

LONDON BOROUGH OF TOWER HAMLETS

MINUTES OF THE STRATEGIC DEVELOPMENT COMMITTEE

HELD AT 7.00 P.M. ON WEDNESDAY, 28 JUNE 2017

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

Members Present:

Councillor Marc Francis (Chair)
Councillor Md. Maium Miah
Councillor Gulam Robbani (item 7.2)
Councillor Shafi Ahmed
Councillor Asma Begum
Councillor Peter Golds (Substitute for Councillor Julia Dockerill)

Other Councillors Present:

Councillor Andrew Wood

Apologies:

Councillor David Edgar
Councillor Sirajul Islam
Councillor Julia Dockerill

Officers Present:

Paul Buckenham	(Development Control Manager, Planning Services, Place)
Richard Humphreys	(Planning Officer, Place)
Brett McAllister	(Planning Officer, Place)
Fleur Francis	(Team Leader - Planning, Directorate Governance)
Nasser Farooq	(Team Leader, Planning Services, Place)
Zoe Folley	(Committee Officer, Governance)

1. ELECTION OF VICE-CHAIR FOR THE COMMITTEE FOR 2017/18.

It was proposed that this item be deferred for consideration at the next Committee meeting. On a vote of 3 in favour and 2 abstentions, this was agreed.

2. DECLARATIONS OF DISCLOSABLE PECUNIARY INTERESTS

Councillor Maium Miah declared an interest in agenda item 7.2 Land south east of Cuba Street and north east junction of Manilla Street and Tobago Street, E14 (PA/15/02528). This was on the basis that the application site was within the Councillor's ward and he had received representations from interested parties on the application.

3. MINUTES OF THE PREVIOUS MEETING(S)

The Committee **RESOLVED**

That the minutes of the meeting of the Committee held on 25th April 2017 be agreed as a correct record and signed by the Chair.

4. 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, 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) To note the procedure for hearing objections at meetings of the Development Committee and the meeting guidance.

5. STRATEGIC DEVELOPMENT COMMITTEE'S TERMS OF REFERENCE, QUORUM, MEMBERSHIP AND DATES OF FUTURE MEETINGS

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

That the Strategic Development Committee's Terms of Reference, Quorum, Membership and Dates of future meetings as set out in Appendices 1, 2 and 3 to the report be noted.

6. DEFERRED ITEMS

None.

7. PLANNING APPLICATIONS FOR DECISION

7.1 116-118 Chrisp Street, Poplar London, E14 6NL (PA/14/02928)

Update report tabled.

Paul Buckenham (Development Control Manager) introduced the application for the demolition of the Public House (Class A4) and Former Tyre and Exhaust Centre Building Class B1/B2) and the creation of a mixed-use development comprising Part 5, Part 10, Part 13 storey residential development, 53 Flats (Class C.3) with Ground Floor Commercial Unit (Flexible Permission - Classes A1/A2/A3/A4), and associated works.

Brett McAllister (Planning Services) presented the report. It was reported that the application had been presented to members on two separate occasions on 28th July 2016 and 20th October 2016. On both occasions, members were minded not to accept officer recommendations to grant planning permission for the redevelopment of the site. Concerns were raised about the height, bulk massing, density and daylight /sunlight impacts of the plans. The application had been amended to address these concerns.

The Committee were advised of the site context, that had good transport links and was characterised by high density residential developments. They also noted the revised layout, height, massing, housing mix and the improved relationship with the nearby buildings. Consultation on the proposals had been carried out and the results were noted.

It was considered that the redevelopment of the brownfield site for a residential led development would optimise the land use and comply with policy. Furthermore, the loss of the public house could be supported in view of the findings of the viability study and that the plans now included a drinking establishment.

The development would provide a suitable mix of housing types and tenures with a generous percentage of affordable units (34% of the residential units) and family sized units. The quality of the residential dwellings would be high. All of which would be served by private amenity space. The proposals could also be considered acceptable in terms of the height, scale, design and appearance. The density of the scheme would exceed the recommended London Plan density range for the site. However it was felt that the site could support this.

The development would have a significant adverse impact on the Equinox building opposite the development, in terms of daylight and sunlight. However this was to be expected given the existing low rise nature of the application site. It would also impact on the Parkview Apartments, albeit to a lesser extent than the previous applications. The rooms affected would continue to be

adequately lit. Overall, given the regenerative benefits of the application, the impact was considered to be acceptable.

Officers were recommending that the application was granted planning permission.

In response to questions, it was noted that the viability of the former public house had been tested. The research indicated that the public house was no longer viable and that there were a number of public houses in the area. The updated study, (prepared for the October application), had a reduced catchment area and would not have taken into account the most recent public house closure. It was also reported that there was nothing in the planning regime to specify that the A4 drinking establishment remained a particular type of public house.

In response to questions about the daylight/sunlight impacts, it was anticipated that the plans would have some impact on properties particularly the Parkview Apartments and the Equinox building due in part to the design of those particular buildings and the site characteristics. However, the results had been tested and overall the impacts were considered to be acceptable.

