

STRATEGIC DEVELOPMENT COMMITTEE

Wednesday, 20 November 2019 at 6.30 p.m.
Council Chamber, 1st Floor, Town Hall, Mulberry Place, 5 Clove
Crescent, London, E14 2BG

The meeting is open to the public to attend.

Members:

Chair: Councillor John Pierce

Vice Chair : Councillor Abdul Mukit MBE

Councillor Kevin Brady, Councillor Val Whitehead, Councillor Zenith Rahman, Councillor Rabina Khan, Councillor Sabina Akhtar and Councillor Tarik Khan

Substitutes:

Councillor Dipa Das, Councillor Dan Tomlinson and Councillor Leema Qureshi

[The quorum for this body is 3 Members]

Public Information.

The deadline for registering to speak is **4pm Monday, 18 November 2019**

Please contact the Officer below to register. The speaking procedures are attached

The deadline for submitting material for the update report is **Noon Tuesday, 19 November 2019**

Contact for further enquiries:

Zoe Folley, Democratic Services,

1st Floor, Town Hall, Mulberry Place, 5 Clove Crescent, E14 2BG

Tel: 020 7364 4877

E-mail: Zoe.Folley@towerhamlets.gov.uk

Web:<http://www.towerhamlets.gov.uk/committee>

Scan this code for
an electronic
agenda:



Public Information

Attendance at meetings.

The public are welcome to attend meetings of the Committee. However seating is limited and offered on a first come first served basis.

Audio/Visual recording of meetings.

Should you wish to film the meeting, please contact the Committee Officer shown on the agenda front page.

Mobile telephones

Please switch your mobile telephone on to silent mode whilst in the meeting.

Access information for the Town Hall, Mulberry Place.



Bus: Routes: D3, D6, D7, D8, 15, 108, and 115 all stop near the Town Hall.

Docklands Light Railway: Nearest stations are East India: Head across the bridge and then through the complex to the Town Hall, Mulberry Place

Blackwall station: Across the bus station then turn right to the back of the Town Hall complex, through the gates and archway to the Town Hall.

Tube: The closest tube stations are Canning Town and Canary Wharf .

Car Parking: There is limited visitor pay and display parking at the Town Hall (free from 6pm)

If you are viewing this on line: (http://www.towerhamlets.gov.uk/content_pages/contact_us.aspx)

Meeting access/special requirements.

The Town Hall is accessible to people with special needs. There are accessible toilets, lifts to venues. Disabled parking bays and an induction loop system for people with hearing difficulties are available. Documents can be made available in large print, Braille or audio version. For further information, contact the Officers shown on the front of the agenda.



Fire alarm

If the fire alarm sounds please leave the building immediately by the nearest available fire exit without deviating to collect belongings. Fire wardens will direct you to the exits and to the fire assembly point. If you are unable to use the stairs, a member of staff will direct you to a safe area. The meeting will reconvene if it is safe to do so, otherwise it will stand adjourned.

Electronic agendas reports and minutes.

Copies of agendas, reports and minutes for council meetings can also be found on our website from day of publication.

To access this, click www.towerhamlets.gov.uk/committee and search for the relevant committee and meeting date.

Agendas are available at the Town Hall, Libraries, Idea Centres and One Stop Shops and on the Mod.Gov, Apple and Android apps.



QR code for smart phone users

APOLOGIES FOR ABSENCE

1. DECLARATIONS OF DISCLOSABLE PECUNIARY INTERESTS (Pages 5 - 8)

To note any declarations of interest made by Members, including those restricting Members from voting on the questions detailed in Section 106 of the Local Government Finance Act, 1992. See attached note from the Monitoring Officer.

2. MINUTES OF THE PREVIOUS MEETING(S) (Pages 9 - 14)

To confirm as a correct record the minutes of the meeting of the Strategic Development Committee held on 5th November 2019.

3. RECOMMENDATIONS AND PROCEDURE FOR HEARING OBJECTIONS AND MEETING GUIDANCE (Pages 15 - 16)

To RESOLVE 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 Place 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 Place is delegated authority to do so, provided always that the Corporate Director does not exceed the substantive nature of the Committee's decision.
- 3) To NOTE the procedure for hearing objections at meetings of the Strategic Development Committee.

PAGE NUMBER	WARD(S) AFFECTED
------------------------	-----------------------------

4. DEFERRED ITEMS

None.

5.	PLANNING APPLICATIONS FOR DECISION	17 - 22	
5 .1	96-98 Bromley High Street, London, E3 3EG (PA/19/00256)	23 - 44	Bromley North
	<p>Proposal:</p> <p>The redevelopment of 96-98 Bromley High Street, comprising the demolition of the existing building (two storey residential building) (use class C3) to construct a four storey residential building containing 4 x two bedroom units, 2 x one bedroom units and 1 x three bedroom unit with associated cycle parking spaces, private amenity space and other associated works.</p> <p>Recommendation</p> <p>Grant planning permission with conditions</p>		
6.	OTHER PLANNING MATTERS	45 - 46	
6 .1	Pre - Application Presentation: Bethnal Green Holder Station, Marian Place, London PF/19/00061	47 - 60	St Peter's
	<p>Proposal:</p> <p>Demolition of existing buildings and decontamination/remediation of the site to facilitate redevelopment to include the retention and refurbishment of two gasholder frames and a mixed-use development comprising 5 buildings ranging between 6-13 storeys (up to 63m AOD) to contain 565 residential dwellings and up to 4,000sqm (GIA) non-residential floorspace in flexible A1-A4, B1 and D Use Classes (max. provision of up to 175sqm A1/A2, up to 1,200sqm A3/A4, up to 2,500sqm of B1(a) and up to 600sqm of D1/D2 use class floorspace), together with access, car and cycle parking, associated landscaping and public realm, public open space and works to the existing canal wall, Pressure Reduction Station and existing gasholders.</p> <p>Recommendation:</p> <p>The Committee notes the contents of the report and pre-application presentation.</p> <p>The Committee identifies any other planning and design issues or material considerations that the developer should take into account at the pre-application stage, prior to submitting a planning application.</p> <p>Next Meeting of the Strategic Development Committee TBC</p>		

Agenda Item 1

DECLARATIONS OF INTERESTS - NOTE FROM THE MONITORING OFFICER

This note is for guidance only. For further details please consult the Members' Code of Conduct at Part 5.1 of the Council's Constitution.

Please note that the question of whether a Member has an interest in any matter, and whether or not that interest is a Disclosable Pecuniary Interest, is for that Member to decide. Advice is available from officers as listed below but they cannot make the decision for the Member. If in doubt as to the nature of an interest it is advisable to seek advice **prior** to attending a meeting.

Interests and Disclosable Pecuniary Interests (DPIs)

You have an interest in any business of the authority where that business relates to or is likely to affect any of the persons, bodies or matters listed in section 4.1 (a) of the Code of Conduct; and might reasonably be regarded as affecting the well-being or financial position of yourself, a member of your family or a person with whom you have a close association, to a greater extent than the majority of other council tax payers, ratepayers or inhabitants of the ward affected.

You must notify the Monitoring Officer in writing of any such interest, for inclusion in the Register of Members' Interests which is available for public inspection and on the Council's Website.

Once you have recorded an interest in the Register, you are not then required to declare that interest at each meeting where the business is discussed, unless the interest is a Disclosable Pecuniary Interest (DPI).

A DPI is defined in Regulations as a pecuniary interest of any of the descriptions listed at **Appendix A** overleaf. Please note that a Member's DPIs include his/her own relevant interests and also those of his/her spouse or civil partner; or a person with whom the Member is living as husband and wife; or a person with whom the Member is living as if they were civil partners; if the Member is aware that that other person has the interest.

Effect of a Disclosable Pecuniary Interest on participation at meetings

Where you have a DPI in any business of the Council you must, unless you have obtained a dispensation from the authority's Monitoring Officer following consideration by the Dispensations Sub-Committee of the Standards Advisory Committee:-

- not seek to improperly influence a decision about that business; and
- not exercise executive functions in relation to that business.

If you are present at a meeting where that business is discussed, you must:-

- Disclose to the meeting the existence and nature of the interest at the start of the meeting or when the interest becomes apparent, if later; and
- Leave the room (including any public viewing area) for the duration of consideration and decision on the item and not seek to influence the debate or decision

When declaring a DPI, Members should specify the nature of the interest and the agenda item to which the interest relates. This procedure is designed to assist the public's understanding of the meeting and to enable a full record to be made in the minutes of the meeting.

Where you have a DPI in any business of the authority which is not included in the Member's register of interests and you attend a meeting of the authority at which the business is considered, in addition to disclosing the interest to that meeting, you must also within 28 days notify the Monitoring Officer of the interest for inclusion in the Register.

Further advice

For further advice please contact:-

Asmat Hussain Corporate Director of Governance and Monitoring Officer, Telephone Number:
020 7364 4801

APPENDIX A: Definition of a Disclosable Pecuniary Interest

(Relevant Authorities (Disclosable Pecuniary Interests) Regulations 2012, Reg 2 and Schedule)

Subject	Prescribed description
Employment, office, trade, profession or vacation	Any employment, office, trade, profession or vocation carried on for profit or gain.
Sponsorship	<p>Any payment or provision of any other financial benefit (other than from the relevant authority) made or provided within the relevant period in respect of any expenses incurred by the Member in carrying out duties as a member, or towards the election expenses of the Member.</p> <p>This includes any payment or financial benefit from a trade union within the meaning of the Trade Union and Labour Relations (Consolidation) Act 1992.</p>
Contracts	<p>Any contract which is made between the relevant person (or a body in which the relevant person has a beneficial interest) and the relevant authority—</p> <p>(a) under which goods or services are to be provided or works are to be executed; and</p> <p>(b) which has not been fully discharged.</p>
Land	Any beneficial interest in land which is within the area of the relevant authority.
Licences	Any licence (alone or jointly with others) to occupy land in the area of the relevant authority for a month or longer.
Corporate tenancies	<p>Any tenancy where (to the Member's knowledge)—</p> <p>(a) the landlord is the relevant authority; and</p> <p>(b) the tenant is a body in which the relevant person has a beneficial interest.</p>
Securities	<p>Any beneficial interest in securities of a body where—</p> <p>(a) that body (to the Member's knowledge) has a place of business or land in the area of the relevant authority; and</p> <p>(b) either—</p> <p>(i) the total nominal value of the securities exceeds £25,000 or one hundredth of the total issued share capital of that body; or</p> <p>(ii) if the share capital of that body is of more than one class, the total nominal value of the shares of any one class in which the relevant person has a beneficial interest exceeds one hundredth of the total issued share capital of that class.</p>

This page is intentionally left blank

LONDON BOROUGH OF TOWER HAMLETS

MINUTES OF THE STRATEGIC DEVELOPMENT COMMITTEE

HELD AT 6.30 P.M. ON TUESDAY, 5 NOVEMBER 2019

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

Members Present:

Councillor John Pierce (Chair)
Councillor Abdul Mukit MBE (Vice-Chair)
Councillor Kevin Brady
Councillor Val Whitehead
Councillor Zenith Rahman
Councillor Rabina Khan
Councillor Sabina Akhtar
Councillor Tarik Khan

Other Councillors Present:

None

Apologies:

None

Officers Present:

Solomon Agutu	– (Interim Team Leader Planning, Legal Services, Governance)
Paul Buckenham	– (Development Manager, Planning Services, Place)
Gareth Gwynne	– (Area Planning Manager (West), Planning Services, Place)
Patrick Harmsworth	– (Senior Planning Officer, Planning Services, Place)
Simon Westmorland	– (West Area Team Leader, Planning Services, Place)
Zoe Folley	– (Committee Officer, Governance)

1. DECLARATIONS OF DISCLOSABLE PECUNIARY INTERESTS

There were no declarations of interest.

2. MINUTES OF THE PREVIOUS MEETING(S)

The Committee **RESOLVED**

That the minutes of the meeting of the Strategic Development Committee held on 8th July 2019 be agreed as a correct record and signed by the Chair.

3. RECOMMENDATIONS AND PROCEDURE FOR HEARING OBJECTIONS AND MEETING GUIDANCE

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, Place 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, Place is delegated authority to do so, provided always that the Corporate Director does not exceed the substantive nature of the Committee's decision
- 3) To note the procedure for hearing objections at meetings of the Development Committee and the meeting guidance.

4. DEFERRED ITEMS

There were none.

5. PLANNING APPLICATIONS FOR DECISION

5.1 Queen Mary University London, Site at Hatton House, Westfield Way, London, E1 (PA/19/01422)

Paul Buckenham (Development Manager, Planning Services) introduced the application for the demolition of the existing Hatton House (Student Accommodation Use Class C2) and No.357 Mile End Road (Use Class D1 Non-Residential Institution) and the construction of a new building for teaching and educational purposes.

Patrick Harmsworth (Senior Planning Officer) presented the application, providing an overview of the site location, the existing buildings and the local heritage issues. Public consultation had been carried out resulting in 7 representations in objection, as set out in the Committee report and the update report. The concerns related to a number of issues around lack of active frontage along Mile End Road, the loss of No.357 Mile End Road as a historically significant building, bulk and height of the proposed development amongst other issues.

The Committee were advised of the public benefits of the proposals in terms of the:

- high quality education and research facilities;

- new public access to the west bank of Regent's Canal from Mile End Road along with a widened canal-side path;
- public realm and landscaping enhancements across the site including two new public squares;
- the provision of a new community space facility.

In terms of land use, the policy supported the growth of good quality education facilities to meet demand and offer educational choice. It was also noted that the existing Hatton House student accommodation was no longer fit for purpose. In the longer term, it was intended that the student accommodation, lost through this application, would be re – provided, as part of the University's wider student accommodation strategy. Officers were therefore satisfied that the loss of the student accommodation in this instance was acceptable

Regarding the heritage issues, officers noted the proposals had been designed to preserve and enhance the setting of the Lock Keeper's Cottage.

