

STRATEGIC DEVELOPMENT COMMITTEE

Wednesday, 14 October 2020 at 6.00 p.m.
Council Chamber, 1st Floor, Town Hall, Mulberry Place, 5 Clove
Crescent, London, E14 2BG

The meeting is open to the public to view online

Members:

Chair: Councillor John Pierce

Vice Chair : Councillor Abdul Mukit MBE

Councillor Dipa Das, Councillor Kevin Brady, Councillor Sabina Akhtar, Councillor Tarik Khan, Councillor Val Whitehead and Councillor Rabina Khan

Substitutes:

Councillor Dan Tomlinson, Councillor Leema Qureshi and Councillor Sufia Alam

[The quorum for this body is 3 Members]

Public Information.

The deadline for registering to speak is **4pm Monday, 12 October 2020**

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

The deadline for submitting material for the update report is **Noon Tuesday, 13 October 2020**

Contact for further enquiries:

Zoe Folley, Democratic Services,

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Tel: 020 7364 4877

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

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

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APOLOGIES FOR ABSENCE

1. ELECTION OF VICE-CHAIR FOR THE COMMITTEE FOR 2020/21.

To elect a Vice – Chair of the Committee for 2020/21

2. DECLARATIONS OF DISCLOSABLE PECUNIARY INTERESTS AND OTHER INTERESTS (Pages 5 - 6)

Members are reminded to consider the categories of interest in the Code of Conduct for Members to determine whether they have an interest in any agenda item and any action they should take. For further details, please see the attached note from the Monitoring Officer.

Members are reminded to declare the nature of the interest and the agenda item it relates to. Please note that ultimately it's the Members' responsibility to declare any interests form and to update their register of interest form as required by the Code.

If in doubt as to the nature of your interest, you are advised to seek advice prior to the meeting by contacting the Monitoring Officer or Democratic Services

3. MINUTES OF THE PREVIOUS MEETING(S) (Pages 7 - 16)

To confirm as a correct record the minutes of the meeting of the Strategic Development Committee held on 24th September 2020

4. RECOMMENDATIONS AND PROCEDURE FOR HEARING OBJECTIONS AND MEETING GUIDANCE (Pages 17 - 20)

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.

5. **STRATEGIC DEVELOPMENT COMMITTEE TERMS OF REFERENCE, QUORUM, MEMBERSHIP AND DATES OF MEETINGS**

**PAGE
NUMBER** **WARD(S)
AFFECTED**

6. **DEFERRED ITEMS**

There are none.

7. **PLANNING APPLICATIONS FOR DECISION**

There are none

8. **OTHER PLANNING MATTERS**

8 .1 **Pre-application presentation - Orchard Wharf (PF/18/00199)**

31 - 56

**Blackwall &
Cubitt Town**

Proposal:

Reactivation of the existing safeguarded wharf into a logistics centre within a proposed box on the lower levels and erection of six residential blocks to deliver 826 residential units.

Recommendations:

The Committee notes the contents of the report and pre-application presentation.

The Committee is invited to comment on the issues identified and to raise 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.

Next Meeting of the Strategic Development Committee

Thursday, 19 November 2020

Agenda Item 2

DECLARATIONS OF INTERESTS AT MEETINGS– NOTE FROM THE MONITORING OFFICER

This note is for guidance only. For further details please consult the Code of Conduct for Members at Part C, Section 31 of the Council's Constitution

(i) Disclosable Pecuniary Interests (DPI)

You have a DPI in any item of business on the agenda where it relates to the categories listed in **Appendix A** to this guidance. Please note that a DPI includes: (i) Your own relevant interests; (ii) Those of your spouse or civil partner; (iii) A person with whom the Member is living as husband/wife/civil partners. Other individuals, e.g. Children, siblings and flatmates do not need to be considered. Failure to disclose or register a DPI (within 28 days) is a criminal offence.

Members with a DPI, (unless granted a dispensation) must not seek to improperly influence the decision, must declare the nature of the interest and leave the meeting room (including the public gallery) during the consideration and decision on the item – unless exercising their right to address the Committee.

DPI Dispensations and Sensitive Interests. In certain circumstances, Members may make a request to the Monitoring Officer for a dispensation or for an interest to be treated as sensitive.

(ii) Non - DPI Interests that the Council has decided should be registered – (Non - DPIs)

You will have 'Non DPI Interest' in any item on the agenda, where it relates to (i) the offer of gifts or hospitality, (with an estimated value of at least £25) (ii) Council Appointments or nominations to bodies (iii) Membership of any body exercising a function of a public nature, a charitable purpose or aimed at influencing public opinion.

Members must declare the nature of the interest, but may stay in the meeting room and participate in the consideration of the matter and vote on it **unless:**

- A reasonable person would think that your interest is so significant that it would be likely to impair your judgement of the public interest. **If so, you must withdraw and take no part in the consideration or discussion of the matter.**

(iii) Declarations of Interests not included in the Register of Members' Interest.

Occasions may arise where a matter under consideration would, or would be likely to, **affect the wellbeing of you, your family, or close associate(s) more than it would anyone else living in the local area** but which is not required to be included in the Register of Members' Interests. In such matters, Members must consider the information set out in paragraph (ii) above regarding Non DPI - interests and apply the test, set out in this paragraph.

Guidance on Predetermination and Bias

Member's attention is drawn to the guidance on predetermination and bias, particularly the need to consider the merits of the case with an open mind, as set out in the Planning and Licensing Codes of Conduct, (Part C, Section 34 and 35 of the Constitution). For further advice on the possibility of bias or predetermination, you are advised to seek advice prior to the meeting.

Section 106 of the Local Government Finance Act, 1992 - Declarations which restrict Members in Council Tax arrears, for at least a two months from voting

In such circumstances the member may not vote on any reports and motions with respect to the matter.

Further Advice contact: Asmat Hussain, Corporate Director, Governance and Monitoring Officer,
Tel: 0207 364 4800.

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	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. This includes any payment or financial benefit from a trade union within the meaning of the Trade Union and Labour Relations (Consolidation) Act 1992.
Contracts	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— (a) under which goods or services are to be provided or works are to be executed; and (b) which has not been fully discharged.
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	Any tenancy where (to the Member's knowledge)— (a) the landlord is the relevant authority; and (b) the tenant is a body in which the relevant person has a beneficial interest.
Securities	Any beneficial interest in securities of a body where— (a) that body (to the Member's knowledge) has a place of business or land in the area of the relevant authority; and (b) either— (i) the total nominal value of the securities exceeds £25,000 or one hundredth of the total issued share capital of that body; or (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.

LONDON BOROUGH OF TOWER HAMLETS

MINUTES OF THE STRATEGIC DEVELOPMENT COMMITTEE

HELD AT 6.00 P.M. ON THURSDAY, 24 SEPTEMBER 2020

ONLINE 'VIRTUAL' MEETING - [HTTPS://TOWERHAMLETS.PUBLIC-I.TV/CORE/PORTAL/HOME](https://towerhamlets.public-i.tv/core/portal/home)

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:

Councillor Gabriela Salva Macallan

Apologies:

None

Officers Present:

Paul Buckenham	– (Development Manager, Planning Services, Place)
Adam Garcia	– (Principal Planning Officer, West Area Team Place)
Gareth Gwynne	– (Area Planning Manager (West), Place)
Rachel Mckoy	– (Head of Commercial & Contracts, Legal Services Governance)
Max Smith	– (Principal Planning Officer, Place)
Simon Westmorland	– (West Area Team Leader, Planning Services, Place)
Andrew Hargreaves	– (Borough Conservation Officer, Place)
Zoe Folley	– (Democratic Services Officer, Committees, Governance)

1. DECLARATIONS OF DISCLOSABLE PECUNIARY INTERESTS AND OTHER INTERESTS

Councillors Kevin Brady and Tarik Khan declared a non - Disclosable Pecuniary Interest in agenda item 5.1 Marian Place Gasholder Site, Bethnal Green, London, E2 9AP. This was on the basis that they were St Peter's Ward Councillors and had attended presentations with the developer and Council Officers.

