

LONDON BOROUGH OF TOWER HAMLETS

MINUTES OF THE STRATEGIC DEVELOPMENT COMMITTEE

HELD AT 5.30 P.M. ON TUESDAY, 20 APRIL 2021

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

Members Present:

Councillor Kevin Brady (Chair)
Councillor Abdul Mukit MBE (Vice-Chair)
Councillor Dipa Das
Councillor Sabina Akhtar
Councillor Tarik Khan
Councillor Val Whitehead
Councillor Leema Qureshi (Substitute for Councillor John Pierce)

Other Councillors Present:

Councillor Andrew Wood

Apologies:

Councillor John Pierce
Councillor Rabina Khan

Officers Present:

Paul Buckenham	– (Development Manager, Planning Services, Place)
Gareth Gwynne	– (Area Planning Manager (West), Planning Services, Place)
Jane Jin	– (Team Leader, Planning Services, Place)
Siddhartha Jha	– (Principal Planning Lawyer, Governance, Legal Services)
Aleksandra Milentijevic	– (Planning Services)
Simon Westmorland	– (West Area Team Leader, Planning Services),
Tanveer Rahman	– (Senior Planning Officer, Place)
Zoe Folley	– (Democratic Services Officer, Committees, Governance)

1. DECLARATIONS OF DISCLOSABLE PECUNIARY INTERESTS

Councillor Kevin Brady declared a Non DPI interest in Agenda Item 5.1. Land bounded by 2-10 Bethnal Green Road, 1-5 Chance Street (Huntingdon Industrial Estate) and 30-32 Redchurch Street, (PA/20/00557) .This was on the grounds of membership of a Members Club, that had objected to the application. He did not consider that this had affected his views on the application.

Councillor Abdul Mukit MBE, declared a Non DPI interest in Agenda Item 5.1, Land bounded by 2-10 Bethnal Green Road, 1-5 Chance Street (Huntingdon Industrial Estate) and 30-32 Redchurch Street, (PA/20/00557). This was because the application was within his ward.

2. MINUTES OF THE PREVIOUS MEETING(S)

RESOLVED:

1. That the minutes of the meeting of the Strategic Development Committee held on 8th February 2021 be agreed as a correct record

3. RECOMMENDATIONS AND PROCEDURE FOR HEARING OBJECTIONS AND MEETING GUIDANCE

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 were none.

5. PLANNING APPLICATIONS FOR DECISION

5.1 Land bounded by 2-10 Bethnal Green Road, 1-5 Chance Street (Huntingdon Industrial Estate) and 30-32 Redchurch Street, (PA/20/00557)

Update report published

Paul Buckenham introduced the application for the demolition of the existing buildings, excluding the façade of 30-32 Redchurch Street, and redevelopment to provide a mixed-use development and associated works. The Committee noted that the update report covered additional clarifications and correctly reproduced the sunlight and daylight report.

Tanveer Rahman presented the report – explaining the character of the surrounding site, including the surrounding tall developments and emerging context. There were also a number of listed buildings nearby and the part of the site was located in the Redchurch Street Conservation Area. 12 letters of objections and on letter of support had been received, as set out on the presentation slides. Some supported elements of the proposal.

The Committee noted the following.

- The key features of the application.
- That in land use terms – it raised no land use issues and generally accorded with relevant policies.
- The high quality design, including the delivery of affordable workspace for the lifetime of the development. This exceeded policy requirements,
- That the scale, height and massing was considered to be appropriate and be in keeping with tall buildings context, providing a vibrant addition to the area.
- The site is not in a secondary Preferred Office Location as stated in the Committee Report.
- The Council's tall building policy. It was considered that the lapsed appeal decision is a material planning consideration that overrides the conflict with Local Plan's Tall Building's policy.
- Comparisons with the previously consented scheme in terms of the height and the step downs in the design to be in keeping with the area.
- The Heritage Assessment. The development would only be slightly visible to local buildings. Whilst it was acknowledged that the scheme would add additional height to the area, it would cause less than substantial harm to heritage assets, at the lower end. It was considered that public benefits would outweigh harm. These public benefits included: the provision of affordable work space, benefits for the local economy, a through route and pedestrian crossing
- It was noted that neighbouring properties would be affected in terms of loss of sunlight and daylight. Details of the failings in VCS and NSL were noted, including the major adverse impacts. Officers did not

consider that these impacts were of undue concern given the specific site context of buildings with close relationships.

