

LONDON BOROUGH OF TOWER HAMLETS

MINUTES OF THE DEVELOPMENT COMMITTEE

HELD AT 7.00 P.M. ON WEDNESDAY, 19 OCTOBER 2011

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

Members Present:

Councillor Helal Abbas (Chair)

Councillor Shiria Khatun (Vice-Chair)

Councillor Marc Francis

Councillor Kosru Uddin

Councillor Craig Aston

Councillor Tim Archer

Councillor Ann Jackson

Other Councillors Present:

Officers Present:

Ila Robertson	– (Applications Manager Development and Renewal)
Richard Murrell	– (Deputy Team Leader, Development and Renewal)
Pete Smith	– (Development Control Manager, Development and Renewal)
Fleur Brunton	– (Senior Lawyer - Planning Chief Executive's)
Matthew Lawes	– (Senior Engineer - Development)
Zoe Folley	– (Committee Officer, Democratic Services Chief Executive's)

1. APOLOGIES FOR ABSENCE

Apologies for absence were submitted on behalf of Councillor Helal Uddin for whom Councillor Ann Jackson was deputising and Councillor Md. Maium Miah.

It was also reported that Councillor Tim Archer would be deputising for Councillor Craig Aston for item 6.1 of the agenda (St David's Square, Westferry Road, E14 (PA/10/2786))

2. DECLARATIONS OF INTEREST

Councillor	Item(s)	Type of interest	Reason
Shiria Khatun	7.1	Personal	Ward Member.
Craig Aston	7.3	Personal	Resident of Manchester Road.

3. UNRESTRICTED MINUTES

The Committee **RESOLVED**

That the unrestricted minutes of the meeting of the Committee held on 14th September 2011 be agreed as a correct record and signed by the Chair.

4. 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.

5. 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.

6. DEFERRED ITEMS**6.1 St David's Square, Westferry Road, E14 (PA/10/2786)**

Pete Smith (Development Control Manager, Planning) introduced the report

concerning St David's Square, Westferry Road.

It was reported that at the last meeting, the Committee resolved not to accept officer's recommendation to refuse the application due to the levels of crime in St David's square.

In response, Councillor Tim Archer, seconded by Councillor Marc Francis, moved an amendment to the reasons for approval as set out below to more accurately represent the Committees views. This was unanimously agreed.

- Deletion of the word 'perceived' in the second sentence.
- Insertion of the words 'Anti Social Behaviour' in the second sentence to read 'levels of crime and Anti Social Behaviour'.

On a unanimous vote the Committee **RESOLVED**

1. That planning permission be **GRANTED** for the erection of entrance gates to Westferry Road, Ferry Street and Thames Walkway together with associated walls to perimeter estate for the reasons set out in the circulated report as amended, namely that:

"The proposal to introduce security measures at the site are considered necessary due to the levels of crime and Anti Social Behaviour at the application site and therefore warrant the provision of gates and fixed means of enclosure and is a material consideration that outweighs the requirements of policies DEV3 and DEV4 of the Interim Planning Guidance 2007 and policy SP09 of the Core Strategy 2010."

2. That the Head of Planning and Building Control is delegated power to impose conditions on the planning permission to secure the matters set out in the circulated report.

(Councillors Ann Jackson and Craig Aston refrained from voting on the application due their absence from the 14th September 2011 meeting in accordance with 11.4 of the Development Committee Procedure Rules)

7. PLANNING APPLICATIONS FOR DECISION

7.1 249/251 East India Dock Road (PA/11/01717)

Pete Smith, (Development Control Manager) introduced the report concerning 249/251 East India Dock Road.

The Chair then invited registered speakers to address the meeting.

Paul Doeman spoke in objection. His property adjoined the Church and shared a wall with it. When previously on this site, the Church held large events triggering complaints about noise, late night disturbance and traffic in the streets. The increase in visitors would exasperate these problems even further. There would be loud music, an excessive number of visitors causing

disturbance. The Church shared walls with other residential properties so they were particularly sensitive to noise from the Church. There was a 122 signature petition in objection. The sound proofing installed was ineffective as the neighbours could still hear noise from the Church and this was before this extension had been granted.