2. MINUTES OF THE PREVIOUS MEETING(S)

That the unrestricted minutes of the meeting of the Committee held on 22nd July 2020 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. The procedure for hearing objections and meeting guidance be noted.
2. In the event of changes being made to recommendations by the Committee, the task of formalising the wording of those changes be delegated to the Corporate Director, Place along the broad lines indicated at the meeting; and
3. 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 be delegated authority to do so, provided always that the Corporate Director does not exceed the substantive nature of the Committee's decision

4. DEFERRED ITEMS

There were none

5. PLANNING APPLICATIONS FOR DECISION

5.1 Marian Place Gasholder Site, Bethnal Green, London, E2 9AP (PA/19/02717)

Update report was tabled

Paul Buckenham (Development Manager, Planning Services) introduced the application for the demolition of existing buildings decontamination/remediation of the site and retention (including dismantling, refurbishment and reinstatement) of the two existing gasholder frames to

facilitate redevelopment for a mixed-use development. He drew attention to the issues raised in the update report.

Adam Garcia (Planning Services) presented the application. He provided an overview of the site and the principles of the site allocation. He also advised of the design approach to refurbishing and retaining the two gas frames and locating the new buildings. Public consultation had been undertaken. 79 letters in objections were received including five from interest groups/organisations. The update report contained a further nine representations and four representations from interest groups. The principle of the objections, mainly centred around the guide frames.

The Committee were advised of the following issues.

- That the development would provide 555 good quality new homes.
- That the housing mix was considered to be broadly in line with policy, despite the variation in tenure mix regarding the private and intermediate family sized units, given the provision of 35% affordable housing.
- The proposals would provide new fully publicly accessible open space. The calculations submitted demonstrated that the level of consolidated open space would meet requirements. Details of the public space and landscaping would be secured by a s106.
- That the scheme had been carefully designed to respond appropriately to the retained guide frames, that had influenced the development. The development would retain their prominence and strengthen their visual significance. The applicant had given careful consideration to the various options in terms of refurbishing the guide frames including the option of in situ refurbishment on site. However, it was found that there were a number of practical difficulties with this. As such, it was proposed to refurbish the gas holders off site. Officers had liaised with Historic England in respect of these plans, and they were satisfied with the conditions proposed. The Committee noted details of these conditions, including the obligation that they be restored prior to the occupation of parts of the development.
- The proposal would provide active frontage, improving natural surveillance.
- That the development would result in less than substantial harm to the setting of the Regent's Canal Conservation Area, at the lower end, as defined by the NPPF. It was considered that the public benefits of the proposal would outweigh any harm.
- That the sunlight and daylight assessment had been reviewed. This showed that with the exception of some discrepancies, the neighbouring properties should continue to receive good levels of sunlight and day light. Details of the assessment were noted.
- Details of the transport matters.

Officers were recommending that the application was granted permission.

The Chair invited the registered speaker to address the Committee.

Lucy Rogers and Paul Latham expressed concerns about the following matters:

- The impact on the gasholder guide frames and loss of their historic significance. They noted the strong public reaction to the loss of the frames. They should be retained and kept empty.
- Damage to the frames by their dismantling. Historic England had raised concerns regarding their potential damage or loss due to this. Concerns were also expressed about the Applicant's methodology statement.
- The lack of information regarding the possibility of refurbishing them on site.
- Adequacy of the contamination study to understand the costs of redeveloping the site.

Councillor Gabriela Salva-Macallan addressed the Committee as the local ward Councillor. She questioned how the provision of a densely populated private housing led development met the aims of the site allocation in terms of providing public benefits such as green space and improving permeability. She also expressed concerns about the fast track approach given the level of the affordable housing. More housing on the site could have been provided, and the viability of the scheme needed to be reviewed. She also expressed concerns about the lack of affordable housing and the intermediate housing. She also considered that there had been a lack of community engagement on the proposals.

Sean Ellis, Tom Simons and Timur Tatlioglu spoke in support of the application, highlighting the merits of the scheme. Regarding the consultation, the applicant had engaged with local residents and groups and this had informed the proposals. The developers had worked closely with officers to ensure the proposals complied with the site allocation. The scheme provides for 35% affordable housing by habitable room based upon a 70:30 split between affordable rent units and intermediate housing. The proposed level of four bed family sized affordable rented units exceeded the Local Plan requirements. The units would be tenure blind and would meet and exceed internal space standards, with amenity and communal space. The scheme will be delivered in two phases with the first phase including all of the affordable housing. Other benefits of the application included:

- New publicly accessible open space.
- Improved public access.
- Communal amenity space including a child play space area.
- The provision of flexible workspace. 11% of which would be provided at a rate at 10% below the market rate.
- That the proposals would be of the highest design quality and would respond positively to the setting of the area.
- Environmental enhancements and contributions

Regarding the former gasholder guide frames, the applicant had listened to historic groups. The developer had worked with Officers and Historic England to develop a detailed retention and reuse strategy, which would be secured via conditions and the s106 agreement

Committee questions:

In response to the above, the Committee asked a number of questions of Officers and the registered speaker as summarised below:

- The Committee sought assurances about the retention of the gasholder guide frames and the options considered.
- In response, officers explained further the measures to ensure this including the obligations requiring the completion of the works prior to the occupation of the private dwellings and the commercial space. As such, this meant that the affordable housing could be delivered on site first, before the completion of the works.
- The Applicant's speakers also explained further the options considered in relation to refurbishing the gas holder frames (in terms of carrying this out on or off site). At this stage, it was considered that dismantling them off site was the most realistic option, however further work will need to be carried out and all options will be further explored during the development of the detailed conditions. In looking at this issue, the developer had reviewed the King's Cross Gas holders project.
- Unsuccessful attempts had been made to list the non -designated heritage assess.
- It was proposed that the frames be given the same level of protection as the listed frames at King's Cross. Historic England were satisfied with the proposed level of protection. Prior to their decommissioning, the frames contained drums. The design approach (of building the development with them), accorded with this.
- Regarding the viability assessment, Officers and the applicant's speakers confirmed that the assessment had been independently reviewed by the GLA's viability team. The GLA were satisfied with the evidence presented regarding the costs of redeveloping the brownfield site that would be incurred. Given the abnormal costs identified in the report, it was considered that the development met the requirements regarding a fast track scheme for affordable housing. It was also reported that a viability assessment regarding the development of the site had been submitted as part of the site allocation enquiry. The Planning Inspector had not raised any concerns.
- In response to questions, Mr Latham considered that the report was inaccurate in terms of the costs of dealing with the contamination of the site, given the findings of the National Grid report, produced when the site was decommissioned. This issued had not been addressed.
- The Committee also discussed the housing mix. This was in view of the: slight under provision of private and intermediate family size housing.

- Officers reported, that in view of this, the plans had been amended to increase the number of 3 and 4 bed affordable rented units. As a result, there would be an overprovision of these units.
- Officers were mindful of the issues around the shortfall of dual aspect units, due to the design constraints. It was felt that retaining the gasholder frames should take precedence in designing the scheme. However, it was assessed that, on balance, the quality of the accommodation would be acceptable.
- The Committee also asked questions about public access to the site for pedestrians and cyclists.
- Officers confirmed that the scheme, included measures to improve access to Marian Place and Emma Street. The s106 also included measures to safeguard Canalside access from the north – east corner of the site to Cobridge Crescent and to secure a cycle and pedestrian access throughout the site.
- It was confirmed that the vast majority of the landscaped area would be publicly accessible. Details of this would be secured by the s106 agreement.
- That access to a courtyard in Building A would be reserved for private residents and users of the commercial units.
- The Council's Biodiversity Officer had considered the proposal. They were of the view that the proposals would have a limited impact on wildlife and that subject to the conditions should enhance the biodiversity value of the site.
- Members also asked questions about compliance with the London Plan target of a minimum 45% reduction in carbon dioxide emissions on-site. It was noted that details of the measures were set out in the report. It was noted that the applicant had made every effort to achieve a 41% reduction given the site restrictions. In addition, in view of the slight shortfall in reaching the 45% target, a financial contribution had also been secured.
- The applicant's team explained in further detail the nature of these measures.
- The Committee also discussed the consultation with residents.
- Councillor Gabriela Salva-Macallan expressed concerns about the lack of community consultation especially at the pre – application stage, following the presentation to the Committee in November 2019.
- Officers explained that the Council had carried out extensive consultation on the application beyond the requirements in the Statement of Community Involvement. It was considered that the issues raised by the objections had been fully addressed in the Committee report and the update report. Many of the objections concerned the loss of the guide frames that was not part of the proposals.