- Officers were mindful of the concerns about overshadowing to the Owl and Pussycat public house's 'beer garden'. Details of the assessment were set out in the report and the update and summarised at the meeting.
- It was noted that the failures were broadly similar to the and already existed for 21st March and 21st December. The results showed that there will be additional overshadowing over the consented scheme on 21st June. Given this, and having regard to the consented scheme, Officers did not consider it would result in an unacceptable impacts.
- In terms of overlooking, the impacts were not considered to be unacceptable. However, conditions were recommended to mitigate any impacts towards residential properties to the east
- Overall, the, adverse impacts were considered to be acceptable and in compliance with policy.
- Given the merits of the application, Officers were recommending that it was approved.

The Chair invited registered speakers to address the Committee.

Helen Cuthbert (Planning consultant to Young & Co.'s Brewery PLC (Owl & Pussycat PH tenant) and Brakspear (Owl and Pussycat PH owner)).

Stuart Brown, and (Brakspear) addressed the Committee in objection to the application.

They expressed concerns about:

- Adverse impact on amenity space for customers of the public house, due to the overshadowing and loss of light from the development in June and during the summer months. Garden was a unique selling point. Due to this, proposal should be refused, or should be deferred for further consideration of this and amended to provide more light to the garden to comply with requirements.
- The speakers also requested a £300k s106 contribution to improve the setting of space outside the public house to compensate for the above.
- Consented scheme had lapsed, and was only allowed on appeal due to the public benefits. This scheme did not have as many public benefits, there was no affordable housing.
- Late notification of the proposal. The public house only received notification of the proposal in February. It was closed in February due to the Covid restrictions.
- Concern was also expressed about the late notice of the new information regarding overshadowing.

The applicant's representatives, John Stacey, Oliver Sheppard and Jerome Webb spoke about the merits of the application highlighting the following:

- The site location in a complex setting and the site constraints. The scheme had been carefully designed to be in keeping with the area.
- The developers had work closely with officers and had carried out a widespread consultation with the community. Changes had been made to the scheme in relation to the height and massing, to mitigate the impact on Redchurch Street.
- The scheme would optimise use of the site and would provide a range of benefits (as detailed in the officer's presentation).
- Historic England has not raised any objections and the proposal would enhance the setting of heritage assets.
- Highlighted the detailed analysis of the sunlight and daylight impacts. This had been independently reviewed. The experts were in agreement that it would not cause any unacceptable harm.
- The developers noted the concerns about impact on the beer garden. They were happy to look at the suggestion by the objectors regarding the S106 funding for improvements.
- Land use accorded with policy.

In response to the presentation and the representations, the Committee asked a number of questions around the following issues:

- The plans to retain the façade of 30-32 RedChurch street, rather than the whole building as this building was in the Conservation Area. How did this differ from the consented scheme?
- Whilst some heritage harm had been identified, this was considered to be less than substantial. Officers had reached an on balance decision taking into account the public benefits. It should also be noted that the application proposed to retain more of the buildings in the Conservation Area than the consented scheme, which involved the demolition of 28, and 30-32 Redchurch street. Importantly, by retaining the front façade, the plans will retain its appearance in relation to the street scene, preserving its special and historic features.
- The public benefits of the application compared to the consented scheme given that the previous scheme included affordable housing. It was noted that the affordable housing proposed for that development was off site. In addition, due to the height of that development, it would have been required to provide more public benefits to offset the harm. This permission had now lapsed.
- The scheme would provide a number of employment opportunities for local residents, during the construction process.
- The applicant added that the proposed workspace, including flexible work space, would attract a range of SMEs and businesses that would present employment opportunities. The space proposed should lend itself to the creation of creative workspace and maker space.
- The affordability of the workspace. The applicant reported that the scheme had been designed in such a way as to provide the most affordable rent levels. The offer went above and beyond the policy requirements.