Regarding the loss of No.357 Mile End Road, Officers drew attention to the modern day alterations and extension to the building, the lack of historic internal features and the limitations on its use given its proximity to a railway line.

In view of the above, Officers considered that proposal and the loss of No 357. Mile End Road would result in less than substantial harm to the Regents Canal Conservation Area and the setting of the Clinton Road Conservation Area.

With regards to the public benefits test, it was considered that the key public benefits of the scheme (as highlighted above, along with the plans to jointly producing a masterplan framework for the QMUL campus) would outweigh any harm to heritage assets.

Regarding the amenity issues, the proposal would not give rise to any undue privacy and overlooking issues. In terms of the sunlight and daylight issues, the development would broadly be policy compliant.

In highways, servicing and transportation terms, the scheme was considered acceptable subject to the use of appropriate conditions.

The Committee also noted the planning obligations. Officers were recommending that the application was granted planning permission.

The Chair invited registered speakers to address the Committee:

Carolyn Clark and Amanda Day spoke in objection to the application. They expressed concerns about the following issues:

- The loss of the locally listed building No 357 Mile End Road given its historic significance. Many of the originally features remained in place, such

as the rare Georgian features. The assessment was incorrect regarding the adaptations to the building.

- No 357 Mile End Road formed part of a unique cluster of buildings along the canal. The proposal would overshadow these buildings.
- The proposal conflicted with the Council's Conservation Strategy
- Historic England were of the view that the development would harm the Conservation Area.
- Concerns over the quality of the public benefits such as the new café and the community space in view of the affordability issues.

Ian McManus spoke in support of the application. The development formed part of the University's first phase of its wider development strategy. The Council and the Greater London Authority broadly supported the proposal. It would deliver a range of benefits. The quality of No 357 Mile End Road had deteriorated and its usability was restricted as it had a train line running under the building. Steps had been taken to ensure that the proposal would enhance the setting of the cottage Lock Keeper's Cottage. The applicant had sought to address the concerns by amending the application and it would provide a good quality development.

Committee's Questions to Officers

The Committee asked question about the possibility of retaining No 357 Mile End Road given it was locally listed and the efforts that had been made to preserve the building? It was questioned whether alternative options had been explored - such as extending the building onto the area identified for new public realm to save the demolition of the building. Members also sought clarity about the condition of this building and the comments from the heritage bodies, such as Historic England as well as the Canal and Rivers Trust and the Greater London Authority.

In response, it was noted that various options were tested in terms of locating the proposal elsewhere on the site. However these options were considered to be disadvantageous, (compared to the proposed scheme) due to the difficulty in providing a meaningful building for the university on other parts of the site. It was also felt that the alternative options could adversely affect the setting of other heritage assets. It was emphasised that the Council took seriously the need to preserve heritage assets and must carefully assess any proposals that affected buildings in the Conservation Area. The applicant had provided comprehensive evidence regarding the need to deliver the quantum of development proposed (in line with the University's wider growth strategy) and the suitability of the proposed location to deliver this. Officers also reported on the historic significance of No 357 Mile End Road.

In terms of the alterations to the building, there was evidence of changes to the brick work, and the removal of the historic internal features amongst other changes. Given this, Officers considered that the proposal would cause less than substantial harm to the Conservation Area. It was also clarified that Historic England considered that loss of No 357 Mile End Road would cause a

high degree of harm to the character of the Conservation Area. The NPPF public benefits test therefore should therefore be applied.

The Committee also sought clarity about the public benefits and whether they outweighed the heritage impacts and justified the height and massing, that appeared to overshadow the Lock Keeper's Cottage. In particular, Members questioned: the need for another café space, the affordability of the community space, its opening hours to the public and the lack of a public access route from the north to the canal towpath. In response, Officers further explained that the proposal would deliver a range of benefits. This should transform the area. Officers also drew attention to a Council initiative to improve the connectivity of the area.

Regarding the availability of the community space, it was noted that a Community Use Implementation and Management Strategy would be secured by condition that would take into account affordability issues. The community space would be available to hire by local groups and it was planned that such groups were prioritised in the evening. The comments from the GLA regarding this matter had mostly been addressed.

Committee's Questions to the Applicant's representative:

In response to further questions about the need to demolish No 357 Mile End Road, it was explained that the building was a low quality space. With the permission of the Chair, a member of the Applicant's team explained in further detail: the implications of retaining the locally listed building and encroaching instead on the proposed public space. This should bring the development in closer proximity to the Lock Keeper's Cottage, that in their view was of a greater value than No 357 Mile End. The applicant had worked hard to design a scheme that preserved the setting of the Lock Keeper's Cottage and the setting of the canal and given the site constraints, this required the demolition of No 357 Mile End Road.

In response to further questions, they provided assurances about the location of the main entrance for the proposal and their long term plans to provide additional student accommodation.

Committee Questions to the Objectors.

In response to questions, the objectors emphasised that the listed building added value to cluster of locally listed buildings. It was a visually important building.

On a vote of 0 in favour of the Officers recommendation, 7 against and 1 abstention, the Committee were minded not to accept the application for Planning Permission at Queen Mary University London, Site at Hatton House, Westfield Way, London, E1 for the:

- Demolition of the existing Hatton House (Student Accommodation Use Class C2) and No.357 Mile End Road (Use Class D1 Non-Residential

Institution) and the construction of a new building for teaching and educational purposes (Use Class D1) along with associated access, public realm works, landscaping and cycle parking (PA/19/01422)

Accordingly, Councillor Val Whitehead proposed and Councillor Kevin Brady seconded a motion that the application for planning permission be REFUSED (for the reasons set out below) and a vote of 7 in favour, 0 against and 1 abstention the Committee RESOLVED:

That the application for planning permission be REFUSED.

The Committee were minded to refuse the application due to concerns over the following issues:

- Loss of No.357 Mile End Road in terms of the impact on the Regents Canal Conservation Area.
- The scale, height and bulk of the development, particularly in relation to the Lock Keeper's Cottage, and the impact this would have on local heritage assets.
- The public benefits of the development do not outweigh the harm to local heritage interests.

The meeting ended at 8.30 p.m.

Chair, Councillor John Pierce
Strategic Development Committee

Guidance for Development Committee/Strategic Development Committee Meetings.

Who can speak at Committee meetings?

Members of the public and Councillors may request to speak on applications for decision. All requests must be sent direct to the Committee Officer shown on the front of the agenda by the deadline – 4pm one clear working day before the meeting. Requests should be sent in writing (e-mail) or by telephone detailing the name and contact details of the speaker and whether they wish to speak in support or against. Requests cannot be accepted before agenda publication. Speaking is not normally allowed on deferred items or applications which are not for decision by the Committee.

The following may register to speak per application in accordance with the above rules:

Up to two objectors on a first come first served basis.	For up to three minutes each.
Committee/Non Committee Members.	For up to three minutes each - in support or against.
Applicant/ supporters. This includes: an agent or spokesperson. Members of the public in support	Shall be entitled to an equal time to that given to any objector/s. For example: <ul style="list-style-type: none"> • Three minutes for one objector speaking. • Six minutes for two objectors speaking. • Additional three minutes for any Committee and non Committee Councillor speaking in objection. It shall be at the discretion of the applicant to allocate these supporting time slots.

What if no objectors register to speak against an applicant for decision?

The applicant or their supporter(s) will not be expected to address the Committee should no objectors register to speak and where Officers are recommending approval. However, where Officers are recommending refusal of the application and there are no objectors or members registered, the applicant or their supporter(s) may address the Committee for 3 minutes.

The Chair may vary the speaking rules and the order of speaking in the interest of natural justice or in exceptional circumstances.

Committee Members may ask points of clarification of speakers following their speech. Apart from this, speakers will not normally participate any further. Speakers are asked to arrive at the start of the meeting in case the order of business is changed by the Chair. If speakers are not present by the time their application is heard, the Committee may consider the item in their absence.

This guidance is a précis of the full speaking rules that can be found on the Committee and Member Services webpage: Part D, 53 Development Committee Procedural Rules.

What can be circulated?

Should you wish to submit a representation or petition, please contact the planning officer whose name appears on the front of the report in respect of the agenda item. Any representations or petitions should be submitted no later than noon the working day before the committee meeting for summary in the update report that is tabled at the committee meeting. No written material (including photos) may be circulated at the Committee meeting itself by members of the public including public speakers.

How will the applications be considered?

The Committee will normally consider the items in agenda order subject to the Chair's discretion. The procedure for considering applications for decision shall be as follows:
Note: there is normally no further public speaking on deferred items or other planning matters



- (1) Officers will introduce the item with a brief description.
- (2) Officers will present the report supported by a presentation.
- (3) Any objections that have registered to speak to address the Committee
- (4) The applicant and or any supporters that have registered to speak to address the Committee
- (5) Committee and non- Committee Member(s) that have registered to speak to address the Committee
- (6) The Committee may ask points of clarification of each speaker.
- (7) The Committee will consider the item (questions and debate).
- (8) The Committee will reach a decision.

Should the Committee be minded to make a decision contrary to the Officer recommendation and the Development Plan, the item will normally be deferred to a future meeting with a further Officer report detailing the implications for consideration.

How can I find out about a decision?

You can contact Democratic Services the day after the meeting to find out the decisions. The decisions will also be available on the Council's website shortly after the meeting.

For queries on reports please contact the Officer named on the front of the report.

<p>Deadlines. To view the schedule of deadlines for meetings (including those for agenda papers and speaking at meetings) visit the agenda management timetable, part of the Committees web pages. Visit www.towerhamlets.gov.uk/committee - search for relevant Committee, then 'browse meetings and agendas' then 'agenda management timetable'.</p>	 <p>Scan this code to view the Committee webpages.</p>
<p>The Rules of Procedures for the Committee are as follows:</p> <ul style="list-style-type: none">• Development Committee Procedural Rules - Part D of the Council's Constitution (Rules of Procedure).• Terms of Reference for the Strategic Development Committee – Part B, 16 of the Council's Constitution (Responsibility for Functions).• Terms of Reference for the Development Committee - Part B, 7 of the Council's Constitution (Responsibility for Functions).	 <p>Council's Constitution</p>



DEVELOPMENT COMMITTEE

Report of the Corporate Director of Place

Classification: Unrestricted

Advice on Planning Applications for Decision

1. INTRODUCTION

- 1.1 In this part of the agenda are reports on planning applications for determination by the Committee. Although the reports are ordered by application number, the Chair may reorder the agenda on the night. If you wish to be present for a particular application you need to be at the meeting from the beginning.
- 1.2 The following information and advice applies to all those reports.

2. FURTHER INFORMATION

- 2.1 Members are informed that all letters of representation and petitions received in relation to the items on this part of the agenda can be made available for inspection at the meeting.
- 2.2 Members are informed that any further letters of representation, petitions or other matters received since the publication of this part of the agenda, concerning items on it, will be reported to the Committee in an Addendum Update Report.

2.3 ADVICE OF CORPORATE DIRECTOR, GOVERNANCE

- 3.1 This is general advice to the Committee which will be supplemented by specific advice at the meeting as appropriate. The Committee is required to determine planning applications in accordance with the Development Plan and other material planning considerations. Virtually all planning decisions involve some kind of balancing exercise and the law sets out how this balancing exercise is to be undertaken. After conducting the balancing exercise, the Committee is able to make a decision within the spectrum allowed by the law. The decision as to whether to grant or refuse planning permission is governed by section 70(2) of the Town and Country Planning Act 1990 (TCPA 1990). This section requires the Committee to have regard to:

- the provisions of the Development Plan, so far as material to the application;
- any local finance considerations, so far as material to the application; and
- to any other material considerations.

- 3.2 What does it mean that Members must have regard to the Development Plan? Section 38(6) of the Planning and Compulsory Purchase Act 2004 explains that having regard to the Development Plan means deciding in accordance with the Development Plan, unless material considerations indicate otherwise. If the Development Plan is up to date and contains material policies (policies relevant to the application) and there are no other material considerations, the application should be determined in accordance with the Development Plan.

The Local Development Plan and Other Material Considerations

- 3.3 The relevant Development Plan policies against which the Committee is required to consider each planning application are to be found in:
 - The London Plan 2016;

- The Tower Hamlets Core Strategy Development Plan Document 2025 adopted in 2010; and
 - The Managing Development Document adopted in 2013.
- 3.4 The Planning Officer's report for each application directs Members to those parts of the Development Plan which are material to each planning application, and to other material considerations. National Policy as set out in the National Planning Policy Framework 2019 (NPPF) and the Government's online Planning Practice Guidance (PPG) are both material considerations.
- 3.5 One such consideration is emerging planning policy such as the Council's Local Plan¹ and the Mayor of London's New London Plan². The degree of weight which may be attached to emerging policies (unless material considerations indicate otherwise) depends on the stage of preparation of the emerging Development Plan, the extent to which there are unresolved objections to the relevant policies, and the degree of consistency of the relevant policies in the draft plan to the policies in the framework. As emerging planning policy progresses through formal stages prior to adoption, it accrues weight for the purposes of determining planning applications (NPPF, paragraph 48).
- 3.6 Having reached an advanced stage in the preparation process, the Local Plan now carries more weight as a material consideration in the determination of planning applications. However, the policies will not carry full weight until the Local Plan has been formally adopted. The New London Plan is at a less advanced stage of the adoption process.
- 3.7 The purpose of a Planning Officer's report is not to decide the issue for the Committee, but to inform Members of the considerations relevant to their decision making and to give advice on and recommend what decision Members may wish to take. Part of a Planning Officer's expert function in reporting to the Committee is to make an assessment of how much information to include in the report. Applicants and objectors may also want to direct Members to other provisions of the Development Plan (or other material considerations) which they believe to be material to the application.
- 3.8 The purpose of Planning Officer's report is to summarise and analyse those representations, to report them fairly and accurately and to advise Members what weight (in their professional opinion) to give those representations.
- 3.9 Ultimately it is for Members to decide whether the application is in accordance with the Development Plan and if there are any other material considerations which need to be considered.

