



Meeting of the

# STRATEGIC DEVELOPMENT COMMITTEE

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Thursday, 8 November 2012 at 7.30 p.m.

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## A G E N D A

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### VENUE

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

Members:	Deputies (if any):
Chair: Councillor Helal Abbas Vice-Chair: Councillor Bill Turner	
Councillor Zara Davis Councillor Stephanie Eaton Councillor Judith Gardiner Councillor Carlo Gibbs Councillor Dr. Emma Jones	
[Note: The quorum for this body is 3 Members].	

**Committee Services Contact:**

Zoe Folley, Democratic Services,  
Tel: 020 7364 4877, E-mail: [zoe.folley@towerhamlets.gov.uk](mailto:zoe.folley@towerhamlets.gov.uk)

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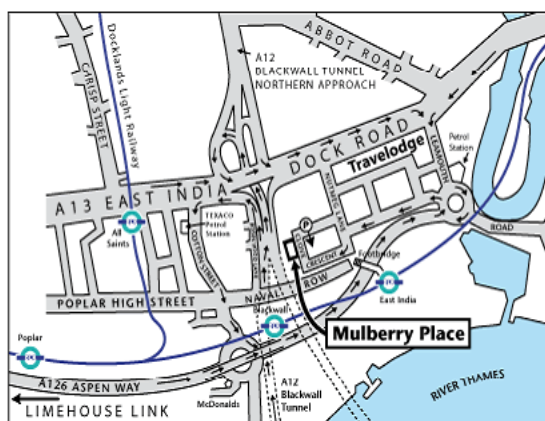
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**LONDON BOROUGH OF TOWER HAMLETS  
STRATEGIC DEVELOPMENT COMMITTEE**

**Thursday, 8 November 2012**

**7.30 p.m.**

**8. UPDATE REPORTS**

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# Agenda Item 8

<b>Application No:</b>	<b>PA/11/00163</b>
<b>Site:</b>	<b>38-40 Trinity Square, London EC3N 4DJ</b>
<b>Development:</b>	<b>Erection of a 9 storey hotel with ancillary facilities along with a pedestrian walkway alongside the Roman wall and the creation of a lift overrun and step free access to Tower Hill tube station.</b>
<b>Council Decision:</b>	<b>REFUSE PLANNING PERMISSION (Strategic Development Committee)</b>
<b>Appeal Method:</b>	<b>PUBLIC INQUIRY</b>
<b>Inspector's Decision</b>	<b>ALLOWED</b>

This case was refused by the Strategic Development Committee earlier this year on three grounds:

- Design and massing and the effect of the development on the character and appearance of the Tower Conservation Area and neighbouring conservation areas, adjacent listed buildings and the Tower of London World Heritage site.
- The effect of the proposed development on protected/safeguarded views (from the south side of the River Thames)
- The effect of the development on pedestrian safety in and around Trinity Square, with the development relying on on-street servicing.

Prior to finalising the Council's Statement of Case, officers, in consultation with the Chair of the Strategic Development Committee, confirmed to the Planning Inspectorate and all other parties involved in the appeal, that the Council did not intend to present evidence to on the second and third reasons for refusal, instead concentrating on the first reason. The Grange Hotel (one of the objectors to the scheme) was accepted as a formal Rule 6 Party and they presented evidence to cover the two other reasons for refusal. As a consequence, the Planning Inspector considered evidence covering all three reasons for refusal although significantly, he did not consider the highway issues as being a main consideration in this case.

He considered the main issues to be

- The effect of the development on the Tower of London World Heritage Site and its setting
- Whether the proposed demolition and the development preserved or enhanced the character and appearance of the Tower Conservation area and adjacent conservation area
- The effect of the proposed development on the architectural character and historic interest of adjacent listed buildings and their settings (particularly 41-43 Trinity Square).

Dealing with the first issue, the Planning Inspector felt that the appreciation of the World Heritage Site needs to be seen in the context of what already exists. Seen from the opposite side of the River, the Tower is flanked by new development of mainly commercial space including the existing Grange Hotel. He was content that the proposed hotel would be significantly lower than the existing Grange Hotel and he felt that the proposed building would obscure

some of the conspicuous right white cladding of that building. He was satisfied that the proposed building would not contradict or interfere with the townscape ensemble of the Tower of London and he felt the screening of the Grange hotel would enhance the setting of the Tower of London.