- The Committee requested that the applicant look at whether the offer could be improved in terms of improving the affordability of the workspace.
- The consultation process particularly with the Boundary Estate.
- Officers confirmed that the scope of the Council's consultation complied with requirements. It was noted that the nearby Bishopsgate Goodsyards site was currently unoccupied which may have impacted on the number of responses. Responses had been received from the Boundary Estate.
- The applicant also comments that whilst they had carried out extensive consultation, only a small number of objections had been received and this was fewer than the previous scheme.
- The objectors request for a s106 contribution for public realm improvements to mitigate the harm to the public house.
- The Committee may request that Officers explore this further, however it was advised that the application should be deferred to allow for further consideration of this request and for the affordable rent levels to be reviewed. The Committee also heard about other activities to improve the public realm.
- It was noted that the London Borough of Hackney had raised concerns about the scheme, focusing on the conservation and design issues. However, alongside these issues, the Council had balanced these impacts against the wider public benefits to the Borough.
- Sunlight and daylight issues and overshadowing of the public house's 'beer garden'. The Committee were further reminded of the findings of the assessment as (shown on the presentation slides) in relation to March, December and the additional overshadowing in June.
- In discussions, the Committee sought clarity on impact of the clarifications set out in the update report regarding the sunlight and daylight impacts, in terms of whether this has affected the overall assessment?
- It was reported that since the agenda publication, Officers had reviewed the data. The update report corrected factual errors, taking fully into account the retained levels of sunlight and daylight rather than just loss of light. Overall, the results complied with policy. It was stressed that this update did not materially change the overall findings or materially affect the recommendation.
- The Council had appointed consultants and they were satisfied with the methodology.
- The assessment showed that the garden as existing does not achieve the 2 hours sun on the ground tests as set out in the BRE guidance.
- It was confirmed that further information had recently been provided regarding the consented scheme and overshadowing. This has yet to be verified.
- The applicant added that any development of site would cast a shadow on the public house garden. Additional shade in the summer months may be of benefit.

Councillor Kevin Brady **moved** and Councillor Abdul Mukit MBE **seconded** a proposal that the consideration of the planning application at Land bounded

by 2-10 Bethnal Green Road, 1-5 Chance Street (Huntingdon Industrial Estate) and 30-32 Redchurch Street, be **DEFERRED** to allow for further negotiations as it was considered that insufficient public benefits had been demonstrated to outweigh the less than substantial heritage harm. They therefore requested that Officers should seek to negotiate the following additional contributions:

- Improvements to the public realm of Redchurch Street.
- Improved terms for the affordable workspace.

On a vote of 7 in favour and 0 against, the Committee agreed to defer the application for this information. The application would be brought back to a future Committee meeting in accordance with the Development Committee procedure rules.

5.2 15-27 Byng Street (odd), 29 Byng Street (Flats 1-6 Dowlen Court) and 1-12 Bellamy Close, London, E14 (PA/20/01065)

Update report published.

Paul Buckenham introduced the report for the demolition of the existing buildings and structures and construction of a mixed use development comprising residential dwellings and non residential uses with associated works.

Aleksandra Milentijevic presented the report, explaining the site location – and existing site layout and the character of the area. Public consultation had been carried out. No responses have been received from the community. A letter of support was received from the Bellamy Close and Byng Street Residents' Steering Group. The Isle of Dogs Neighbouring Plan Forum had raised concerns about the weight given to this Isle of Dogs Neighbourhood Plan and this had been addressed in the update report. The applicant had carried out consultation as set out in the statement of community engagement.