On a vote of 7 in favour and 1 against the Committee RESOLVED:

1. That, subject to GLA stage 2 approval, planning permission is **GRANTED** at Marian Place Gasholder Site, Bethnal Green, London, E2 9AP for:
 - Demolition of existing buildings, decontamination/remediation of the site and retention (including dismantling, refurbishment and reinstatement) of the two existing gasholder frames to facilitate redevelopment for a mixed-use development comprising 5 buildings ranging between 6-13 storeys (up to 63m AOD) to contain 555 residential dwellings and 4,182sqm (GIA) non-residential floorspace in flexible A1-A4, B1 and D Use Classes (maximum provision of up to 180sqm A1/A2, up to 1,300sqm A3/A4, up to 2,485sqm of B1(a) and up to 635sqm 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(PA/19/02717)
2. Subject to the prior completion of a legal agreement to secure the planning obligations set out in the Committee report and the update report
3. That the Corporate Director of Place is delegated the power to impose conditions and informatives to address the matters set out in the Committee report and the update report.

5.2 Site Bound by Raven Row Stepney Way, Sidney Street, London, E1 2EN (PA/20/00571)

Update report was tabled

Paul Buckenham introduced the application for Minor Material Amendments to Planning permission Ref: PA/18/00917, Dated 12/09/2019. He highlighted the issues in the update report. It was noted that the guidance for such variations indicated that the Committee should focus on the amendments and any policy changes.

Max Smith (Planning Services) presented the report explaining the site location and the layout of the scheme. Consultation had been carried out and the issues raised were noted as set out in the Committee report.

Details of the various changes were noted relating to:

- The revised housing mix including the increased level of affordable housing to 35% from 32%.
- Increased height to blocks A and C.
- The assessment of heritage in relation to the conservation areas and Grade II listed buildings. The design of the scheme had been arranged in such a way to minimise any impact. The scheme would have a

comparable impact to the consented scheme and it was considered that the public benefits will outweigh the harm.

- Increased amenity space and child playspace in view of the increased number of residential units.
- The measures to recognise the archaeology of the site
- The sunlight and daylight report - particularly the additional impacts on neighbouring properties compared to the consented scheme.
- Transport matters.
- Planning obligations.

Overall, given the nature of the changes, it was considered that the impacts of the scheme on balance remained broadly acceptable and would be outweighed by the benefits of the application

Officers were recommending that the application was granted planning permission.

The Chair invited the registered speakers to address the Committee. Amanda Day and Paula Bodington spoke in objection to the application, expressing concerns about the following issues:

- The negative impact on amenity, particularly in terms of light.
- The increase in the number of units and height. It would be 3 metres taller than the previous application.
- The lack of additional affordable units. Only a small number of affordable units were to be provided.
- Increased parking from the development.
- Overdevelopment of the Whitechapel area given the cumulative impacts from other new developments. The Impact on local infrastructure due to this.
- That the public benefits would be minimal.

Thomas Lane addressed the Committee on behalf of the applicant advising of the benefits of the scheme in terms of:

- That the proposal sought to provide good quality additional affordable homes at London Living and Tower Hamlets affordable rents. 45% of which would be family sized housing.
- There would be an increase in affordable workspace in excess of the policy requirements.
- The enhancements to the public realm incorporating the historic features of the site.
- New publicly accessible open space.
- There would be biodiversity enhancements and measures to improve air quality.

Committee's Questions.

In response to the above, the Committee asked a number of questions of Officers and the registered speaker as summarised below

- The Committee asked questions about the revised design. It was noted that despite the loss of the height differential between buildings, it was still considered to be of a good quality design.
- Regarding the need for the changes, the applicant's speaker advised of the reasons for this. The changes were deemed necessary to update the housing and commercial mix to support the viability of the scheme. They would maximise the public benefits of the development.
- It was noted that details of the updated sunlight and daylight assessment were set out in the report. The issue of 'right to light' was a private issue not a planning issue.
- The scheme would be car free and permit free subject to the operation of the Council's permit transfer scheme for occupants of social housing. Furthermore, it was considered that the location was unlikely to attract occupants with vehicles, given the good public transport links. Transport Services had raised no objections to the development.
- The impact on infrastructure had been addressed through the contributions.
- That the scheme provided for 35% of affordable housing by habitable room. (increased from 32%). The approach to measuring the affordable housing by habitable room complied with policy and accorded with the usual practice (rather than by units). The other key public benefits of the scheme included the creation of publicly accessible open space.
- Whilst broadly acceptable, the housing mix did not fully comply with policy, similar to the approved scheme.
- That the proposals met the fast track requirements regarding the delivery of affordable housing.
- The capacity of the area to accommodate the scale of development. It was noted that given the marginal increase in density, that the impact should be negligible. It was also noted that the site formed part of a new Site Allocation and was within the City Fringe Sub Area in the Local Plan. The Plan supports additional homes and workspace in this area.

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

1. That subject to GLA stage 2 approval, planning permission is **GRANTED** at Site Bound by Raven Row Stepney Way, Sidney Street, London, E1 2EN for
 - Demolition of existing buildings and erection of three blocks comprising residential units (Use Class C3), commercial floorspace, off-street car parking spaces, communal courtyards, associated landscaping and associated ancillary works.

Minor Material Amendments to Planning permission Ref: PA/18/00917, Dated 12/09/2019 include:

- Overall increase of residential units [from 648 to 698];
- Increase in affordable unit provision [from 159 to 183 (32%)

- to 35% of total)];
- Increased height to blocks A and C (up to two additional storeys). Block A would be up to 22 storeys and Block C up to 26 storeys. Amended residential unit mix
 - Reduction in on-site parking spaces
 - Increased office floorspace (use class B1)
 - Additional amenity space and associated works
2. Subject to the prior completion of a deed of variation legal agreement to secure the planning obligations set out in the Committee report
 3. That the Corporate Director of Place is delegated the power to negotiate the legal agreement. If within three months of the resolution the legal agreement has not been completed, the Corporate Director for Place is delegated power to refuse planning permission.
 4. That the Corporate Director of Place is delegated the power to impose conditions and informatives to address set out in the Committee report

The meeting ended at 9.15 p.m.

Chair, Councillor John Pierce
Strategic Development Committee



DEVELOPMENT COMMITTEE

Report of the Corporate Director of Place

Classification: Unrestricted

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 (Part 6 of the agenda). 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: www.towerhamlets.gov.uk/committee under [Council Constitution, Part C Section 35](#) Planning Code of Conduct

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 C of the Council’s Constitution Section 35 Appendix B. • Terms of Reference for the Development Committee - Part B of the Council’s Constitution Section 19 (7). 	 <p>Council’s Constitution</p>

Public Information – ‘Accessing and Participating in Remote’ Meetings

The meeting is due to be held as a ‘remote meeting’ through the Microsoft Teams app in accordance with:

- The Local Authorities and Police and Crime Panels (Coronavirus) (Flexibility of Local Authority and Police and Crime Panel Meetings) (England and Wales) Regulations 2020, allowing for remote Committee Meetings.

The following guidance provides details about the operation of the virtual Strategic and Development Committee Meetings.

