

STRATEGIC DEVELOPMENT COMMITTEE

HELD AT 7.00 P.M. ON THURSDAY, 10 DECEMBER 2015

DECISIONS ON PLANNING APPLICATIONS

1. DECLARATIONS OF DISCLOSABLE PECUNIARY INTERESTS

Councillor Marc Francis declared an interest in agenda item 6.1 Bishopsgate Goods Yard, Braithwaite Street, E1 as he was the Cabinet Member for Housing when the Interim Planning Guidance for the Bishopsgate Goods Yard was issued.

2. RECOMMENDATIONS

The Committee **RESOLVED** that:

- 1) In the event of changes being made to recommendations by the Committee, the task of formalising the wording of those changes is delegated to the Corporate Director, Development and Renewal along the broad lines indicated at the meeting; and
- 2) In the event of any changes being needed to the wording of the Committee's decision (such as to delete, vary or add conditions/informatives/planning obligations or reasons for approval/refusal) prior to the decision being issued, the Corporate Director, Development and Renewal is delegated authority to do so, provided always that the Corporate Director does not exceed the substantive nature of the Committee's decision

3. PROCEDURE FOR HEARING OBJECTIONS AND MEETING GUIDANCE

The Committee noted the procedure for hearing objections and meeting guidance.

4. DEFERRED ITEMS

None.

5. PLANNING APPLICATIONS FOR DECISION

None.

6. OTHER PLANNING MATTERS

None.

6.1 Bishopsgate Goods Yard, Braithwaite Street, E1

Update report tabled.

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

Application for Planning Permission (PA/14/02011)

That the Committee resolves to inform the Mayor of London that were it empowered to determine the application for planning permission at Bishopsgate Goods Yard, Braithwaite Street, E1, the Council would have **REFUSED** permission for the following reasons:

Heritage and townscape

1. Both the detailed and the outline elements of the proposals indicate a design proposing excessively tall buildings that would cause substantial and less than substantial harm to the surrounding context comprising significant and extensive designated heritage assets, particularly the setting of five surrounding conservation areas and many buildings included within the Statutory List of Buildings of Architectural or Historic Interest including the Tower of London World Heritage Site. As a result of these failings, the proposed development would not successfully integrate into the existing townscape. There would be a failure to create a human scale of development at street level with an oppressive form of development that would loom uncomfortably over the public realm. Whilst the development of this site has the potential to generate substantial public benefits, the constraints of developing Bishopsgate Goods Yard do not justify building towers to a height that would cause such harm to designated heritage assets and the public benefits of the development would not outweigh the harm.

The proposed development would conflict with Sections 66 and 72 of the Planning (Listed Building and Conservation Areas) Act 1990 and be inconsistent with the NPPF, the Mayor's London Plan 2015 Policy 2.10 '*Central Activities Zone Strategic Priorities*,' Policy 3.4 – '*Optimising housing potential*,' Policy 7.4 '*Local Character*,' Policy 7.6 '*Architecture*,' Policy 7.7 '*Location and Design of Tall Buildings*,' Policy 7.8 '*Heritage Design and Archaeology*,' Policy 7.10 '*World Heritage Sites*,' Tower Hamlets Core Strategy 2010 Policy SP10 '*Creating distinct and durable places*' and Tower Hamlets Managing Development Document 2013 Policy DM24 '*Placesensitive design*,' Policy DM26 '*Building Heights*' and Policy DM27 '*Heritage and the Historic Environment*' together with Design Principles BG10, BG11 and BG14 of the Bishopsgate Goods Yard Interim Planning Guidance 2010.

Affordable housing

2. Bishopsgate Goods Yard is a crucial element within Tower Hamlets supply of land for both market and affordable housing. The affordable housing offer within the proposed development would fail to meet the minimum requirement of the Tower Hamlets Local Plan, is also not

financially justified and would fail to provide an adequate amount of affordable housing to meet targets. The development is consequently not consistent with the NPPF, the Mayor's London Plan Policy 3.8 '*Housing choice*,' Policy 3.11 '*Affordable housing targets*,' Policy 3.12 '*Negotiating Affordable Housing on Individual Private Residential and Mixed Use Sites*,' Tower Hamlets Core Strategy Policy SP02 '*Urban living for everyone*' or Design Principle BG21 in the Bishopsgate Goods Yard Interim Planning Guidance 2010.

