

Strategic Development Committee



Agenda

Monday, 8 February 2021 6.00 p.m.

Online 'Virtual' Meeting -

<https://towerhamlets.public-i.tv/core/portal/home>

Chair:

Councillor John Pierce

Vice Chair:

Councillor Abdul Mukit MBE

Members:

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

Substitute Members:

Councillor Dan Tomlinson, Councillor Leema Qureshi and Councillor Sufia Alam

(The quorum for the Committee is 3)

The deadline for registering to speak is **4pm Thursday, 4 February 2021**

The deadline for submitting information for the update report is Noon
Friday, 5 February 2021

Contact for further enquiries:

Zoe Folley, Democratic Services, Zoe.Folley@towerhamlets.gov.uk 020 7364 4877 1st Floor, Town Hall, Mulberry Place, 5 Clove Crescent, E14 2BG
<http://www.towerhamlets.gov.uk/committee>



Meeting Webcast

The meeting is being webcast for viewing through the Council's webcast system.
<http://towerhamlets.public-i.tv/core/portal/home>

View Planning application documents here:

https://www.towerhamlets.gov.uk/lgnl/planning_and_building_control/planning_applications/planning_applications.aspx

Electronic agendas reports and minutes.

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London Borough of Tower Hamlets

Strategic Development Committee

Monday, 8 February 2021

6.00 p.m.

APOLOGIES FOR ABSENCE

1. **DECLARATIONS OF DISCLOSABLE PECUNIARY INTERESTS AND OTHER INTERESTS (Pages 7 - 8)**

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 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

2. **MINUTES OF THE PREVIOUS MEETING(S) (Pages 9 - 16)**

To confirm as a correct record the minutes of the meeting of the Strategic Development Committee held on 19th January 2021.

3. **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.

4. DEFERRED ITEMS

There are none

5. PLANNING APPLICATIONS FOR DECISION

21 - 26

5.1 Global Switch House, 3 Nutmeg Lane, London, E14 2AX (PA/20/01480)

27 - 44

Poplar

Proposal:

Construction of 10 storey power station unit and goods lift between existing stairwells on east facade of the existing Data Centre building. Addition of rooftop chiller units with screening on north east corner of the building.

Recommendation:

Grant planning permission with conditions.

6. OTHER PLANNING MATTERS

45 - 46

6.1 Pre-Application Presentation - Royal Mint Court, London, EC3N 4QN (PF/20/00122)

47 - 74

St Katharine's & Wapping

Proposal:

Redevelopment of the site involving change of use from an existing office development (B1 use) to provide for a new embassy (sui generis use).

Recommendation

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
Tuesday, 23 March 2021 at 6.00 p.m.



Agenda Item 1

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 TUESDAY, 19 JANUARY 2021

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 Dipa Das
Councillor Kevin Brady
Councillor Sabina Akhtar
Councillor Tarik Khan
Councillor Val Whitehead

Other Councillors Present:

None

Apologies:

Councillor Abdul Mukit MBE
Councillor Rabina Khan

Officers Present:

Paul Buckenham	– (Development Manager, Planning Services, Place)
Kevin Crilly	– (Planning Officer, Place)
Sally Fraser	– Team Leader (East)
Rachel Mckoy	– (Head of Commercial & Contracts, Legal Services Governance)
Zoe Folley	– (Democratic Services Officer, Committees, Governance)

1. DECLARATIONS OF DISCLOSABLE PECUNIARY INTERESTS AND OTHER INTERESTS

There were no declarations of interest.

2. MINUTES OF THE PREVIOUS MEETING(S)

1. That the unrestricted minutes of the meeting of the Committee held on 2nd December 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

4.1 Former Bow Common Gas Works, Bow Common Lane (PA/19/02379)

Update report was tabled

Paul Buckenham presented the application for planning permission for full planning permission for the first phase of the development and the outline application as set out in the report. It was noted that the updated Committee report and the update report set out revised recommendations and conditions to address the issues raised by the Committee on 2nd December, where the Committee previously considered the application.

Kevin Crilly (Planning Services) provided a brief overview of the application

The Committee noted the key features of the application including:

- The provision of a mixed use development with a policy compliant level of affordable housing
- Publicly accessible open space.
- That the height and design of the development, with the differing typologies, would respond well to the local context.

The application was deferred by Members on 2nd December where the Committee requested that Officers and the applicant review the mechanisms within the proposal to ensure the delivery of a mix of housing types within the future phases of development. The committee also expressed concern regarding the lack of certainty over the provision of larger house types suitable for families at the outline planning stage.

To address these concerns, conditions were proposed, (as set out in the Committee report and update), which set a proposed range for the private housing mix targets with the aim of securing the following objectives: adequate controls over the private housing mix, a mixed and balanced housing mix whilst allowing a degree of flexibility in the delivery of the development. The conditions complied with policy.

Details of the affordable housing element would be secured by the s106 ensuring that the scheme would deliver 35% affordable housing and this complied with policy.

The report also set out a condition on the wheelchair accessible housing mix

The Committee also requested that further consultation is carried out with the Cemetery Park to address the outstanding concerns particularly in relation to light pollution. Since that meeting, the Council have carried out further engagement with the applicant and the Cemetery Park. The deferral report sets out conditions to address the concerns and proposed an uplift in the contributions. The Cemetery Park welcome having a role in the development of the proposals.

In light of the above, Officers continue to recommend that the application was granted planning permission.

The Committee also received reassurances from the Legal Officer, regarding the proposed conditions concerning the private sector housing from a legal point of view, as this issue was raised at the last meeting. It was confirmed that the proposed conditions satisfied the relevant tests in planning law.

Committee's questions.

In response, the Committee welcomed the updated recommendations and the legal guidance.

The Committee also noted the recent comments from the Cemetery Park, expressing uncertainty over future costs, as detailed in the update report.

In response, Officers reported on the recent discussions with the Cemetery Park and noted the issues discussed regarding potential uncosted impacts. It was noted whilst there may be some unforeseen costs, the contributions were significant. The contributions had been costed in consultation with the Cemetery Park against all known costs, based on the identified impacts.

On a vote of 6 in favour, and 0 against, the Committee **RESOLVED:**

1. That planning permission is **GRANTED** at Former Bow Common Gas Works, Bow Common Lane for the following development:
 - In Outline, with all matters reserved, for a comprehensive phased mixed-use development comprising demolition of existing buildings and structures, for the uses set out in the Committee report

- In Full, for a comprehensive phased development comprising demolition of existing buildings and structures, and residential (Use Class C3) flexible residential facilities and commercial uses (Use Classes A1, A2, A3, A4, B1, C3, D1 and D2) together with public open space; public realm works and landscaping; car and cycle parking; servicing arrangements; sustainable energy measures; formation of new pedestrian and vehicular access and means of access and circulation within the site; and site preparation works.
2. Subject to the prior completion of a S106 agreement to secure the planning obligations set out in the original report dated 2nd December 2020
 3. Subject to the conditions set out in the original report dated 2nd December 2020
- (a) The additional conditions within the Committee report dated 19th January 2021 in relation to:
- private tenure housing mix in future phases of the development; Paragraph 2.9 of the report (as amended in the Committee update report)

Details of the private housing mix in the outline phases of the development shall be submitted to the Council for approval as part of each reserved matters application and be delivered in accordance with the private residential mix set out as follows unless otherwise agreed in writing with the Local Planning Authority.

Private Residential Mix

Unit size	Permitted range
1 bed	20-40%
2 bed	40-60%
3 and 4 bed	10-20%

Reason: To ensure that the development takes account of Local Plan Policy D.H2 'Affordable housing and housing mix' and delivers an appropriate mix of housing within the private tenure. In assessing the detailed mix for Reserved Matters coming forward for an outline phase, consideration will be given to the following:

- a. Meeting the affordable housing tenure split requirements;
- b. Meeting the affordable housing product requirements;
- c. Maximising the delivery of family affordable rented housing;
- d. On-site provision of social infrastructure in accordance with the Site Allocation 2.1 requirements (provision of a sixth form centre and 1ha consolidated open space);
- e. Changes in local housing need and market conditions; and

f. *Site accessibility and connectivity.*

- provision of wheelchair housing in accordance with local needs; Paragraph 2.27 of the report

For each Phase of development, all of the approved residential units shall be constructed and fitted out to comply with the Building Regulations 2010 (as amended) optional requirement M4(2) 'accessible and adaptable', except for 10% of the residential units which shall comply with the optional requirement M4(3)(2) 'wheelchair user dwellings'.

The wheelchair user residential units approved within the affordable rented (formerly known as social rented) tenure shall comply with requirement M4(3)(2)b. All other wheelchair user units (intermediate and private tenures) shall comply with the optional requirement M4(3)(2)a.

Prior to the commencement of above ground works for each Phase, the following details shall be submitted to and approved in writing by the local planning authority:

- a. Details of how the proposed allocation of wheelchair user units has taken into account the requirements of the relevant policy and the needs of the Borough;*
- b. Drawings and a schedule confirming the location of the wheelchair user dwellings within that Phase;*
- c. 1:50 detailed drawings of the affordable rented wheelchair user units (i.e. those required to meet optional requirement M4(3)(2)b).*

Prior to occupation of the relevant residential units, these units shall be fully fitted out in accordance with the approved details, unless otherwise agreed with the local planning authority.

Any lifts shown on the approved drawings shall be installed and in an operational condition prior to the first occupation of the relevant residential access cores. The lifts shall be retained and maintained in an operational condition for the lifetime of the development.

- lighting strategy; Paragraph 2.17 of the report

*Prior to the commencement of above ground works of any phase of development, details of the proposed lighting strategy for the operational use of that phase shall be submitted and approved in writing by the Local Planning Authority, **in consultation with Friends of Tower Hamlets Cemetery Park**. It shall include:*

a) Details of lighting; including type, specification, hours of operation and lux numbers; and

b) A demonstration of how the sensitive light strategy will avoid unacceptable lighting of the adjoining Tower Hamlets Cemetery Park (LNR/SINC).

Reason: To ensure a positive relationship between the development, surrounding development and the Tower Hamlets Cemetery Park in line with policies S.DH1, D.SG4, D.DH6 and D.DH8 of the Local Plan (2020).

- construction impacts. Paragraph 2.19 of the report

Prior to the commencement of works permitted by this planning permission, a Construction Environmental Management & Logistics Plan shall be submitted to and approved in writing by the Local Planning Authority.

The plans shall aim to minimise the amenity, environmental (including ecological) and road network impacts of the demolition and construction activities and include the details of:

- a. Telephone, email and postal address of the site manager and details of complaints procedures for members of the public;*
- b. Dust Management Strategy to minimise the emission of dust and dirt during construction including but not restricted to spraying of materials with water, wheel washing facilities, street cleaning and monitoring of dust emissions;*
- c. A strategy for minimising impacts upon the Cemetery Park following consultation with the Friends of Tower Hamlets Cemetery Park;*
- d. Measures to maintain the site in a tidy condition in terms of disposal/storage of waste and storage of construction plant and materials;*
- e. Scheme for recycling/disposition of waste resulting from demolition and construction works;*
- f. Ingress and egress to and from the site for vehicles;*
- g. Proposed numbers and timing of vehicle movements through the day and the proposed access routes, delivery scheduling, use of holding areas, logistics and consolidation centres;*
- h. Parking of vehicles for site operatives and visitors;*
- i. Travel Plan for construction workers;*
- j. Location and size of site offices, welfare and toilet facilities;*
- k. Erection and maintenance of security hoardings including decorative displays and facilities for public viewing;*

- l. Measures to ensure that pedestrian access past the site is safe and not obstructed;*
- m. Measures to minimise risks to pedestrians and cyclists, including but not restricted to accreditation of the Fleet Operator Recognition Scheme (FORS) and use of banksmen for supervision of vehicular ingress and egress.*
- n. Implement all measures relevant to construction as per the Environmental Statement (ES).*

The development shall be carried out in accordance with the approved details, unless otherwise agreed in writing by the local planning authority.

Reason: In the interests of highway and pedestrian safety and to preserve the amenity of the area in accordance

- (b) updated planning obligations to require a financial contribution of £375,000 towards mitigation of the impacts of the development on Tower Hamlets Cemetery Park.

5. PLANNING APPLICATIONS FOR DECISION

There were none

The meeting ended at 6.30 p.m.

Chair, Councillor John Pierce
Strategic Development Committee

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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.



DEVELOPMENT COMMITTEE

Report of the Corporate Director of Place

Classification: Unrestricted

Advice on Planning Applications for Decision

1. INTRODUCTION

- 1.1 In this part of the agenda are reports on planning applications for determination by the Committee. Although the reports are ordered by application number, the Chair may reorder the agenda on the night. If you wish to be present for a particular application you need to be at the meeting from the beginning.
- 1.2 The following information and advice applies to all those reports.

2. FURTHER INFORMATION

- 2.1 Members are informed that all letters of representation and petitions received in relation to the items on this part of the agenda can be made available for inspection at the meeting.
- 2.2 Members are informed that any further letters of representation, petitions or other matters received since the publication of this part of the agenda, concerning items on it, will be reported to the Committee in an Addendum Update Report.

2.3 ADVICE OF CORPORATE DIRECTOR, GOVERNANCE

- 3.1 This is general advice to the Committee which will be supplemented by specific advice at the meeting as appropriate. The Committee is required to determine planning applications in accordance with the Development Plan and other material planning considerations. Virtually all planning decisions involve some kind of balancing exercise and the law sets out how this balancing exercise is to be undertaken. After conducting the balancing exercise, the Committee is able to make a decision within the spectrum allowed by the law. The decision as to whether to grant or refuse planning permission is governed by section 70(2) of the Town and Country Planning Act 1990 (TCPA 1990). This section requires the Committee to have regard to:

- the provisions of the Development Plan, so far as material to the application;
- any local finance considerations, so far as material to the application; and
- to any other material considerations.

- 3.2 What does it mean that Members must have regard to the Development Plan? Section 38(6) of the Planning and Compulsory Purchase Act 2004 explains that having regard to the Development Plan means deciding in accordance with the Development Plan, unless material considerations indicate otherwise. If the Development Plan is up to date and contains material policies (policies relevant to the application) and there are no other material considerations, the application should be determined in accordance with the Development Plan.

