

**LONDON BOROUGH OF TOWER HAMLETS**

**MINUTES OF THE STRATEGIC DEVELOPMENT COMMITTEE**

**HELD AT 7.05 P.M. ON TUESDAY, 25 APRIL 2017**

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

**Members Present:**

Councillor Marc Francis (Chair)  
Councillor Danny Hassell (Vice-Chair)  
Councillor Asma Begum  
Councillor Helal Uddin  
Councillor Md. Maium Miah  
Councillor Gulam Robbani  
Councillor Shafi Ahmed  
Councillor Andrew Wood (Substitute for Councillor Julia Dockerill)

**Other Councillors Present:**

Councillor David Edgar

**Apologies:**

Councillor Julia Dockerill

**Officers Present:**

Paul Buckenham	(Development Control Manager, Planning Services, Place)
Nasser Farooq	(Team Leader, Planning Services, Place)
Kate Harrison	(Planning Officer, Place)
Piotr Lanoszka	(Principal, Planning Officer, Place)
Brett McAllister	(Planning Officer, Place)
Marcus Woody	(Legal Advisor, Legal Services, Governance)
Alison Thomas	(Head of Housing Strategy, Partnerships and Affordable Housing, Place)
Zoe Folley	(Committee Officer, Governance)

Councillor Danny Hassell (Vice-Chair) Chair

The Chair of the meeting adjourned the meeting for 10 minutes at 7:00pm to allow Committee Members to arrive. The meeting was reconvened at 7:10pm

**1. DECLARATIONS OF DISCLOSABLE PECUNIARY INTERESTS**

No declarations of interests were made.

**2. MINUTES OF THE PREVIOUS MEETING(S)**

The Committee **RESOLVED**:

That the minutes of the meeting of the Committee held on 23 March 2017 be agreed as a correct record and signed by the Chair subject to:

Minute item 5.2 10 Bank Street, London, E14 (Eastern part of the site known as Heron Quays West) (PA/16/02956)

Page 5, Paragraph 3.

Final sentence to be amended to read:

The financial agreement between the two parties.

**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

##### 4.1 10 Bank Street, London, E14 (Eastern part of the site known as Heron Quays West) (PA/16/02956)

Councillor Marc Francis Chair

Update report tabled.

Paul Buckenham (Development Control Manager) introduced the application for the construction of a building of 166m AOD comprising office and retail space along with a decked promenade to the West India Dock South, access and highways works, landscaping and other associated works.

It was noted that the application was previously considered by the Committee on 23 March 2017. The Committee voted to defer the determination of the application and requested further information about the proposal's impact on water space and about the applicant's proposed "Water Space Strategy".

No changes had been made to the application. However the applicant had provided further information regarding the applicant's commitment to design the public realm along the line of the water space strategy and the need for the larger and more functioning floor plates.

Piotr Lanoszka (Planning Services) presented the report. The Committee were reminded of the key features of the application, including details of the proposed additional decking, the associated public benefits and the impact on the water space. The promenade would facilitate the provision of the office floor space with the larger floor plates and the provision of high quality public realm. Whilst the additional decking would result in a loss of water space, on balance, Officers considered this acceptable given the merits of the proposals and that it would not cause any undue harm. The applicant had submitted a draft version of their water space strategy. Should the permission be granted, there would be a landscaping condition to maximise the benefits to the dock edge. This condition could be worded to enable the applicant to bring forward measures in their water space strategy. Officers remained of the view that the application should be granted planning permission.

In response to questions about the planning status of the water space strategy, it was confirmed that it had no formal planning status and there had been no consultation on it. However, it may influence the Council's own water space strategy in time and would influence the public realm improvements.

Overall, Members welcomed the reassurances and expressed support for the application.

On a vote of 6 in favour and 1 against the Committee **RESOLVED:**

1. That planning permission be **GRANTED** at 10 Bank Street, London, E14 (Eastern part of the site known as Heron Quays West) for the construction of a building of 166m AOD comprising 124,734sqm (GIA) of office (Use Class B1) and 293sqm (GIA) of retail (Use Class A1-A5) along with a decked promenade to the West India Dock South, access and highways works, landscaping and other associated works(PA/16/02956)

Subject to:

2. Any direction by the London Mayor.
3. The prior completion of a legal agreement to secure the planning obligations in the Committee report:
4. That the Corporate Director, Place is delegated power to negotiate the legal agreement indicated above acting within delegated authority. If within three months of the resolution the legal agreement has not been completed, the Corporate Director, Place is delegated power to refuse planning permission.
5. That the Corporate Director, Place is delegated power to impose conditions and informatives on the planning permission to secure the matters set out in the Committee report
6. Any other conditions or informatives as considered necessary by the Corporate Director, Place.

## **5. PLANNING APPLICATIONS FOR DECISION**

### **5.1 562 Mile End Road & 1a, 1b, 1c Burdett Road (PA/16/00943)**

Update report tabled.