Local Finance Considerations

- 3.10 Section 70(2) of the TCPA 1990 provides that a local planning authority shall have regard to a local finance consideration as far as it is material in dealing with the application. Section 70(4) of the TCPA 1990 defines a local finance consideration and both New Homes Bonus payments (NHB) and Community Infrastructure Levy (CIL) fall within this definition.

¹The Tower Hamlets Local Plan 2031: Managing Growth and Sharing the Benefits' was submitted to the Secretary of state for Housing, Communities and Local Government to undergo an examination in public on 28 February 2018. As part of the examination process, the planning inspector held a series of hearing sessions from 6 September to 11 October 2018 to discuss the soundness of the Local Plan. The planning inspector has put forward a series of modifications as part of the examination process in order to make it sound and legally compliant. These modifications are out to consultation for a 6 week period from 25 March 2019.

² The draft New London Plan was published for public consultation in December 2017, The examination in public commenced on 15 January 2019 and is scheduled until mid to late May 2019.

- 3.11 Although NHB and CIL both qualify as *“local finance considerations*, the key question is whether they are "material" to the specific planning application under consideration.
- 3.12 The prevailing view is that in some cases CIL and NHB can lawfully be taken into account as a material consideration where there is a direct connection between the intended use of the CIL or NHB and the proposed development. However to be a ‘material consideration’, it must relate to the planning merits of the development in question.
- 3.13 Accordingly, NHB or CIL money will be 'material' to the planning application, when reinvested in the local areas in which the developments generating the money are to be located, or when used for specific projects or infrastructure items which are likely to affect the operation or impact on the development. Specific legal advice will be given during the consideration of each application as required.

Listed Buildings and Conservation Areas

- 3.14 Under Section 16 of the Planning (Listed Buildings and Conservation Areas) Act 1990, in considering whether to grant listed building consent for any works, the local planning authority must have special regard to the desirability of preserving the building or its setting or any features of special architectural or historic interest which it possesses.
- 3.15 Under Section 66 of the Planning (Listed Buildings and Conservation Areas) Act 1990, in considering whether to grant planning permission for development which affects a listed buildings or its setting, the local planning authority must have special regard to the desirability of preserving the building or its setting or any features of architectural or historic interest it possesses.
- 3.16 Under Section 72 of the Planning (Listed Buildings and Conservation Areas) Act 1990, in considering whether to grant planning permission for development in a conservation area, the local planning authority must pay special attention to the desirability of preserving or enhancing the character or appearance of the conservation area.

Trees and Natural Environment

- 3.17 Under Section 197 of the TCPA 1990, in considering whether to grant planning permission for any development, the local planning authority must ensure, whenever it is appropriate, that adequate provision is made, by the imposition of conditions, for the preservation or planting of trees.
- 3.18 Under Section 40 of the Natural Environment and Rural Communities Act 2006 (Duty to conserve biodiversity), the local authority *“must, in exercising its functions, have regard, so far as is consistent with the proper exercise of those functions, to the purpose of conserving biodiversity”*.

Crime and Disorder

- 3.19 Under Section 17 of the Crime and Disorder Act (1998) (Duty to consider crime and disorder implications), the local authority has a *“dutyto exercise its various functions with due regard to the likely effect of the exercise of those functions on, and the need to do all that it reasonably can to prevent, crime and disorder in its area (including anti-social and other behaviour adversely affecting the local environment)...”*

Transport Strategy

- 3.20 Section 144 of the Greater London Authority Act 1999, requires local planning authorities to have regard to the London Mayor’s Transport strategy.

Equalities and Human Rights

- 3.21 Section 149 of the Equality Act 2010 (Public Sector Equality Duty) (**Equality Act**) provides that in exercising its functions (which includes the functions exercised by the Council as Local Planning Authority), that the Council as a public authority shall amongst other duties have due regard to the need to-
- (a) eliminate discrimination, harassment, victimisation and any other conduct that is prohibited under the Equality Act;
 - (b) advance equality of opportunity between persons who share a relevant protected characteristic and persons who do not share it;
 - (c) foster good relations between persons who share a relevant protected characteristic and persons who do not share it.
- 3.22 The protected characteristics set out in Section 4 of the Equality Act are: age, disability, gender reassignment, marriage and civil partnership, pregnancy and maternity, race, religion or belief, sex and sexual orientation. The Equality Act acknowledges that compliance with the duties set out may involve treating some persons more favourably than others, but that this does not permit conduct that would otherwise be prohibited under the Equality Act.
- 3.23 The Human Rights Act 1998, sets out the basic rights of every person together with the limitations placed on these rights in the public interest. Section 6 of the Human Rights Act 1998 prohibits authorities (including the Council as local planning authority) from acting in a way which is incompatible with the European Convention on Human Rights. Members need to satisfy themselves that the potential adverse amenity impacts are acceptable and that any potential interference with Article 8 rights will be legitimate and justified. Both public and private interests are to be taken into account in the exercise of the Council's planning authority's powers and duties. Any interference with a Convention right must be necessary and proportionate. Members having regard to the Human Rights Act 1998, to take into account any interference with private property rights protected by the European Convention on Human Rights and ensure that the interference is proportionate and in the public interest.

Environmental Impact Assessment

- 3.24 The process of Environmental Impact Assessment is governed by the Town and Country Planning (Environmental Impact Assessment) Regulations 2017 (2017 Regulations). Subject to certain transitional arrangements set out in regulation 76 of the 2017 Regulations, the 2017 regulations revoke the Town and Country Planning (Environmental Impact Assessment) Regulations 2011 (2011 Regulations).
- 3.25 The aim of Environmental Impact Assessment is to protect the environment by ensuring that a local planning authority when deciding whether to grant planning permission for a project, which is likely to have significant effects on the environment, does so in the full knowledge of the likely significant effects, and takes this into account in the decision making process. The 2017 Regulations set out a procedure for identifying those projects which should be subject to an Environmental Impact Assessment, and for assessing, consulting and coming to a decision on those projects which are likely to have significant environmental effects.
- 3.26 The Environmental Statement, together with any other information which is relevant to the decision, and any comments and representations made on it, must be taken into account by the local planning authority in deciding whether or not to grant consent for the development.

Third Party Representations

- 3.27 Under section 71(2)(a) of the TCPA 1990 and article 33(1) of the Town and Country Planning (Development Management Procedure) (England) Order 2015, the Committee is required, to

take into account any representations made within specified time limits. The Planning Officer report directs Members to those representations and provides a summary. In some cases, those who have made representations will have the opportunity to address the Committee at the meeting.

Daylight, Sunlight and Overshadowing

- 3.28 Amenity impacts resulting from loss of daylight and sunlight or an increase in overshadowing are a common material planning consideration. Guidance on assessment of daylight and sunlight is provided by the 'Site Layout Planning for Daylight and Sunlight' 2011 by BRE (the BRE Guide). The BRE Guide is purely advisory and an appropriate degree of flexibility needs to be applied when using the BRE Guide.
- 3.29 There are two methods of assessment of impact on daylighting: the vertical sky component (VSC) and no sky line (NSL). The BRE Guide specifies that both the amount of daylight (VSC) and its distribution (NSL) are important. According to the BRE Guide, reductions in daylighting would be noticeable to occupiers when, as a result of development:
- a) The VSC measured at the centre of an existing main window is less than 27%, and less than 0.8 times its former value; and
 - b) The area of the working plane in a room which can receive direct skylight is reduced to less than 0.8 times its former value.
- 3.30 The BRE Guide states that sunlight availability would be adversely affected if the centre of a window receives less than 25% of annual probable sunlight hours or less than 5% of probably sunlight hours between 21 September and 21 March and receives less than 0.8 times its former sunlight hours during either period and has a reduction in sunlight over the whole year of over 4%.
- 3.31 For overshadowing, the BRE Guide recommends that at least 50% of the area of each amenity space should receive at least two hours of sunlight on 21st March with ratio of 0.8 times the former value being noticeably adverse.
- 3.32 Specific legal advice will be given in relation to each application as required.

General comments

- 3.33 Members are reminded that other areas of legislation cover aspects of building and construction and therefore do not need to be considered as part of determining a planning application. Specific legal advice will be given should any of that legislation be raised in discussion.
- 3.34 The Committee has several choices when considering each planning application:
- To grant planning permission unconditionally;
 - To grant planning permission with conditions;
 - To refuse planning permission; or
 - To defer the decision for more information (including a site visit).

4. PUBLIC SPEAKING

- 4.1 The Council's constitution allows for public speaking on these items in accordance with the rules set out in the constitution and the Committee's procedures. These are set out at the Agenda Item: Recommendations and Procedure for Hearing Objections and Meeting Guidance.

5. RECOMMENDATION

5.1 The Committee to take any decisions recommended in the attached reports.



Application for Planning Permission

[click here for case file](#)

Reference	PA/19/00256
Site	96-98 Bromley High Street, London, E3 3EG
Ward	Bromley North
Proposal	The redevelopment of 96-98 Bromley High Street, comprising the demolition of the existing building (two storey residential building) (use class C3) to construct a four storey residential building containing 4 x two bedroom units, 2 x one bedroom units and 1 x three bedroom unit with associated cycle parking spaces, private amenity space and other associated works.
Summary Recommendation	Grant planning permission with conditions
Applicant	Point Home Ltd
Architect/agent	Studio Jayga
Case Officer	Stephen Whalley
Key dates	<ul style="list-style-type: none">- Application registered as valid on 01/02/2019- Amendments received on 13/05/2019- Public consultation finished on 04/03/2019- Case deferred by Development Committee 10/10/2019

EXECUTIVE SUMMARY

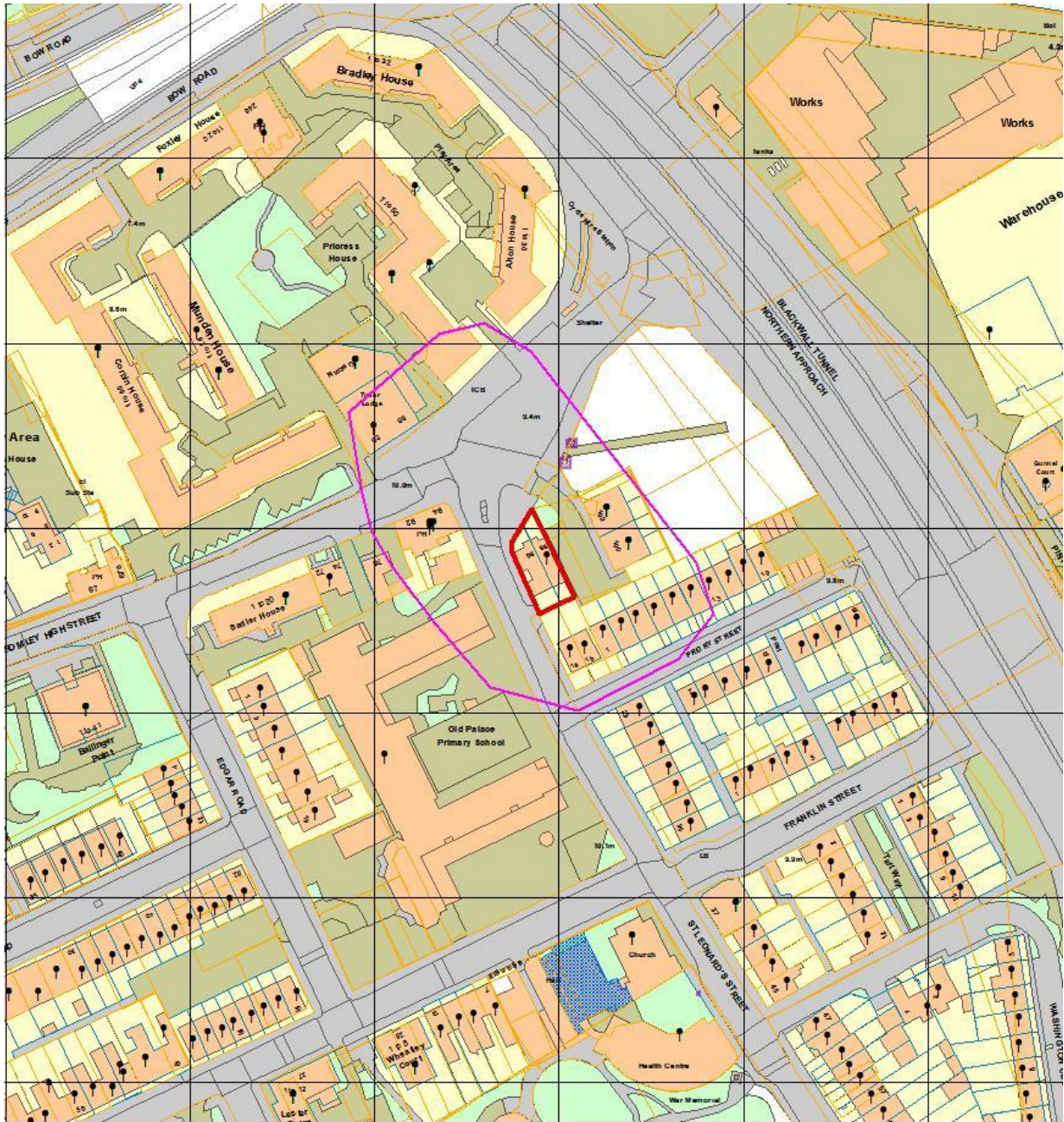
The proposal is for the demolition of the existing two storey residential dwelling and the erection of a four storey residential development comprising 7 new residential units.

Officers have considered the particular circumstances of this application against the provisions of the development plan policies and other material considerations as set out in this report and recommend approval of planning permission.

The proposed redevelopment would optimise the development potential of the site and would be acceptable in terms of height, scale, design and appearance, delivering quality homes in a sustainable location. The proposed units would all have access to amenity space and meet or exceed the minimum space requirements.

