked questions relating to the walking distance to the nearest station, the impact on local health services and the height of the building. Mr Kiely reminded the Committee that the proposal would also create important workspace for the Borough and therefore create employment. He explained the measures proposed to mitigate the potential noise nuisance, particularly the positioning of the entrances and exits. Members were also advised that the students would be registered with the GP from their home town and would not therefore impact on local surgeries.

On a vote of 2 for, 3 against and 1 abstention, the Committee indicated that it did not support the officers' recommendation to grant planning permission for the demolition of some of the existing commercial buildings, erection of a side roof extension plus atrium to the existing Greenheath Business Centre in connection with its use as class B1 business space (10,275 sqm), the erection of new 9 and 16 storey buildings in connection with the use of the premises as 101 units (253 beds) of student accommodation and 572 sqm of commercial

floorspace (Class B1) at the Greenheath Business Centre, 31 Three Colts Lane, London and RESOLVED that the application be REFUSED on the following grounds:

- 1) Loss of daylight/sunlight to neighbouring properties;
- 2) The height of the building being out of character with the surrounding area; and
- 3) The over concentration of student accommodation in an area divorced from the universities.

The meeting ended at 11.00 p.m.

Chair, Councillor Rofique U Ahmed
Strategic Development Committee