In terms of its relationship when viewed from the north side of the River Thames, he was satisfied that the proposed development would appear similar to other recent schemes of very contemporary modern design and he was satisfied that the 7/8 storey building would not challenge the dominance of the White Tower, in view of intervening distances. He concluded that the proposed development would not have harmed the Outstanding Universal Value, authenticity, integrity or significance of the Tower. The views of the proposed building would always be in the context of other more intrusive and taller buildings behind.

Dealing with the second issue, the Planning Inspector made particular reference to the view of the building when approaching from Coppers Row. Again, he referred to the contrasting Grange Hotel and he was not that concerned about the contrasting height between 41 Trinity Square and the proposed hotel (which would be most apparent from the western footway along Coopers Row). He was satisfied that the proposed building design was well considered which had evolved through time with positive input from heritage/design specialists, English Heritage, Historic Royal Palaces and CABE. He concluded that the proposed hotel would relate satisfactorily to 41 Trinity Square in important respects; the step forward and the rhythm of the fenestration and stone banding. He was satisfied that the development would preserve the character of the Tower Conservation Area. He was also content with the effect of the development on the Trinity Square and Crescent Conservation Areas. He made particular reference to the appropriate height of building which would not dominate the height of the PLA building and he concluded that the use of Portland Stone horizontal elements would link visually with the entablature of the PLA building and Trinity Square.

On the third issue, the inspector reviewed the effect of the development on the various listed buildings in the vicinity of the site, including the memorials in Trinity Square Gardens and concluded that the architectural and historic interest of listed buildings would be protected as would their settings.

On other matters, the Planning Inspector was content that the principle of a hotel on the site was acceptable and in accordance with policy. Whilst he acknowledged that the level of pedestrian activity was high during certain times of the day, he was content that on street servicing could take place, as long as the timing of serving activity is limited to outside peak pedestrian activity, controlled through a Delivery/Servicing Management Plan. He did not find streets particularly heavily trafficked. Interestingly, the Planning Inspector placed very limited weight on the requirement that bookings from coach parties should be restricted. Finally, he welcomed the station access works and concluded that the existing curve of the platform was not a reason to discourage such improvement. He concluded that this public benefit weighs in favour of the scheme.

The appeal was ALLOWED. This was a very involved public inquiry (which sat for 8 days) with the Council presenting evidence on design/heritage issues, using an independent consultant with expertise in design and heritage matters as well as one of your officers, presenting more general planning evidence. No

costs were awarded against the Council, although there were reasonably high costs associated with the Council defending its position at this lengthy and involved planning appeal.





**LONDON BOROUGH OF TOWER HAMLETS**

**STRATEGIC DEVELOPMENT COMMITTEE**

**8<sup>th</sup> November 2012**

**UPDATE REPORT OF HEAD OF PLANNING AND BUILDING CONTROL**

**INDEX**

<b>Agenda item no</b>	<b>Reference no</b>	<b>Location</b>	<b>Proposal</b>
7.1	PA/12/00360	New Union Wharf	<p>Redevelopment of site comprising the demolition of 189 existing residential units (including Heron Court, Robin Court, Sandpiper Court, Nightingale Court, Martin Court, Grebe Court and Kingfisher Court) and the construction of 3 blocks between 3 and 14 storeys to provide 399 residential units (containing 119 x 1 bed, 190 x 2 bed, 60 x 3 bed and 30 x 4 bed), together with 103sq.m (GIA) office / community facility (Use Class D1), semi-basement and ground floor car parking, cycle parking, landscaped public open space, private amenity space and other associated works.</p>
7.2	PA/11/03617	Skylines Village, Marsh Wall	<p>Revised proposal for the demolition of all existing buildings within Skylines Village and the erection of buildings with heights varying from 2 to 50 storeys in height, comprising of the following:</p> <ul style="list-style-type: none"> <li>• 764 residential units (Use Class C3);</li> <li>• 1,982 sq.m (GIA) of flexible retail floor space (Use Class A1-A5/B1);</li> <li>• 4,480 sq.m (GIA) of office floor space (Use Class B1)</li> <li>• 2,250sq.m (GIA) of community floor space (Use Class D1);</li> <li>• A two-level basement containing associated car parking spaces, motorcycle spaces, cycle parking, associated plant, storage and refuse facilities</li> </ul> <p>The application also proposes new public open space, associated hard and soft landscaping.</p>

<b>Agenda Item number:</b>	7.1
<b>Reference number:</b>	PA/12/00360
<b>Location:</b>	New Union Wharf
<b>Proposal:</b>	Redevelopment of site comprising the demolition of 189 existing residential units (including Heron Court, Robin Court, Sandpiper Court, Nightingale Court, Martin Court, Grebe Court and Kingfisher Court) and the construction of 3 blocks between 3 and 14 storeys to provide 399 residential units (containing 119 x 1 bed, 190 x 2 bed, 60 x 3 bed and 30 x 4 bed), together with 103sq.m (GIA) office / community facility (Use Class D1), semi-basement and ground floor car parking, cycle parking, landscaped public open space, private amenity space and other associated works.