Publication of Agenda papers and meeting start time.

Electronic copies of the Committee agenda will be published on the Council’s Website on the relevant Committee pages at least five clear working days before the meeting. In the event of a technical difficulty, the meeting arrangements may need to be altered at short notice (such as a delay in the start time). Where possible any changes will be publicised on the website.

A link to the electronic planning file can be found on the top of the Committee report. Should you require any further information or assistance with accessing the files, you are advised to contact the Planning Case Officer.

How can I watch the Committee meeting?

Except when an exempt item is under discussion, the meeting will be broadcast live for public viewing via our Webcasting portal <https://towerhamlets.public-i.tv/core/portal/home>. Details of the broadcasting arrangements will be published on the agenda front sheet. The meeting will also be available for viewing after the meeting. Physical Attendance at the Town Hall is not possible at this time

How can I register to speak?

Members of the public and Councillors may address the meeting in accordance with the Development Committee Procedure Rules. (Details of the process are set out on the next page). Please note however, that it may not usually be possible to arrange for additional speaking rights and late requests to speak, particularly those received during or shortly before a meeting.

Should you wish to address the Committee, please contact the Democratic Services Officer to register to speak by the deadline, who will assist you to join the meeting. It is recommended that you supply the Officer with a copy of your representation in case you lose connection. You may address the Meeting via Teams. You have the option of joining through a video link or by audio only.

(Please note that if you participate at the meeting, you must be able to hear and be heard by the other participants attending remotely).

Where participation through video or audio tools is not possible, please contact the Democratic Services officer by the deadline to discuss the option of:

- Submitting a written statement to be read out at the meeting.

You may also wish to consider whether you could be represented by a Ward Councillor or another spokesperson.

Microsoft Teams:

This is a Microsoft Teams Event. If you are using a Laptop or PC or a mobile device, you may join via the website. Should you require assistance please contact the relevant Democratic Services Officer who will be able to assist you further.

Procedure at the Committee meeting.

Participants (contributors) in the virtual meeting are expected to log in to the meeting in advance of the start time of the meeting, as set out in the guidance that will be provided by the Democratic Services Officer, when you register to speak. This is in order to check the connection. You will be expected to confirm your identity before the meeting starts.

The Chair will formally open the meeting and will introduce themselves and every participant. The Chair will then set out the expected meeting etiquette, including the following:

- When speaking for the first time, participants should state their full name before making a comment.
- To only speak at the invitation of the Chair.
- The method for indicating how to speak.
- If referring to a specific page of the agenda pack, you should mention the page number.
- All participants microphones must be muted when not speaking.
- Where necessary, participants may switch off their cameras when not speaking to save bandwidth.
- Participants **must alert** the Chair/Democratic Services Officer if they experience technical difficulties, particularly a loss of connection, or if they need to leave the meeting, as soon as possible. Where a key participant experiences a loss of connection, the Chair may adjourn the meeting until such a time the participant can re-join the meeting. A key participant is defined as a participant whose continuing contribution to the meeting is vital to allow a decision to be made.

The Chair, following consultation with Democratic Services and the Legal Advisor, may adjourn the virtual meeting for any reason should they consider that it is not appropriate to proceed.

The format for considering each planning application shall, as far as possible, follow the usual format for Strategic and Development Committee Meetings, as detailed below.

- Officers will introduce the item with a brief description, and mention any update report that has been published.
- Officers will present the application supported by a presentation
- Any objectors that have registered to speak to address the Committee, (including Officers reading out any written statements)
- The applicant or any supporters that have registered to speak to address the Committee, (including Officers reading out of any written statements)
- Committee and Non Committee Members that have registered to speak to address the Committee.
- The Committee may ask points of clarification of each speaker.
- The Committee will consider the item (Questions and Debate)
- Voting. At the end of the item, the Chair will ask the Committee to vote on the item. The Chair will ensure that all Members are clear on the recommendations, have heard all of the presentation and submissions. The Chair will conduct a roll call vote, asking each Committee Member to indicate their vote, (for, against, or abstain)
- The Democratic Services Officer will record the votes and confirm the results to the Chair.

For Further Information, contact the Democratic Services Officer shown on the agenda front sheet.

<p>Non-Executive Report of the:</p> <p>Strategic Development Committee</p> <p>14th October 2020</p>	 <p>TOWER HAMLETS</p>
<p>Report of: Asmat Hussain, Corporate Director, Governance and Monitoring Officer</p>	<p>Classification: [Unrestricted]</p>
<p>Strategic Development Committee Terms of Reference, Quorum, Membership and Dates of Meetings</p>	

Originating Officer(s)	Paul Buckenham, Development Manager Zoe Folley, Committee Services.
Wards affected	[All wards]

Summary

This report sets out the Terms of Reference, Quorum, Membership and Dates of meetings of the Strategic Development Committee for the Municipal Year 2020/21 for the information of members of the Committee

Recommendations:

The Committee is recommended to:

To note 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 this report.

1. REASONS FOR THE DECISIONS

- 1.1 This report is for the information of the Committee and no specific decisions are required

2. ALTERNATIVE OPTIONS

- 2.1 Not applicable to noting reports.

3. DETAILS OF REPORT

- 3.1 It is traditional that following the Annual General Meeting of the Council at the start of the Municipal Year, at which various committees are established, that those committees note their Terms of Reference, Quorum and Membership for the forthcoming Municipal Year. These are set out in Appendix 1 and 2 to the report respectively.

3.2 The Committee's meetings for the year are set out in Appendix 3 to this report as agreed at the Council meeting on 30 September 2020

3.4 In accordance with the programme, meetings are scheduled to take place at 6.00pm

4. EQUALITIES IMPLICATIONS

4.1 When drawing up the schedule of dates, consideration was given to avoiding schools holiday dates and known dates of religious holidays and other important dates where at all possible.

5. OTHER STATUTORY IMPLICATIONS

5.1 This section of the report is used to highlight further specific statutory implications that are either not covered in the main body of the report or are required to be highlighted to ensure decision makers give them proper consideration. Examples of other implications may be:

- Best Value Implications,
- Consultations,
- Environmental (including air quality),
- Risk Management,
- Crime Reduction,
- Safeguarding.

5.2 No implications arising from this report.

6. COMMENTS OF THE CHIEF FINANCE OFFICER

6.1 There are no specific comments arising from the recommendations in the report. The information provided for the Committee to note is in line with the Council's Constitution and the resolutions made by Full Council on 30 September 2020.

7. COMMENTS OF LEGAL SERVICES

7.1 The information provided for the Committee to note is in line with the Council's Constitution and the resolutions made by Council on 30 September 2020

Linked Reports, Appendices and Background Documents

Linked Reports

None.

Appendices

Appendix 1 – Strategic Development Committee Terms of Reference and Quorum
Appendix 2 – Strategic Development Committee Membership 2020/2021
Appendix 3 – Strategic Development Committee Meeting Dates 2020/2021

Local Government Act, 1972 Section 100D (As amended)
List of “Background Papers” used in the preparation of this report

None.