Mr Ronald Faires also spoke in objection. The Church adjoined his flat and hosted large events audible through his walls. There had been accidents in the surrounding streets. Increasing the visitor capacity to 250 would make these existing problems far worse. There would be noise at night from people leaving, increased traffic and parking from the additional visitors. The proposed sound proofing was inadequate. The Church had breached its conditions on a number of occasions. For example, in October 2011 one of its services finished at 12:45am resulting in many people leaving at this time.

In response to Members, Mr Faires stated that there had been two incidences (since this October) of visitors leaving after the permitted hours.

Mr Michael Johnson spoke in favour of the application as the architect for the scheme. He outlined the planning history. In relation to Condition 5 the Applicant was actually willing to limit the end hours to 10pm on Sunday and certain other days contrary to the report. They were also willing to withdraw their application to change condition 2 regarding the control of noise. The Applicant had submitted an acoustic report showing how the noise concerns would be addressed. However his consultants were denied entry to the adjoining properties so it could not be properly completed. He expressed confidence in their sound proofing measures and felt that full sound proofing would be achieved. He referred to the transport and traffic assessment. Their experts say that parking levels were sufficient. The travel plan also sought to minimise any traffic. A traffic manager would be appointed to control traffic. Most of the visitors were local and there was enough parking available within a reasonable walking distance from the site. If refused it could displace the congregation elsewhere creating additional traffic on the roads. The applicant had taken steps to address the concerns. The application should be granted.

In reply to Members, he confirmed the proposed opening hours. He was happy to limit the closing hours to 10pm on Friday Saturday Sunday and Monday whereas at the moment they have permission for 6 days per week. The Church had actively tried to engage with the residents.

Ms Robertson (Applications Manager, Planning Services) presented the application to vary the planning application. Ms Robertson explained the details of the proposal as set out in the report and the reasons Officers were recommending it for refusal. The proposal was to increase the number of visitor to the Church from 50 to 250 and to extend the hours of operation and vary a condition controlling noise. She also explained the planning history and the record of noise complaints. Attention was drawn to the consultation outcome and the key planning issues. As detailed in the report, the application failed to show how it would mitigate the negative impacts and it breached policy. Officers had assessed the Travel Plan, however disagreed with the finding that the parking provision at the location could accommodate the

scheme. It was feared that it may increase existing parking problems in the area.

In reply to Members, Officers explained the access routes, the nature of the noise complaints and the parking objections.

On a unanimous vote the Committee **RESOLVED**

1. That planning permission be **REFUSED** for the variation of conditions 2 (no audible noise), 4 (no more than 50 people) and 5 (hours of operation) of planning permission PA/07/165 dated 02/05/07 which allowed the continued use of premises as a place of worship for the reasons set out in the circulated report.

As per the application, the proposed variations were:

Condition 2 - Any speech, sound or music generated shall not be audible within neighbouring residential premises

Condition 4 - To increase the number of visitors to no more than 250. (Condition 4 currently imposes a limit of 50 people)

Condition 5 -To extend the hours of operation from the current approved hours of 9am and 10pm Monday to Saturday, and between 11am and 10pm on Sundays to the following hours:

Mondays to Thursday: 10am to 11pm
Friday : 10am to 12am (midnight)
Saturdays: 10am to 11pm and;
Sundays 11am to 11pm.

and as amended prior to determination

Friday, Saturday, Sunday, Monday: 10am to 10pm.

7.2 Carriageway adjacent to 2-108 Telegraph Place, Spindriff Avenue, E14 PA/11/001655

Mr Richard Murrell (Deputy Team Leader, Planning Services) gave a general presentation on the Transport for London (TFL) cycle hire scheme. The presentation covered the aims of the scheme being rolled out across Tower Hamlets. He explained the number of approved and proposed docking stations in the Borough, their location and the criteria for selecting sites. He also outlined the key planning matters that were taken in account in considering such schemes.