Members noted the following:

- The key features of the application. This included details of the proposed height and design. The benefits of the scheme included a communal area on the roof which would be assessable to all residents of Block C and a new pedestrian link. Door stop play space for children 0-5 would also be provided on site within the enclosed courtyard.
- Given the lack of space for play space for over 5's on site, a contribution would be secured for the provision of enhancements and upgrades to the nearby play area.
- It would deliver good quality affordable housing. In total, the proposed development provides for 61% affordable housing by habitable room, inclusive of the re-provided social rented homes.

- Without the re-provision, the proposal provides for 51% affordable housing. All would meet the minimum standards and would be provided over an increased floor space. There would be 14 wheelchair accessible dwellings. Details of the housing and tenure mix were noted
- All of the existing occupants would have the right to accommodation in the development that meets the needs of their households.
- The proposals had been subject to a successful resident ballot and the vast majority of the existing tenants voted in favour of the proposals.
- The proposal also included the delivery of affordable workspace.
- In land use terms, the proposals therefore met policy requirements and estate regeneration principles.
- The applicant had submitted a viability assessment. This showed that the scheme delivered the maximum level of affordable housing that could viability be delivered taking into account the application for grant funding.
- Regarding neighbouring amenity, it was noted that a number of properties would experience sunlight and day light impacts. Details of the assessment were noted. Given the site's location in an urban area, and the benefits of the application. Officers considered this on balance to be acceptable.
- The application would deliver environmental benefits.
- It would be liable for CIL contributions as set out in the report.
- On this basis, the grant of planning permission is recommended.

The Chair invited Councillor Andrew Wood, the Ward Councillor to speak in support of the application. He advised that he was the Secretary of the Isle of Dogs Planning Forum. He welcomed the scheme on the basis that:

- It was much shorter than other developments in area
- Residents supported this.
- It would provide new housing.
- That the update report acknowledged the status of the Isle of Dogs Neighbourhood Plan, which when fully adopted would carry great weight.
- Noted the merits of the use of 3D models for assessing planning applications.

In response to the presentation and the representations, the Committee asked a number of questions around the following issues:

- It was clarified that the accommodation would be provided at London Affordable Rent. The difference between these rents and Tower Hamlets Living Rent was that they excluded service charges. Both worked out in rents terms as quite similar.
- It was noted that the proposal to provide the accommodation at London Affordable Rent did not meet the policy requirement (of 50:50 split between London Affordable Rent and Tower Hamlets Living Rent)

However, given the application for grant funding, the proposal was considered to provide on acceptable balance.

- The development would be tenure blind in terms of the external doors and play spaces in line with requirements.
- The occupants from all tenures would have access to the play space in the courtyard and the play space in the public path.

On a vote of 7 in favour and 0 against the Committee **RESOLVED:**

1. That, subject to any direction by the Mayor of London planning permission is **GRANTED** at 15-27 Byng Street (odd), 29 Byng Street (Flats 1-6 Dowlen Court) and 1-12 Bellamy Close, London, E14 for the following development.
 - Demolition of the existing buildings and structures and construction of a mixed use development comprising residential dwellings (Use Class C3) and non residential uses (Sui Generis), a basement, public realm works, landscaping, access, servicing, parking and associated works. (PA/20/01065)
2. Subject to the prior completion of a legal agreement to secure the planning obligations set out in the Committee report:
3. That the Corporate Director of Place is delegated the power to negotiate the legal agreement. If within three months of the resolution the legal agreement has not been completed, the Corporate Director for Place is delegated power to refuse planning permission.
4. That the Corporate Director of Place is delegated the power to impose conditions and informatives to address the matters set out in the Committee report

The meeting ended at 8.45 p.m.

Chair, Councillor Kevin Brady
Strategic Development Committee