Officer contact details for documents:

- [N/A]

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1. Strategic Development Committee

Summary Description: To determine larger-scale major or strategic planning matters, within and exceeding the remit of the Development Committee in terms of size and scale amongst other issues.	
Membership: 8 Councillors (each political group may appoint up to 3 substitutes).	
Functions	Delegation of Functions
<p>1. To consider any matter listed within the terms of reference of the Development Committee (including minor material amendments and observations to neighbouring authorities and the Mayor of London) where any one of the following applies:</p> <ul style="list-style-type: none"> (a) Applications for buildings exceeding 30 metres in height (25 metres on sites adjacent to the River Thames) (b) Applications for residential development with more than 500 residential units, or on sites exceeding 10 hectares in area (c) Applications for employment floor space on sites of more than 4 hectares (d) Major infrastructure developments (e) Applications not in accordance with the development plan involving more than 150 residential units or a gross floor space exceeding 2,500 square metres (f) Applications on Metropolitan Open Land involving buildings with a gross floor space exceeding 1000 square metres (g) Applications for developments including 200 or more car parking spaces (h) Legal proceedings in relation to the matter are in existence or in contemplation (i) Three or more members of the Development Committee are disqualified in some way from participating in the decision (j) On an exceptional basis, the Development Committee has decided that a particular application should stand referred to the Strategic Development Committee (k) To consider any application or other planning matter, including pre-application presentations (subject to the agreed protocol) referred to the Committee by the Corporate Director, Place where s/he considers it appropriate to do so (for example, if especially significant strategic issues are raised) 	None
Note: It shall be for the Corporate Director, Place to determine whether a matter meets any of the above criteria	
Quorum: 3 Members of the Committee	
Additional Information: Constitution Part C Section 35 (Planning Code of Conduct)	

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STRATEGIC DEVELOPMENT COMMITTEE
(Eight members of the Council)

<i>Labour Group (7)</i>	<i>Conservative Group (0)</i>	<i>Ungrouped (1)</i>
Councillor Abdul Mukit Councillor Dipa Das Councillor John Pierce Councillor Kevin Brady Councillor Sabina Akhtar Councillor Tarik Khan Councillor Val Whitehead Substitutes:- Councillor Dan Tomlinson Councillor Leema Qureshi Councillor Sufia Alam	N/A	Rabina Khan

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APPENDIX 3

SCHEDULE OF DATES 2020/21 STRATEGIC DEVELOPMENT COMMITTEE

- Wednesday 14th October 2020
- Thursday 19th November 2020
- Tuesday 19th January 2021
- Monday 8th February 2021
- Tuesday 23rd March 2021
- Tuesday 20th April 2021

Meetings are scheduled to take place at 6.00pm

It may be necessary to convene additional meetings of the Committee should urgent business arise. Officers will keep the position under review and consult with the Chair and other Members as appropriate.

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STRATEGIC DEVELOPMENT COMMITTEE

14 October 2020

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

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Pre-application presentation

Reference	PF/18/00199
Site	Orchard Wharf
Ward	Blackwall & Cubitt Town
Proposal	Reactivation of the existing safeguarded wharf into a logistics centre within a proposed box on the lower levels and erection of six residential blocks to deliver 826 residential units.
Applicant	Regal Homes Management Limited
Architect	JTP (masterplan and residential) and Aukett Swanke (industrial)
Agent	Montagu Evans
Case Officer	Aleksandra Milentijevic
Key dates	Pre-application request submitted October 2018 Pre-app discussions began in November 2019 CADAP review in March 2020

SITE PLAN



Site Plan	
Grade II Listed Building	
Conservation Area	
Neighbourhood Centre	

**Planning Applications Site Map
PF/18/00199**

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



TOWER HAMLETS
London
Borough of
Tower Hamlets

Date: 06 October 2020

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 Orchard Wharf site.

2. DESCRIPTION OF THE PROPOSAL

- 2.1 Pre-application advice is being sought for the redevelopment of the site consisting of the delivery of a logistics centre associated with the safeguarded wharf to operate as a 'last mile' logistics and the introduction of a residential use on the site.
- 2.2 The proposed logistics centre would occupy the majority of the site on the lower levels with the exception of the most northern section. The proposed residential use would be spread across the site in six towers ranging from 15 to 30 storeys. Five towers (buildings A – 21 storeys, B – 30 storeys, D – 25 storeys, E – 15 storeys and F – 21 storeys) are proposed on the podium level above the proposed logistics centre while one residential tower (building C – part 17 part 20 storeys) is proposed on the street level within the northern part of the site.



Proposed masterplan.

- 2.3 The scheme proposes various housing products including private units for sale (building A), Built to Rent (buildings B, D and F) and affordable housing units (buildings C and E). The intermediate offer is included in the Build to Rent product as Discounted Market Rent (DMR).

3. SITE AND SURROUNDINGS

- 3.1 The pre-application site is situated on the north bank of the River Thames and comprises circa 1.36 hectares. The site is a designated safeguarded wharf and has not been in use since the 1990s.
- 3.2 The site is bounded by the East India Dock Basin to the west which is designated as Metropolitan Open Land forming part of the Lee Valley Regional Park and has been assessed as the Site of Interest of Nature Conservation (SINC). To the east and north-east is the consented mixed-used residential-led redevelopment Goodluck Hope beyond which is the Trinity Buoy Wharf, an educational and cultural development. Immediately to the north of the pre-application site sits a residential block 42 and 44 Orchard Place.
- 3.3 The pre-application site is accessed via Orchard Place which runs the length of the peninsular created by a final bend in the River Lea before it joins the Thames. The road is divided by the A1020 and the Lower Lea Crossing, a dual carriageway with a major vehicular bridge across the River Lea. The north side of Orchard Place, previously occupied by the former Pura Foods Ltd, is now home to a large scale residential-led mixed use scheme known as London City Island.
- 3.4 The site lies within the Lower Lea Valley and the Isle of Dogs and South Poplar Opportunity Areas, Flood Zone, Archaeological Priority Area and the Leamouth Tall Building Zone. The site is also part of the Poplar Riverside Housing Zone which is not considered a planning designation.

4. RELEVANT PLANNING HISTORY

- 4.1 PA/64/00374 – Full Planning Permission granted on 13/03/1964 for the erection of a two room brick office building and a prefabricated timber building at the premises of Greenham Ready Mixed Concrete, Limited, Orchard Wharf.
- 4.2 PA/10/00345 – Screening Opinion issued 12/03/2010 to whether an Environmental Impact Assessment is required in respect of an application for provision of aggregates concrete batching and asphalt facilities.
- 4.3 PA/10/00645 – Scoping Opinion issued 04/05/2010 to the information to be contained within an Environmental Impact Assessment to be submitted in support of an application for provision of aggregates concrete batching and asphalt facilities.
- 4.4 PA/11/03824 – Appeal dismissed on 16/09/2014 for a cross-boundary hybrid planning application for the erection of a concrete batching plant, cement storage terminal and aggregate storage facilities, together with associated structures and facilities, walkway and landscaping, jetty and ship to shore conveyor.
Full details: Demolition of all existing buildings; Concrete batching plant; Cement storage terminal; Aggregate storage facilities; Associated
Outline Application: All matters reserved Jetty; and ship to shore conveyor.
- 4.5 PA/20/00965 – Scoping Opinion issued on 30/06/2020 in respect of the future (proposed) development of the site for which hybrid planning permission will be sought.
Full planning permission will be sought for the following elements:

- Demolition of existing on-site buildings;
 - A three storey (16m AOD) concrete box to accommodate the safeguarded wharf facility, with up to 7,200m² of general industrial and storage / distributional floorspace (Use Class B2 / B8);
 - Six buildings ranging in height, five of which would be above the concrete box, between 15 and 32 storeys (57m and 110m AOD) in height above a raised wharf box (16m AOD);
 - Up to 900 residential units of mixed tenure;
 - Up to 400m² flexible commercial space (Use Class A1 - A5);
 - Blue badge car parking, and cycle parking; and
 - Open space, Thames Path improvements and works to the river wall.
- Outline planning permission will be sought for the following element:
- Works within and adjacent to the River Thames for barge / vessel docking and unloading.