Pete Smith, (Development Control Manager) introduced the report concerning the Carriageway adjacent to 2-108 Telegraph Place, Spindriff Avenue.

The Chair then invited registered speakers to address the meeting.

Conor Naughton spoke in objection to the proposal. Of the 54 residents notified 50 had submitted objections and there was a petition against with 49 signatures. The highway was narrow and the docking station would take up a disproportionate amount of the highway. It would increase traffic congestion, and obstruct traffic (including emergency vehicles) especially when there was a bus at the bus stop. The parking spaces were not well used but there was regular traffic flow and this was a bus route. It also would adversely affect sight lines and cause an obstruction contrary to policy. The alternative site in Mudchute should be considered instead which complied with the criteria.

Katarina Safai spoke in objection. She expressed concern at loss of privacy (from people coming in from elsewhere), noise nuisance and amenity impact on residents. There would be cycle bays under residents windows. Bikes would need to be restocked and maintained 24hrs per day. There had been many incidences of people causing trouble in the avenue. This would increase nuisance behaviour. It would also impact on property values and breach human rights. Consideration should be given to the alternative site in Mudchute more suited to this proposal.

Councillor Zara Davis also spoke in objection. Whilst supporting the scheme in principle, she felt that this scheme was inappropriate for the area. It would be built into the middle of the road taking up half the left hand lane. Therefore it would be barely possible for vehicles to pass through. They would have to veer onto the other side of the road to pass oncoming traffic. Furthermore when a bus was stopped at the bus stop, it would be impossible for vehicles on the side of the docking station to pass by. It would therefore affect the journey times of buses. It was the only access road for 3 housing estates and also provided access to several other housing estates. Therefore would adversely affect many residents. The scheme should be moved to the Mudchute DLR site and this was much more suitable.

Nick Chester spoke on behalf of the applicant. He explained the reasons for choosing this site and the amendments to improve the scheme. TFL had conducted Road Safety Audits and no safety issues were raised. He referred to the plans for the Mudchute site, an extra site in addition to this. Both stations were required to create an appropriate number of docking spaces to facilitate the scheme. In relation to crime, TFL took these concerns very seriously and have implemented schemes to address this. Should it become a problem at the site, steps would be taken to address this. The crime figures showed that there had been a low incidence of crime across all docking stations in London since the schemes launch.

In reply to questions, Mr Chester clarified the width of the current parking bays and that of the docking station. The station would be situated at an angle to the road and be located on the highway as per most stations. Cyclists would reverse onto the carriageway in taking the cycles out.

Mr Richard Murrell presented the detailed report. He explained the proposal and the amendments to mitigate the concerns. He commented on the number of objections including a petition against the scheme. He also explained the

design, the location of the bus stop and that traffic levels on the avenue were relatively low. He also addressed the loss of car parking spaces; (mitigated by the low levels of use and the contribution to a more sustainable form of transport). He also explained the impact on passing traffic. The width of the road was sufficient to allow traffic to pass along the highway even with the installation of the docking scheme. The overall impact of the scheme in terms of the key issues was considered acceptable and should be granted.

In response, questions were raised regarding the angle onto the highway and conflict with the bus stop. Assurances were sought that there would be adequate space for large vehicles to pass by when there was a bus waiting at the bus stop. Mr Murrell clarified that larger vehicles would have to wait if a bus was at the stop, though a car could probably get past. Other questions covered: safety issues in vehicles having to pass around the station; cyclists reversing onto the highway; the impact on servicing routes for supermarkets; the timetable and the content of the Road Safety Audits particularly whether Officers had seen and were happy with their content, how the Council could influence them should they see fit.