The Local Development Plan and Other Material Considerations

- 3.3 The relevant Development Plan policies against which the Committee is required to consider each planning application are to be found in:
 - The London Plan 2016;

- The Tower Hamlets Core Strategy Development Plan Document 2025 adopted in 2010; and
 - The Managing Development Document adopted in 2013.
- 3.4 The Planning Officer's report for each application directs Members to those parts of the Development Plan which are material to each planning application, and to other material considerations. National Policy as set out in the National Planning Policy Framework 2019 (**NPPF**) and the Government's online Planning Practice Guidance (PPG) are both material considerations.
- 3.5 One such consideration is emerging planning policy such as the Council's Local Plan¹ and the Mayor of London's New London Plan². The degree of weight which may be attached to emerging policies (unless material considerations indicate otherwise) depends on the stage of preparation of the emerging Development Plan, the extent to which there are unresolved objections to the relevant policies, and the degree of consistency of the relevant policies in the draft plan to the policies in the framework. As emerging planning policy progresses through formal stages prior to adoption, it accrues weight for the purposes of determining planning applications (NPPF, paragraph 48).
- 3.6 Having reached an advanced stage in the preparation process, the Local Plan now carries more weight as a material consideration in the determination of planning applications. However, the policies will not carry full weight until the Local Plan has been formally adopted. The New London Plan is at a less advanced stage of the adoption process.
- 3.7 The purpose of a Planning Officer's report is not to decide the issue for the Committee, but to inform Members of the considerations relevant to their decision making and to give advice on and recommend what decision Members may wish to take. Part of a Planning Officer's expert function in reporting to the Committee is to make an assessment of how much information to include in the report. Applicants and objectors may also want to direct Members to other provisions of the Development Plan (or other material considerations) which they believe to be material to the application.
- 3.8 The purpose of Planning Officer's report is to summarise and analyse those representations, to report them fairly and accurately and to advise Members what weight (in their professional opinion) to give those representations.
- 3.9 Ultimately it is for Members to decide whether the application is in accordance with the Development Plan and if there are any other material considerations which need to be considered.

Local Finance Considerations

- 3.10 Section 70(2) of the TCPA 1990 provides that a local planning authority shall have regard to a local finance consideration as far as it is material in dealing with the application. Section 70(4) of the TCPA 1990 defines a local finance consideration and both New Homes Bonus payments (**NHB**) and Community Infrastructure Levy (**CIL**) fall within this definition.

¹The Tower Hamlets Local Plan 2031: Managing Growth and Sharing the Benefits' was submitted to the Secretary of state for Housing, Communities and Local Government to undergo an examination in public on 28 February 2018. As part of the examination process, the planning inspector held a series of hearing sessions from 6 September to 11 October 2018 to discuss the soundness of the Local Plan. The planning inspector has put forward a series of modifications as part of the examination process in order to make it sound and legally compliant. These modifications are out to consultation for a 6 week period from 25 March 2019.

² The draft New London Plan was published for public consultation in December 2017, The examination in public commenced on 15 January 2019 and is scheduled until mid to late May 2019.

- 3.11 Although NHB and CIL both qualify as *“local finance considerations*, the key question is whether they are "material" to the specific planning application under consideration.
- 3.12 The prevailing view is that in some cases CIL and NHB can lawfully be taken into account as a material consideration where there is a direct connection between the intended use of the CIL or NHB and the proposed development. However to be a ‘material consideration’, it must relate to the planning merits of the development in question.
- 3.13 Accordingly, NHB or CIL money will be 'material' to the planning application, when reinvested in the local areas in which the developments generating the money are to be located, or when used for specific projects or infrastructure items which are likely to affect the operation or impact on the development. Specific legal advice will be given during the consideration of each application as required.

Listed Buildings and Conservation Areas

- 3.14 Under Section 16 of the Planning (Listed Buildings and Conservation Areas) Act 1990, in considering whether to grant listed building consent for any works, the local planning authority must have special regard to the desirability of preserving the building or its setting or any features of special architectural or historic interest which it possesses.
- 3.15 Under Section 66 of the Planning (Listed Buildings and Conservation Areas) Act 1990, in considering whether to grant planning permission for development which affects a listed buildings or its setting, the local planning authority must have special regard to the desirability of preserving the building or its setting or any features of architectural or historic interest it possesses.
- 3.16 Under Section 72 of the Planning (Listed Buildings and Conservation Areas) Act 1990, in considering whether to grant planning permission for development in a conservation area, the local planning authority must pay special attention to the desirability of preserving or enhancing the character or appearance of the conservation area.

Trees and Natural Environment

- 3.17 Under Section 197 of the TCPA 1990, in considering whether to grant planning permission for any development, the local planning authority must ensure, whenever it is appropriate, that adequate provision is made, by the imposition of conditions, for the preservation or planting of trees.
- 3.18 Under Section 40 of the Natural Environment and Rural Communities Act 2006 (Duty to conserve biodiversity), the local authority *“must, in exercising its functions, have regard, so far as is consistent with the proper exercise of those functions, to the purpose of conserving biodiversity”*.

Crime and Disorder

- 3.19 Under Section 17 of the Crime and Disorder Act (1998) (Duty to consider crime and disorder implications), the local authority has a *“dutyto exercise its various functions with due regard to the likely effect of the exercise of those functions on, and the need to do all that it reasonably can to prevent, crime and disorder in its area (including anti-social and other behaviour adversely affecting the local environment)...”*

Transport Strategy

- 3.20 Section 144 of the Greater London Authority Act 1999, requires local planning authorities to have regard to the London Mayor’s Transport strategy.

Equalities and Human Rights

- 3.21 Section 149 of the Equality Act 2010 (Public Sector Equality Duty) (**Equality Act**) provides that in exercising its functions (which includes the functions exercised by the Council as Local Planning Authority), that the Council as a public authority shall amongst other duties have due regard to the need to-
- (a) eliminate discrimination, harassment, victimisation and any other conduct that is prohibited under the Equality Act;
 - (b) advance equality of opportunity between persons who share a relevant protected characteristic and persons who do not share it;
 - (c) foster good relations between persons who share a relevant protected characteristic and persons who do not share it.
- 3.22 The protected characteristics set out in Section 4 of the Equality Act are: age, disability, gender reassignment, marriage and civil partnership, pregnancy and maternity, race, religion or belief, sex and sexual orientation. The Equality Act acknowledges that compliance with the duties set out may involve treating some persons more favourably than others, but that this does not permit conduct that would otherwise be prohibited under the Equality Act.
- 3.23 The Human Rights Act 1998, sets out the basic rights of every person together with the limitations placed on these rights in the public interest. Section 6 of the Human Rights Act 1998 prohibits authorities (including the Council as local planning authority) from acting in a way which is incompatible with the European Convention on Human Rights. Members need to satisfy themselves that the potential adverse amenity impacts are acceptable and that any potential interference with Article 8 rights will be legitimate and justified. Both public and private interests are to be taken into account in the exercise of the Council's planning authority's powers and duties. Any interference with a Convention right must be necessary and proportionate. Members having regard to the Human Rights Act 1998, to take into account any interference with private property rights protected by the European Convention on Human Rights and ensure that the interference is proportionate and in the public interest.

Environmental Impact Assessment

- 3.24 The process of Environmental Impact Assessment is governed by the Town and Country Planning (Environmental Impact Assessment) Regulations 2017 (2017 Regulations). Subject to certain transitional arrangements set out in regulation 76 of the 2017 Regulations, the 2017 regulations revoke the Town and Country Planning (Environmental Impact Assessment) Regulations 2011 (2011 Regulations).
- 3.25 The aim of Environmental Impact Assessment is to protect the environment by ensuring that a local planning authority when deciding whether to grant planning permission for a project, which is likely to have significant effects on the environment, does so in the full knowledge of the likely significant effects, and takes this into account in the decision making process. The 2017 Regulations set out a procedure for identifying those projects which should be subject to an Environmental Impact Assessment, and for assessing, consulting and coming to a decision on those projects which are likely to have significant environmental effects.
- 3.26 The Environmental Statement, together with any other information which is relevant to the decision, and any comments and representations made on it, must be taken into account by the local planning authority in deciding whether or not to grant consent for the development.

Third Party Representations

- 3.27 Under section 71(2)(a) of the TCPA 1990 and article 33(1) of the Town and Country Planning (Development Management Procedure) (England) Order 2015, the Committee is required, to

take into account any representations made within specified time limits. The Planning Officer report directs Members to those representations and provides a summary. In some cases, those who have made representations will have the opportunity to address the Committee at the meeting.

Daylight, Sunlight and Overshadowing

- 3.28 Amenity impacts resulting from loss of daylight and sunlight or an increase in overshadowing are a common material planning consideration. Guidance on assessment of daylight and sunlight is provided by the 'Site Layout Planning for Daylight and Sunlight' 2011 by BRE (the BRE Guide). The BRE Guide is purely advisory and an appropriate degree of flexibility needs to be applied when using the BRE Guide.
- 3.29 There are two methods of assessment of impact on daylighting: the vertical sky component (VSC) and no sky line (NSL). The BRE Guide specifies that both the amount of daylight (VSC) and its distribution (NSL) are important. According to the BRE Guide, reductions in daylighting would be noticeable to occupiers when, as a result of development:
- a) The VSC measured at the centre of an existing main window is less than 27%, and less than 0.8 times its former value; and
 - b) The area of the working plane in a room which can receive direct skylight is reduced to less than 0.8 times its former value.
- 3.30 The BRE Guide states that sunlight availability would be adversely affected if the centre of a window receives less than 25% of annual probable sunlight hours or less than 5% of probably sunlight hours between 21 September and 21 March and receives less than 0.8 times its former sunlight hours during either period and has a reduction in sunlight over the whole year of over 4%.
- 3.31 For overshadowing, the BRE Guide recommends that at least 50% of the area of each amenity space should receive at least two hours of sunlight on 21st March with ratio of 0.8 times the former value being noticeably adverse.
- 3.32 Specific legal advice will be given in relation to each application as required.

General comments

- 3.33 Members are reminded that other areas of legislation cover aspects of building and construction and therefore do not need to be considered as part of determining a planning application. Specific legal advice will be given should any of that legislation be raised in discussion.
- 3.34 The Committee has several choices when considering each planning application:
- To grant planning permission unconditionally;
 - To grant planning permission with conditions;
 - To refuse planning permission; or
 - To defer the decision for more information (including a site visit).

4. PUBLIC SPEAKING

- 4.1 The Council's constitution allows for public speaking on these items in accordance with the rules set out in the constitution and the Committee's procedures. These are set out at the Agenda Item: Recommendations and Procedure for Hearing Objections and Meeting Guidance.

5. RECOMMENDATION

5.1 The Committee to take any decisions recommended in the attached reports.



Application for Planning Permission

[click here for case file](#)

Reference	PA/20/01480
Site	Global Switch House, 3 Nutmeg Lane, London, E14 2AX
Ward	Poplar
Proposal	Construction of 10 storey power station unit and goods lift between existing stairwells on east facade of the existing Data Centre building. Addition of rooftop chiller units with screening on north east corner of the building.
Summary Recommendation	Grant planning permission with conditions.
Applicant	Global Switch
Architect/agent	AECOM
Case Officer	Victoria Coelho
Key dates	- Application registered as valid on 18/09/2020 - Public consultation finished on 13/10/2020

EXECUTIVE SUMMARY

Global Switch House is an existing data centre located on the eastern side of Nutmeg Lane in Poplar Ward. The surrounding area is mainly occupied by office buildings and data centres and there is a hotel to the immediate north of the site.

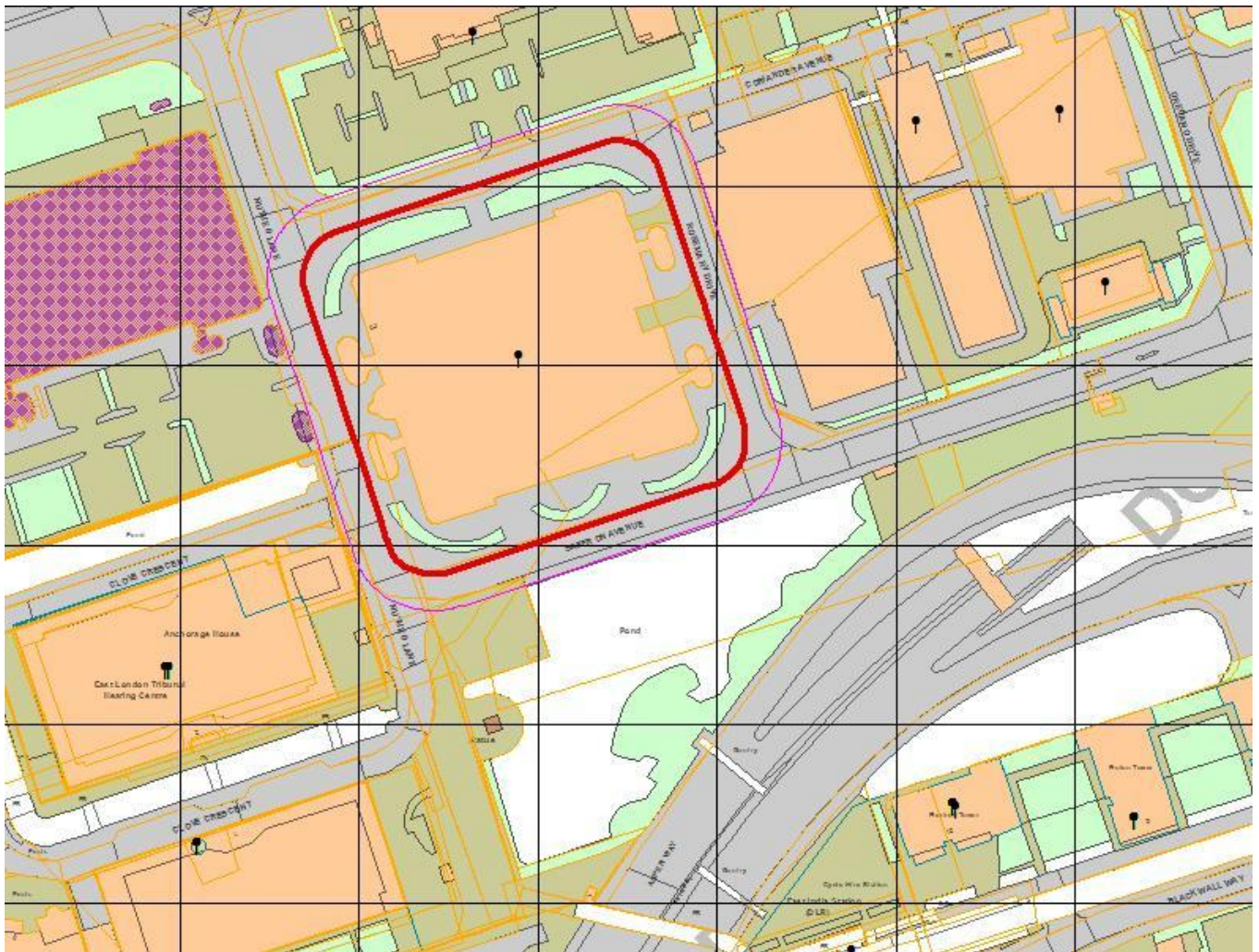
Global Switch House occupies a site of approximately 1 hectare and is an existing data centre of 10 storeys that has been in use since 2003. It occupies a site within a wider data centre campus and is bounded by private estate roads on all sides.