Paul Buckenham (Development Control Manager) introduced the application for the for the demolition of existing buildings and construction of a mixed use development comprising part 3-storey, part 8-storey and part 12-storey building, landscaping, public realm improvements, access and servicing and other associated infrastructure.

It was noted that a similar application was considered at the February 2017 meeting of the Committee. Members expressed concerns about that application and were minded to refuse the application. The applicant had made a series of amendments to the application and due to the scale of the changes, it was considered appropriate to submit the application as a fresh application in accordance with the Development Committee procedure rules.

The Chair invited registered speakers to address the meeting.

Nigel Whitfield, Ms McGinley and Councillor David Edgar (Ward Councillor) addressed the Committee in objection to the proposals. They noted the changes to the application but felt they had done little to address their previous concerns. It was considered that the density of the application still exceeded the London plan guidance and that the loss of the night club conflicted with policy. The occupants did not want to sell the club. It must be relocated. Furthermore, the findings of the air quality assessment showed that the pollution levels at the lower floors would exceed permitted levels.

The speakers also expressed concern about the adequacy of the parking arrangements particularly the lack of accessible and visitors car parking. They also expressed concern about overshadowing to neighbouring properties. This that had not been properly assessed. They also objected to the lack of affordable housing, poor design, inappropriate height for the area and the impact of the scheme on the setting of the Conservation Area. The building would set an unwanted precedent. In response to questions, they clarified their concerns about the above issues and also expressed concern about the lack of consultation by the developer.

Richard Evans (Applicant's agent) addressed the committee explaining the revisions to the application to address the concerns in relation to the reduction in height, density, bulk and massing and the number of residential units. The changes meant that the plans would have a better relationship with the surrounding area and had greatly reduced its impact on the setting of the Conservation Area.

He considered that the provision of a residential development near a transport hub complied with policy. There would be a policy compliant level of affordable housing and no adverse amenity issues and adequate separation distances. The applicant had expressed a commitment to helping the night club relocate and there would be measures to mitigate the air quality issues. TfL were satisfied with the servicing arrangements subject to the submission of a servicing and deliveries plan.

In response to questions from the Committee, he confirmed that the developer had carried out no further consultation since the last meeting. The outcome of the Council's consultation was set out in the report. He explained that steps would be taken with London Underground Infrastructure Protection to ensure they were satisfied with the plans and that they were not adversely affect any assets. The work would not go ahead until they were. In response to further questions, he provided further reassurances about their plans to help relocate the club through the relocation strategy. He outlined the key features of these plans. He also provided assurances about the quality of the terrace play area for the affordable units in terms of air quality. Due to the site constraints, there were no opportunities to provide the play space at ground floor. He also responded to questions about the revised play space proposal.

Brett McAllister (Planning Services) presented the report explaining the site location and the amendments to the scheme since last presented to the

Committee to minimise any impact. Consultation had been carried out and the issues raised were noted. It was considered that the plans would reactivate a brownfield site and deliver a substantial number of new homes. The loss of the night club was considered acceptable given the merits of the scheme, the site constraints, the potential conflict with the proposed residential use and the applicant's relocation strategy. The height, bulk and massing of the revised scheme could be considered acceptable for the site. The plans would provide 35% affordable housing, with adequate levels of terrace play space and amenity space. The impact on neighbouring amenity was also deemed acceptable. Images of the relationship with neighbouring buildings were noted. There were measures to mitigate the air quality issues. The Committee were also advised of the parking and servicing plans. Officers were recommending that the application was granted permission.

In response to the presentation, the Committee asked questions about the number of objections and it was noted that further objections had been received since the publication of the agenda as set out in the update report.

The Committee also asked about the findings of the air quality testing and it was noted that the applicant had recently confirmed that the plans would meet the relevant targets due to the mitigation measures. To address the issues, it was proposed that the facades at the lower level be fitted with mechanical ventilation where the emissions rates exceeded the permitted levels.

The Committee asked about the changes to the application in respect of the contributions for play space. It was noted that the amended scheme now fully met the play space requirements both in terms of the quantum for the affordable and private units. So there was no longer any justification for requiring such contributions.

The Committee also questioned the impact of the application on the Conservation Area. Officers advised that they have carefully considered the issue. It was considered that any harm caused by the development to grade 11 listed buildings would be less than substantial. Furthermore, when weighed against the merits of the scheme, it was considered that the merits of the proposals would outweigh any impact in this regard.

Members also asked questions about the impact of the proposal on developments nearest the site that had a 5.4 m separation distance. Officers advised that due to the orientation of the buildings, they would have oblique views of the proposal. So the proposal would have a minimal impact.

Members also sought assurances about the measures to relocate the night club and how the strategy would be monitored. It was noted that the s106 agreement would include measures to ensure this, including a requirement for regular update reports. In response to further questions, it was noted that there was no policy protection for the existing business in contrast with the night club. However, Officers saw no reason, on planning grounds, why such businesses could not occupy the new commercial units.