Whilst the daylight to a number of neighbours would be adversely affected, the retained daylight levels would remain good for an urban location. The scheme would not result in significant adverse impacts on outlook, privacy or sense of enclosure. The quality of accommodation provided, along with the provision of external amenity space would create an acceptable living environment for the future occupiers of the site.

SITE PLAN



Legend:

Site boundary: red line

Consultation boundary: pink line

1. SITE AND SURROUNDINGS

- 1.1 The site currently comprises a two storey residential dwelling with a front driveway and rear garden. The site sits at the junction of St Leonard's Street and Bromley High Street and the sweeping junction creates a sense of open space within the locality. The site is bounded by Bromley High Street to the north, a small two storey terrace comprising 4 dwellings at 100-102 Bromley High Street to the east, the rear gardens of 1A and 1B Priory Street to the south, and St Leonard's Street to the west.
- 1.2 The site lies within a predominantly residential area with a mix of dwelling types and architectural styles. Surrounding the junction sit number of 3 to 5 storey residential buildings and to the south east of the site is an area characterised by two storey dwellings on St Leonard's Street, Priory Street and Franklin Street.
- 1.3 To the south west of the site sits Old Palace Primary School, a mixed entry school catering to 414 pupils aged 4 to 11.
- 1.4 The application site sits within an area of archaeological interest. The application site does not sit within close proximity to any listed buildings, nor does it fall within a conservation area.

2. PROPOSAL

- 2.1 The proposal is for the demolition of the existing two storey residential dwelling and the erection of a four storey residential development comprising 4x two bedroom units, 2x one bedroom units, and 1x three bedroom unit with associated cycle parking, private amenity and other associated works.
- 2.2 The proposed ground floor consists of the three bedroom unit with private garden to the rear along with refuse store, cycle store and plant room; the first and second floors consist of 2x two bedroom units with private balconies facing St Leonard's Street and Bromley High Street and Oriel windows fronting the rear of properties along Priory Street; and the third floor consists of 2x one bedroom units with private balconies. The development would be accessed and serviced from Bromley High Street.

3. RELEVANT PLANNING HISTORY

- 3.1 PA/14/01097 - Redevelopment of 96-98 Bromley High Street, comprising the demolition of the existing building (two storey residential building) (use class C3) to construct 1a four storey residential building containing 4x two bedroom units, 1x three bedroom units and 1x four bedroom unit with associated car parking and cycle parking spaces, private amenity space and other associated works. – Withdrawn by applicant 18/06/2014
- 3.2 PA/14/02821 - Additional 2X1 bed flats on the existing 2 storey building with rear extensions. – Withdrawn by applicant 28/01/2015
- 3.3 PA/18/01232 - The redevelopment of 96-98 Bromley High Street, comprising the demolition of the existing building (two storey residential building) (use class C3) to construct a four storey residential building containing 4 x two bedroom units, 2 x one bedroom units and 1 x three bedroom unit with associated cycle parking spaces, private amenity space and other associated works. – Withdrawn by applicant 31/07/2018

4. PUBLICITY AND ENGAGEMENT

- 4.1 Following the receipt of the application, the Council notified 92 nearby owners/occupiers by post.

- 4.2 A total of 11 representations, from 10 members of the public, were received in objection, including one petition with 39 individual signatories. A representation in objection was also received from one LBTH Council Member.
- 4.3 The issues raised in the objection letters are as follows:
- Significant increase in noise for existing local residents
 - Increase in overlooking, loss of privacy and loss of light
 - Increased parking stress, parking is already an issue in the area
 - Excessive number of recent applications to redevelop the site
 - Disruption during construction
 - The existing quiet nature of the location would be disrupted which could cause financial problems for those who work from home
 - The proposed dwelling would alter the prevailing low-rise character of the area
 - The increase in residents from the new development could lead to additional social order issues
 - The proposed development is over-development, the bulk and massing are inappropriate and not in keeping with the existing local context
 - Current resident of the site being displaced
 - The distance to existing properties is not accurately reported
- 4.4 With regard to the final point above, the distance to neighbouring properties has been amended at paragraph 7.26 of this report.
- 4.5 The petition raises concerns that the proposed development would result in a significant increase in noise to existing residents, an increase in overlooking and a reduction in access to daylight/sunlight. The development would also likely lead to increased parking stress in the local area.
- 4.6 Impact on property prices was also raised in representations; however, it is not a material planning consideration.

5. CONSULTATION RESPONSES

Internal Consultees

LBTH Waste

- 5.1 The bin capacity proposed by the applicant is acceptable subject to a condition in relation to the final details of the storage area to be approved by the Council.

LBTH Highways

- 5.2 No comments received.

LBTH Environmental Health (Contaminated Land)

- 5.3 No objection subject to standard conditions.

External Consultees

Historic England – Archaeology

5.4 The development could cause harm to archaeological remains and field evaluation is needed to determine appropriate mitigation. A two stage archaeological condition could provide acceptable safeguard.

6. RELEVANT PLANNING POLICIES AND DOCUMENTS

6.1 Legislation requires that decisions on planning applications must be taken in accordance with the Development Plan unless there are material considerations that indicate otherwise.

6.2 In this case the Development Plan comprises:

- The London Plan 2016 (LP)
- Tower Hamlets Core Strategy 2010 (SP)
- Tower Hamlets Managing Development Document 2013 (DM)

6.3 The Planning Inspectorate has on 20/09/2019 confirmed the soundness of the emerging Tower Hamlets Local Plan 2031: Managing Growth and Sharing the Benefits. The policies contained therein now carry very substantial weight, pending formal adoption of the document by the Council.

6.4 The weight carried by the emerging policies within the emerging new London Plan is currently generally moderate as the document has been subject to examination in public and main modifications were published on 15/07/2019. Policies which have not been subject to substantial objections are considered to have substantial weight.

6.5 The key development plan policies relevant to the proposal are:

Housing SP02, DM3, DM4
(unit mix, housing quality)

Design LP7.1-7.8, SP09, SP10, SP12, DM23, DM24
(layout, massing, materials, public realm)

Amenity LP7.6, LP7.15, SP03, SP10, DM25
(privacy, outlook, daylight and sunlight, construction impacts)

Transport LP6.1, LP6.3, LP6.9, LP6.10, LP6.13, SP05, SP09, DM14,
DM20, DM21, DM22
(sustainable transport, highway safety, car and cycle parking, waste, servicing)

6.6 In addition, the emerging policies relevant to the proposal are:

Housing S.H1, D.H2, D.H3
(unit mix, housing quality)

Design S,DH1, S.DH2, S.G1, D.DH2
(layout, massing, materials, public realm)

Amenity S.DH1, D.DH8
(privacy, outlook, daylight and sunlight, construction impacts)

Transport D.MW3, D.TR2, D.TR3, D.TR4, S.TR1
(sustainable transport, highway safety, car and cycle parking, waste, servicing)

6.7 Other policy and guidance documents relevant to the proposal are:

- National Planning Policy Framework (2019)
- National Planning Practice Guidance (updated 2019)
- LP Housing SPG (updated 2017)

7. PLANNING ASSESSMENT

7.1 The key issues raised by the proposed development are:

- i. Land Use
- ii. Housing
- iii. Design
- iv. Heritage
- v. Neighbour Amenity
- vi. Transport
- vii. Environment

Land Use and General Principles

7.2 The application site is currently in use as a single residential dwelling; as a result residential land use at this location has been established.

7.3 The existing residential dwelling was originally constructed in the mid 1990's, is of little architectural interest, and does not significantly contribute to the character and appearance of the area. In addition the property sits in a relatively large plot, detached and some distance from other dwellings along Bromley High Street, St Leonard's Road and Priors Street. As a result the principle of redevelopment is considered acceptable, the land is currently underutilised and an intensification of residential development at this location would be appropriate.

7.4 The proposed development would act to increase the supply of housing in a sustainable location within the Lower Lea Valley Opportunity Area, one of the identified areas in the east of the borough where the majority of new housing development is to be focused.

7.5 As a result of the above the principle of demolition and redevelopment in regards to land use is considered acceptable.

Housing

Housing Mix

7.6 The development proposes a unit mix broadly in accordance with the breakdown of unit types outlined in adopted and emerging policy documents as demonstrated in the table below:

Type of Housing	Proposed Units	Proposed Units (%)	Adopted Policy Requirement (%)	Emerging Policy Requirement (%)
1 Bedroom	2	28.6%	50%	30%
2 Bedroom	4	57.1%	30%	50%
3 Bedroom	1	14.2%	20%	20%
4+ Bedroom	0	0		

7.7 In addition, the proposed development would result in the loss of an existing four bedroom dwelling; this dwelling is replaced however, by the new 3-bed unit, and as such there is no loss of family accommodation on site.

Quality of Residential Accommodation

7.8 All proposed dwellings accord with required internal minimum space standards and minimum external amenity space standards.

7.9 The daylight for the new rooms to be created within the development has been assessed using the ADF method of calculation. All rooms would have levels of ADF above the minimum recommended for their room use and would therefore have adequate levels of light. In addition, with regard to sunlight, all rooms that face within 90° of due south would have levels of annual and winter sunlight above the minimum recommended levels and their required standard is met.

7.10 As a result of the above, the proposed development would provide a high standard of accommodation in line with policy requirements.

Design

7.11 Development Plan policies call for high-quality designed schemes that reflect local context and character and provide attractive, safe and accessible places.

Scale, height and mass

7.12 Whilst it is acknowledged that the scale and massing of the proposed development is an increase on current condition, this increase is acceptable. The site is located at a street junction and the proposed increase in height from two to four storeys would provide an appropriate transition from the two storey dwellings to the south to the larger three, four and five storey developments surrounding the junction to the north and west. The building form is considered an improvement on the existing building, better responding to the street network and repairing the gap in the streetscene created by the existing detached house. The acceptability of the height and massing is also aided by the division of the massing into a 3 storey brick base and a 4th storey set-back ‘roof extension’ element. The parapet height of the brick base would broadly correspond to the height of the former public house at the corner of Bromley High Street and St Leonard’s Street and to the flank elevation of the Old Palace school, appropriately framing the street.

Appearance & Materials

7.13 The proposal is considered to be well designed and utilises materials that are of good quality and appropriate within the existing urban fabric of the area. The submission has undergone a number of design iterations since the previously withdrawn scheme, including changes to

materials and design to improve activation along the ground floor front elevation, and these have led to improvements with the scheme to a level that officers find acceptable.

- 7.14 The proposed buff brick and metal cladding detailing is acceptable. These are visually distinctive materials and would provide a modern look which would be appropriate for a new building in this area. The anthracite grey metal cladding at third floor would create an appearance of a subordinate roof extension, subservient to the three storey brick element below.
- 7.15 The application has been amended since submission to enhance architectural interest on the front elevation and increase activation. An inset brick panel is proposed with alternative bricks protruding from the elevation to increase interest, along with expanded metal mesh door to the proposed bin store which both act to improve the appearance of this façade. In addition a soldier brick course is proposed to increase architectural detailing at third floor level.

Design Conclusions

- 7.16 In conclusion, the layout, building height, scale and bulk and detailed design of the development is considered acceptable and in accordance with policy.

Heritage

- 7.17 Development Plan policies call for development affecting heritage assets to conserve their significance.
- 7.18 Whilst the property does not fall within a conservation area or in close proximity to any listed buildings, the site does fall in close proximity to an historic priory and burial ground to the north east which could result in archaeological impacts from the proposed development.
- 7.19 The application site lies within a designated area of archaeological interest, and as a result an Archaeological Evaluation Report accompanies the application.
- 7.20 Historic England Archaeology (GLAAS) have reviewed the submitted report and have advised that archaeological work at the site has encountered post-mediaeval remains including a vaulted structure that may be connected with the use of the site as a cemetery, or which may be a former cellar, no remains of mediaeval date were encountered.
- 7.21 GLAAS have advised that the development could cause harm to archaeological remains and a field evaluation is needed to determinate appropriate mitigation. Although the NPPF envisages such evaluation being undertaken prior to determination, in this case consideration of the nature of the development, the archaeological interest and/or practical constraints are such that GLAAS consider a two-stage archaeological condition would provide an acceptable safeguard.
- 7.22 This would take the form of an initial stage 1 written scheme of investigation undertaken prior to the commencement of development, which would identify any assets of archaeological interest. Should any such areas be identified then a stage 2 written scheme shall also be submitted and approved by the local authority. This would include a statement of significant and research objectives, the programme and methodology if site investigation and recording and the nomination of competent person(s) to undertake the agreed works. This would also include a programme for post-investigation assessment and subsequent analysis, publication and dissemination and deposition of resulting material.
- 7.23 This pre-commencement condition is considered necessary to safeguard the archaeological interest on this site. Approval of the written scheme of investigation before works begin on site would provide clarity on what investigations are required, and their timing in relation to the

development programme. With this secured by condition, the application is considered acceptable from a heritage perspective.

Neighbour Amenity

- 7.24 Development Plan policies seek to protect neighbour amenity safeguarding privacy, not creating allowing unacceptable levels of noise and ensuring acceptable daylight and sunlight conditions.