The proposals comprise a 10-storey power station unit and goods lift to be located between existing stairwells on the east façade of the existing Data Centre building, rooftop chiller units with screening to the north east corner of the building which would replace the existing roof mounted cooling equipment in that location and the reconfiguration of the existing basement to accommodate a water treatment plant to contain approximately 290m³ of water.






The height, massing and design of the extension are considered to appropriately respond to the host building and the local context. Although, of significant height, given the location of the proposed extension within an existing stairwell on the building, it would not impede upon views.

This application has been considered against the Council's approved planning policies contained in the London Borough of the Tower Hamlets Local Plan 2031 (January 2020) as well as the London Plan (2016), the National Planning Policy Framework and all other material considerations. Officers have also considered the application against the Draft London Plan (2019) as this carries substantial weight.

Officers recommend the proposed development be granted planning permission.



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-  Planning Application Site Boundary
-  Other Planning Applications
-  Consultation Area
-  Land Parcel Address Point
-  Locally Listed Buildings
-  Statutory Listed Buildings

Planning Applications Site Map PA/20/01480

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



**London Borough
of Tower Hamlets**

Scale : 50m grid squares

Date: 29 January 2021

1. SITE AND SURROUNDINGS

- 1.1 Global Switch House is located on the eastern side of Nutmeg Lane in Blackwall in the Docklands area of Tower Hamlets. The surrounding area is mainly occupied by office buildings, and data centres. A travel lodge hotel is located to the immediate north of the site which has an Outline consent for demolition and replacement with a data centre.
- 1.2 Global Switch House occupies a site of approximately 1 hectare and is an existing data centre that has been in use since 2003. It occupies a site within a wider data centre campus and is bounded by private estate roads on all sides.
- 1.3 The site is located in the Blackwell Archaeological Priority Area which has the potential to contain Neolithic remains, medieval and post-medieval industrial remains and palaeoenvironmental and geoarchaeological deposits.
- 1.4 The site is located within the following designations, Blackwell Cluster Tall Building Zone. Blackwell Local Employment Location.

2. PROPOSAL

- 2.1 Planning permission is sought for the construction of an extension to the existing Global Switch data centre to allow Global Switch to meet increased demand for data centre capacity through power-intensifying the existing facility from 821W/m² to 2000W/m². The proposed new power station will feed the power-intensified floors and provide generators to supply power in case of an emergency operations scenario when power is interrupted, as well as provide more efficient water-cooled chillers and hybrid heat rejection units on the roof of the existing facility to serve the newly fitted data halls.
- 2.2 The proposals comprises a 10-storey power station unit and goods lift to be located between existing stairwells on the east façade of the existing Data Centre building, comprising 2,540sqm GFA to a maximum height of 66.63 metres above ordnance datum (AOD), including piled foundations to a depth of 45m. This will house emergency generators on each floor excluding ground level (sixteen generators in total over eight floors) to power the data centre in the event of an interruption to power. The proposed floorspace will not be 'occupied' floorspace, and will not accommodate staff other than for periodic maintenance and testing of equipment.
- 2.3 The proposals also comprises the addition of rooftop chiller units with screening to the north east corner of the building which would replace the existing roof mounted cooling equipment in that location; this is necessary to prevent the overheating of the additional power units. These will have a maximum height of 64.82m AOD and will not exceed the existing roof height of 66.65 AOD.
- 2.4 In addition, the reconfiguration of the existing basement to accommodate a water treatment plant to contain approximately 290m³ of water is proposed.

3. RELEVANT PLANNING HISTORY

3.1 PA/00/00076; Granted 19/04/2001

Erection of a 10 storey building for use as a data centre with ancillary offices, switch centre and technical and engineering operational support facilities, car parking at ground floor level (accessed from Rosemary Drive) and 4 retail units fronting Saffron Avenue, together with external landscaping.

3.2 PA/07/02722; Granted 05/02/2008

Installation of 3no. additional roof mounted chiller units and 4no. additional Diesel Rotary Uninterrupted Power Supply units (DRUPS) at roof level, together with installation of new sound attenuation measures on six existing DRUPS units.

3.3 PA/06/02196; Granted 29/01/2007

Installation of 3 new roof mounted chiller units and 4 new Diesel Rotary Uninterrupted Power Supply units (DRUPS) at roof level.

3.4 PA/10/00632; Granted 17/05/2011

External alterations including installation of three new diesel generators at roof level, installation of four new low level air conditioning units at roof level, installation of two new external access stairs at roof level and installation of new matching grey louvres at ground floor level into blank panels.

3.5 PA/11/01461; Granted 23/08/2011

External alterations including construction of three raised platforms and installation of 28 condensers at roof plant level.

3.6 PA/13/00231; Granted 04/04/2013

Replacement of 12 existing chiller units with 12 new chiller units at roof level, including 12 new small vases.

4. PUBLICITY AND ENGAGEMENT

4.1 The applicant sought formal pre-application advice from the Council in February 2020.

4.2 Surrounding occupiers were notified by post and a site notice displayed. Press notice was also published. No consultation responses were received.

5. CONSULTATION RESPONSES

EXTERNAL CONSULTEES

5.1 Greater London Authority

At the time of writing a Stage 1 response from the GLA has not been received, although validation and receipt of a referral was received on 18/09/2020 with a response due 6 weeks from this date (03/11/2020).

5.2 Environment Agency

No objection subject to informatives.

5.3 Historic England

No objection.

5.4 Historic England – Archaeology

No Archaeological Requirement.

5.5 London City Airport

No objection subject to conditions.

5.6 London Fire & Emergency Planning Authority

No comments to date.

5.7 NATS

No objection.

5.8 National Grid

No comments to date.

5.9 Thames Water

No objection subject to conditions.

5.10 Transport for London

No comments to make.

INTERNAL CONSULTEES

5.11 LBTH Environmental Health (Air Quality)

The following queries on the air quality impact assessment by AECOM for the additional generator were raised:

- It is noted 2017 DEFRA background maps have been used. Any reason why 2018 maps were not used
- Was a model verification undertaken.
- The IAQM position statement "Assessment of Air Quality Impacts from Combustion Plant with Limited-hours of Operation" states "When considering the long term impacts it is good practice to consider whether the sum of the process contribution and the Defra 'mapped' background concentration is sufficient when calculating the predicted environmental concentration. This approach may not be always be representative of existing ambient concentrations of pollutants (i.e. the baseline concentration), particularly in urban environments where traffic emissions may be significant". Have they taken this into account.

The additional generator will require an environmental permit from the Environment Agency. It is noted there is already a permit for existing generators and that a variation of the permit will be required from the EA.

A Demolition/Construction Environmental Management & Logistics Plan should be secured via condition.

Officer comment: The applicant provided further clarifications, to which LBTH Air Quality raised no objection.

5.12 LBTH Environmental Health (Contaminated Land)

Based on the number of GAC exceedances in made ground, surface waters and ground water, DQRA will be required and further ground gas monitoring. Full details should be secured via condition.

5.13 LBTH Environmental Health (Noise and Vibration)

No comments to date.

5.14 LBTH Energy Efficient and Sustainability

The development proposals include an extension for provision of additional floor area for servers and plant equipment to serve the existing data centre. The proposals as presented within the submitted energy strategy identify that new plant equipment will improve the overall efficiency of the existing development and will not increase the energy footprint of the data centre. As the proposals do not increase the energy use of the scheme the sustainable development team has no objections to the data centre extension in this specific instance.

Given the nature of the proposals is an extension to an existing building it is not considered that adopted policies for net zero carbon or BREEAM are applicable in this instance.

5.15 LBTH Surface Water Run Off

No comments to date.

5.16 LBTH Waste

No comments to date.

5.17 LBTH Transportation & Highways

No comments to date.

5.18 LBTH Employment and Enterprise

The developer should exercise best endeavours to ensure that 20% of the construction phase workforce will be local residents of Tower Hamlets. The Economic Development Service will support the developer in achieving this target through providing suitable candidates through the Workpath Job Brokerage Service.

To ensure local businesses benefit from this development we expect that 20% goods/services procured during the construction phase should be achieved by businesses in Tower Hamlets. The Economic Development Service will support the developer to achieve their target through ensuring they work closely with the council's Enterprise team to access the approved list of local businesses.

The Council will seek to secure a financial contribution of £0.00 to support and/or provide the training and skills needs of local residents in accessing the job opportunities created through the construction phase of all new development. This contribution will be used by the Council to provide and procure the support necessary for local people who have been out of employment and/or do not have the skills set required for the jobs created.

6. RELEVANT PLANNING POLICIES AND DOCUMENTS

6.1 Legislation requires that decisions on planning applications must be taken in accordance with the Development Plan unless there are material considerations that indicate otherwise.

6.2 In this case the Development Plan comprises:

- The London Plan 2016 (LP)
- Tower Hamlets Local Plan 2031

6.3 The key development plan policies relevant to the proposal are:

Land Use - (*local employment location*)

- Local Plan policies - D.EMP3
- London Plan policies – LP3.14, LP4.2

Design and Heritage - (*layout, townscape, massing, heights and appearance, materials, heritage*)

- Local Plan policies - S.DH1, S.DH3,
- London Plan policies – LP7.1 - 7.8

Amenity - (*privacy, outlook, daylight and sunlight, noise, construction impacts*)

- Local Plan policies - D.DH8
- London Plan policies – LP7.6, LP 7.14, LP7.15

Transport - (*sustainable transport, highway safety, car and cycle parking, servicing*)

- Local Plan policies - S.TR1, D.TR2, D.TR3 D.TR4
- London Plan policies – LP 6.1, LP6.3, LP6.5- LP6.13

Environment - (*energy efficiency, air quality, Thames Water and contaminated land*)

- Local Plan policies – S.SG2, S.ES1, D.ES7, D.ES2, D.ES9, D.ES4, D.ES7, D.ES8
- London Plan policies – LP3.2, LP5.1 - 5.15, LP5.21, LP7.14, LP7.19, LP7.21,

6.1 Other policy and guidance documents relevant to the proposal are:

- National Planning Policy Framework (2019)
- National Planning Practice Guidance (updated 2019)
- LP Draft New London Plan (2018)

7. PLANNING ASSESSMENT

7.1 The key issues raised by the proposed development are:

- i. Land Use
- ii. Design & Heritage
- iii. Neighbour Amenity
- iv. Transport
- v. Environment
- vi. Infrastructure
- vii. Local Finance Considerations
- viii. Equalities and Human Rights

Land Use

Development in a Local Employment Location

- 7.2 The site is located within an area that is concentrated with data centres which support the needs of Canary Wharf and the City of London. The London Plan acknowledges that data centres can contribute towards employment opportunities for Londoners.
- 7.3 The site is located within a Local Employment Location (LEL), Policy D.EMP3 of the Tower Hamlets Local Plan (2020) states that development should not result in the net loss of viable employment floor space except where evidence is provided of active marketing over a continuous period of 24 months or it is demonstrated that the site is genuinely unsuitable for continued employment and that the benefits of alternative uses would outweigh the benefits of employment use. In this instance, the proposals would not result in any net loss of employment floorspace.
- 7.4 The provision of additional floorspace to the existing building is in compliance with the relevant policies, and is consistent with the strategic aims of the site.

Design & Heritage

- 7.5 Policy S.DH3 requires development to preserve, or where appropriate, enhance the borough designated heritage assets.
- 7.6 Although Global Switch house is not a designated heritage asset, to the West of the site is East India Dock House, which is Grade II* Listed. Given that the extension is proposed to the east elevation away from this building, it does not give rise to concerns in terms of the setting of the listed building.
- 7.7 The proposed extension would not result in harm to the special architectural or historic interest of the Grade II* listed building or its setting in compliance with the relevant policies, including the NPPF.
- 7.8 Policy S.DH1 requires development to meet the highest standards of design. Subject to the submission of detailed information in terms of the design and materiality, the erection of an extension in this location is supported in principle in terms of design. This is due to its positioning within two existing bays, that it projects no higher than the existing building and the context of the surrounding area which comprises other data centres and modern buildings.
- 7.9 The detailed design of the extension is in keeping with the existing, modern building and the wider context. It will read as a subordinate addition.
- 7.10 The proposed extension is in compliance with the relevant policies, and acceptable in terms of design.

Rooftop Chillers

- 7.11 The proposal includes chiller units to the roof of the building located on the northeast corner. The units will be lower than the existing roof plant and not visible from ground floor level. Although they may be visible in some longer views such as from the hotel to the north of the site, this is acceptable given the existing context of the site.

Archaeology

- 7.12 Whilst the site is located in the Blackwell Archaeological Priority Area which has the potential to contain Neolithic remains, medieval and post-medieval industrial remains and palaeoenvironmental and geoarchaeological deposits, GLAAS have confirmed that there are no archaeological requirements and therefore the proposal would accord with policy S.DH3 of the Local Plan (2020)

Neighbour Amenity

- 7.13 Development Plan policies seek to protect neighbour amenity safeguarding privacy, not creating allowing unacceptable levels of noise and ensuring acceptable daylight and sunlight conditions.

The proposed extension would not give rise to any amenity concerns, given that it is recessed within two existing bays, would be no taller than the existing building and in the absence of any residential buildings within the immediate vicinity. Furthermore, given that there are no residential units within the immediate vicinity and the site being predominately surrounded by data centres there are no concerns raised in respect to any additional noise generated from the extension.

Construction Impacts

- 7.14 Demolition and construction activities are likely to cause some additional noise and disturbance, additional traffic generation and dust. In accordance with relevant Development Plan policies, a number of conditions are recommended to minimise these impacts. These will control working hours and require the approval and implementation of Construction Environmental Management and Logistics Plan.

Transport

- 7.15 Development Plan policies promote sustainable modes of travel and limit car parking to essential user needs. They also seek to secure safe and appropriate servicing.
- 7.16 The proposed extension does not include, or require any additional cycle parking, car parking or delivery and servicing. The existing arrangement associated with the data centre will be maintained, which is acceptable.