Members also asked questions about the servicing plans. It was confirmed that the highway experts were satisfied with the plans given that the number of properties that would rely on the servicing bay would be relatively low and the proximity of the site to another servicing bay.

The Committee asked questions about the affordable housing rents levels and the CIL contributions and governance process.

Members expressed concerns about the loss of the nightclub and the failure to address this, the air quality issues, the servicing and parking arrangements and the lack of progress with the agreement with LUL. Concern was also expressed about the height and the density of the application, the separation distances, the lack of amenity space and contributions for off site play space. Due to these issues, Members felt that the proposals would result in the overdevelopment of the site.

On a vote of 1 in favour of the Officer recommendation to grant planning permission, 6 against and 1 abstention, the Committee did not agree the Officer recommendation to grant planning permission.

Accordingly, Councillor Marc Francis proposed a motion that the planning permission be not accepted (for the reasons set out below) and on a vote of 6 in favour and 0 against and 2 abstentions the Committee **RESOLVED:**

That the Officer recommendation to grant planning permission be **NOT ACCEPTED** at 562 Mile End Road & 1a, 1b, 1c Burdett Road for the demolition of existing buildings and construction of a mixed use development comprising part 3-storey, part 8-storey and part 12-storey building, 46 residential units, 779sqm (GIA) commercial floorspace (A1, A2 & B1), landscaping, public realm improvements, access and servicing (including 1 disabled car parking space; 99 cycle parking spaces; and associated highway works) and other associated infrastructure. (PA/16/00943)

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

1. Height, bulk and massing and impact on townscape
2. Density and overdevelopment of the site
3. The servicing provision
4. Loss of the community facility
5. Design of the proposal
6. Air Quality issues

In accordance with Development Procedural Rules, the application was **DEFERRED** to enable Officers to prepare a supplementary report to a future meeting of the Committee setting out proposed detailed reasons for refusal and the implications of the decision

## 5.2 42-44 Thomas Road, London, E14 7BJ (PA/16/01041)

Update report tabled.

Paul Buckenham introduced the application for the demolition of existing buildings and redevelopment of the site to provide new buildings ranging from five to nine storeys comprising 184 residential units and 140sqm of flexible commercial space together with associated car parking, landscaping and infrastructure works

Kate Harrison (Planning Services) presented the report, explaining the key features of the site location and surrounds that had good transport links. Consultation had been carried out and the results of this were noted. It was reported that the demolition of the existing buildings on the site (of no heritage value), to provide a significant number of residential units was supported. The scheme had been significantly amended since its submission in April 2016 with regard to the building height the introduction of sets backs in the design amongst other issues. The changes had minimized the amenity impacts. The revised scheme would also relate better to the water space and included a courtyard and a public access routes to the canal which was welcomed. The plans would deliver a generous amount of good quality housing. 35% of which would be affordable housing. There would also be a generous level child play space and communal space. It was considered that the density of the proposal could be supported given the quality of the proposal and that it would cause no material harm to amenity. The scheme also complied with the various transport policies. Officers were recommending that the application was granted planning permission.

Members asked about the measures to prevent anti social behaviour on the site given experience at similar developments elsewhere near the waters edge. In response, the committee were reassured that the scheme would be secure by design and the scheme should increase natural surveillance. Furthermore the wider plans for the area should also increase activity and surveillance.

The Committee also asked questions about the impact on neighbouring amenity particularly the properties at Burdett Wharf. It was confirmed that the development opposite the application site on Burdett Wharf had a similar design and massing. Whilst these properties would experience some loss of light, (due in part to the design of the properties), it was considered that the impact on these properties would generally be acceptable, as shown in the consultant's report.

On a vote of 6 in favour and 1 against the Committee **RESOLVED:**

1. That planning permission be **GRANTED** at 42-44 Thomas Road, London, E14 7BJ for the demolition of existing buildings and redevelopment of the site to provide new buildings ranging from five to nine storeys comprising 184 residential units (Use Class C3) and 140sqm of flexible commercial space (Use Class A1, A2, A3 or D1),



together with associated car parking, landscaping and infrastructure works (PA/16/01041).

Subject to:

2. Any direction by the London Mayor.
3. The prior completion of a legal agreement to secure the planning obligations in the Committee report
4. That the Corporate Director, Place is delegated power to negotiate the legal agreement indicated above acting within delegated authority. If within three months of the resolution the legal agreement has not been completed, the Corporate Director, Place is delegated power to refuse planning permission.
5. That the Corporate Director, Place is delegated power to impose conditions and informatives on the planning permission to secure the matters set out in the Committee report.
6. Any other conditions or informatives as considered necessary by the Corporate Director, Place.

The meeting ended at 9.30 p.m.

Chair, Councillor Marc Francis  
Strategic Development Committee