Privacy & Outlook

- 7.25 Officers are satisfied that the proposed development has been sensitively designed to ensure acceptable separation distances would exist between the proposed new building and existing facing buildings on neighbouring sites. The properties at 100-102 Bromley High Street to the east of the application site sit 12.9m from the proposed building, whilst the principal elevations of the properties at 1A and 1B Priory Street sit 12.5m from the rear elevation of the proposed building, the distance from the ground floor extension at 1A Priory Street to the proposed building would be 6.5m. Although this is less than the 18m separation distances which is generally sought on developments it is not uncommon for there to be a closer relationship particularly where the proposal involves an infill within an existing street. Specific design interventions are also employed to limit overlooking and privacy intrusion.
- 7.26 With regard to 100-102 Bromley High Street, the majority of the windows within the development facing these properties would be kitchen and bathroom windows as well as the communal stair core. Given that these rooms are already served by other windows a condition has been added ensuring that these windows were obscure glazed in order to limit the potential for overlooking and protect neighbouring privacy,
- 7.27 With regard to 1A and 1B Priory Street, there are no concerns with loss of privacy at ground floor level and any impacts in terms of outlook are considered acceptable. With regard to first and second floor, the design has been amended since initial submission to consist of an Oriel window design with obscured glazing to the front to ensure that there is no unacceptable loss of privacy or overlooking from this location whilst retaining acceptable levels of daylight to the kitchen/dining/living areas of the new residential units. At third floor level there is an additional set back of 1m to the proposed windows, which are secondary windows to the kitchen/dining/living are of the 1b/1p flat on this level.
- 7.28 All balconies are located towards the public highway, and none face any existing dwellings. In addition balcony screening is utilised to prevent access to any areas that may give rise to privacy concerns.
- 7.29 Subject to conditions, given the use, location, separation distance of surrounding facing residential properties and the tight urban grain on this part of the borough, it is considered that the proposal would not unduly result in a detrimental impact upon the amenity of the residents if the surrounding properties in terms of privacy, loss of outlook and sense of enclosure.
- 7.30 Overall, it is considered that the proposed development is suitably designed to ensure privacy is preserved, a level of outlook is maintained and there would be no increased sense of enclosure to surrounding residential properties.

Daylight and Sunlight

- 7.31 Guidance relating to daylight and sunlight is contained in the Building Research Establishment (BRE) handbook 'Site Layout Planning for Daylight and Sunlight' (2011).

- 7.32 A number of residential properties surround the site which can be impacted by the development, these have been tested as part of the application, and the results have been independently reviewed on behalf of the Council, these are discussed below.
- 7.33 For calculating daylight to neighbouring residential properties affected by the proposed development, the primary assessment is the vertical sky component (VSC) method of assessment together with the no sky line (NSL) assessment where internal room layouts are known or can reasonably be assumed. These tests measure whether buildings maintain most of the daylight they currently receive.
- 7.34 BRE guidance in relation to VSC requires an assessment of the amount of daylight striking the face of a window. The VSC should be at least 27%, or should not be reduced by more than 20% of the former value, to ensure sufficient light is still reaching windows. The NSL calculation takes into account the distribution of daylight within the room, and again, figures should not exhibit a reduction beyond 20% of the former value.
- 7.35 The following properties have been tested for Daylight and Sunlight based on land use and proximity to the site:

- 100a St Leonard's Street
- 100b St Leonard's Street
- 102a St Leonard's Street
- 102b St Leonard's Street
- 1A Priory Street
- 1B Priory Street
- 94 Bromley High Street

- 7.36 The properties which fail to meet BRE guidelines are identified as 100a, 100b, 102a and 102b St Leonard's Street.

100a St Leonard's Street

- 7.37 The four windows to this single residential property would experience a reduction in VSC of up to 28% from existing. The NSL shows that the rooms are well lit at present and they would experience reductions of more than 50% from existing. The NSL reductions range between 51% to 33% of the room area. Therefore, the BRE standards are not met for all windows in respect of both methods of assessment.

- 7.38 Whilst the above would indicate that the impacts on this property would be considered minor to major adverse, the retained levels of VSC of between 19.9% and 23.8% are at a level that is considered to be good for an urban location. The NSL reductions are particularly large to this property but rooms are left around 50% lit which is considered acceptable for an inner city location.

100b St. Leonard's Street

- 7.39 The two windows to this property meet the BRE guidelines. One out of the two rooms tested for NSL falls slightly below the BRE guidelines of a 20% reduction, seeing its light reduce by 21%. This is negligible impact and the daylight to this property is considered acceptable.

102a St Leonard's Street

- 7.40 The two windows to this property would experience a reduction in VSC of up to 30% from existing. The NSL shows that the rooms are well lit at present and they would experience reductions of up to 52% from existing. The NSL would reduce to below 50% of the room area. Therefore, the BRE standards are not met for all windows in respect of both methods of assessment.
- 7.41 Whilst the above would indicate that the impacts on this property would be considered moderate to major adverse, the retained levels of VSC of between 22.5% and 19.2% are at a level that is considered to be good for an urban location. The NSL reductions are very large but this needs to be weighed against the rooms being nearly fully lit in the existing condition.

102b St Leonard's Street

- 7.42 The four windows to this property would experience a reduction in VSC of up to 32% from existing. The NSL shows that the rooms are well lit at present and they would experience reductions of up to 62% from existing. The NSL would reduce to below 38% of the room area in the worst case. Therefore, the BRE standards are not met for all windows in respect of both methods of assessment.
- 7.43 Whilst the above would indicate that the impacts on this property would be considered moderate to major adverse, the retained levels of VSC of between 22.1% and 19% are at a level that is considered to be good for an urban location. The NSL experience large reductions with each room receiving a major adverse impact.

Sunlight

- 7.44 The BRE report recommends that for existing buildings, sunlight should be assessed for all main living rooms of dwellings and conservatories, if they have a window facing within 90 degrees of due south. If the centre of the window can receive more than one quarter of annual probable sunlight hours (APSH), including at least 5% of annual probable sunlight hours in the winter months between 21 September and 21 March, then the rooms should still receive enough sunlight. If the available sunlight hours are both less than the amount above and less than 0.8 times their former value then the occupants of the existing building would notice the loss of sunlight.
- 7.45 The required sunlight standards are met for all properties assessed and the scheme proposal therefore complies with planning policy in this respect.

Conclusion

- 7.46 The proposed development would cause a minor to major adverse daylight impact to the occupiers of 100a, 102a and 102b St Leonard's Street. The main cause for the major adverse classifications is due to the NSL results having reductions in excess of 40%; the highest reduction being 62% and the lowest 34%. It should be noted, however, that the most affected rooms currently receive levels of light which are particularly generous in an inner city context. An example of this is room R2/10 which is lit to 97% in the existing condition. These high levels of light in the existing condition exacerbate the scale of light loss.
- 7.47 The VSC results for those properties indicate that whilst the light loss would be noticeable the retained daylight would be good for an inner city context, with the retained VSC at 19% to 23.8%.
- 7.48 If optimum development potential of the site is to be realised, impacts beyond those recommended by the BRE guidelines are to be expected; especially as this is a relatively underdeveloped site in the existing condition which results in particularly good current levels of light to neighbouring properties. Whilst substantial, the loss of daylight would not be such as to unacceptably affect the living conditions of neighbouring residents.

Noise & Vibration

- 7.49 Objections have been received with regard to potential increase in noise from future residents of the proposed building. It should be noted that the proposed balconies of the new residential units face onto the public highway rather than towards existing residential dwellings, this a feature that is not discordant with the local area and the location would act to mitigate any potential increase in noise from these new external amenity spaces.
- 7.50 Given the above and that there is a policy requirement for residential private amenity space; it is not considered that the additional amenity spaces (for private use of occupants of the flats) would cause an unacceptable impact on amenity.

Construction Impacts

- 7.51 Demolition and construction activities are likely to cause some additional noise and disturbance, additional traffic generation and dust. In accordance with relevant Development Plan policies, a number of conditions are recommended to minimise these impacts. These would control working hours and require the approval and implementation of Construction Management Plan.

Transport

- 7.52 Development Plan policies promote sustainable modes of travel and limit car parking to essential user needs. They also seek to secure safe and appropriate servicing.

Car Parking

- 7.53 The objective of adopted planning policy is to reduce the use of car journeys in areas that are well connected to public transport. The application site sits in an area with a Public Transport Accessibility Level (PTAL) of 5, which is considered to be a very good level of access. In accordance with these policies it is not proposed to provide any parking spaces for the development. In addition, the applicant would be required to enter into a car-free S106 agreement which would restrict the ability of future occupiers of the property to obtain an on-street parking permit. This is considered acceptable.

Cycle Parking

- 7.54 The application proposes the provision of 12 cycle parking spaces in accordance with adopted policy. 10 spaces would be provided at ground floor level within the communal area of the building for the use of residents of flats above ground floor level. 2 spaces are also proposed to be provided in the private rear garden of the 3b5p unit at ground floor level for the use of occupiers of this dwelling; separate access is provided to the garden from St Leonard's Street.

Environment

Air Quality

- 7.55 The impact on the local area as a result of the proposed development is considered to be insignificant. With regards to the impacts of construction on air quality, dust and other pollutant emissions from the construction and demolition phases of the construction of the proposed development would see the site designated a "Low Risk Site" and residual effects are not be considered significant. Appendix 5 includes site specific mitigation for a low risk site and the implementation of these measures can be ensured through the condition requiring a Construction Management Plan.

Waste

- 7.56 The application proposes adequate storage provision for refuse, dry recyclables and compostable waste. This would be provided in a communal waste storage area on the ground floor for the use of residents of flats above ground floor level and a separate waste storage area in the rear garden of the 3b5p unit at ground floor level for the use of occupiers of this dwelling, separate access is provided to the garden from St Leonard's Street.
- 7.57 Whilst it is acknowledged that the waste officer would prefer a single collection for the development, the current waste storage strategy is practical and is acceptable.

Landscaping & Biodiversity

- 7.58 The existing site has limited ecological value. There would be no significant impacts on biodiversity as a result of the proposal. The proposal would introduce a brown roof which would make a positive contribution to local biodiversity.

Land Contamination

- 7.59 Subject to standard conditions, the proposals are acceptable from a land contamination perspective and that any contamination that is identified can be satisfactorily dealt with.

Human Rights & Equalities

- 7.60 The proposal does not raise any unique human rights or equalities implications. The balance between individual rights and the wider public interest has been carefully considered and officers consider it to be acceptable.
- 7.61 The proposed development would not result in adverse impacts upon equality or social cohesion.

8. RECOMMENDATION

- 8.1 Conditional planning permission is GRANTED subject to below conditions.

8.2 Planning Conditions

Compliance

1. 3 years deadline for commencement of development.
2. Development in accordance with approved plans.
3. Restrictions on demolition and construction activities:
 - a. All works in accordance with Tower Hamlets Code of Construction Practice;
 - b. Standard hours of construction and demolition;
 - c. Air quality standards for construction machinery;
 - d. Ground-borne vibration limits; and
 - e. Noise pollution limits.
4. Delivery and retention of waste storage facilities.
5. Delivery and retention of cycle storage facilities.
6. Noise insulation standards for new residential units.
7. Delivery and retention of obscure glazing to neighbour facing windows.

Pre-commencement

8. Construction Environmental Management Plan:
 - a. Site manager's contact details and complain procedure;
 - b. Dust and dirt control measures
 - c. Measures to maintain the site in tidy condition, disposal of waste
 - d. Recycling/disposition of waste from demolition and excavation
 - e. Safe ingress and egress for construction vehicles;
 - f. Parking of vehicles for site operatives and visitors;
 - g. Location and size of site offices, welfare and toilet facilities;
 - h. Erection and maintenance of security hoardings;
 - i. Measures to ensure that pedestrian and cycle access past the site is safe and not unduly obstructed; and
 - j. Measures to minimise risks to pedestrians and cyclists, including but not restricted to accreditation of the Fleet Operator Recognition Scheme (FORS) and use of banksmen for supervision of vehicular ingress and egress
9. Details of external facing materials and architectural detailing.
10. Land Contamination Remediation Scheme (subject to post completion verification).
11. Archaeology Written Scheme of Investigation (in consultation with Historic England).

Prior to occupation

12. 'Car Free' on-street parking permit restrictions (bar Blue Badge holders and Permit Transfer Scheme)

8.3 Informatives

1. Permission subject to legal agreement.
2. Development is CIL liable.
3. Written schemes of Investigation will need to be prepared and implemented by a suitably qualified professionally accredited archaeological practice in accordance with Historic England's Guidelines for Archaeological Projects in Greater London.

APPENDIX 1

Drawings

515-E-100
616-E-100
616-E-110
616-E-112
616-E-113
616-E-160
616-P-200 Rev B
616-P-210 Rev B
616-P-211 Rev A
616-P-212 Rev A
616-P-213 Rev A
616-P-260 Rev A
616-P-261 Rev A
616-P-251 Rev A
515-P-252 Rev A
515-P-300 Rev A
515-P-500
515-P-501
515-P-502
515-P-503
515-P-504
616-P-301 Rev A