Environment

Energy and Sustainability

- 7.17 At a national level, the National Planning Policy Framework sets out that planning plays a key role in delivering reductions to greenhouse gas emissions, minimising vulnerability and providing resilience to climate change. The NPPF also notes that planning supports the delivery of renewable and low carbon energy and associated infrastructure. At a strategic level, the climate change policies as set out in Chapter 5 of the London Plan 2016 and the Tower Hamlets Local Plan (D.ES7) collectively require developments to make the fullest contribution to the mitigation and adaptation to climate change and to minimise carbon dioxide emissions.
- 7.18 Policy SI2 of the emerging London Plan requires major development to be net zero-carbon. This means reducing carbon dioxide emissions from construction and operation, and

minimising both annual and peak energy demand in accordance with the following energy hierarchy.

- Use Less Energy (Be Lean);
- Supply Energy Efficiently (Be Clean); and
- Use Renewable Energy (Be Green)

- 7.19 Policy D.ES7 includes the requirement for non-residential developments to be zero carbon with a minimum of 45% reduction in regulated carbon dioxide with the remainder to be offset with cash payment in lieu.
- 7.20 The development proposals include an extension for provision of additional floor area for servers and plant equipment to serve the existing data centre. The proposals as presented within the submitted energy strategy identify that new plant equipment will improve the overall efficiency of the existing development and will not increase the energy footprint of the data centre. As the proposals do not increase the energy use of the scheme the sustainable development team has no objections to the data centre extension in this specific instance.
- 7.21 Given the nature of the proposals is an extension to an existing building it is not considered that adopted policies for net zero carbon or BREEAM are applicable in this instance.

Air Quality

- 7.22 Policy D.ES2 of the Local Plan (2020) and policy 7.14 of the London Plan (2016) require major developments to be accompanied by an assessment which demonstrates that the proposed uses are acceptable and show how development would prevent or reduce air pollution.
- 7.23 The application is accompanied by an Air Quality Assessment which seeks to demonstrate compliance with Development Plan policies. Environmental Health Officers consider the balance of the assessment acceptable.
- 7.24 It is noted that the additional generator will require an environmental permit from the Environment Agency. There is already a permit for existing generators and that a variation of the permit will be required from the EA. The applicant is reminded of this via an informative.
- 7.25 In addition, the Air Quality Officer recommends that a Demolition/Construction Environmental Management & Logistics Plan should be secured via condition.

Land Contamination

- 7.26 The application has been reviewed by the Council's Environmental Health Land Contamination officer and subject to standard conditions, the proposals are acceptable from a land contamination perspective and any contamination that is identified can be satisfactorily dealt with.

Flood Risk and Drainage

- 7.27 Local Plan policies D.ES4 and D.ES5 seek to manage flood risk and encourage the use of Sustainable Urban Drainage within new developments.
- 7.28 The proposed development will result in a 'less vulnerable' use as defined by Table 2 of the Planning Practice Guidance: Flood Risk and Coastal Change within Flood Zone 3a. In line with Table 3, this use class is considered appropriate within Flood Zone 3 providing an adequate Flood Risk Assessment (FRA) is undertaken and demonstrates that the development will not be at an unacceptable risk of flooding and will not increase flood risk elsewhere.
- 7.29 The application site is located within Flood Zone 3a and is protected by the Thames Tidal flood defences up to a 1 in 1000 (0.1%) chance in any year flood event. The most recent Environment Agency breach hazard modelling study shows the site to be outside of the areas impacted by flooding if there was to be a breach in the defences or they

were to be overtopped. The Environment Agency therefore consider the development to be at a low risk of tidal and fluvial flooding.

Infrastructure Impact

- 7.30 The development would not be liable for CIL or Mayoral CIL.
- 7.31 Development Plan policies seek financial contributions to be secured by way of planning obligations to offset the likely impacts of the proposed development on local services and infrastructure. Given that the floorspace provided by the development relates to plant and machinery, the space does not fall within the definition of 'use able' and as such the NIA of the development is 0. Therefore, no financial contributions are sought.

Human Rights & Equalities

- 7.32 The proposal does not raise any unique human rights or equalities implications. The balance between individual rights and the wider public interest has been carefully considered and officers consider it to be acceptable.
- 7.33 The proposed development would not result in adverse impacts upon equality or social cohesion.

8. RECOMMENDATION

- 8.1 That subject to any direction by the Mayor of London, **conditional planning permission is GRANTED** subject to the prior completion of a legal agreement to secure the following planning obligations:

8.2 Financial obligations

- a. No financial obligations are required.

8.3 Non-financial obligations:

- a. Access to employment
- 20% local procurement
 - 20% local labour in construction
 - Construction phase apprenticeships
- b. Transport matters:
- Compliance with Considerate Constructors Scheme

- 8.4 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.

- 8.5 That the Corporate Director of Place is delegated the power to impose conditions and informatives to address the following matters:

8.6 Planning Conditions

Compliance

1. 3 years deadline for commencement of development.
2. Development in accordance with approved plans.
3. Restrictions on demolition and construction activities:
 - a. All works in accordance with Tower Hamlets Code of Construction Practice;
 - b. Standard hours of construction and demolition;
 - c. Air quality standards for construction machinery;
 - d. Ground-borne vibration limits; and
 - e. Noise pollution limits.

Pre-commencement

The inclusion of the following pre-commencement conditions has been agreed in principle with the applicants, subject to detailed wording

4. Construction Environmental Management Plan and Construction Logistics Plan (in consultation with TfL):
 - a. Site manager's contact details and complain procedure;
 - b. Dust and dirt control measures
 - c. Measures to maintain the site in tidy condition, disposal of waste
 - d. Recycling/disposition of waste from demolition and excavation
 - e. Safe ingress and egress for construction vehicles;
 - f. Numbers and timings of vehicle movements and access routes;
 - g. Parking of vehicles for site operatives and visitors;
 - h. Travel Plan for construction workers;
 - i. Location and size of site offices, welfare and toilet facilities;
 - j. Erection and maintenance of security hoardings;
 - k. Measures to ensure that pedestrian and cycle access past the site is safe and not unduly obstructed; and
 - l. Measures to minimise risks to pedestrians and cyclists, including but not restricted to accreditation of the Fleet Operator Recognition Scheme (FORS) and use of banksmen for supervision of vehicular ingress and egress.
5. Land Contamination Remediation Scheme (subject to post completion verification).
6. Cranes – construction methodology.
7. Piling Method Statement
8. Water Network Infrastructure

Pre-superstructure works

9. Details of external facing materials

8.7 Informatives

1. Permission subject to legal agreement.
2. EA Permits and variations
3. Thames Water Proximity to Assets

APPENDIX 1

LIST OF APPLICATION PLANS AND DRAWINGS FOR APPROVAL

Site Location Plan	GSL-ACM-ZZ-ZZ-DR-A-00000 Rev P00
Existing Basement GA	GSL-ACM-ZZ-B1-DR-A-00001 Rev P00
Existing Ground Floor GA	GSL-ACM-ZZ-00-DR-A-00002 Rev P00
Existing Upper Floor GA	GSL-ACM-ZZ-ZZ-DR-A-00003 Rev P00
Existing Roof GA	GSL-ACM-ZZ-RF-DR-A-00004 Rev P00
Existing East Elevation	GSL-ACM-ZZ-ZZ-DR-A-00005 Rev P00
Existing North Elevation	GSL-ACM-ZZ-ZZ-DR-A-00006 Rev P00
Existing South Elevation	GSL-ACM-ZZ-ZZ-DR-A-00007 Rev P00
Existing West Elevation	GSL-ACM-ZZ-ZZ-DR-A-00008 Rev P00
Ground Level Visuals	GSL-ACM-ZZ-XX-DR-A-00010 Rev P00
Ground Level Visuals	GSL-ACM-ZZ-XX-DR-A-00011 Rev P00
Aerial Visuals	GSL-ACM-ZZ-XX-DR-A-00012 Rev P00
View from DLR	GSL-ACM-ZZ-XX-DR-A-00013 Rev P00
Proposed Basement Plan	GSL-ACM-ZZ-B1-DR-A-00001 Rev P00
Proposed Ground Floor	GSL-ACM-ZZ-GF-DR-A-00002 Rev P00
Proposed Typical Upper Floor Plan	GSL-ACM-ZZ-XX-DR-A-00003 Rev P00
Proposed Roof Plan	GSL-ACM-ZZ-RF-DR-A-00004 Rev P00
Proposed East Elevation	GSL-ACM-ZZ-XX-DR-A-00005 Rev P00
Proposed North Elevation	GSL-ACM-ZZ-XX-DR-A-00006 Rev P00
Proposed West Elevation	GSL-ACM-ZZ-XX-DR-A-00007 Rev P00
Proposed South Elevation	GSL-ACM-ZZ-XX-DR-A-00008 Rev P00
Proposed Section	GSL-ACM-ZZ-XX-DR-A-00009 Rev P00

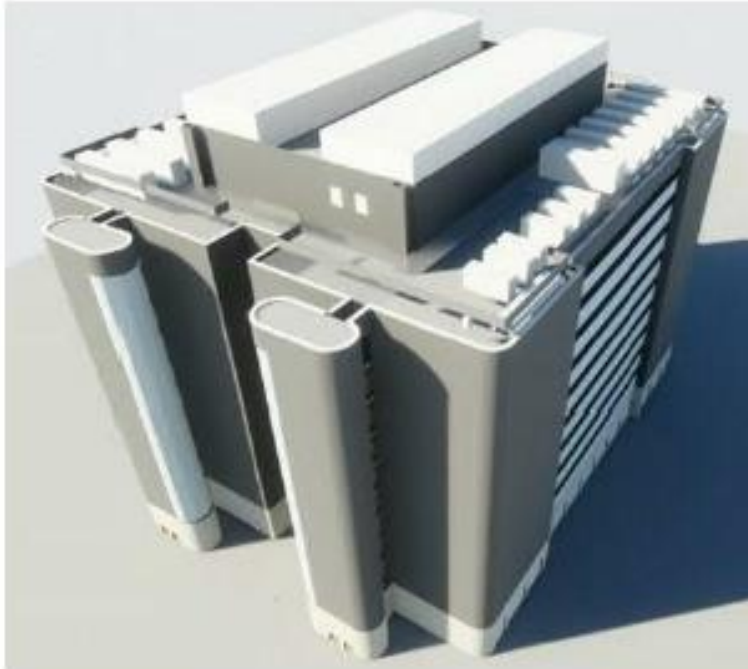
Other application documents

Planning, Design & Access Statement, including Sustainability Assessment
Geotechnical and Geo-environmental Ground Conditions Report
Archaeological Technical Note
Energy Statement
Air Quality Impact Assessment
Plant Noise Assessment

APPENDIX 2

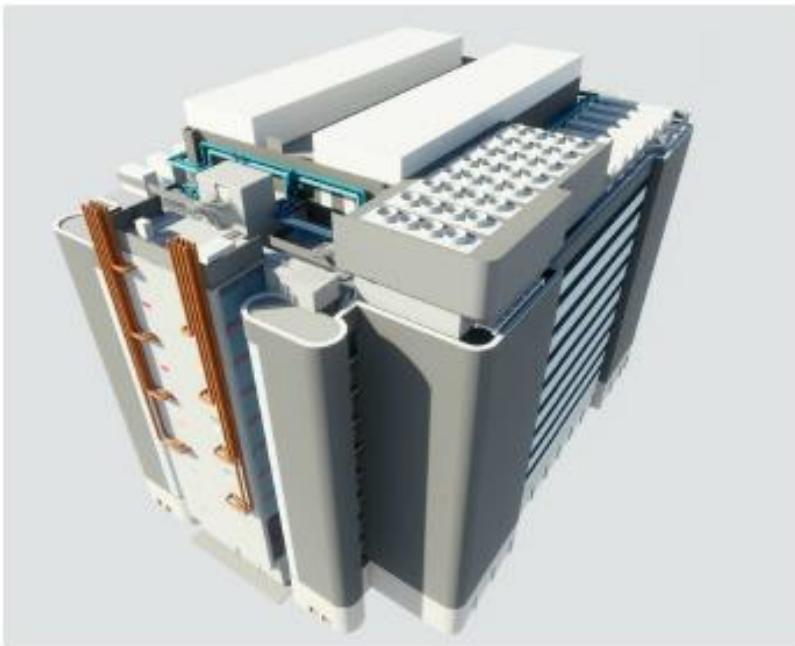
SELECTION OF APPLICATION PLANS AND IMAGES