In relation to the cumulative impact on local parks, it was noted that the child place space met the requirements in policy and that it was expected that older children would naturally wish to visit the local parks. So the plans in this regard could be supported.

In response to questions about the affordable housing, it was noted that the affordable housing offer now complied with policy. The original viability report concluded that the plans could only achieve 29% affordable house. However, following discussions with Officers, the applicant decided to increase this to 34% and forgo some profit in the process.

In summary, the Committee welcomed the changed made to the plans

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

1. That planning permission for 116-118 Chrisp Street, Poplar London, E14 6NL be **GRANTED** for the demolition of the Public House (Class A4) and Former Tyre and Exhaust Centre Building Class B1/B2), and the Erection of a Mixed-Use Development Comprising Part 5, Part 10, Part 13 Storey residential development comprising 53 Flats (Class C.3) with Ground Floor Commercial Unit (Flexible Permission - Classes A1/A2/A3/A4), and Associated Cycle and Refuse Storage Facilities, Lay Out Amenity Areas and Electricity Sub-Station, Stop Up Existing Accesses, Form New Vehicular and Pedestrian Accesses onto Chrisp Street, and Create 3 Accessible Parking Spaces on Chrisp Street(PA/14/02928) subject to:

2. Any direction by the London Mayor
3. The prior completion of a legal agreement under Section 106 of the Town and Country Planning Act 1990 (as amended), to secure the planning Obligations set out in the Committee report.
4. That the Divisional Director of Place is delegated authority to negotiate and approve the legal agreement indicated above.
5. That the Divisional Director of Place is delegated authority to issue the planning permission and impose conditions and informatives to secure the matters set out in the Committee report

7.2 Land south east of Cuba Street and north east junction of Manilla Street and Tobago Street, E14.PA/15/02528

Update report tabled.

Paul Buckenham (Development Control Manager) introduced the application for the redevelopment of the site to provide a residential-led mixed use development comprising two buildings of up to 41-storeys and 26-storeys. The application sought the provision of 434 residential units, 38 m2 of flexible retail / community uses together with public open space and public realm improvements. The application was accompanied by an Environmental Impact Assessment and represents EIA development for the purposes of the EIA Regulations.

He drew attention to the update report, containing further information on the EIA assessment, additional representations and comments from the applicant.

The Chair invited registered speakers to address the Committee.

Councillor Andrew Wood spoke in opposition to the application. He welcomed the redevelopment of the site. However, given the site constraints and density, he felt that the development would be too big for such a small site. He explained that there were many developments in the area and plans for new developments. This proposal would result in the overdevelopment of the site. He also expressed concerns about the construction impact on the local area given existing problems with servicing in terms of access and parking stress.

Mark Gibney, Applicant's representative, spoke in support of the application. The developer had a good track record in delivering similar developments in the Borough and the plans would deliver a number of public benefits. The Greater London Authority were generally supportive of the plans. Since receiving their feedback, the applicant had increased the level of affordable housing. There was a meeting planned to take place with the GLA in the near future. This would provide an opportunity for the applicant, LBTH Officers and the GLA to consider and resolve the issues including the discrepancies in the

sunlight and daylight reports. In view of this, he requested that the application be deferred pending the meeting with the GLA.

Mr Gibney then responded to questions from Members and with the permission of the Chair, was assisted by a colleague. It was reported that the applicant had worked hard to resolve the issues and had raised concerns about how the sunlight and daylight impacts had been reported. The offer of 34% affordable housing had been on the table since April 2017. They stressed that it would be premature to consider the application tonight before the meeting with the GLA.

The applicant had met with a number of the Tenants and Residents Associations to seek feedback on the design of the building and discuss their requirements. They had also met with a local nursery to discuss the proposals.

Richard Humphreys (Planning Services) presented the report. The Committee were advised of the history of the application. The application had been with the Council since 2015, and a committee report was prepared for January this year, but withheld at the request of the applicant. A further report was then ready to be submitted to the Committee in April and deferred again at the applicant's request. The applicant was now requesting that it be deferred again. The Officers view was that it should be determined by the Committee tonight. This would allow for an informed dialogue with the GLA.

The Committee were advised of the key features of the application including the housing mix, public realm improvements, the proposed height and the layout of the development and the revisions made to the application since first submitted. The outcome of the consultation was also noted.

In terms of the land use, the plans were consistent with policy. It was noted that the plans sought to provide a policy compliant level of affordable housing. However, the density would significantly exceed the recommended London Plan guidance for the site. There were also concerns about the impact on adjoining properties in terms of natural light and privacy and the standard of amenity within the development. A number of the new units would fail to achieve policy requirements. The impacts were considered serious and to significantly outweigh the potential public benefits of the development. The plans would also be out of context with the area.

Furthermore, whilst the standards for housing space would mostly be met, there would be an over provision of two bed units and an under provision of family sized accommodation in the market sector. In the intermediate sector, there would be an overemphasis on smaller units and a complete absence of family units that failed to comply with policy.

The Committee were also advised of the outcome of the transport assessment. It was considered that there would not be any significant issues in this regard.

Given the above concerns, Officers were recommending that the planning permission be refused.