APPENDIX 2

Selection of plans and images

Figure 1 – Proposed ground floor plan

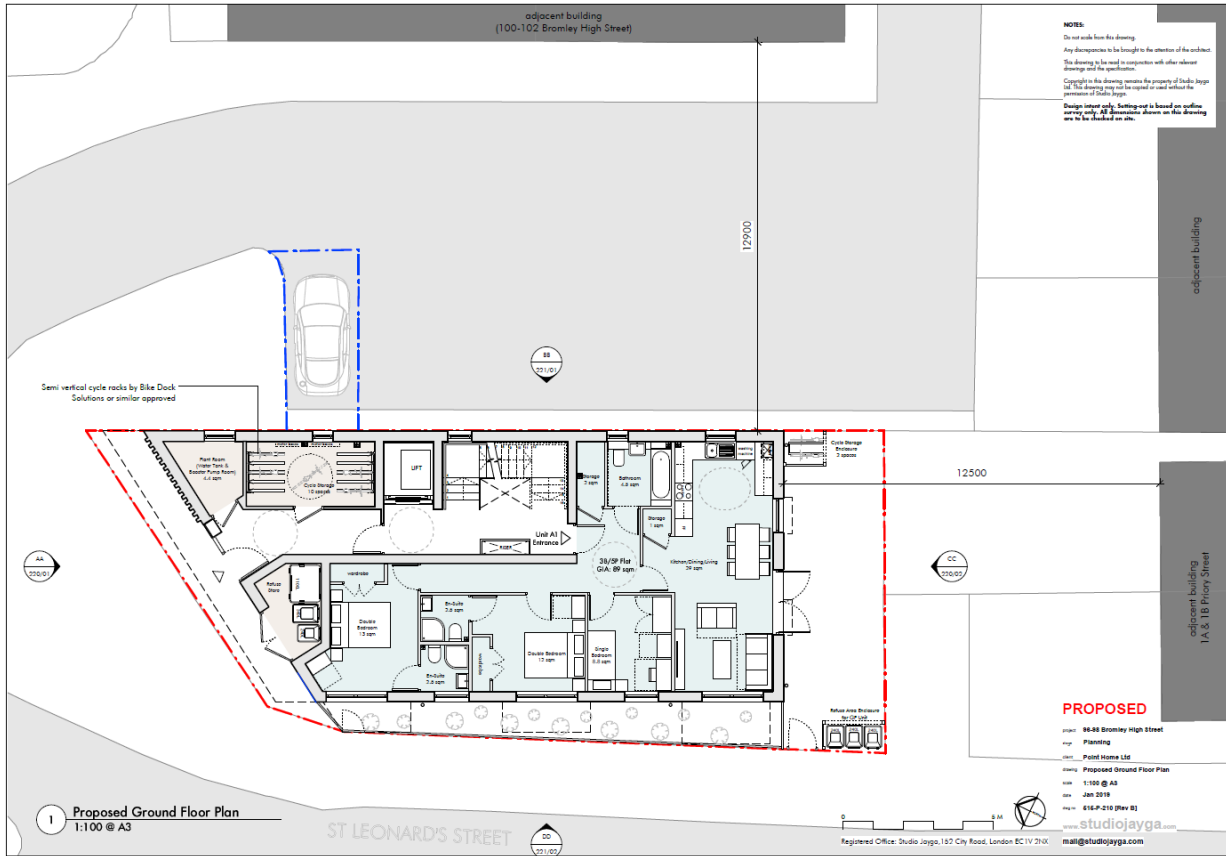


Figure 2 – Proposed first & second floor plan

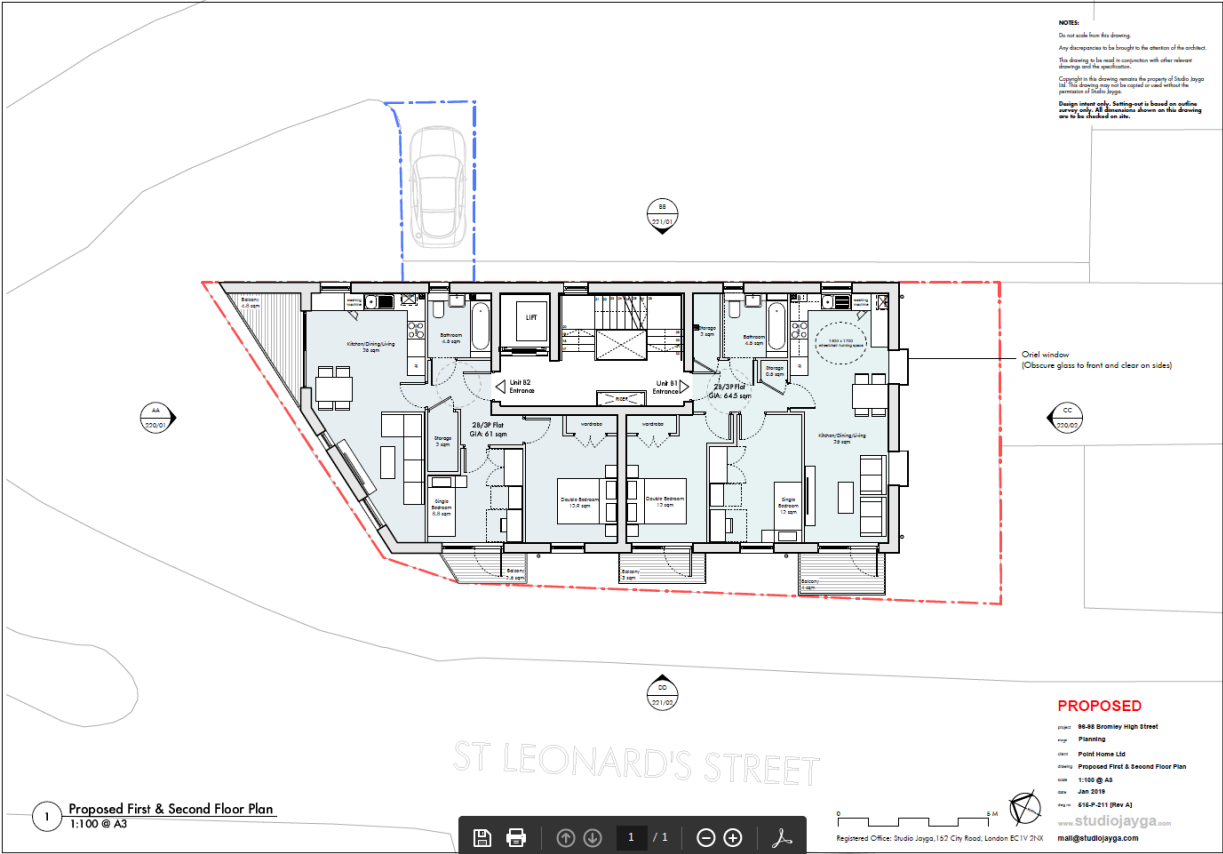


Figure 3 – Proposed third floor plan

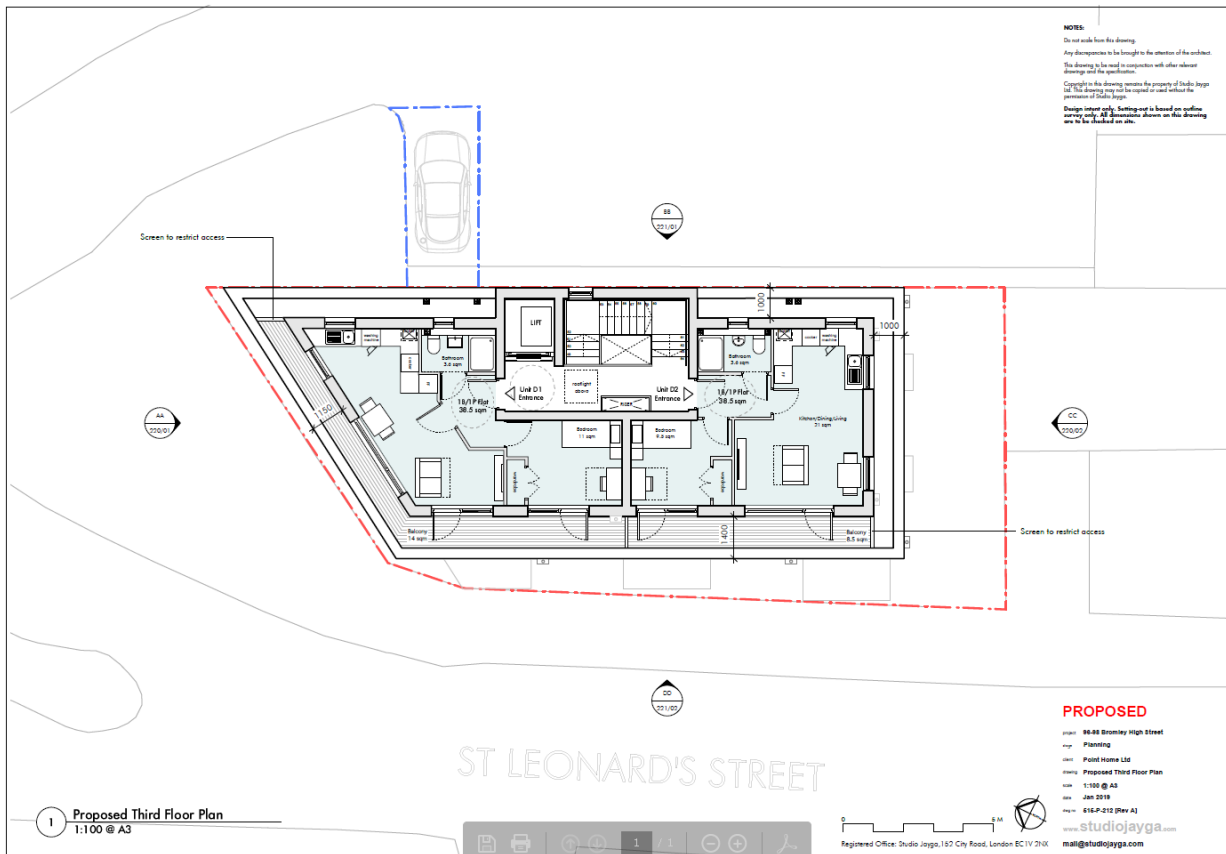


Figure 4 – Proposed roof plan

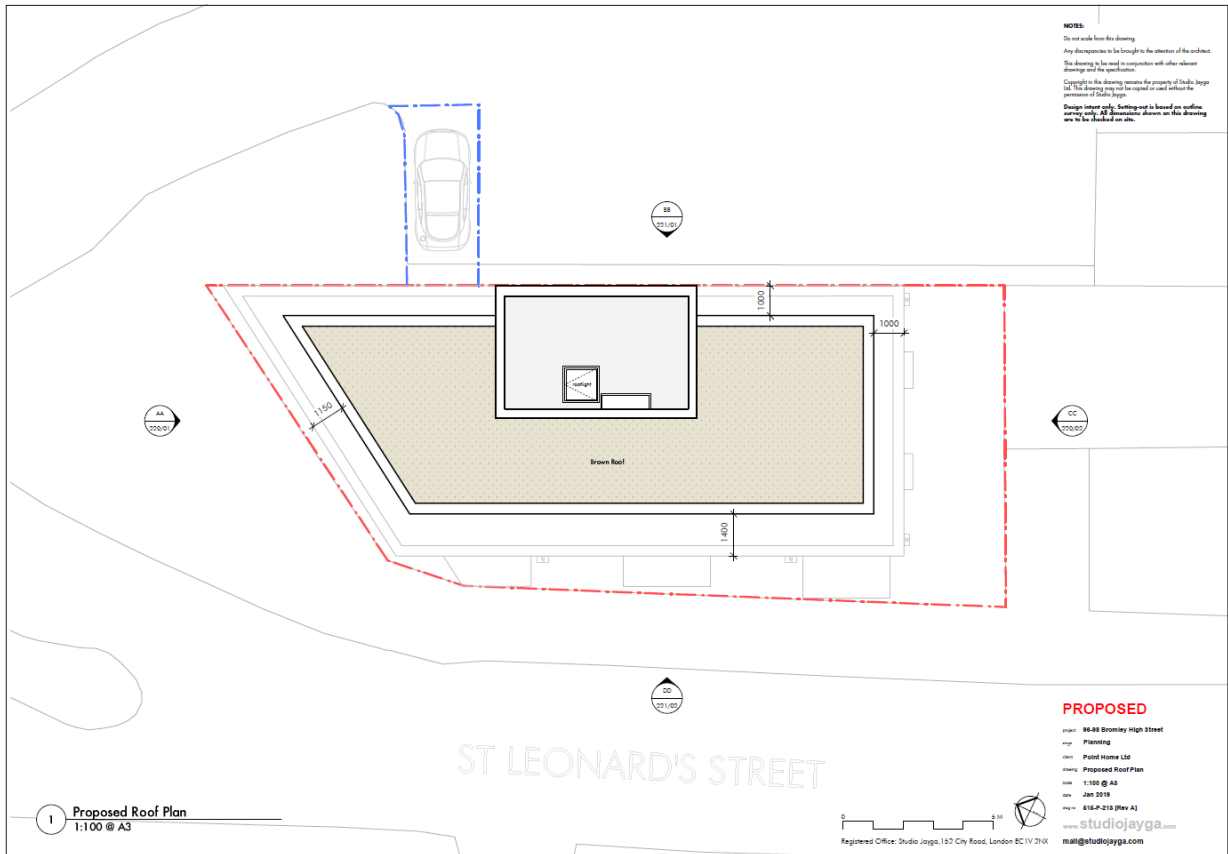


Figure 5 – Proposed elevation AA & DD



Figure 6 – Proposed elevation BB & CC

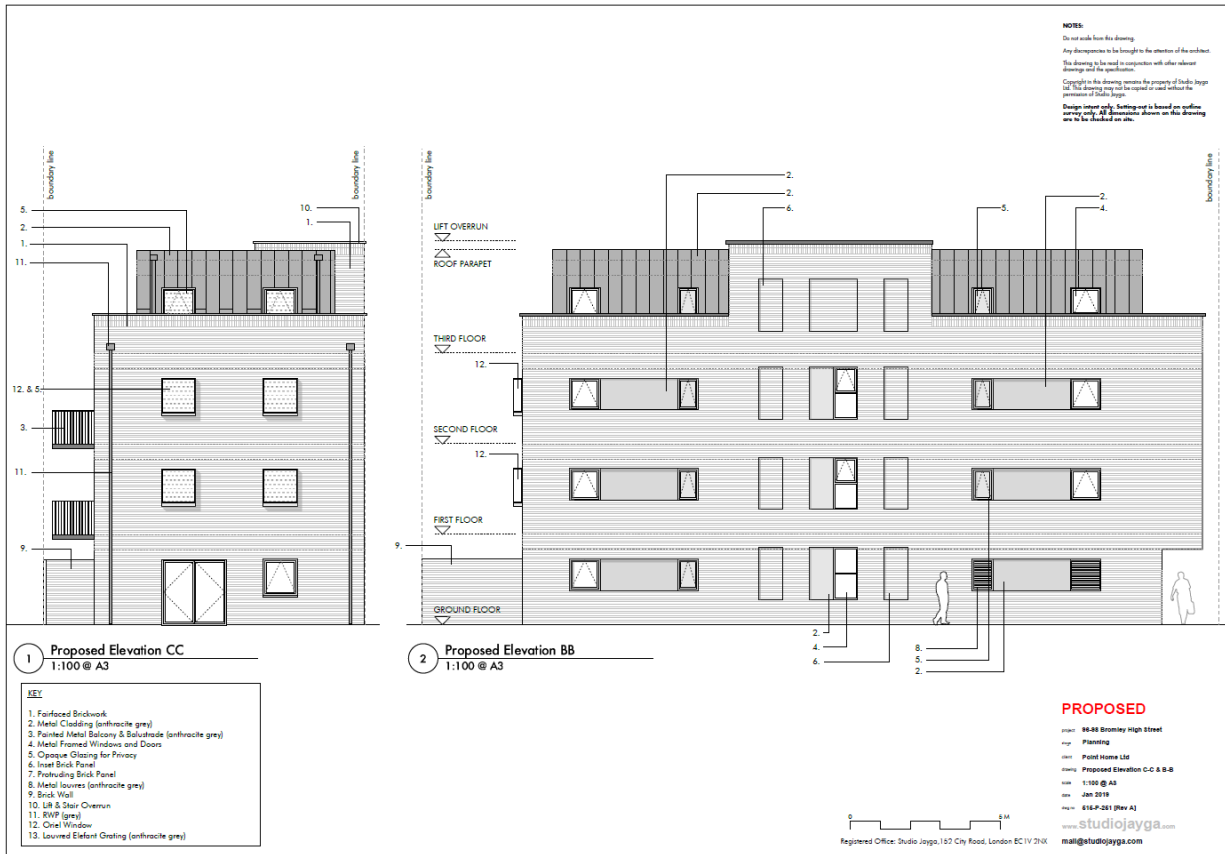


Figure 7 – CGI looking south



Figure 8 – CGI looking north



This page is intentionally left blank



STRATEGIC DEVELOPMENT COMMITTEE

20 November 2019

Report of the Corporate Director of Place

Classification: Unrestricted

1. INTRODUCTION

- 1.1 In this part of the agenda are reports on planning matters other than planning applications for determination by the Committee. The following information and advice applies to all those reports.