Housing mix and choice

3. The proposed dwelling mix within both the market and affordable housing sectors would fail to provide a satisfactory range of housing choices in terms of the mix of housing sizes and types. There would be a failure to provide a mixed and balanced community, particularly insufficient affordable family housing, caused by an unacceptable overemphasis towards one bed 2-person units. The development consequently is inconsistent with the Mayor's London Plan Policy 3.8 '*Housing Choice*,' Policy 3.9 '*Mixed and balanced communities*,' Tower Hamlets Core Strategy Policy SP02 '*Urban living for everyone*' and Managing Development Document Policy DM3 '*Delivering Homes*.'

Residential amenity

4. The development would result in unacceptable impacts on the amount of daylight and sunlight that would be received by many surrounding properties, with a commensurate increased sense of enclosure, breaching guidance in the Building Research Establishment handbook '*Site Layout Planning for Daylight and Sunlight*' 2011. The extent and severity of the impacts are such that the development would not be consistent with the Mayor's London Plan Policy 7.6 '*Architecture*,' Tower Hamlets Core Strategy Policy SP10 '*Creating Distinct and durable places*' and the Managing Development Document Policy DM25 '*Amenity*'. There would also be conflict with Development Principle BG14 in the Bishopsgate Goods Yard Interim Planning Guidance 2010 that requires the location of tall buildings not to create unacceptable impacts on the amenity of existing and future residents in terms of access to daylight and sunlight.

Site design principles

5. The development would not comply with Site Allocation 1 '*Bishopsgate Goods Yard*' and Policy DM23 '*Streets and the public realm*' in the Tower Hamlets Managing Development Document; nor Development Principle BG3 in the Bishopsgate Goods Yard Interim Planning Guidance 2010 and the Strategic Design Principles of the Mayor's Draft City Fringe Opportunity Area Planning Framework. This is due to the failure to provide a secondary east-west pedestrian link north of the grade II listed Braithwaite Viaduct between Braithwaite Street and Brick Lane resulting in a missed opportunity to increase permeability and better reveal the designated heritage asset as advised by the NPPF

paragraph 137 and required by Policy DM27 (2) '*Heritage and the historic environment*' of the Managing Development Document. There would also be a failure to provide a north-south route between Plots A and B and no southern onward north-south connection from either Cygnet Lane or Farthing Lane.

Housing standards

6. Many proposed 2-person residential 'suites' within the detailed elements of the application would fail to meet the Mayor's minimum size standards set out at Table 3.3 of the Mayor's London Plan and 'Housing' Supplementary Planning Guidance 2012. This would conflict with London Plan 2015 Policy 3.5 'Quality and design of housing developments' and Tower Hamlets Managing Development Document Policy DM4 'Housing Standards and Amenity Space' that has adopted the Mayor's standards. There would also be a failure to meet the minimum standard set by the Government's 'Technical housing standards – nationally described space standard' March 2015.
7. The submitted Environmental Assessment fails to demonstrate that the proposed development would be air quality neutral. There would be significant adverse impacts on air quality that would not be mitigated. This includes increasing air pollution levels at existing residential receptors and significant impacts associated with the energy centres. This is inconsistent with the air quality objectives of the Tower Hamlets Air Quality Action Plan, the Mayor's London Plan Policy 7.14 '*Improving air quality*' and Tower Hamlets Core Strategy Policy SP03 '*Creating healthy and liveable neighbourhoods.*'

Planning obligations - Heads of Agreement

8. The Council requests that the Mayor of London does not grant planning permission for the reasons given above. Should the Mayor decide to grant planning permission, it is recommended without prejudice that this should be subject to the prior completion of a legal agreement with the developer to secure the planning obligations, indicative conditions and informatives set out in the Committee report and the update report.

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

Application for Listed Building Consent (PA/14/02096)

9. That the Committee resolves to inform the Mayor that the Council raises no objection and is satisfied for the Mayor to determine Listed Building Consent at Bishopsgate Goods Yard, Braithwaite Street, E1 application Ref. PA/14/2096 as he sees fit.
10. That should the Mayor decide to grant listed building consent it is recommended that this be subject to the set of indicative conditions and informatives in the Committee report.

WILL TUCKLEY, CHIEF EXECUTIVE

(Please note that the wording in this document may not reflect the final wording used in the minutes.)