In reply Mr Murrell confirmed the length of clear carriageway and that according to Highways, it would allow vehicles to pass through safely. It was unlikely that servicing vehicles would pass through this road favouring larger routes. Mr Murrell expressed confidence in the safety reports (reviewed by the Council's highways experts) revealing no issues. The station would be clearly visible from the highway from a long distance away.

Mr Murrell showed a map of proposed and existing docking stations in the Borough including the nearest docking stations.

Councillor Marc Francis seconded by Councillor Shiria Khatun proposed an additional condition 'That the Stage 3 Road Safety Audits (as referred to in circulated report) be undertaken and reported back to the Council within 3 months of first use of the scheme'. On a vote of 3 in favour 0 against and 3 abstentions this amendment was carried.

On a vote of 4 in favour and 3 against (with the Chair casting a second vote in favour) the Committee **RESOLVED**

1. That planning permission be **GRANTED** for the installation on the carriageway of a Barclays Cycle Hire docking station, containing a maximum of 40 docking points for scheme cycles plus a terminal subject to the conditions set out in the circulated report AND that the Stage 3 Road Safety Audits be undertaken and reported back to the Council within 3 months of first use of the scheme.
2. That the Corporate Director Development & Renewal is delegated power to impose conditions and informatives on the planning permission to secure the matters set out in the circulated report.
3. Any other planning condition(s) considered necessary by the Corporate Director of Development & Renewal.

7.3 Carriageway adjacent to Jubilee Crescent, Manchester Road, E14 PA/11/01667

Update Report tabled.

Pete Smith (Development Control Manager) introduced the report and update concerning Carriageway adjacent to Jubilee Crescent, Manchester Road.

Mr Richard Murrell (Deputy Team Leader, Planning Services) presented the detailed report. He explained the outcome of the consultation and the main issues raised in objection. He addressed the main planning matters regarding the principle of the scheme, highways and amenity. The scheme was considered satisfactory on all these ground and should be granted.

Questioned were then raised which were answered by Mr Murrell concerning the speed limit and the width of Manchester Road; the number of accidents on the road; the distance between the station and the nearby transport links; the projection into the road and the need for scheme at this location. It was noted that the aim of the scheme was to provide a good coverage of docking stations across the Borough. The choice of location would facilitate this.

Councillor Marc Francis seconded by Councillor Ann Jackson proposed an additional condition 'That the Stage 3 Road Safety Audits (as referred to in report) be undertaken and reported back to the Council within 3 months of first use of the scheme'. On a unanimous vote this amendment was carried.

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

1. That planning permission be **GRANTED** for the installation on the carriageway of a Barclays Cycle Hire docking station, containing a maximum of 55 docking points for scheme cycles plus a terminal subject to conditions set out in the circulated report AND That the Stage 3 Road Safety Audits be undertaken and reported back to the Council within 3 months of first use of the scheme.
3. That the Corporate Director Development & Renewal is delegated power to impose conditions and informatives on the planning permission to secure the matters set out in the circulated report.
4. Any other planning condition(s) considered necessary by the Corporate Director of Development & Renewal.

7.4 Carriageway adjacent to 367 -377 Jamaica Street, E1 PA/11/01838

Pete Smith, (Development Control Manager) introduced the report concerning the Carriageway adjacent to 367 -377 Jamaica Street.

Mr Richard Murrell (Deputy Team Leader, Planning Services) presented the detailed report.

Questions were raised regarding the proximity of the scheme to the road corner and residential properties; the possibility of screening to protect residential amenity and loss of car parking bays.

In response Mr Murrell confirmed the distance between the terminal and the end of the road corner. Highways Engineers had looked at this matter and considered that it was not of significant concern.

Mr Murrell also outlined the difficulties in creating screening to protect amenity. Besides there was a substantial distance between the properties and the docking station. There would be loss of 3 car parking bays. However there was sufficient parking available in the area.