2. PRE-APPLICATION BRIEFINGS AND PRESENTATIONS

- 2.2 Presentations will be held in accordance with the attached protocol.

3. PUBLIC SPEAKING

- 3.1 The Council's Constitution only provides for public speaking rights for those applications being reported to Committee in the "*Planning Applications for Decision*" part of the agenda. Therefore reports that deal with planning matters other than applications for determination by the Council do not automatically attract public speaking rights.

LOCAL GOVERNMENT ACT 2000 (Section 97) LIST OF BACKGROUND PAPERS USED IN THE DRAFTING OF THE REPORTS UNDER THE ITEM OTHER PLANNING MATTERS

Brief Description of background papers:
See individual reports

Tick if copy supplied for register:
✓

Name and telephone no. of holder:
See individual reports

This page is intentionally left blank

TOWER HAMLETS

PROTOCOL FOR PRE-APPLICATION BRIEFINGS AND PRESENTATIONS TO THE DEVELOPMENT AND STRATEGIC DEVELOPMENT COMMITTEES

NOVEMBER 2019

1. BACKGROUND

1.1 It is common for pre application discussions take place before a planning application is submitted, particularly if the development is of a large scale, would be complex or is likely to attract significant public interest. The Council offers a pre-application planning advice service aimed at anyone who is considering making a planning application or wishes to carry out development in Tower Hamlets.

1.2 Early engagement in the planning process is encouraged and supported by the **National Planning Policy Framework (NPPF)** (2019):

“Early engagement has significant potential to improve the efficiency and effectiveness of the planning application system for all parties. Good quality pre-application discussion enables better coordination between public and private resources and improved outcomes for the community. (para. 39)

The more issues that can be resolved at pre-application stage, including the need to deliver improvements in infrastructure and affordable housing, the greater the benefits.” (para. 41)

1.3 Early elected member engagement in the planning process is also encouraged and supported by the **National Planning Practice Guidance (NPPG)** which says:

“Democratically elected members are strongly encouraged to participate at the pre-application stage, where it is appropriate and beneficial for them to do so. [Section 25 of the Localism Act 2011](#) confirms that elected members do not have a ‘closed mind’ just because they have historically indicated a view on a matter relevant to the proposal.”

1.4 Planning applications for larger scale major development or proposals which generate significant public interest are decided by the Council’s Development Committee and Strategic Development Committee (the Committees) in accordance with their published terms of reference.

1.5 A briefing or presentation to the committee at an early stage in the design process (before an application is submitted) can help to shape proposals so that they are more likely to comply with development plan policies and be more responsive to local interests, issues or concerns. Briefings and presentations can assist in the Committees being aware of significant development proposals that are evolving and support informed decision making on future planning applications.

1.6 The Council’s **Statement of Community Involvement (SCI)**, adopted by the Mayor in Cabinet in April 2019 highlights the importance of good quality pre-application engagement.

- 1.7 A number of London Council's (e.g. Hackney, Croydon, Haringey and Camden) have introduced a protocol for planning committee member engagement at the pre-application stage. The updated terms of reference for the Committees includes: *"To consider any application or other planning matter referred to the Committee by the Corporate Director, Place including pre-application presentations (subject to the agreed protocol)"*.
- 1.8 The protocol and procedures were presented in draft form to the Strategic Development Committee on 28 March and Development Committee on 1 April 2019. Comments received from Committee members have been incorporated.
- 1.9 The protocol and procedures to support pre-application engagement with the Committees is set out below.

2. PROTOCOL FOR COMMITTEE MEMBER ENGAGEMENT

What sort of development is covered by the protocol?

- 2.1 The Committees make decisions on applications referred to them under the terms of reference outlined in the Council's Constitution (2019), relating to scale, significance and extent of public interest.
- 2.2 It is unlikely that the Committees will be able to accommodate briefings or presentations on all proposals that may be determined by them in the future. Within this context, the following criteria provide a guide for the types of development that may be suitable for pre-application presentations:
 - development that meets or exceeds the criteria for referral to the Mayor of London;
 - development on sites allocated in the Council's Local Plan;
 - development that would contribute to the Council's regeneration programmes, including the Council's own development;
 - significant infrastructure development by the Council's strategic partners, such as health authorities, infrastructure providers or higher education institutions;
 - Other significant developments as identified by the Chair or members of the appropriate committee.
- 2.3 To help manage the impact on the committee agendas and time available the Divisional Director for Planning and Building Control (or their nominee) will work with the Chair of the relevant Committee to decide whether a particular proposal would benefit from a briefing or presentation.

When should pre-application engagement take place?

- 2.4 Officer briefings and developer presentations should take place at the pre-application stage, to optimise the opportunities for issues raised to be responded to by the developer through the design process. When this is not possible, engagement should take place early in the formal application period.
- 2.5 Pre-application discussions are discretionary and there is no set rule as to the point in the process when a briefing or presentation should take place. Timing will vary depending on the nature of the proposed development, complexity of the planning issues and level of

public interest. As a general guide a presentation to the relevant Committee is likely to be beneficial when:

- At least one pre-application meeting has been held with officers, so that a briefing on the planning issues can be prepared;
- A presentation to the Council's Conservation and Design Advisory Panel (CADAP) has taken place (if appropriate), so that their views can be reported;
- Pre-application community engagement has taken place so that the views of local residents and other interested parties can be shared.

Developer presentations

2.6 This protocol allows for a developer presentation to the Committees as part of the briefing process. No formal decisions will be taken at such meetings and any subsequent planning applications will be the subject of a report to a future meeting of the appropriate Committee.

2.7 The purpose of the pre-application presentations are:

- to ensure committee are aware of significant development proposals prior to an application being submitted and formally considered by them;
- to make the Committee consideration of planning applications more informed and effective;
- To allow the Committees and developers to understand which development plan polices will be relevant to the proposals. ;
- to ensure issues are identified early in the application process and improve the quality of applications;
- To foster a collaborative working approach that avoids potential delays (e.g. fewer deferred applications or office recommendations that cannot be supported).

3. PROCEDURES FOR PRE-APPLICATION BRIEFINGS AND PRESENTATIONS

3.1 Briefings and presentations will be scheduled as part of the public agenda for the relevant Committee, normally under the existing heading "Other planning matters". A short report summarising the development proposals, the progress made and the issues identified at the pre-application stage will be prepared by officers. The report will not contain an assessment or commentary on the planning merits of the proposal.

3.2 The meeting will be open to members of the public and will be chaired by the Chair (or Vice Chair in their absence). The Developer will supply all presentation materials including any models or digital material, to be agreed in advance with planning officers.

3.3 The Development Procedure Rules, including public speaking, which apply to the determination of planning applications, will not apply to pre-application briefings or presentations as the Committee will not be making a formal decision. However the Planning Code of Conduct will still apply.

3.4 Ward councillors will be invited to attend the meeting and will be notified in writing (usually e-mail) at least 7 days in advance. Ward Councillors will have the opportunity to register to

speak at the meeting to articulate their views and any local issues that the Committee should be aware of.

3.5 The procedure for briefings and presentations will be as follows:

- Officers to introduce the proposal, update on the progress of pre-application discussions and set out the main planning issues that have been identified.
- The developer and their architects, planning agents or other representative will present the proposals for up to 15 minutes.
- Ward Members who have registered to speak will have the opportunity to give their views for up to 3 minutes each.
- Members of the Committee will be able to ask questions to the developer and officers and highlight any planning issues (development plan policies or material considerations) that they would expect to be taken into account by the developer prior to an application being submitted.
- The lead officer will summarise the comments raised and provide a note of the meeting.

3.6 Whilst Committee members are encouraged to participate fully, to provide comments or raise questions, they should ensure that they are not seen to pre-determine or close their mind to any such proposal, to avoid being precluded from participating in determining a future planning application.

3.7 Ward members who are also members of the Committee that will determine a future application and who register to speak and express a view on the proposed development will be disqualified from determining a future planning application.

3.8 Officers may provide subsequent interim briefings to update the Committee as the pre-application process progresses, or following the submission of an application. A site visit may be arranged so that members can familiarise themselves with the site and surroundings before receiving the pre-application presentation.

4. IMPLEMENTATION AND MONITORING

4.1 The protocol will be introduced under the current provisions of the committee terms of reference which allow the Corporate Director to report any other matters to the Committee that she or he considers appropriate. A future review of the Council's constitution will allow for a formal incorporation of the protocol into the terms of reference.

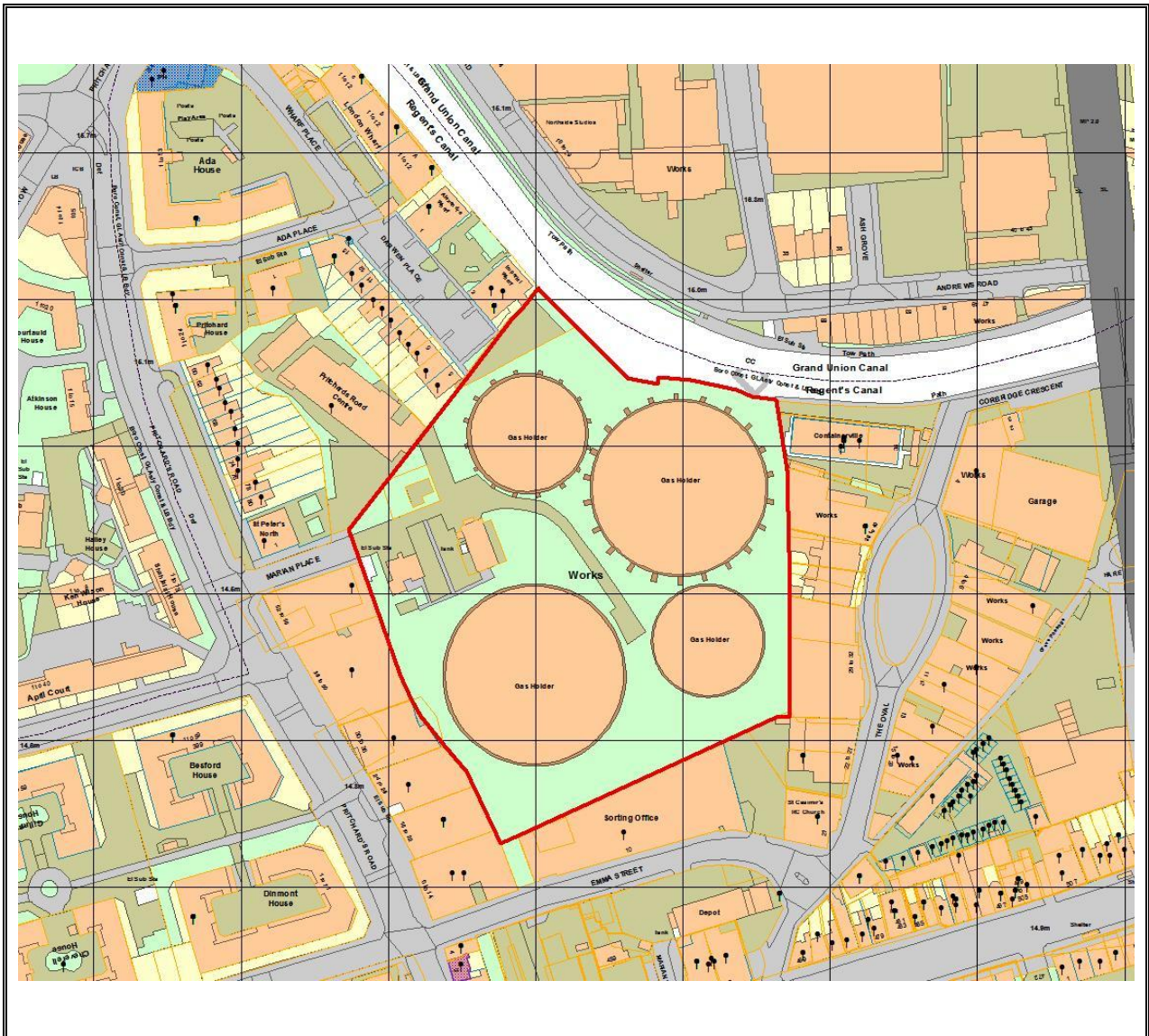
4.2 The operation of the protocol will be monitored in terms ensuring it is operating effectively for members, developer and officers. The effect of the protocol on planning outcomes, including greater certainty in decision making and reduction in the number of overturned recommendations and appeals will be monitored over time.