## 1.0 CLARIFICATION AND CORRECTIONS

1.1 Paragraph 6.26 of the Committee Report stated that written comments had been requested from the LBTH Education Development Team and would be provided as part of the update report to the Committee.

1.2 These comments have now been received, as set out below:

*The Directorate of Children, Schools & Families confirms that the proposed s. 106 contribution for this scheme towards the provision of additional school places is acceptable.*

*The potential additional school age population from this scheme is taken into account in the overall projections of the need for additional school places. The s. 106 contributions received will be pooled with other contributions and other sources of funding to create additional places.*

*Some additional primary school capacity has been provided in the local area and further options are being investigated.*

1.3 Paragraph 8.206 of the Committee report is incorrect and should read as follows:

*The application comprises a health contribution of £95,844. The on-site public realm, public open space, street scene and built environment improvements are considered sufficient measures to encourage and facilitate healthy and active lifestyles.*

<b>Agenda Item number:</b>	7.2
<b>Reference number:</b>	PA/11/03617
<b>Location:</b>	Skylines Village, Marsh Wall
<b>Proposal:</b>	<p>Proposed demolition of all existing buildings within Skylines Village and the erection of buildings with heights varying from 2 to 50 storeys in height, comprising of the following:</p> <ul style="list-style-type: none"> <li>• 764 residential units (Use Class C3);</li> <li>• 1,982 sq.m (GIA) of flexible retail floor space (Use Class A1-A5/B1);</li> <li>• 4,480 sq.m (GIA) of office floor space (Use Class B1)</li> <li>• 2,250sq.m (GIA) of community floor space (Use Class D1);</li> <li>• A two-level basement containing associated car parking spaces, motorcycle spaces, cycle parking, associated plant, storage and refuse facilities</li> </ul> <p>The application also proposes new public open space, associated hard and soft landscaping.</p>

## 1.0 CLARIFICATION AND CORRECTIONS

1.1 The Strategic Development Committee is requested to note the following clarifications and corrections to the report circulated with the agenda.

### 1.2 Recommendation

Para 3.2 on page 78-79 of the Agenda should be amended to include the correct financial contribution to TfL London Buses and the Council's standard monitoring fee as set out in the Planning Obligations SPD.

#### Financial Obligations

- a) A contribution of £224,700 towards TfL London Buses.
- b) A contribution of £114,829 S106 Monitoring fee (2%)

1.3 The following additional conditions are also recommended:

#### 'Prior to Commencement' Conditions:

1. Approval of details of all on and off site landscape and public realm improvements (including boundary treatment, surface materials, planting scheme, furniture, lighting, Fire Safety measures)
2. Archaeology Study
3. National Grid assessment of safety and integrity of existing apparatus.
4. Details of construction methods including use of cranes.

#### 'Prior to Occupation' Conditions:

5. Approval of Estate Management Plan (to include maintenance of open space, child playspace, operation and publicly accessible hours)

#### General corrections

1.4 Paragraph, 8.48 page 105 of the Agenda is amended to refer to *Coldharbour Conservation Area*.

- 1.5 Paragraph 8.136 page 116 of the Agenda is amended to delete the final words “and is not”.

Housing tenure and mix

- 1.6 Tables 1 and 5 of the report are amended to correctly show the proposed mix of housing in terms of private and affordable tenures and in terms of dwelling sizes.

**Table 1: The proposed tenure mix**

	<b>Units</b>	<b>% of units</b>	<b>Habitable rooms</b>	<b>% Hab rooms</b>
<i>Affordable Social Rent</i>	154	20%	584	25.3%
<i>Affordable Intermediate</i>	74	10%	241	10.4%
<b>Total Affordable</b>	<b>228</b>	<b>30%</b>	<b>825</b>	<b>35.7%</b>
<i>Market Sale</i>	536	70%	1486	64.3%
<b>Total</b>	<b>764</b>	<b>100%</b>	<b>2311</b>	<b>100%</b>