5. PUBLICITY AND ENGAGEMENT

- 5.1 The applicant has undertaken their own public consultation events which have included public consultation events, advertising, leafleting, meetings with stakeholders and various feedback mechanisms.
- 5.2 Four consultation events were held in two phases. The first phase was in July 2019 at The Story Box whilst the second one was in February 2020 at Container City. Both venues are situated within the Trinity Buoy Wharf.
- 5.3 As part of informing residents and stakeholders, the applicant hand delivered flyers to more than 4000 surrounding addresses, distributed leaflets at East India and Canning Town stations, issued advertising in the East London and Docklands Advertiser. More recently, the applicant hand delivered a four-page community newsletter to surrounding addresses updating residents and stakeholders on the proposed scheme ahead of the submission.
- 5.4 The applicant provided a number of feedback mechanisms which included freepost, freephone and email.
- 5.5 Meetings were held between the applicant and various other groups including Lee Valley Regional Park Authority, Ballymore, Urban Space Management at Trinity Buoy Wharf, as well as City Island and Goodluck Hope Residents' Association.
- 5.6 An earlier version of the current proposal was presented to the Council's Conservation and Design Advisory Panel (CADAP) on 9th March 2020 to test the principles of the proposal. The panel's written response welcomed the potential of the project as it combines the industrial logistics and residential uses on a safeguarded wharf site; however, they considered that the proposed scheme failed to incorporate the industrial character and riverside location.
- 5.7 Comments from CADAP members included the following:
- Appropriate level of development and density
 - Monotonous scheme in its regularity
 - Building C: make it taller and slimmer with a more iconic design or relocate on to the podium box
 - Access: consideration to be given to relocation of the entrance to the industrial space and removal of basement access adjacent to building; suggesting removing basement access adjacent to building C to improve the relationship between the building and the basin

- Podium design: underdevelopment of blocks on the podium level – suggested more variety in typologies and potential central residential access and concierge for the podium blocks
- Public realm and open spaces: increase needed to the public space around block C; recognition of the new bridge to the north-east of the site; lack of active spaces leading to Orchard Steps; enable public river walk and access during the wharf's inoperative hours
- Incorporation of a public house on the south-west corner of the site
- Exploration of the potential of introducing creative workspace

Some improvements have been made to the proposed scheme since March 2020; however, there are outstanding issues as discussed below.

6. RELEVANT PLANNING POLICIES AND DOCUMENTS

6.1 The Development Plan comprises:

- The London Plan 2016 (LP)
- Managing Growth and Sharing the Benefits - Tower Hamlets Local Plan 2031 (2020)

6.2 The Emerging Development Plan comprises:

- The Draft London Plan (DLP)

The Mayor of London's Draft New London Plan with Consolidated Suggested Changes was published in July 2019. The Examination in Public (EiP) took place in January 2019. Generally, the weight carried by the emerging policies within the Draft New London Plan is considered significant as the document has been subject to EiP, incorporates all of the Mayor's suggested changes following the EiP and an 'Intent to Publish' was published by the Mayor of London in December 2019. However, some policies in the Draft New London Plan are subject to Secretary of State directions made on 13th March 2020, these policies are considered to have only limited or moderate weight. The statutory presumption still applies to the London Plan 2016 up until the moment that the new plan is adopted.

6.3 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)
- Mayor of London's Housing SPG (updated 2017)
- Mayor of London's 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 London Plan (2016) policy 7.26 protects safeguarded wharves and policy S.TR1 of the Tower Hamlets Local Plan 2031 (2020) requires development to support, improve and enhance the borough's freight infrastructure, including safeguarded wharves.
- 7.3 Emerging policy SI15 of the draft London Plan (Intend to Publish) states that development proposals that include the provision of a water freight use on a safeguarded wharf, with other land uses above or alongside, will need to ensure that the development has been designed so that there are no conflicts of use and that the freight-handling capacity of the wharf is not reduced.
- 7.4 The site has not been in use since the 1990s, but it remains a designated safeguarded wharf. The site's continued use as a safeguarded wharf has been confirmed as part of the Mayor of London's Safeguarded Wharves Review 2018-2019.
- 7.5 The proposed use associated with the safeguarded wharf is envisaged as a 'last-mile delivery' logistics and distribution centre. Three options for handling goods on the site have been presented through the pre-application process. This includes a crane option, a pontoon option and a jetty option.
- 7.6 At present, there is no identified end user for the wharf use. The proposal would be submitted as a mix of outline and full planning application where the outline component would include the riverside infrastructure to be determined through reserved matters when an end user would be known whilst all other components of the proposed would form part of the full planning application.
- 7.7 The principle of reactivating the wharf use and introducing the residential use is considered acceptable subject to ensuring that the wharf capacity has been maximised, there is flexibility of the proposed use for future operators, and the long-term use and viability of the safeguarded wharf is not constrained.
- 7.8 The applicant has been extensively engaging with the Port of London Authority to explore the wharf's maximum capacity and alternative uses. Whilst the applicant has carried out various assessment for the proposed wharf use; the PLA has not formally confirmed their position on the proposal with respect to the wharf's capacity and alternative uses.
- 7.9 In addition to the wharf use implications, the acceptability of the proposal would be subject to demonstrating policy compliance with regards to the impact on the surrounding and proposed residential uses. It should be acknowledged that Goodluck Hope development has been designed with suitable mitigation measures, this is not likely to be the case with residential units at 42-44 Orchard Wharf. Similarly, the residential element of the proposal should deliver a policy-compliant scheme to ensure successful and high-quality residential environment.

Housing

- 7.10 Local Plan policies require at least 35% affordable housing to be provided (excluding any re-provision of existing) in broad alignment with the Council's prescribed housing mix as set out in the Local Plan. The London Plan requires the maximum reasonable amount, subject to viability, to be provided. The policy refers to the GLA's Affordable Housing and Viability SPG which requires a minimum of 50% affordable housing provision for applications on industrial land to be considered under the fast track route.

- 7.11 Given the site's designation as a safeguarded wharf (industrial land), the proposal would be required to provide a minimum of 50% affordable housing unless it can be demonstrated that the capacity of the safeguarded wharf use would not be compromised as a result of the introduction of a residential use on the site. In that case, a lower threshold of 35% AH could be considered acceptable subject to a policy compliant tenure split as set out in Tower Hamlets Local Plan 2031 policy D.DH2.
- 7.12 The proposed scheme seeks to deliver 826 residential units across six residential towers. The provision of a high density housing scheme within the Leamouth Tall Building Zone is in principle supported.
- 7.13 The proposal includes the provision of 35% affordable housing. As such, a viability assessment would need to form part of a future application. Once the maximum capacity, flexibility and long-term viability of the safeguarded wharf use have been established at the application stage, the proposal might be able to be considered under a fast-track route if the other elements of the proposal accord with the Development Plan policies.
- 7.14 The affordable housing offer is based on a 70:30 split between affordable rented units and Discounted Market Rent (DMR). The delivery of DMR units as part of the intermediate housing offer and the Build to Rent product is acceptable in policy terms; however, the rental levels should be aligned with other intermediate products.
- 7.15 In terms of housing quality, there are concerns with residential blocks B and D as they indicate nine units per core on each floor. There are concerns in terms of daylighting and sunlighting conditions as significant numbers of kitchen and living room areas would fail to meet the minimum daylighting requirements regardless of the site benefiting from the lack of obstruction to the south, north and west. The worst affected is block C which houses the affordable rented units.
- 7.16 The proposed communal amenity space is considered to be of sufficient amount and quality due to its position on the podium level with a southern orientation. Similarly, child playspace strategy provides a satisfactory overall space amount; however, it fails to satisfy the minimum play space for children aged 12-18.

Design, Heritage & Heights

- 7.17 Planning policies 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.
- 7.18 The Tower Hamlets Local Plan 2031 (2020) policy D.DH6 sets out the criteria for assessing the appropriateness of a tall building. The policy further directs tall buildings towards the designated Tall Building Zones (TBZs). Outside these zones, tall building proposals will be supported provided where they meet the criteria set out in Part 1 of the policy.
- 7.19 The pre-application site is located within the Leamouth Tall Building Zone (TBZ), which requires all buildings to step down towards the River Thames and ensure glimpses and views across the cluster. A general principle followed in all TBZs is stepping down towards the edge of tall building zones.
- 7.20 The logistics box would be three storeys in height above which are five of six proposed residential blocks. The tallest building, block B, stands at 30 storeys and overlooks the basin to the west and the proposed public realm and Orchard Place to the north-east. The riverside buildings, blocks A and F, are 21 storeys in height. The proposed buildings heights

drop down along Orchard Place with block D being 25 storeys in height and block E 15 storeys. The street building, block C, is part 17 part 20 storeys in height.