Application for Planning Permission

Reference	PF/19/00061
Site	Bethnal Green Holder Station, Marian Place, London
Ward	St. Peters
Proposal	Demolition of existing buildings and decontamination/remediation of the site to facilitate redevelopment to include the retention and refurbishment of two gasholder frames and a mixed-use development comprising 5 buildings ranging between 6-13 storeys (up to 63m AOD) to contain 565 residential dwellings and up to 4,000sqm (GIA) non-residential floorspace in flexible A1-A4, B1 and D Use Classes (max. provision of up to 175sqm A1/A2, up to 1,200sqm A3/A4, up to 2,500sqm of B1(a) and up to 600sqm of D1/D2 use class floorspace), together with access, car and cycle parking, associated landscaping and public realm, public open space and works to the existing canal wall, Pressure Reduction Station and existing gasholders.
Applicant	St. William Homes
Architect/agent	Rogers Stirk Harbour + Partners/Lichfields
Case Officer	Adam Garcia
Key dates	Pre-application request submitted 22 August 2018 Programme of meetings began 1 November 2018 Planning application likely to be submitted by December 2019

SITE PLAN



Crown copyright and database rights 2018 Ordnance Survey, London Borough of Tower Hamlets 100019288

- Planning Application Site Boundary
- Other Planning Applications
- Consultation Area
- ↑ Land Parcel Address Point
- Locally Listed Buildings
- Statutory Listed Buildings

Planning Applications Site Map PF/19/00061

This site map displays the Planning Application Site Boundary and the extent of the area within which neighbouring occupiers / owners were consulted as part of the Planning Application Process



Scale : 50m grid squares

Date: 12 November 2019

1. BACKGROUND

- 1.1 The National Planning Policy Framework and the National Planning Practice Guidance promote early engagement between developers and Local Planning Authorities at the pre-application stage, prior to submitting a planning application. The Council welcomes pre-application discussions and has a well-established process to facilitate this. In March 2019 the Council's Development and Strategic Development Committees considered a draft protocol for pre-application presentations. The protocol is now incorporated in the Committee Terms of Reference. The Council's updated Statement of Community Involvement also highlights the importance of pre-application engagement and the role of elected members and local communities in this stage of the planning process.
- 1.2 This report updates the Strategic Development Committee on progress made and issues identified in respect of pre-application discussions for the proposed redevelopment of the Marian Place former gas holder site.

2. DESCRIPTION OF THE PROPOSAL

- 2.1 The proposal involves the demolition of existing buildings and subsequent decontamination and remediation works to release the site for redevelopment.
- 2.2 Both the existing gasholder frames (No's. 2 and 5) are to be refurbished and retained with two buildings constructed within them. The new building within the larger gasholder frame (No. 5) will comprise a split volume. The new building within the smaller gasholder frame (No. 2) will comprise a solid volume.
- 2.3 3 new buildings are proposed to the south of the site. All buildings are proposed as cylindrical volumes to reflect the former use of the site.
- 2.4 An expansive publicly accessible open space is proposed at the centre of the site with further public realm along the canal at the edges of the site.
- 2.5 The development will be residential-led with 565 new residential dwellings. At ground and lower ground floor levels up to 4,000sqm (GIA) of non-residential floorspace in flexible A1-A4, B1 and D Use Classes (max. provision of up to 175sqm A1/A2, up to 1,200sqm A3/A4, up to 2,500sqm of B1(a) and up to 600sqm of D1/D2 use class floorspace) is proposed.
- 2.6 Marian Place will form the main entrance to the site with new access provided from Emma Street and the canal from Corbridge Crescent.
- 2.7 Car and cycle parking is proposed at basement level under new buildings C and D.

3. SITE AND SURROUNDINGS

- 3.1 The pre-application site is located at the northern edge of the Borough, adjacent to the boundary with the London Borough of Hackney. The site measures 1.82 hectares in area and was previously used for the storage of gas operated by National Grid
- 3.2 The site is located immediately to the south of the Regent's Canal and is some 100 metres to the west of the Network Rail / London Overground railway viaduct. The height and scale of surrounding buildings typically ranges between two and five storeys in height. The buildings that bound the immediate vicinity of the site to the south, west and east are predominantly in light industrial and commercial use, whilst nearby buildings fronting onto Cambridge Heath Road and Hackney Road typically includes retail units at ground level with

residential on the upper floors. The north west edge of the site is bound by some low rise residential dwellings as well as the Council operated Pritchard's Day Centre, a little further to the west of the site social housing blocks predominate the area.

- 3.3 The site is in close proximity to 1-3 Corbridge Crescent and 1-4 The Oval, London, E2 9DS, where planning permission was granted on appeal in April 2018 for two schemes. One including 51 residential units and another with 57 residential units both with associated ground floor commercial and community floorspace. These are the first consents for a substantial residential scheme within the Health and Safety Executive's Inner Zone and as such are subject to a Grampian condition which prevents occupation until such time as the Hazardous Substance Consent (HSC) is revoked.
- 3.4 The surrounding public highway is constrained in terms of the limited width of the carriageway and footway on Marian Place (the primary entrance to the site) and also the layout of The Oval. There is also an entrance to the site from Emma Street which is even more constrained in width. The highway network within the site allocation is generally constrained. Corbridge Crescent is closed to vehicular traffic at its north-eastern end, resulting in a 'dead end' street, with vehicles entering Corbridge Crescent having to turn around and exit southwards via The Oval. As such, there is no direct vehicular access from Corbridge Crescent to Cambridge Heath Road
- 3.5 The Oval is a protected London Square which is a narrow ellipse in plan form. The Council have undertaken public realm improvements to The Oval in recent years and created an outdoor event space.
- 3.6 The site lies to the north of the Cambridge Heath Neighbourhood Centre, the boundary of which includes a number of small scale retail units on both Hackney Road and Cambridge Heath Road and is centred around the intersection of these roads, together with the adjacent Cambridge Heath London Overground / National Rail Station
- 3.7 The site is subject to a Hazardous Substances Consent (HSC) deemed to have been given by the Council on 1992 and continued by two further consents granted on 22 January 2001 (application ref: PA/00/01825) and 26 June 2002 (application ref: PA/02/00453) for the storage of natural gas. It is understood that the site has been decommissioned from use since May 2012 by the operator. On account of the HSC the site is subject to the inner zone of the Health and Safety Executive's Consultation Zone
- 3.8 The site is within the **Marian Place Gas Works and The Oval site allocation** which, within the Tower Hamlets Local Plan 2031 – 'Managing growth and sharing the benefits', designates the former gas works, the Oval and their surroundings for a comprehensive mixed use development to provide a strategic housing development, a strategic open space, and employment floorspace suitable for the needs of small-medium enterprises, start-ups and creative and tech industries.
- 3.9 The site forms part of the City Fringe/Tech City Opportunity Area Framework adopted by the Mayor of London on 31 December 2015. The OAPF identifies the site as part of the Outer Core Growth Area where a significant amount of employment floorspace is expected as part of mixed use schemes.
- 3.10 A request for an Environmental Impact Assessment (EIA) Scoping Opinion was received by the Council on 24 May 2019. It was determined by the Applicant that the Proposed Development is likely to generate significant effects and therefore constitutes 'EIA Development'.

- 3.11 The Scoping Opinion was issued by LBTH on 11th July 2019. An Environmental Statement (ES) must be submitted as part of the planning application for the proposed development in line with the requirements of The Town and Country Planning (Environmental Impact Assessment) Regulations 2017 (as amended). The ES must be based on the Scoping Opinion in so far as the Proposed Development remains materially the same as the Proposed Development as described in the Scoping Report.

4. RELEVANT PLANNING HISTORY

Application site

- 4.1 PA/18/01067: *Application for revocation of hazardous substance consent*. The Council submitted the Revocation Order to the Secretary of State for Housing, Communities and Local Government on 06 November 2019. Pending confirmation.

5. PUBLICITY AND ENGAGEMENT

- 5.1 The applicant has undertaken their own public consultation events which have included the following:
- 5.2 Street pop-up events held on:
- Wednesday 6 March | 11:00 – 15:00
 - Friday 8 March | 12:00 – 16:00
 - Saturday 9 March | 11:00 – 15:00
- 5.3 Guided walk and talks around the Marian Place neighbourhood held on:
- Monday 1 April | 11:00 – 13:00
 - Monday 1 April | 17:00 – 18:30
 - Saturday 6 April | 14:00 – 15:30
- 5.4 Public exhibition held at the Redeemed Christian Church of God Place of Victory Church held on:
- Saturday 11 May 2019 | 11:00am – 4:00pm
 - Monday 13 May 2019 | 3:00pm – 7:00pm
 - Tuesday 14 May 2019 | 11:00am – 3:00pm
- 5.5 A website has also been set up where members of the public are able to submit comments on the proposals.

6. RELEVANT PLANNING POLICIES AND DOCUMENTS

6.1 The Development Plan comprises:

- The London Plan 2016 (LP)
- Tower Hamlets Core Strategy 2010 (SP)
- Tower Hamlets Managing Development Document 2013 (DM)

6.2 The Emerging Development Plan comprises:

- The Draft London Plan (DLP)
- Managing Growth and Sharing the Benefits - Tower Hamlets Local Plan 2031

6.3 The Planning Inspectorate confirmed on 20 September 2019 that the Draft Local Plan '**Tower Hamlets 2031: Managing Growth and Sharing the Benefits**' is sound. The policies contained therein now carry very substantial weight, pending formal adoption of the document by the Council, anticipated in January 2020.

6.4 If a planning application is submitted it is likely that this will be determined in the context of the policies in the draft Local Plan.

6.5 The weight carried by the emerging policies within the **Draft New London Plan** is currently generally moderate as the document has been subject to examination in public and main modifications were published on 15 July 2019. Policies which have not been subject to substantial objections are considered to have substantial weight.

6.6 Other policy and guidance documents relevant to the proposal are:

- The National Planning Policy Framework (2019)
- National Planning Practice Guidance (updated 2019)
- BRE - Site Layout Planning for Daylight and Sunlight (2011)
- Regent's Canal Conservation Area Character Appraisal and Management Guidelines (2009)
- City Fringe Opportunity Area Planning Framework (2015)
- London Housing SPG (updated 2017)
- London Housing Affordable Housing and Viability SPG (2017)
- LBTH Planning Obligations SPD (2016)

7. PLANNING ISSUES

7.1 The following key planning issues have been identified at the pre-application stage.

Land Use

7.2 The Marian Place Gas Works and The Oval site allocation requires housing and employment floor space to be provided as part of any prospective development. The site is the largest site within the allocation. Other land ownerships are also included. The developer is proposing 565 new homes and 4000sqm (GIA) of non-residential floorspace including 2500sqm of B1 floorspace. The design of the proposed development will need to demonstrate that the future potential development of other land parcels within the site allocation is not compromised.

- 7.3 The draft Local Plan policies for affordable work space will apply to the proposed development.

Housing

- 7.4 Local Plan policies require at least 35% affordable housing to be provided in broad alignment with the Council's prescribed housing mix as set out in the Emerging Local Plan. The London Plan requires the maximum reasonable amount, subject to viability, to be provided. The developer has indicated that 35% affordable housing would be provided on site in line with the Council's 70:30 tenure split in favour of affordable rented tenure. Further details of the housing mix are currently the subject of further discussion with the applicant. These discussions focus on the applicant seeking to provide a greater number of larger sized affordable housing units within the affordable rented tenure as compared against Local Plan policy targets whilst simultaneously exploring the provision of more smaller sized homes in the market and intermediate tenure and less family sized units than policy targets in these market and intermediate tenures.

Design & Heritage

- 7.5 Planning policy requires high-quality designed schemes that reflect local context and character and provide attractive, safe and accessible places that safeguard and where possible enhance the setting of heritage assets. An essential design principle, as set out within the **site allocation**, is to retain, re-use and enhance existing heritage assets, including gasholders no. 2 and no.5. The developer is proposing to retain both gasholder frames and construct radial buildings within them whilst proposing 3 new buildings to the south of the site. The layout shows an expansive publicly accessible open space at the centre of the site with further public realm along the canal at the edges of the site.

Neighbouring Amenity

- 7.6 Planning policy seeks to protect and where possible improve the amenity of surrounding neighbouring properties and provide a good standard of amenity for all future occupants of development proposals. The application will be accompanied by necessary technical documents, such as daylight and sunlight assessments and noise reports which will be reviewed by the Council's relevant specialist teams.

Transport and Servicing

- 7.7 Planning policies promote sustainable modes of travel and limit car parking to essential user needs. They also seek to secure safe and appropriate servicing. The application proposes cycle parking across the site to serve the new buildings which will be located within buildings C and D. A substantial level of on-site parking is proposed, blue badge and non-blue badge car parking spaces are also proposed. Servicing arrangements are being worked through and are expected to be sent to the Council's Highways Team for consideration prior to an application being submitted.

Environment

- 7.8 Planning policies seek to secure a range of sustainable development outcomes including net biodiversity gains whilst not impacting on existing protected species; the implementation of efficient energy systems which seek to minimise carbon emissions and to secure effective strategies for addressing matters relating to contaminated land and sustainable urban drainage.

- 7.9 The developer has sought initial advice from the Council's Biodiversity and Energy Efficiency colleagues and will be providing necessary technical information pertaining to the above matters, within the Environmental Statement.

Infrastructure Impact

- 7.10 The proposed development will be liable to the Council's and the Mayor of London Community Infrastructure Levies (CIL) and planning obligations to be secured under Section 106 of the T&CP Act 1990,

8. RECOMMENDATION

- 8.1 The Committee notes the contents of the report and pre-application presentation.
- 8.2 The Committee identifies any other planning and design issues or material considerations that the developer should take into account at the pre-application stage, prior to submitting a planning application.

9. APPENDIX – IMAGES