**Table 5: Unit and tenure mix**

<b>Unit size</b>	<b>Total units in scheme</b>	<b>affordable housing</b>						<b>market housing</b>		
		<b>social rented</b>			<b>intermediate</b>			<b>private sale</b>		
		<b>scheme units</b>	<b>scheme %</b>	<b>Core Strategy target %</b>	<b>scheme units</b>	<b>scheme %</b>	<b>Core Strategy target %</b>	<b>scheme units</b>	<b>scheme %</b>	<b>Core Strategy target %</b>
<i>studio</i>	53		0%	0%		0%	0%	53	10%	0%
<i>1 bedroom</i>	263	46	30%	30%	19	25%	25%	198	37%	50%
<i>2 bedroom</i>	251	40	26%	25%	36	49%	50%	175	33%	30%
<i>3 bedroom</i>	145	43	28%	30%	19	26%	25%	83	15%	20%
<i>4 bedroom</i>	45	18	11.5%	15%		0%		27	5%	
<i>5 bedroom</i>	7	7	4.5%	0%		0%			0%	
<i>6 bedroom</i>	0		0%			0%			0%	
<b>TOTAL</b>	<b>764</b>	<b>154</b>	<b>100%</b>	<b>100%</b>	<b>74</b>	<b>100%</b>	<b>100%</b>	<b>536</b>	<b>100%</b>	<b>100%</b>

- 1.7 The housing mix is considered to be in line with the Council’s policies and includes the provision of much needed larger family accommodation. The proposal delivers 45% family accommodation in social rent tenure, including provision of 4 and 5 bed homes. There is also a policy compliant level of family housing in the intermediate and private tenures. This equates to 26% family housing (3 bedroom and above) across all tenures which helps the borough meet its Core Strategy (Policy SP02) strategic target of 30% of all new housing across the borough to be of a size suitable for families.

Open space provision

- 1.8 For clarification the amount of open space including amenity space proposed is set out in the table below.

	Amount provided	Policy requirement	+/-	Comments
Private amenity space	6,969sqm	4,721sqm	Plus 2,248sqm	<ul style="list-style-type: none"> <li>• Provided as balconies, private gardens, terraces, and winter gardens</li> </ul>
Communal amenity space	541sqm	804sqm	Less 263sqm	<ul style="list-style-type: none"> <li>• Provided as communal gardens on buildings A1 and B1 (podium).</li> <li>• Excludes 379sqm child playspace provided on building A1</li> </ul>
Children's playspace	2,669sqm	2,770sqm	Less 101sqm	<ul style="list-style-type: none"> <li>• 379sqm child playspace provided on building A1</li> <li>• 2,290sqm child playspace provided at ground level which will be accessible to the public during daylight hours</li> </ul>
Ground level public open space / public realm	6,942sqm	0.29ha or 20% of site area (in IPG IOD AAP)	Plus 4,042sqm	<ul style="list-style-type: none"> <li>• Includes widened pavements, new public square (1100sqm) open 24 hours a day. Also includes a new public open spaces open during daylight hour including 505sq.m biodiversity area.</li> <li>• Excludes 2,290sq.m child playspace provided at ground level which will be accessible to the public during daylight hours (if included there is 9,232sq.m of provision).</li> </ul>

The scheme would provide significantly more private amenity space and public open space than is required by policy. There would be a slight under provision of communal amenity space and children's play space (by 33% and 4 % respectively).

- 1.23 In addition to the above, the application also proposes a financial contribution of £675,253 towards public realm/open space improvements within the vicinity of the site, a contribution of £15,000 towards pedestrian environment and way finding, junction of Marsh Wall and Limeharbour, and new pedestrian routes linking East Ferry Road, Marsh Wall and Limeharbour.

## 2.0 CONSULTATION RESPONSES

### London City Airport

- 2.1 London City Airport have withdrawn their previous objection and make the following comments:
- 2.2 No safeguarding objection subject to conditions to ensure safe construction methods and ensuring landscape details discourage bird activity which presents an aircraft strike risk.
- 2.3 Appropriately worded conditions securing details of construction and landscaping are recommended in paragraph 1.2 of this update report.

### Clarification of the GLA's position

- 2.4 The GLA advised that the proposal (as original submitted) did not comply with the London Plan, but that there were possible remedies. In particular, the GLA made the following comments:

- Design – concerns around layout, height and massing, particularly the height difference between southern 20 storey block and existing residential properties to the south

- Additional information required around density, access, affordable housing (i.e. Viability Assessment), child playspace (likely double counting), climate change, and transport
- The principle of residential led mixed-use development in the Isle of Dogs Opportunity Area is in the interest of good strategic planning in London;
- The proposed residential density exceeds the London Plan guidance of 650-1,100 HR/ha.