Proposed heights.

- 7.21 Height and massing have been raised as a concern throughout the pre-application process and has yet to be resolved. Officers are concerned that the proposed building heights fail to follow the policy requirement to step down towards the edge of the TBZ, i.e. the East India Dock Basin and the River Thames. Similarly, officers consider that the proposed buildings should acknowledge the Goodluck Hope tallest tower as the centre of this part of the Leamouth TBZ from which there should be a step down.
- 7.22 There is a general concern with respect to block C situated on the street level. Its inclusion in the scheme misses the opportunity to deliver a more generous open space and arrival point for a development of this scale. There is concern that the proposed affordable rented units located within block C would suffer from unacceptable sunlighting conditions. Other issues associated with block C include the provision of child playspace and servicing along Orchard Place.
- 7.23 The Councils design officers have raised concerns in relation to the architecture which seems to be busy and would benefit from an effective hierarchy, rhythm and contrast. Further consideration of the built form is also needed regarding the relationship between the podium associated with the wharf function and the proposed residential towers on the top.
- 7.24 The constraints of the site and structural challenges of the proposal should be acknowledged; however, it is considered that there is an opportunity to provide more public open space and buildings of appropriate heights to deliver a high quality living and working environment which fits in to the surrounding area and respects the local character.

Open Space & Public Realm

- 7.25 The extension of Orchard Place has created a small square between the podium and block C; however, there is a concern over the quality of this space due to the proximity of Towers B and C.
- 7.26 The proposed scheme would create public realm along the eastern boundary facing Goodluck Hope and there has been encouragement to create this space as active as possible.

- 7.27 Due to the site's designation as a safeguarded wharf, it has been acknowledged that opening the river access and walk is likely to be challenging due to the needs of the wharf use which should be prioritised.

Neighbouring Amenity

- 7.28 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.
- 7.29 Given the potential of the wharf use to create a significant adverse impact in terms of noise and vibration, the development would be required to include the relevant mitigation measures to safeguard the amenity of the surrounding area and the future residents of the development. Particular concerns have also been raised in relation to 42 and 44 Orchard Place as these properties are not likely to include the relevant mitigation measures themselves, unlike the most recent Goodluck Hope development.
- 7.30 A preliminary daylight and sunlight assessment has been carried out. Whilst some changes have been to the proposed scheme since, there are concerns about the level of adverse impact to daylighting and sunlighting conditions of 42 and 44 Orchard Place and Goodluck Hope.

Transport and Servicing

- 7.31 Planning policies promote sustainable modes of travel and limit car parking to essential user needs. They also seek to secure safe and appropriate servicing.
- 7.32 The site has a PTAL value of 1a-2 which indicates poor access to transport facilities. Whilst limited details have been submitted at the pre-application stage, the applicant has committed to provide a transport assessment which would include a few scenarios and assess the worst case scenario. There have been concerns over the potential road-road scenario for the wharf use. However, this is unlikely to be an unacceptable option given the strong requirement to utilise the river movement.
- 7.33 With respect to the residential use, the development is proposed as residentially permit free, with the exception of disabled car parking spaces associated with the 10% wheelchair units within the basement level below the logistics box. The provision of a policy compliant cycle storage would be secure on the basement level.
- 7.34 The majority of the residential use would be serviced within the basement space. The proposal includes a shared access route for deliveries and servicing vehicles accessed via the basement ramp located immediately adjacent to building C. One servicing bay is proposed on Orchard Place to serve building C. Another bay is proposed adjacent to block E and would be utilised for refuse collection.
- 7.35 There are concerns with respect to the servicing bay adjacent to block C and the quality of the public realm surrounding it. The eastern and western boundaries of the site would only be used for emergency access which would also allow for an uninterrupted pedestrian movement.
- 7.36 The extension of Orchard Place through the site between the podium box and block C is strongly supported. Further improvements to ensure the prioritisation of walking and cycling routes to key destinations, as well as an assessment of the Canning Town transport

interchange, would be included in the applicant's assessments forming part of the submission documents.

Environment

- 7.37 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.
- 7.38 The proposed development would constitute EIA. In this case, the ES would include the relevant impact assessments.
- 7.39 Some engagement has been done with the Lee Valley Regional Park Authority with respect to potential improvements to the basin, as well as public realm improvements and the creation of a visitor centre. However, the proposal would only be able to secure mitigation measures arising directly from the impact of the proposed development.

Infrastructure Impact

- 7.40 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 Town and Country Planning Act 1990 (as amended).

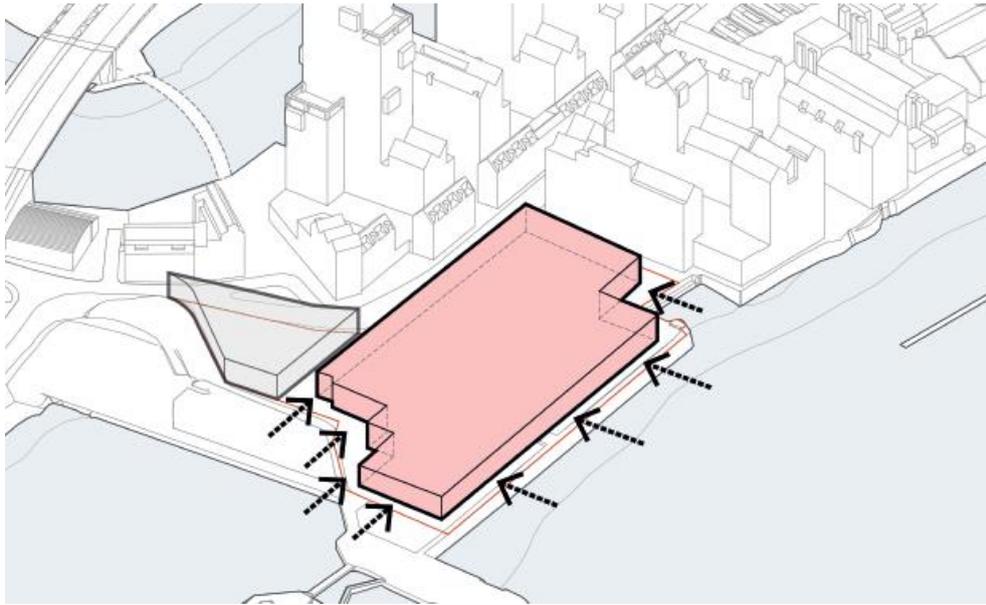
8. RECOMMENDATION

- 8.1 The Committee notes the contents of the report and pre-application presentation.
- 8.2 The Committee is invited to comment on the issues identified and to raise 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

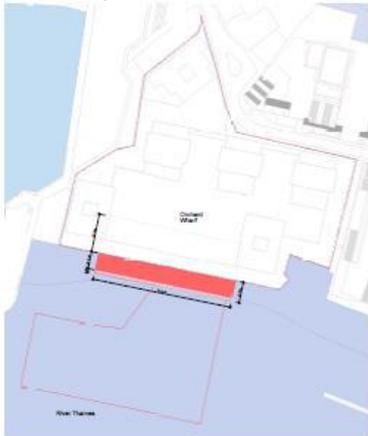


Masterplan.



Wharf use footprint (in red).