In response to questions about emergency access, it was noted that the Fire Authority had no objections to the application. In relation to the delays in reaching the Committee, it was noted that this was a complex application and there were many issues to try to resolve. There was a lot of debate for example about the affordable housing. Furthermore, the applicant had asked for the application to be deferred on a number of occasions to address the issues. Officers nevertheless still considered that the plans conflicted with policy and that the applicant would have to make substantial changes to the scheme to overcome the issues. Officers had not seen anything new that would alter their recommendation. In view of this, they saw no adequate reason why the application should be withdrawn from the Committee agenda. Officers also answered questions about the location of the social housing in the development.

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

That subject to any direction by the Mayor of London, planning permission at Land south east of Cuba Street and north east junction of Manilla Street and Tobago Street, E14 be **REFUSED** for the redevelopment to provide a residential-led mixed use development comprising two buildings of up to 41-storeys and 26-storeys, the provision of 434 residential units, 38 m2 of flexible retail / community uses together with public open space and public realm improvements PA/15/02528 for the following reasons:

Site design principles

1. The proposal amounts to overdevelopment that seeks to maximise, not optimise, the development potential of the site. There would be conflict with London Plan 2016 Policy 3.4 '*Optimising housing potential*' (including Table 3.2 - '*Sustainable residential quality density matrix*'), Policy 3.5 '*Quality and design of housing developments*,' Policy 7.6 '*Architecture*', Tower Hamlets Core Strategy 2010 Policy 6 SP02 '*Urban living for everyone*' and the Mayor's '*Housing*' Supplementary Planning Guidance 2016. This is explained further in the reasons below.

Urban Design

2. Statutory policies and supplementary planning guidance require development within the South Quay area to provide buildings and places of a high quality design, suitably located and sensitive to the locality. The proposed design, layout, height, scale and bulk of the development would be inappropriate for the context of the site. The scheme would conflict with the design principles within Chapter 7 of the London Plan 2016 particularly Policy 7.4 '*Local Character*', Policy 7.6 '*Architecture*' and Policy 7.7 '*Tall and large scale buildings*.' There would also be conflict with Tower Hamlets Core Strategy 2010 Policy SP10 '*Creating distinct and durable places*' and the Managing Development Document 2013 Policy DM24 '*Place sensitive*

design, Policy DM26 *'Building heights,'* the design principles of the South Quay Masterplan SPD 2015 and the Mayor's *'Housing'* SPG 2016. Whilst the development has the potential to generate public benefits, namely new housing including affordable housing and open space, the public benefits would not outweigh the significant harm that would ensue.

Impact on the surroundings

3. The development would unacceptably impact on the level of daylight and sunlight that would be received by surrounding properties, with a commensurate increased sense of enclosure, significantly breaching guidance in the Building Research Establishment publication *'Site Layout Planning for Daylight and Sunlight a guide to good practice'* 2011. There is particular concern about impacts on residential property in Tobago Street, Manilla Street and Cuba Street, where due to proximity there would also be unacceptable overlooking, loss of privacy and sense of enclosure to adjoining residential premises. The extent and severity of the impacts are such that the development would cause significant harm to the amenity of nearby occupiers and be inconsistent with the London Plan 2016 Policy 7.6 *'Architecture'*, Tower Hamlets Core Strategy 2010 Policy SP10 *'Creating Distinct and durable places'* and the Managing Development Document 2013 Policy DM25 *'Amenity.'* There would also be conflict with the Placemaking Principles of the South Quay Masterplan SPD 2015 that require development to maximise levels of natural light. The impacts indicate that the proposed density, height, massing and layout of the scheme are inappropriate and significantly outweigh the potential public benefits of the scheme.

Housing quality

4. With the existing obstructions, some 200 of the near 1,100 rooms proposed within the development would not meet the British Standard minimum values for average daylight factor. With approved new developments in place, the number of rooms failing the average daylight factor criteria would rise to around 370, over a third of the total number. The development is consequently inconsistent with London Plan 2016 Policy 3.5 *'Quality and design of housing developments'* and Tower Hamlets Core Strategy 2010 Policy SP02 (6) *'Urban living for everyone'* that require all housing to be high quality, well-designed and sustainable together with the Council's Managing Development Document 2013 Policy DM25 *'Amenity'* that seeks to ensure adequate daylight and sunlight levels for the future occupants of new developments, and the Placemaking Principles of the South Quay Masterplan SPD 2015 that require development to maximise levels of natural light.

Housing mix and choice

5. The dwelling mix within the market sector would fail to provide a satisfactory range of housing and would not be compliant with the Tower Hamlets Local Plan. There would be a significant over provision of 2-bed units (21% above the 30% target) and a significant under provision of 3-bed+ family accommodation (15% below the 20% target) with an absence of units larger

than 3-bed. The development would be inconsistent with London Plan 2016 Policy 3.8 *'Housing Choice,'* Policy 3.9 *'Mixed and balanced communities,'* Tower Hamlets Core Strategy 2010 Policy SP02 *'Urban living for everyone'* and the Managing Development Document 2013 Policy DM3 *'Delivering Homes.'*

The meeting ended at 8.30 p.m.

Chair, Councillor Marc Francis
Strategic Development Committee