On a unanimous vote the Committee **RESOLVED**

1. That planning permission be **GRANTED** for the installation on the carriageway of a Barclays Cycle Hire docking station, containing a maximum of 18 docking points for scheme cycles plus a terminal subject to conditions set out in the circulated report.
2. That the Corporate Director Development & Renewal is delegated power to impose conditions and informatives on the planning permission to secure the matters set out in the circulated report.
3. Any other planning condition(s) considered necessary by the Corporate Director of Development & Renewal.

7.5 Footway adjacent to 44-101 Hughes Mansions, Selby Street, E1 PA/11/01329

Pete Smith, (Development Control Manager) introduced the report regarding Footway adjacent to 44-101 Hughes Mansions, Selby Street.

Mr Richard Murrell (Deputy Team Leader, Planning Services) presented the detailed report. He explained the issues raised in consultation and the amendments to improve the scheme. The scheme complied with policy and should be granted. In reply to Members, Mr Murrell confirmed the nature of the surrounding area and the width of the remaining pavement which was 2.5 metres as per the report.

In relation to the need for this scheme, Mr Murrell referred to the map showing coverage in the Borough. Whilst there were a number of docking stations in the area, there was a real need for this station to the meet localised need. It would serve as a transport replacement for local people.

On a unanimous vote the Committee **RESOLVED**

1. That planning permission be **GRANTED** for the Installation on the footway of a Barclays Cycle Hire docking station, containing a maximum of 17 docking points for scheme cycles plus a terminal subject to the conditions set out in the circulated report.
2. That the Corporate Director Development & Renewal is delegated power to impose conditions and informatives on the planning permission to secure the matters set out in the circulated report.
3. Any other planning condition(s) considered necessary by the Corporate Director of Development & Renewal.

7.6 21 Plumbers Row, London, E1 1EQ PA/11/00505

Update Report Tabled.

Pete Smith (Development Control Manager) introduced the report and update concerning 21 Plumbers Row, London.

Ms Ila Robertson (Applications Manager Planning) presented the detailed report. She showed the views from the existing building and the proposed scheme. She also reported the outcome of the consultation generating 21 objections. She addressed the main planning issues regarding impact on amenity of surrounding area and design and layout of development. The scheme was considered acceptable on all these grounds. In terms of loss of light the scheme complied with BRE guidance with no loss to light to neighboring properties. There were measures to prevent overlooking and protect amenity. It would be a car free development.

Clarify was sought regarding overshadowing to the adjacent roof terraces, parking stress at night, bulk and height; the relevance of the Council's affordable housing policy in this instance and the impact on visibility.

Ms Robertson addressed each point. In relation to the neighboring properties, all windows assessed comply with BRE guidance. There would be very good levels of sunlight to the roof terraces with minimal loss of light. In relation to parking stress, Highway Services had assessed the scheme and had no objections in this respect. It would be visually in keeping with the area and there would be no impact from the height. Officers also outlined the Council's Policy for affordable housing and why these policies were not triggered by this scheme.

On a vote of 5 in favour 0 against 1 abstention the Committee **RESOLVED**

1. That planning permission be **GRANTED** for two storey set back extension to the roof of an existing six storey building to create 5 dwellings (3 x 1 bed and 2 x 2 bed), together with extension to the existing 5th floor and the provision of additional bicycle parking and refuse/recycling facilities subject to:

2. That the Corporate director of Development and Renewal is delegated power to impose conditions [and informatives] on the planning permission to secure the matters set out in the circulated report.

8. OTHER PLANNING MATTERS

8.1 Appeal Report

Pete Smith, (Development Control Manager) presented the report. The report provided details of appeals, decisions and new appeals lodged against the Authority's Planning decisions.

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

RESOLVED

That that details and outcomes of the appeals as set out in the report be noted.

9. ILA ROBERTSON

It was noted that this would be last meeting of the Committee Ila Robertson would be attending as she was leaving the Authority. The Committee thanked Ms Robertson for her many presentations and advice to the Committee over recent years and wished her well for the future.

The meeting ended at 9.10 p.m.

Chair, Councillor Helal Abbas
Development Committee