Crane option



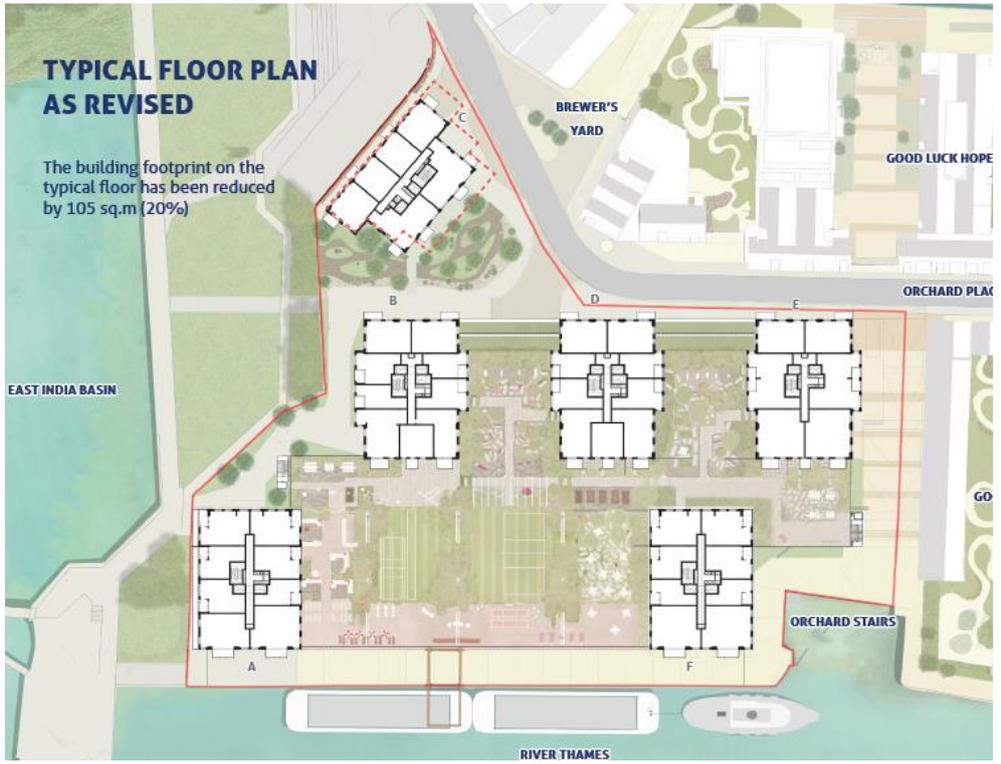
Pontoon option



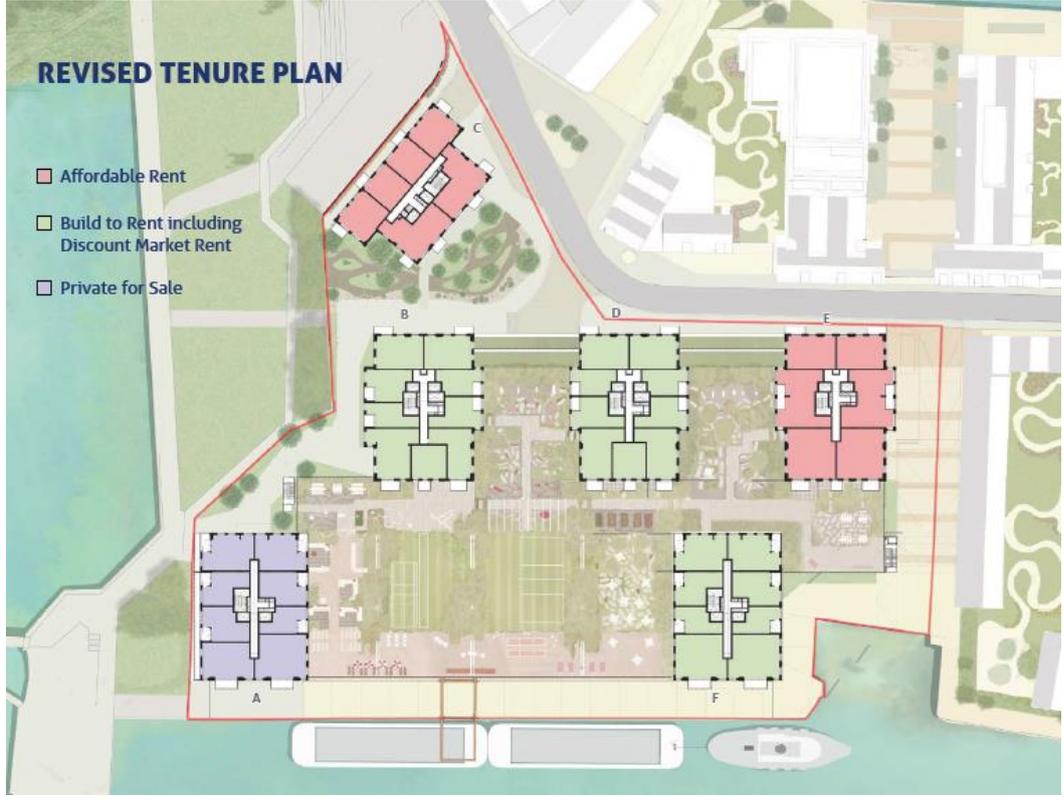
Jetty option



Wharf riverside infrastructure options.



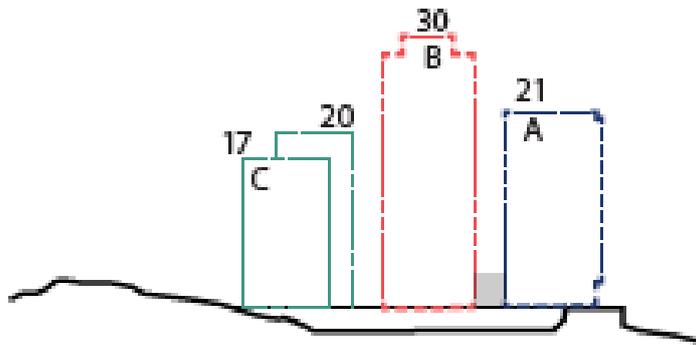
Typical floor plan.



Tenure plan.

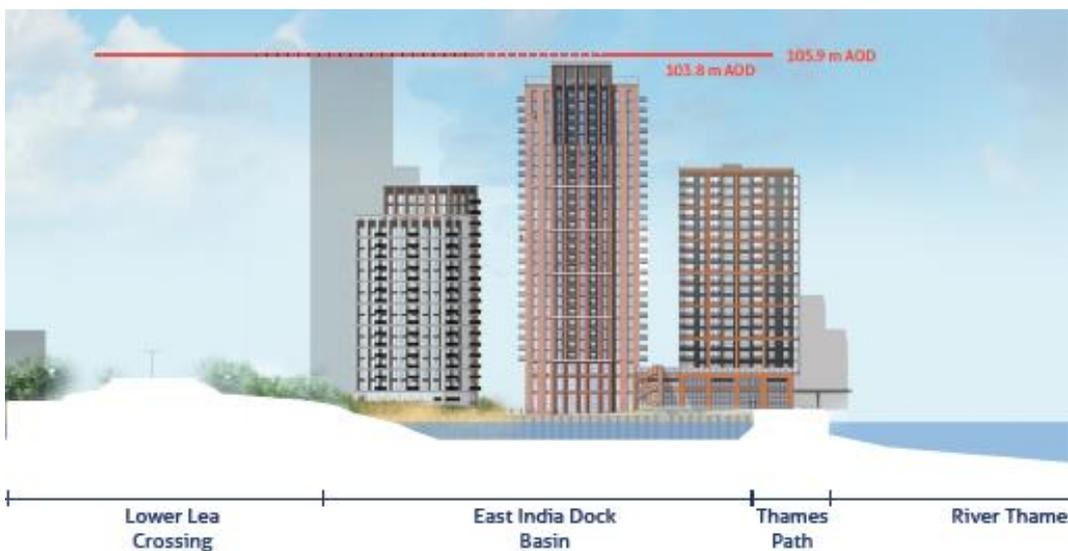


Proposed heights.



Storey Heights Diagram

Building heights as viewed from the East India Dock Basin.



Comparison to the Goodluck Hope tallest building.



View from the basin.



Closer view from the basin.



View from the Thames (Note: this image does not show the revised height of building B).



The site's entrance.



Entrance into Orchard Place.

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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.