Ariel 3D Visual

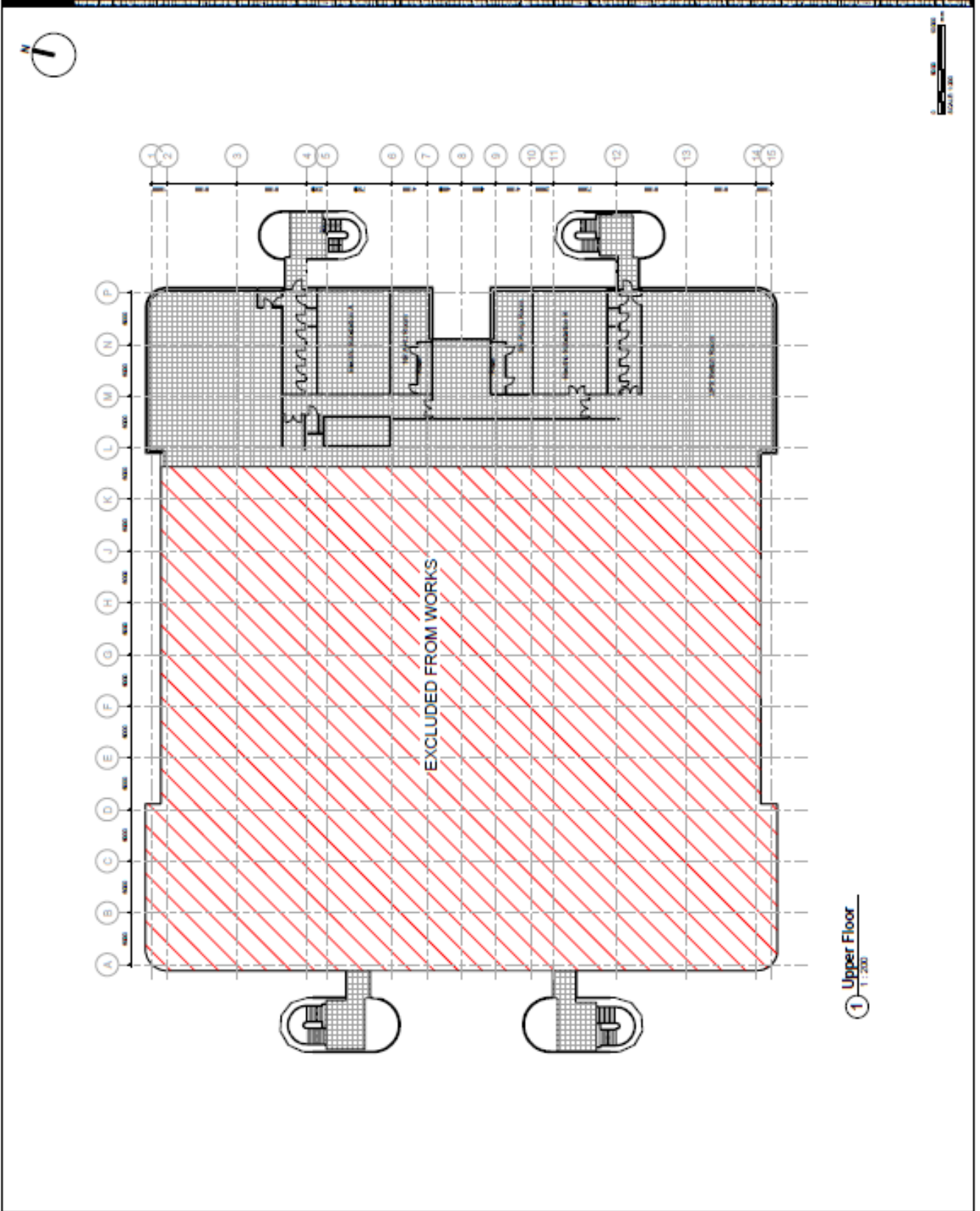


EXISTING

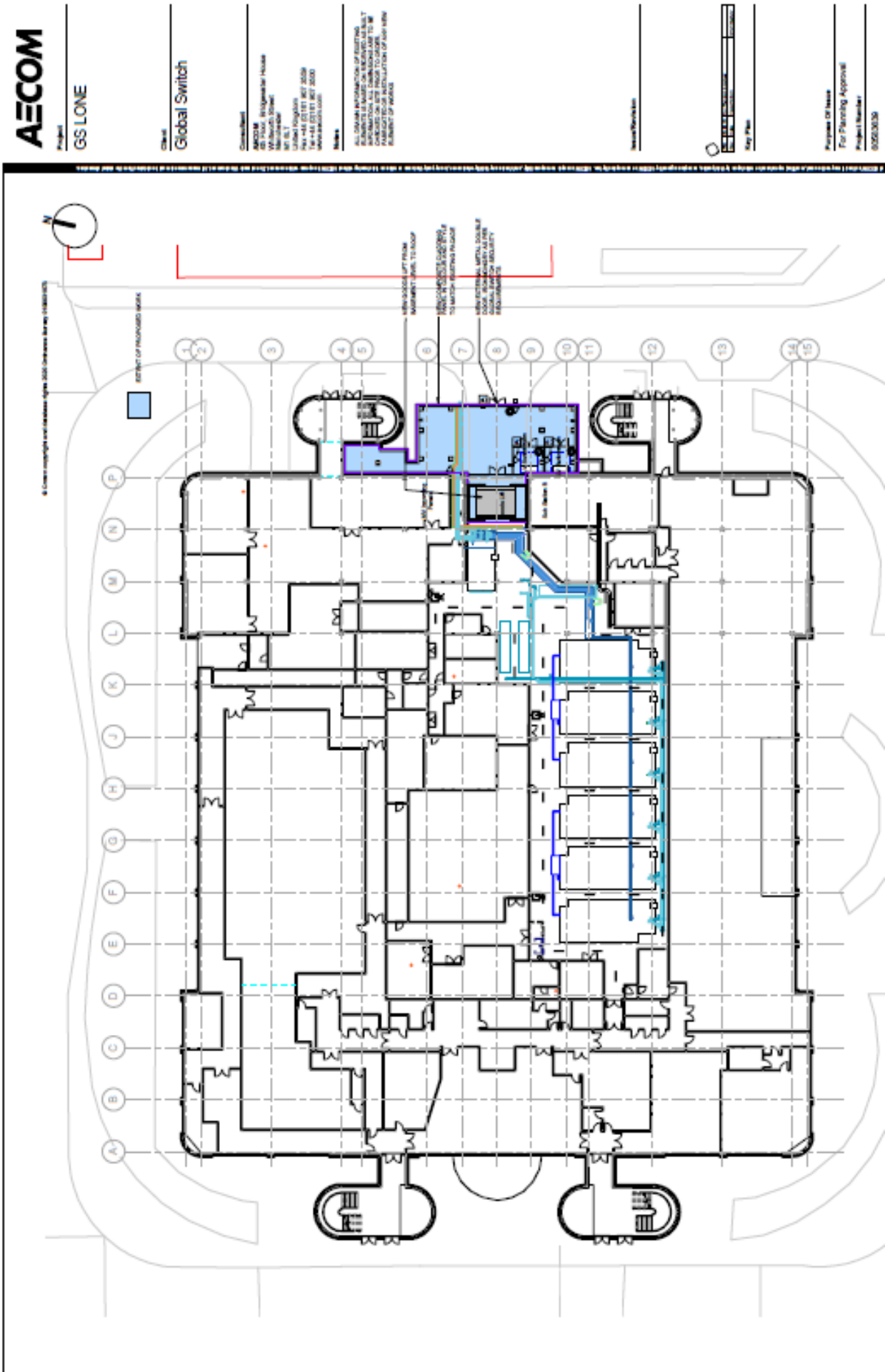
From the corner of Rosemary Drive and Coriander Avenue



PROPOSED



Proposed Ground Floor Plan



AECOM

Project
GS LONE

Client
Global Switch

Consultant
AECOM
25 Finsbury Square
London, EC2A 3DU
United Kingdom
Tel: +44 (0)20 7070 2000
www.aecom.com

Note
ALL DRAWING INFORMATION OF EXISTING PLUMBING IS BASED ON RECORDS AS SUPPLIED BY THE CLIENT. THE DRAWING IS FOR INFORMATION ONLY AND DOES NOT REPRESENT A GUARANTEE OF THE ACCURACY OF THE INFORMATION PROVIDED.

Issue/Revisions

No.	Description	Date

Purpose of Issue
For Planning Approval
Project Number
00503038

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STRATEGIC DEVELOPMENT COMMITTEE

8 February 2021

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/20/00122
Site	Royal Mint Court, London, EC3N 4QN
Ward	St Katharine's and Wapping
Proposal	Redevelopment of the site involving change of use from an existing office development (B1 use) to provide for a new embassy (sui generis use).
Applicant	Chinese Embassy in UK
Architect	David Chipperfield Architects
Agent	DP9
Case Officer	Rikki Weir
Key dates	Pre-application request submitted June 2020 Pre-app discussions began in June 2020 CADAP review in December 2020

SITE PLAN



<ul style="list-style-type: none"> Planning Application Site Bound Other Planning Applications Consultation Area Land Parcel Address Point Locally Listed Buildings Statutory Listed Buildings 	<h2>Planning Applications Site Map</h2> <h3>PF/20/00122</h3> <p>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</p>	 <p>TOWER HAMLETS</p> <p>London Borough of Tower Hamlets</p>
		<p>Date: 29 January 2021</p>

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 Royal Mint Court site.

2. DESCRIPTION OF THE PROPOSAL

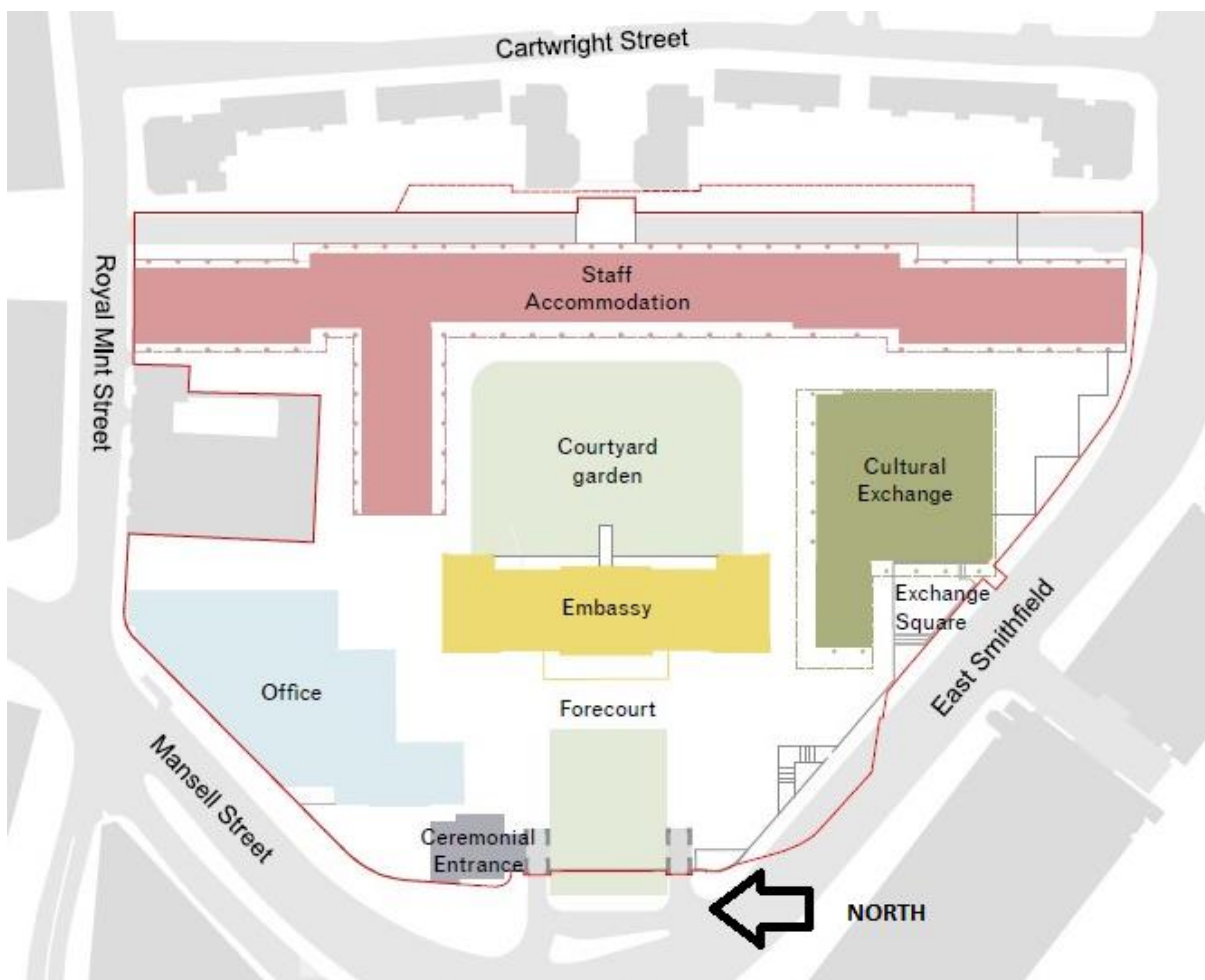


Figure 1: Proposed layout (arrow pointing north)

- 2.1 The pre-application proposal involves the refurbishment and restoration of the Johnson Smirke Building (Grade II* listed), remodelling and refurbishment of the Registry Building (Grade II listed). With remodelling and part demolition and new extensions to the 1980's-built Murray and Dexter House to provide for a new staff accommodation building and a separate described cultural exchange building.

- 2.2 The proposed development (see Figure 1 above) would consist of; the principal embassy function occupying the Grade II* listed Johnson Smirke building fronted by a private forecourt and ceremonial entrance set towards the Tower of London; office spaces within a renovated and redeveloped Grade II listed former Seaman's Registry building; a described cultural exchange building for events with a visa processing function in the foot of the building that would open off a new small public space on East Smithfield Street identified as Exchange Square. Towards the rear of the site would be a long and linear building providing the main massing, serving as embassy staff residential accommodation containing 230 individual residential flats with a private courtyard garden set before it across from the Johnson Smirke building.
- 2.3 The proposal would involve minimal external alterations to the heritage fabric of the Johnson Smirk and Seaman's Registry buildings.
- 2.4 The former conjoined Murray and Dexter House would be broken up into two distinct buildings, both stripped back to their superstructure enabling both the new residential accommodation and the cultural exchange building to have a more simplified external shape and form. The cultural exchange building is envisaged as a new signature building for the embassy. Proposed heights for these two buildings would range from 7 storeys to 8 storeys (with additional plant).

3. SITE AND SURROUNDINGS

- 3.1 The site occupies approximately 2.10 hectares, located to the north-east of the Tower of London and on the east side of the Tower Hill traffic interchange. Much of the site's western boundary is marked by an imposing wall to Mansell Street. The site is bounded to the north by Royal Mint Street and by East Smithfield to the south. To the east of the site lies a set of 5 storey (plus pitched roof) residential buildings to the west of Cartwright Street.
- 3.2 Within this street block (or land parcel) of the site (but outside the application red line site boundary) is a large and imposing telephone exchange building that opens onto Royal Mint Street and stands between the Seaman's Registry building (to the west) and the northern end of Dexter House (to the east).
- 3.3 Facing the site to the south (on the south side of East Smithfield) are two large office buildings known as Tower Bridge House and Commodity Exchange, with St Katharine Docks lying to the south of these two blocks. To the north west of the site are a series of larger office and hotel developments situated on the edge of The City. Royal Mint Street lies to the north side of the site with the Royal Mint Gardens development site located on the north side of Royal Mint Street facing the site.
- 3.4 All of the site's buildings currently stand vacant. The site was the location of the Royal Mint with the nation's coinage produced on-site from 1810 (when mint production ceased from within the Tower of London). The Royal Mint vacated the site in 1976 after production had earlier moved to Llantrisant in Wales. Aside from the listed Seaman's Registry Building and the listed Johnson Smirke Building, the remaining office spaces on-site date from the late 1980's when the Crown Estate disposed of the site and the site was redeveloped.
- 3.5 The site falls within The Tower of London Conservation Area and is within the designated immediate local setting boundary of the Tower of London UNESCO World Heritage Site. The site is within the backdrop to London View Management Framework strategic views of the Tower of London from London Bridge and from Queen's Walk on the banks of the Thames outside City Hall. The site is also within Tier I Archaeological Priority Area: Tower of London, St Mary Graces and Tower Hill.