2.5 Revisions have been made to the scheme which seek to address the GLA's concerns above. The GLA have declined to make any further comments on the revised proposals until referral of the application at Stage 2.

#### Environmental Health

2.6 The Council's Environmental Health Section has no objections on the grounds of Air Quality, as referred to in para 6.4, page 90 of the agenda. There are no objections on the grounds of noise or contaminated land subject to appropriately worded conditions as set out in section 1 of this Update Report.

### **3.0 FURTHER REPRESENTATIONS**

3.1 Since publication of the agenda a further representation was received from a local resident objecting on the grounds of:

- Overdevelopment and lack of local services such as school and health centres
- Proposals will result in an oversupply of flats which will reduce local property prices and there is unlikely to be demand
- Proposals will result in overcrowding in the Crossharbour area.
- The proposed development is too high

3.2 St John's Tenants and Residents Association also made a representation following the consultation event on 15 October 2012. The main points raised are:

- A 50 storey tower is too tall for the site
- Scheme overlooks residents properties
- Lack of infrastructure on the Isle of Dogs, such as school places, medical centres.
- Social housing for rent is falling short of 24,000 homes needed.
- Object to DLR receiving s106 money for South Quay DLR Station as it is a new building
- Request that St John's TRA is involved in community space.
- Green space to provide buffer between properties to the south.

For completeness the total representations received on the application at submission stage and in relation to the amended plans are 28 objecting and one stating neither support nor objection.

Table of responses, para 7.3 of the report (page 96 of the Agenda), is amended below:



<b>Objection Issues</b>	<b>Representations raising each objection issue</b>	
	<b>Submitted scheme (March 12)</b>	<b>Amended scheme (July 12)</b>
1. Local services (GP surgeries, schools, nurseries and dentists) cannot support the level of development proposed.	11	6
2. The development is excessively tall / overbearing.	6	4
3. The proposals will result in negative daylight/sunlight, overshadowing and microclimate impacts.	4	1
4. The proposal is excessively dense and will result in overcrowding.	2	4
5. Existing businesses do not want to move / protect existing SME space / health and well-being of existing employees.	2	2
6. Additional office space is not required.	2	0
7. The local transport network cannot support the proposed level of development.	2	3
8. Homes in Aste Street and Chipka Street will experience a loss of privacy and suffer worse security.	2	0
9. The proposals will exacerbate high parking stress levels in the area.	1	0
10. House prices in the area will fall as a result of the development.	1	1
11. Safety concerns regarding the new public square.	0	1
12. Insufficient open space provided.	0	1
13. Proposals will blight neighbouring development sites.	2	0

#### 4.0 PLANNING OBLIGATIONS AND CIL

4.1 Following publication of the Committee report the Council has sought further independent advice on development viability associated with the scheme. The independent advice includes a revised appraisal using alternative benchmark values that are considered more appropriate by the Council's advisors than those used by the applicant. The revised appraisal produces a lower residual land value than the applicants own appraisal therefore the independent advice concludes that:

*"the development cannot support any additional affordable housing or planning obligations".*

4.2 Officers are therefore satisfied that the financial viability of the scheme has been appropriately and robustly tested. It is therefore considered that affordable housing and financial obligations have been maximised in accordance with London Plan (2011), Core Strategy (2010), Managing Development DPD (Submission Version) and Planning Obligations SPD (2012).

4.2 For clarification, the financial contribution secured through planning obligations would be £5,776,281.

4.3 The development would also be liable for the Mayor of London's CIL charge estimated to be £2.34 million.

**5.0 RECOMMENDATION**

5.1 Officer's recommendation remains as per the original subject to the amendments set out in section 1 of this update report.



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To:

Members of the Strategic Development  
Committee

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31<sup>st</sup> October 2012

Dear Councillor,

**STRATEGIC DEVELOPMENT COMMITTEE THURSDAY 8<sup>th</sup> NOVEMBER 2012**

**PRESENTATION 6:30PM COMMITTEE MEETING 7:30PM**

I write to inform you that a presentation has been arranged at 6:30pm prior to the Strategic Development Committee meeting on Thursday 8<sup>th</sup> November 2012.

The presentation will be on the Island Point/City Pride scheme. Its a pre-application presentation and will be held in the Council Chamber. All Members of the Committee and Deputies are welcomed to attend this.

The Committee meeting will then start at 7:30pm.

**An agenda for the meeting is attached.**



Many thanks.

Zoe Folley  
Committee Officer

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