- 3.6 The site is within the Mayor of London designated Central Activities Zone (CAZ), City Fringe Opportunity Area, and Thames Policy Area. The site falls within the Borough Local Plan designated Tower Gateway Secondary Preferred Office Location (POL), City Fringe sub-area, Green Grid Buffer Zone and is an area of poor air quality (NO₂ Annual Mean concentration greater than 40 (µgm-3)). Furthermore, the site is on land exempt from office to residential change of use permitted development rights.
- 3.7 The site benefits from excellent public transport accessibility (PTAL of 6a and 6b). The site is approximately 300 metres walking distance from Tower Hill Underground Station and approximately 50m from the secondary entrance to Tower Gateway DLR station on Mansell Street. The Inner London Ring Road (also known as A100) that crosses Tower Bridge is located immediately to the west of the site and contributes to the volume of vehicular traffic which has the effect of creating severance of the Royal Mint site from the Tower of London and this traffic contributes to a relatively hostile environment for pedestrians on both the western and southern (East Smithfield) edge of the Royal Mint site. Issues of a poor quality street environment set between the Royal Mint site, the Tower of London and Tower Hill Station are identified in the Tower of London World Heritage Site Local Setting Study and the World Heritage Site Management Plan.

4. RELEVANT PLANNING HISTORY

- 4.1 PA/16/00479: Full planning permission granted 16/2/2017 for comprehensive redevelopment of the site to provide an employment-led mixed use development of up to 81,000sq.m of B1, A1, A3 and D2 floor space, involving the refurbishment and restoration of the Johnson Smirke Building (Grade II*), remodelling and refurbishment of the Grade II façade of The Registry, with alterations and extensions to the remainder of the building, the retention, part demolition, alterations and extensions to Murray and Dexter House, the erection of a standalone four storey building within the south west corner of the site, alterations to existing boundary wall to create new access points to the site and associated public realm and landscaping and all ancillary and associated works. This permission has now lapsed.
- 4.2 PA/16/00480: Listed building consent granted on 16/2/2017 for the refurbishment and restoration of the Johnson Smirke Building (Grade II*), remodelling and refurbishment of the Grade II façade of the Registry, with alterations and extension to the remainder of the building and alterations to existing boundary wall to create new access points to the site and all ancillary and associated works. This permission has now lapsed.
- 4.3 WP/88/00107: Full planning permission granted on 31/10/1989 for use of lower ground floor as sports centre/archaeological display centre and offices (management suite).
- 4.4 PA/86/00813: Full planning permission granted on 24/04/1987 for erection of offices, residential accommodation, sports centre, museum, restaurant, retail facilities, community centre, new pedestrian subway.

5. PUBLICITY AND ENGAGEMENT

- 5.1 The applicant have undertaken their own public engagement and consultation with the local community despite the sensitivities of this application and the impacts of the recent lockdown restrictions. In November 2020, the applicant issued a first pack of information to 1,625 residents and businesses neighbouring the site. This included a letter setting out some early

information on the site, the project team and some indications of the intended design approach, as well an illustrative diagram.

- 5.2 It is understood that meetings were organised with the local Assembly Member, as well as representatives from nearby landowner Revantage, the Royal Mint Court Residents Association and the Friends of St Katharine's Dock. At each of these meetings, it is understood the project team and Embassy presented early designs for the site and answered questions. A broader group of stakeholders were also written to, including local ward councillors, community and business groups.
- 5.3 In January 2021, the Applicant issued a second pack of information to the same area of 1,625 residents and businesses. This included a further letter on the proposals which provided details of the architectural approach to each building. Further images and illustrative diagrams were also enclosed. To coincide with this letter, a consultation website (rmc-consultation.co.uk) was also launched to host all of the information issued to the community to date.
- 5.4 It is understood that further meetings have been held with representatives of the Royal Mint Court Residents Association and Friends of St Katharine's Dock this year. As part of its second pack of information, the applicant offered residents the opportunity to register for public webinars on the proposals. This is due to take place on 4 February 2021 and will involve a presentation from the project team and an opportunity to ask live questions. It is understood that the applicant has welcomed comments on the scheme through email or Freephone and has also written to a number of local schools as part of its consultation to explore potential opportunities for collaboration in the future.
- 5.5 An earlier version of the current proposal was presented to the Council's Conservation and Design Advisory Panel (CADAP) on 14th December 2020 to test the principles of the proposal. The panel's written response welcomed the opportunity to review the development proposal however they considered that the level of information provided was not limited, less than what is usually received in such design review presentations and therefore limited the degree and range of feedback they could provide on the proposal.
- 5.6 Comments from CADAP members included the following:
- Very concerned about the lack of detail particularly in terms of design detail, liable to require the scheme returning to CADAP again before submission when the design is much more developed;
 - Concerned in certain aspects that the approach of applicant team was based too much on comparing the consented scheme (now expired) with what is currently being proposed;
 - In terms of public realm, more needs to be done to fully articulate the look and feel of surrounding spaces. East Smithfield in particular provides a hostile environment and this application needs to do more to help to alleviate this issue;
 - Ensure that the public spaces do not appear to be too corporate and defensive in appearance especially where visible to the public;
 - Concerned about the way in which the hostile vehicle mitigation line could be accommodated and this needs to be delivered within the application site;
 - Queried how gatherings in the public spaces outside the application site might be accommodated;
 - Further consideration should be given to providing public benefits through the better display and interpretation of heritage assets;
 - Consideration should be given to the build loading on the surfaces set above the Abbey remains within the site;

- Architectural approach looks interesting, ordered and responsive but noted they are not fully developed at this stage nor was sufficient explanation provided how the design approach emerges from an analysis of the existing site;
- Questioned if any consideration had been given to the application of the urban greening factor for this proposal;
- Noted the asymmetrical approach of the proposed layout and questioned the way that this might compromise the front courtyard's sense of enclosure;
- Interested to understand in more detail how people will move into and around the site. It was noted that at present the design would result in a site that was quite insular;
- No detail was provided about the eastern boundary of the site (Cartwright Street).

5.7 The project architects have recently prepared new drawings with considerably more detail since the CADAP presentation. However various design and other issues remain outstanding and require much more attention and resolution. Some details of these are matters set out below.

6. RELEVANT PLANNING POLICIES AND DOCUMENTS

6.1 The Development Plan comprises:

- London Plan (2016)
- 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 has formally approved a new London Plan, the 'Publication London Plan.' It has been prepared to address the Secretary of State's directions of the 13 March 2020 and 10 December 2020 to the 'Intend to Publish' plan. However, policies in the 'Publication London Plan' subject to Secretary of State directions are considered to have only limited or moderate weight. The statutory presumption still applies to the 2016 London Plan up until the moment that the new plan is adopted.

6.3 Other policy and guidance documents relevant to the proposal are:

- National Planning Policy Framework (2019)
- National Planning Practice Guidance (updated 2019)
- National Design Guide (2019)
- GLA, Central Activities Zone (2016)
- GLA, City Fringe Opportunity Area Planning Framework (2015)
- GLA, Social Infrastructure (2015)
- GLA, Town Centres (2014)
- GLA, Accessible London: Achieving an Inclusive Environment (2014)
- GLA, Character and Context (2014)
- GLA, Sustainable Design and Construction (2014)
- GLA, Green Infrastructure and Open Environments: The All London Green Grid (2012)
- GLA, London View Management Framework SPG (2012)
- GLA, London World Heritage Sites SPG – Guidance on Settings (2012)

- GLA draft Design for a Circular Economy Statement SPD (2020)
- LBTH, Planning Obligations SPD (2016)
- LBTH, The Tower of London Conservation Area Character Appraisal and Management Guidelines (2008)
- Tower of London World Heritage Site Management Plan (2016)
- ICOMOS Guidance on Impacts on World Heritage Properties (2011)
- Tower of London WHS Local Setting Study (2010)
- BRE - Site Layout Planning for Daylight and Sunlight (2011)

7. PLANNING ISSUES

7.1 The following key planning issues have been identified at the pre-application stage.

Land Use

- 7.2 The site is located in a secondary preferred office location (POL) and is also within the Central Activities Zone (CAZ). Policy S.EMP1 states that Secondary POLs contain, or could provide, significant office floorspace to support the role and function of the Primary POL and the City of London. Greater weight is given to office and other strategic CAZ uses as a first priority as proposed uses. Although residential uses can be accommodated, the policy states that these should not exceed 25% of the floorspace provided. The existing use of the site is office (B1 use class employment space) and it is also understood that there was a gym on the site.
- 7.3 Policy D.EMP3 protects against the loss of employment space within POLs. However policy D.EMP4 states that redevelopment within Secondary POLs can be led by non-residential strategic functions of the CAZ. Therefore it is considered that loss of the employment space on-site could be acceptable subject to provision of strategic CAZ uses on the site.
- 7.4 Draft London Plan Policy SD4, in supporting text para 2.4.4 sets out the strategic functions of the CAZ, including diplomatic organisations such as embassies. In light of the above, the proposed embassy (sui generis use class) could be regarded as acceptable in principle, subject to compliance with all other policy considerations.
- 7.5 Policy S.EMP1 states that residential uses should not make up more an 25% of the floorspace provided. The redeveloped site is proposed to contain approximately 57,533sqm gross external area (GEA) with staff accommodation accounting for approximately 32,819sqm GEA. This would equate to 57% of the floorspace. It is understood that the residential uses on-site would be ancillary to the main embassy use. The use of the residential accommodation only for staff of the embassy would need to be secured by condition, subject to approval. Set within this context the ancillary residential use is not considered to give rise to any considerable land use policy issues.

Heritage & Design

- 7.6 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.
- 7.7 Paragraph 193 of the NPPF states *'when considering the impact of a proposed development on the significance of a designated heritage asset, great weight should be given to the*

asset's conservation (and the more important the asset, the greater the weight should be). This is irrespective of whether any potential harm amounts to substantial harm, total loss or less than substantial harm to its significance.' Furthermore paragraph 196 of the NPPF states that 'where a development proposal will lead to less than substantial harm to the significance of a designated heritage asset, this harm should be weighed against the public benefits of the proposal.' An assessment of harm to heritage assets and public benefits of the proposal will need to be undertaken as the scheme crystallises.

7.8 Policy S.DH3 states that proposals must preserve or, where appropriate, enhance the borough's designated heritage assets in a manner appropriate to their significance. In light of the above, the Royal Mint Site is considered to be a nationally significant heritage asset.

7.9 In relation to The Tower of London Conservation Area (see Figure 2), Section 72 of the Planning (Listed Buildings and Conservation Areas) Act 1990 states that special attention shall be paid to the desirability of preserving or enhancing the character or appearance of the conservation area. In relation to listed buildings and structures on-site and nearby, Section 66 of the Act states that special regard shall be had to the desirability of preserving the building or its setting or any features of special architectural or historic interest which it possesses.

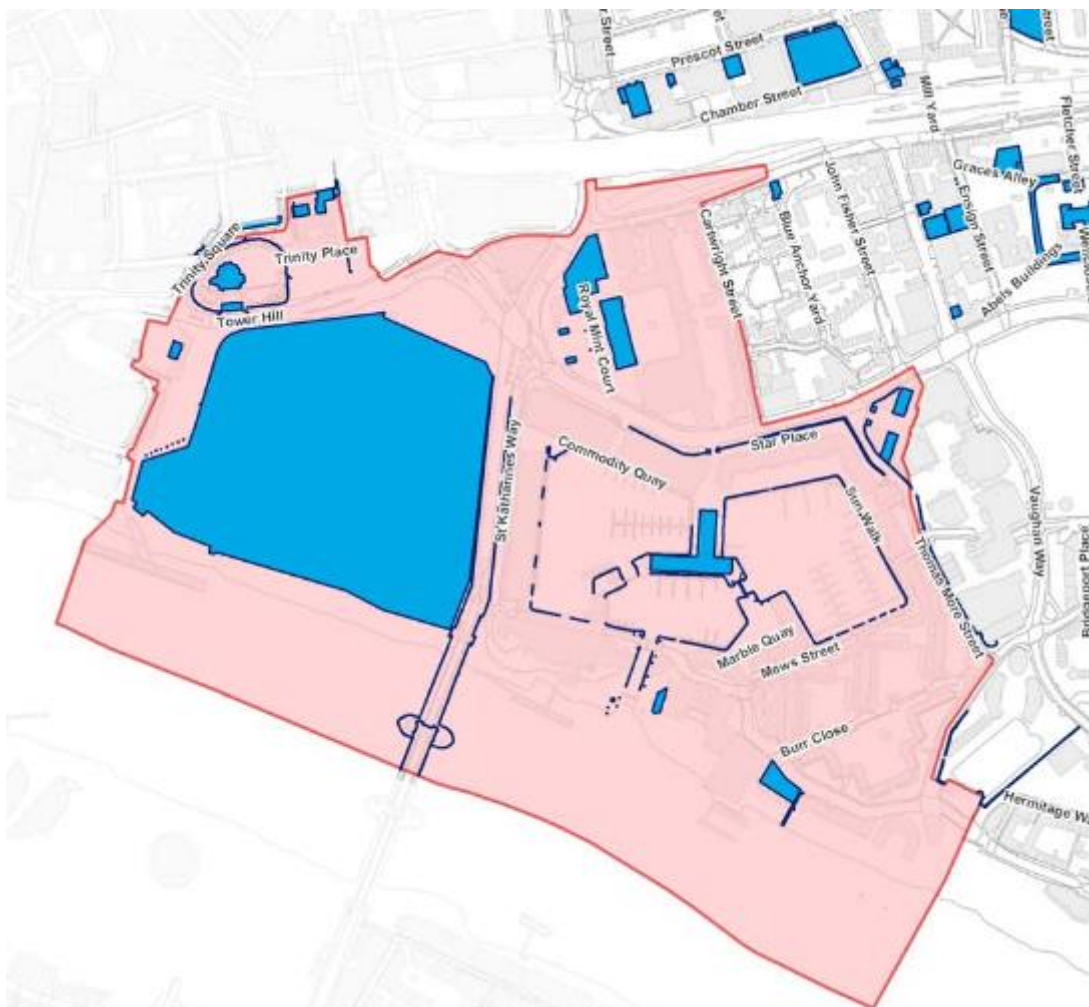


Figure 2: The Tower of London Conservation Area (pink) and listed buildings (blue)

7.10 Works to the listed Johnson Smirke and Seaman's Registry buildings are generally considered to be minimal and sensitive. The Johnson Smirke building would be refurbished and internally reconfigured. With the Seaman's Registry, the 1980s metal façade facing over

Mansell Street would be replaced with a more sensitive brick face, as well as general refurbishment. Officers are content with the physical works to the listed buildings generally in relation to preserving or enhancing these assets.

- 7.11 Works to the former Murray and Dexter House would involve some increased massing and height around the site. Heights have been reduced from the start of the pre-application process, particularly at Royal Mint Street. These proposals would likely impact upon the setting of listed buildings, the wider conservation area, as well as the setting of the Tower of London World Heritage Site. Policy S.DH5 states that proposals impinging on strategic or significant views around the Tower of London are required to demonstrate how they will conserve and enhance the outstanding universal value of the world heritage site.

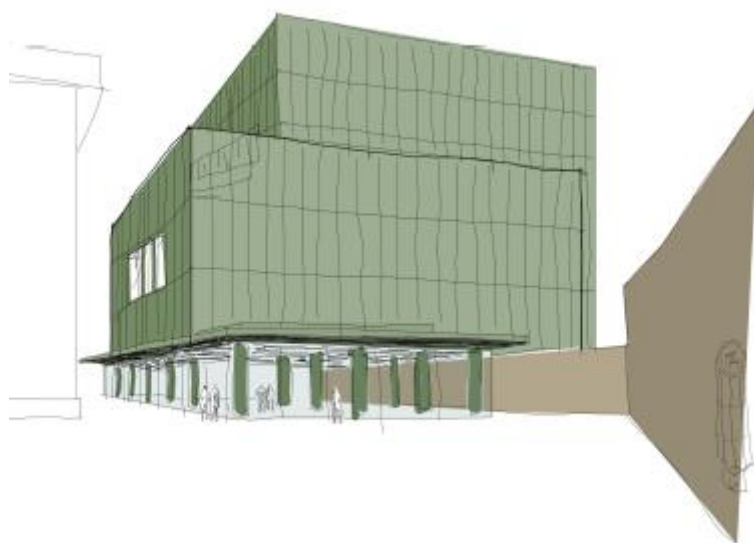


Figure 3: Proposed Cultural Exchange building finished in green ceramic

- 7.12 The proposed Cultural Exchange building has been designed as the most prominent new intervention for the site, separated from the existing Murray and Dexter House. Figure 3 above shows the latest iteration received recently which envisages a potentially extremely bold and striking green ceramic building. This would be prominent on East Smithfield and surrounding local views. Officers require high quality CGI visuals and significant further detail on the material and views in order to be able to support such a prominent proposal in this historical environment.
- 7.13 Policy D.DH4 states that development is required to positively contribute to views and skylines that are components of the character of the 24 places in Tower Hamlets. In relation to LVMF strategic views from London Bridge (LVMF View 11B.2) and from Queen's Walk (View 25.A) on the banks of the Thames outside City Hall, the pre-application scheme has evolved to reduce visibility.
- 7.14 In relation to local views, including looking out from the top of the eastern walls of the Tower of London, the proposed massing does still raise some concerns viewed in conjunction with the neighbouring Royal Mint Gardens development across the road. Further analysis of proposals in relation to local views is required, such as of the Johnson Smirke frontage, the proposal viewed from the rear on Cartwright Street and upon East Smithfield, in particular the Cultural Exchange building, both to the street itself and in relation to the return elevation of the Johnson Smirke building.

- 7.15 Officers have raised concerns throughout the pre-application process in relation to lack of detail on architecture and design. The proposed adaptive reuse of Murray and Dexter House is supported in principle in relation to replacing the very busy existing elevation which would benefit from an effective hierarchy, rhythm and contrast. Finessing and rationalization of the rooftop plant massing and design should be further prioritised.

Archaeology and display and interpretation of site's heritage assets



Figure 4: Some of the existing preserved ruins of Cisterian Abbey (in basement)

- 7.16 The site is in an area of designated archaeological importance (Tier I Archaeological Priority Area: Tower of London, St Mary Graces and Tower Hill). The site was subject to a very extensive archaeological dig prior to construction of the office buildings on-site in the late 1980's and its archaeology is recognised by the Greater London Archaeology Advisory Service to be of national significance containing well preserved ruins of a Cistercian Abbey (see Figure 4) as well as other archaeology (not all excavated) including Black Death burial grounds and archaeology from the period when the site was the Royal Navy's 1st Victualling (goods) supply yard (in late 16th, 17th and early 18th century).
- 7.17 The proposals involve preservation of existing ruins along with semi-public views available to those who would enter the Cultural Exchange building from glazed openings within the entrance lobby, security area and transition space. Proposals also involve an online presence. GLAAS have had sight of proposals and have requested that the scheme delivers a compelling package of heritage moves in order to ensure that the site's historic assets are explained and suitably better revealed to the public given it is such an important site.
- 7.18 Officers are engaging with the Museum of London (MoL) to explore the potential to create a permanent exhibition within their new museum building presently under construction at West Smithfield to display material and tell the history of the site. In addition, officers are exploring with MoL the idea that the new museum could feature a display space to celebrate the history and contribution the Chinese community have made to London over the centuries,

including its first beginnings in Limehouse and Poplar. The applicant has also mentioned the potential of providing further exhibition space at another, presently undisclosed, site.

- 7.19 Considering the significance and extent of archaeological remains on-site, the proposals are not considered to sufficiently enhance or better reveal the heritage assets at present. Previous consents in 1986 and 2017 included provisions for public access, exhibition and interpretation space on-site. The current proposals provide minimal provisions for public views or access to the history or rich archive of the site.

Public Realm

- 7.20 Policy S.DH5 states that development within the vicinity of the Tower of London is required to demonstrate how it will improve local pedestrian and cycle access routes, particularly signage and way-finding in the surrounding area.
- 7.21 Policy D.DH2 states that development is required to contribute to improving and enhancing connectivity, permeability and legibility across the borough. City Fringe sub-area development principles within the Local Plan include contributing to new and improved high quality legible routes and public realm in the area, as well as improving public realm along main strategic connections and links, including particularly between Tower of London and Aldgate.
- 7.22 The Tower of London World Heritage Site Management Plan describes how the local setting of the Tower comprises the spaces from which it can be seen from street and river level, and the buildings that enclose, or provide definition to, those spaces. It is considered that the buildings that lie within the boundary of the local setting of the Tower influence the experience of the Tower by both defining the character of local spaces and forming the immediate backdrop to the Tower. The Site Management Plan further sets out how the local public realm is dominated by traffic and poor quality street clutter which breaks the quality between these two historic sites both containing buildings of national symbolic significance.
- 7.23 The site as a former Royal Mint is a historically heavily defensive island, enclosed to the north, west and south by a historic boundary wall and to the east by railings and a service road. The two grand gated porticos provide an entrance to the front forecourt set before the principal elevation of the Johnson Smirke Building and facing out towards the Tower of London.
- 7.24 The previously consented scheme from 2017 involved proposals which would have allowed public access to interact, freely move within the site, enjoy and better reveal the site's designated heritage assets. The current proposals do not provide the public benefit of access to the site. The proposals would increase the security and defensiveness of the site through a series of interventions including vehicle mitigation bollards within the public realm, a new wall at East Smithfield, and new gates serving the two entrances to the service road accessed from Royal Mint Street and East Smithfield.
- 7.25 The space outside the front porticos is proposed to be rationalised and simplified with some levelling, shared surfaces to allow vehicles to turn and introduction of raised planters. The Exchange Square area would also provide some increased and better landscaped public space although it is understood that this would mainly be utilised by those queuing for visa applications. A staff entrance is planned (see Figure 3) to the rear of the proposed residential building that would be accessed off Cartwright Street via an existing well designed if underutilised hard landscape pocket public square.



Figure 3: New residential accommodation building (to rear) showing proposed staff entry to Cartwright Street

7.26 Officers understand the necessary operational imperative for an embassy to be secure and also recognise existing built features on the site edge including high walls on the western edge of the site limit views into the site and make for an inactive back of pavement experience. All of which are challenging factors when combined with the level of vehicular traffic on the carriageway. However officers still lack sufficient detail to be sure a holistic and sufficiently imaginative approach is being taken to improve the urban condition/public realm on the edge of the application site which is of concern generally; especially in the context of the scheme placing reliance on surrounding roads and public pedestrian spaces. Compliance with policies D.DH2 and S.DH5 are relevant in this context.

7.27 The impact on the public realm and local highways network in relation to potential protests needs to be further developed to ensure that the proposal does not adversely impact on surrounding local and arterial roads or indeed upon residential neighbours. Input from the Secure by Design Metropolitan Police team will be necessary in order to ensure that security measures are adequately taken into account. Continued positive and responsive engagement from the applicant's team with Transport for London surrounding the public realm will also be important.

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 No detailed information has been provided in relation to impacts on neighbours thus far. In contrast to the lapsed 2017 consent, the development and windows would be set further away from existing residential homes facing the site on Cartwright Street, more closely echoing the existing separation distances found with Dexter and Murray House, however the

scheme would introduce height in this location and interfacing windows, some with only 13m separation, between existing and proposed residential uses, so careful attention to design detailing will be important to avoid potential privacy issues.

- 7.30 Heights of rear boundary treatments in relation to neighbouring homes and gardens also needs to be taken into consideration. The increased height at Royal Mint Street is liable to have adverse impacts in terms of daylight/sunlight to the recently completed residential homes within the Royal Mint Gardens development.
- 7.31 Officers await within the pre-application process, a daylight and sunlight report in accordance with BRE guidance in order to fully understand these matters. More generally officers will be looking for the applicant team to set out and demonstrate that amenity impacts to residential neighbours are minimised as much as is practicable.

Transport and Servicing

- 7.32 Planning policies promote sustainable modes of travel and limit car parking to essential user needs. They also seek to secure safe and appropriate servicing.
- 7.33 The site benefits from excellent public transport accessibility (PTAL of 6a and 6b). The scheme proposes 165 car parking spaces located within the basement. Such a high level of high level of car parking provision is at odds with Draft London Plan policy on these matters. However, it is recognised an embassy function does potentially impose very particular requirements for car parking. In addition evidence has been presented of how the scheme will release from requirement other car parking facilities associated with the existing embassy site in the London Borough of Westminster, and so could reduce, at the London level, the embassy's demand on on-street car parking capacity.
- 7.34 It is understood that the proposal would require some alterations to the junction layout at East Smithfield in order to facilitate two-way vehicular movements from the rear service road. Further road layout alterations are proposed including to the taxi rank at the site frontage which would be amalgamated to a shared surface system.
- 7.35 Taking into consideration the increased impact on the local highways network which is already heavily trafficked and polluting, along with the non-compliance with car parking standards and the applicant's expressed ambition for the proposal to achieve excellence in terms of its environmental sustainability credentials, officers are seeking the scheme to do more to integrate the site better into the surrounding public realm and enhance the pedestrian experience for people walking around the edge of the site.

Environment

- 7.36 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. As already mentioned above, the applicant has expressed ambition for proposals to achieve excellence in terms of its environmental sustainability credentials, however this has not been fully evidenced in proposals to date.
- 7.37 The current proposal does not achieve the required 0.3 Urban Greening Factor score and the scheme should be amended to ensure that this is achieved. Plans include the removal of some trees around the site and lifting the crowns of the two large feature trees to the site forecourt – arboricultural surveys are necessary to ensure that these works would be appropriate.

- 7.38 The applicant team has determined that the proposals constitute Environmental Impact Assessment (EIA) development. An Environment Statement (ES) must therefore be submitted to support the planning application and include the assessment of the likely significant effects of the proposal.

Infrastructure Impact

- 7.39 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

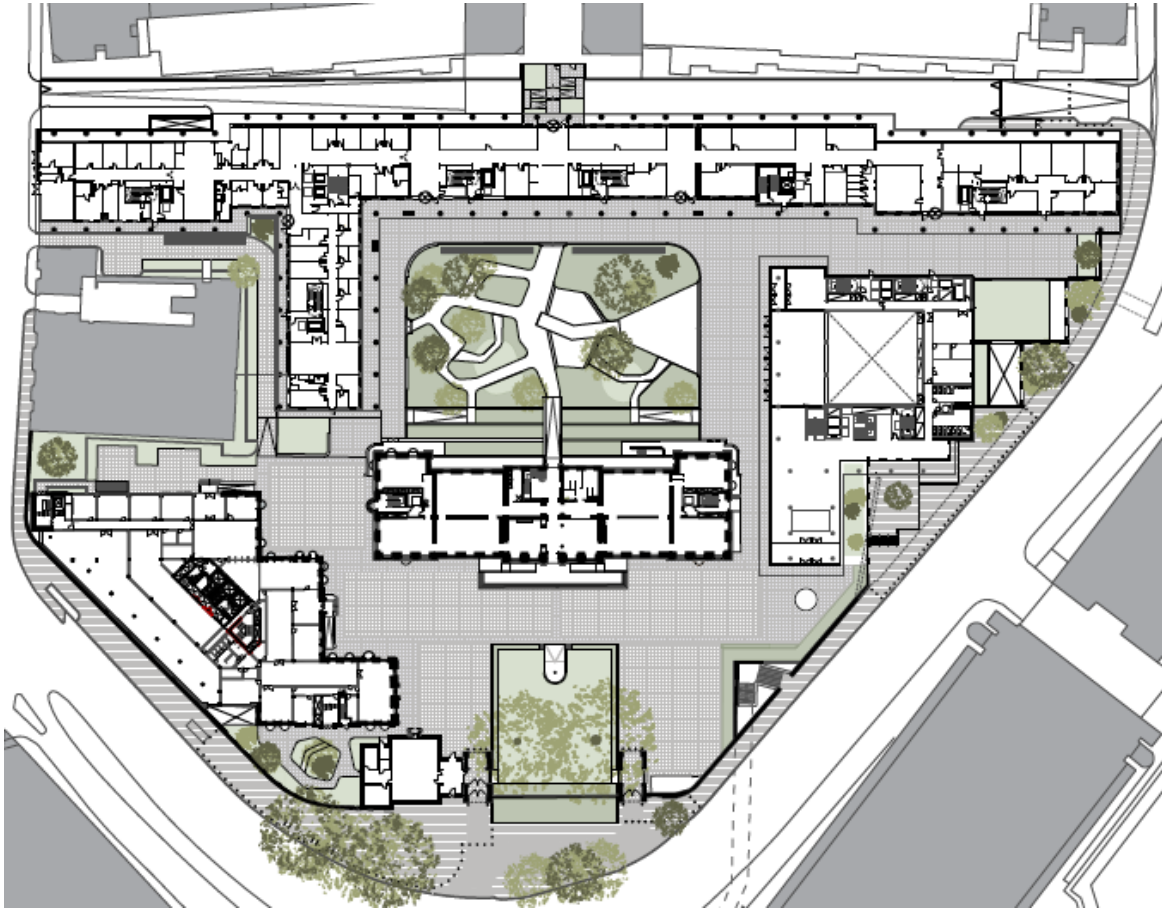


Image 1: Site masterplan



Image 2: Existing site massing

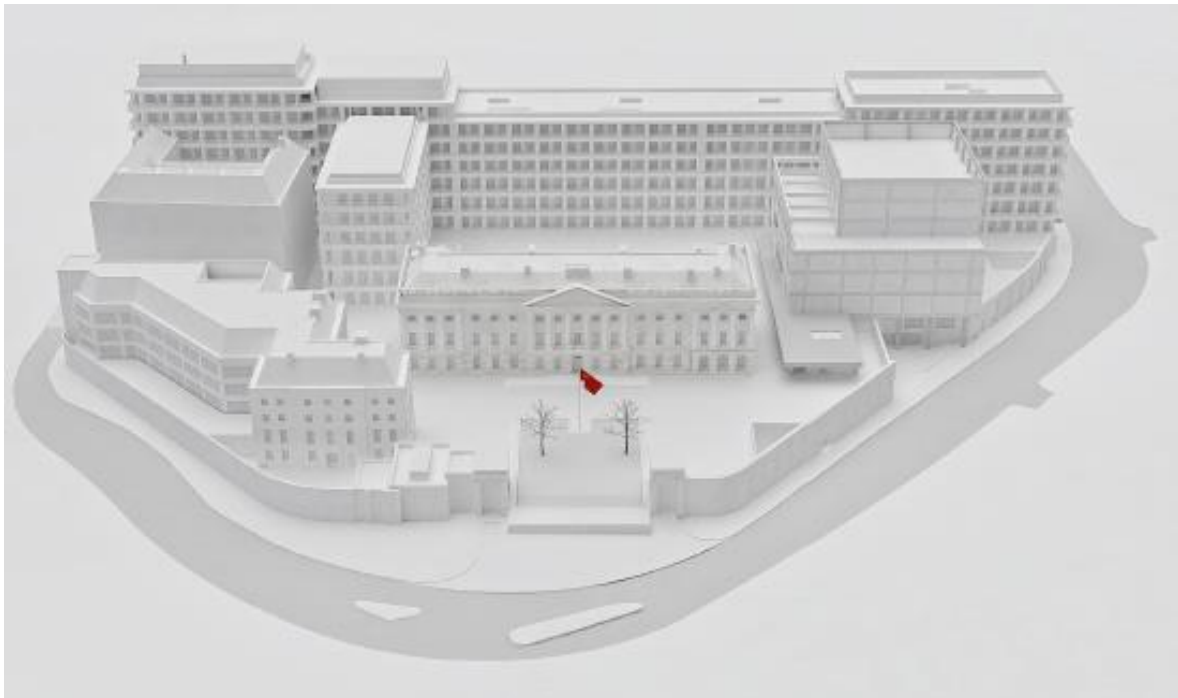


Image 3: Proposed massing

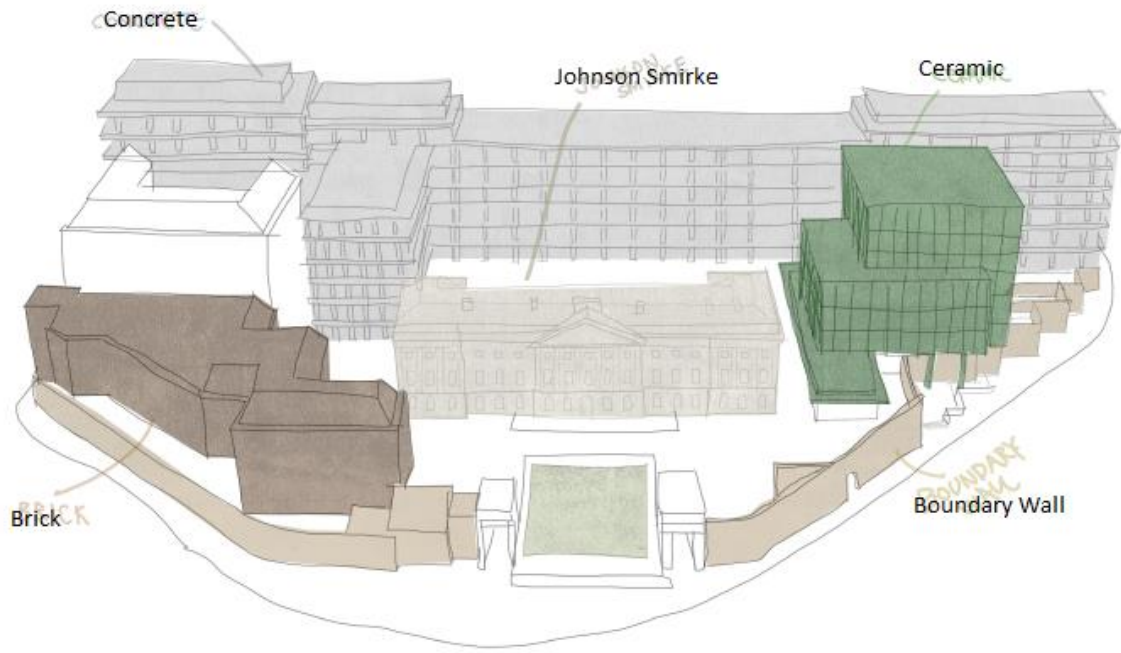


Image 4: Proposed materials

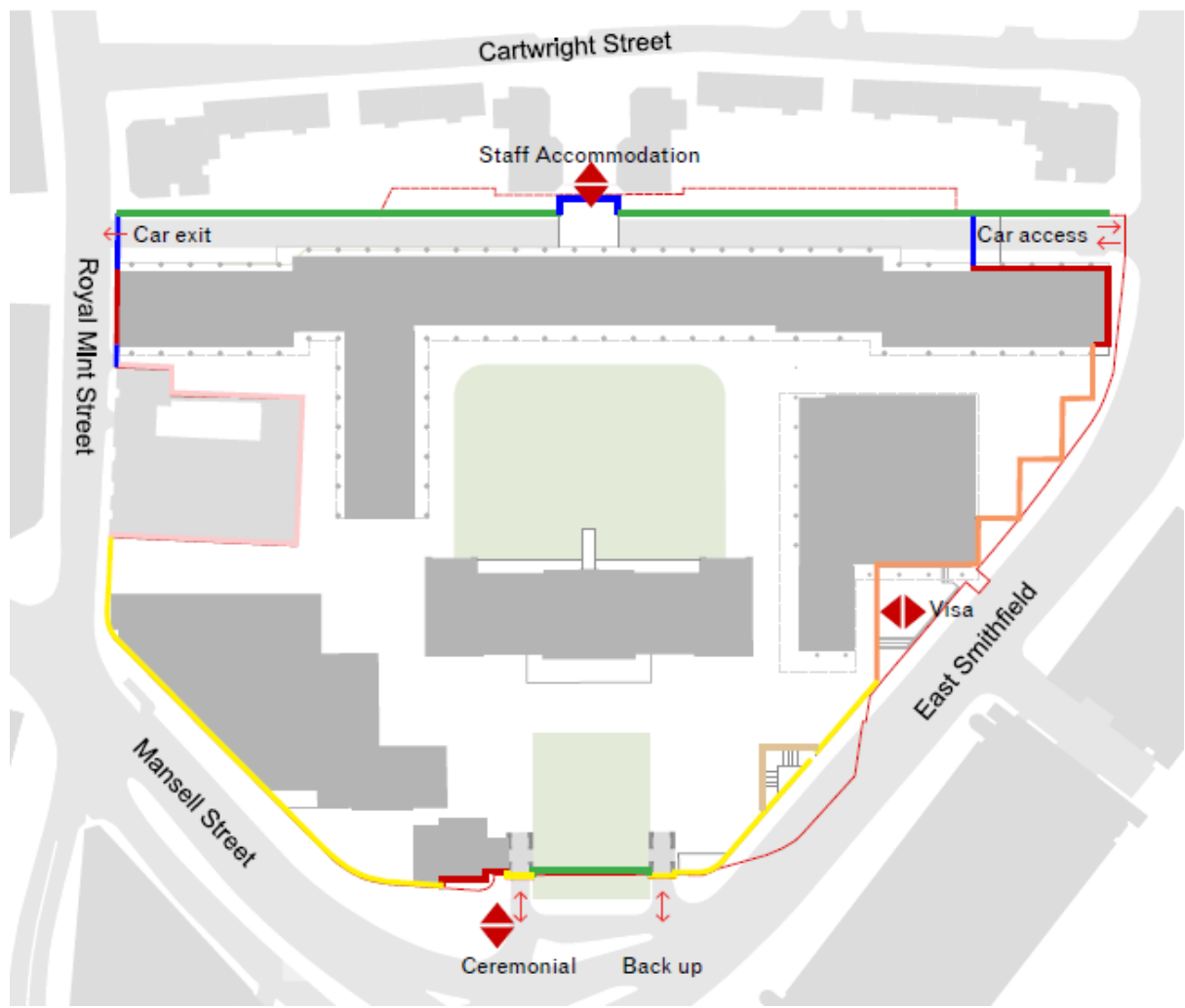


Image 5: Proposed accesses and boundary treatments



Image 6: Proposed west elevation



Image 7: Proposed east elevation



Image 8: Proposed north elevation



Image 9: Proposed south elevation

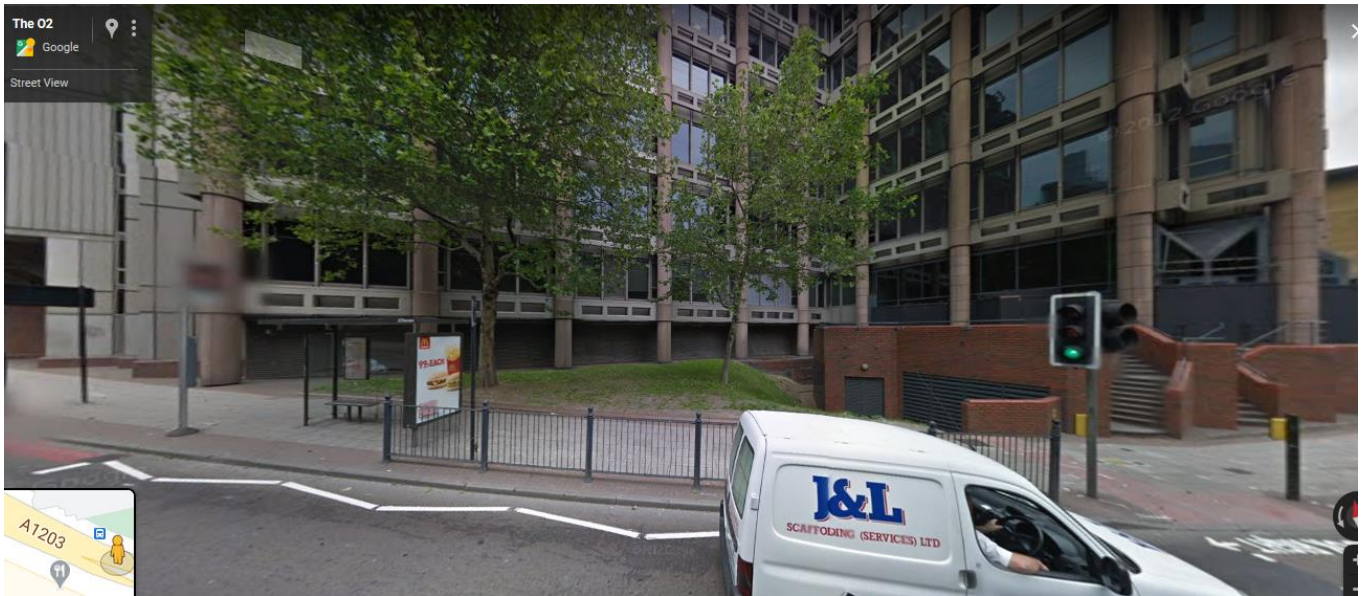


Image 10: Existing East Smithfield relationship (Google)



Image 11: Proposed Exchange Square / East Smithfield relationship with ruins



Image 12: Existing site of proposed Exchange Square (Google)

Building idea

Massing

- Respond to existing wall/street
- Existing structure
- Current floor plans
- Relationship with Johnson Smirke

Architectural Expression

- Ceramic tiles
- Natural texture / human touch
- Building as a gift from China to London
- Cultural exchange
- Special building in the campus
- Draws on shared traditions on Chinese and British manufacturing heritage



Indicative ceramic material sample

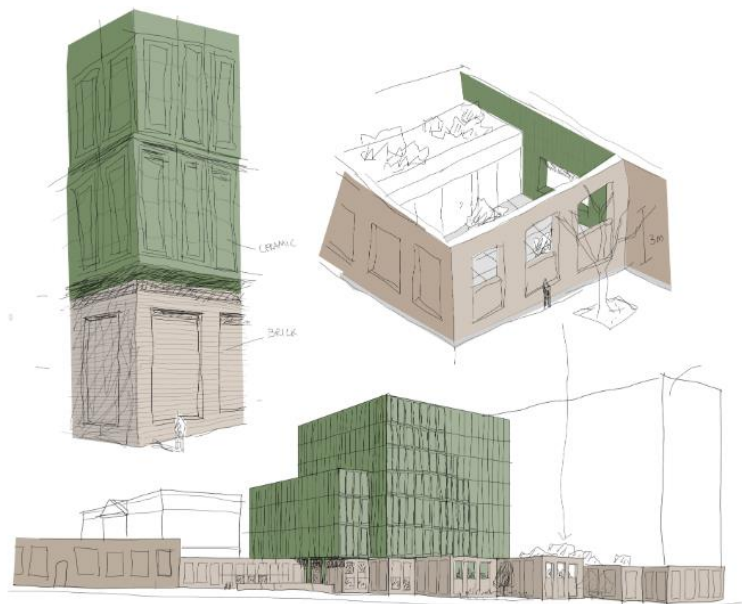


Image 13: Proposed Cultural Exchange building idea

Archaeology

Museum of London Discussion.

Positive discussion; however, further discussion proposed in relation to:

- Online options
- Security considerations
- Display/exhibition space within the Museum of London
- Display/exhibition space at another location.
- Limited display of site materials within the embassy;
- Possibilities of interpretative material within Visa Square
- Viewable areas of the ruins
- Mix of online and physical presentation benefits

Accessible and viewable areas:
1 Interpretative material within Visa Square
2 Viewable areas of the ruins and exhibition space
3 Area of ruins under display
— Glazing looking onto ruins



Image 14: Proposed archaeological offer



Image 15: Proposed CGI view of site frontage



Image 16: Proposed CGI view from walls within Tower of London

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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.