

LONDON BOROUGH OF TOWER HAMLETS

MINUTES OF THE DEVELOPMENT COMMITTEE

HELD AT 6.00 P.M. ON THURSDAY, 5 NOVEMBER 2020

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

Members Present:

Councillor Abdul Mukit MBE (Chair)
Councillor John Pierce (Vice-Chair)
Councillor Sufia Alam
Councillor Kahar Chowdhury
Councillor Dipa Das
Councillor Leema Qureshi

Other Councillors Present:

Councillor David Edgar

Officers Present:

Paul Buckenham	– (Development Manager, Planning Services, Place)
Victoria Coelho	– (Planning Officer, Place)
Siddhartha Jha	– (Principal Planning Lawyer, Governance, Legal Services)
Rikki Weir	– (Principal Planning Officer, Place)
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)

The Committee **RESOLVED**

That the unrestricted minutes of the meeting of the Committee held on 17th September 2020 be agreed as a correct record and signed by the Chair.

3. RECOMMENDATIONS AND PROCEDURE FOR HEARING OBJECTIONS AND MEETING GUIDANCE

The Committee **RESOLVED** that:

1. The procedure for hearing objections and meeting guidance be noted.
2. In the event of changes being made to recommendations by the Committee, the task of formalising the wording of those changes be delegated to the Corporate Director, Place along the broad lines indicated at the meeting; and
3. In the event of any changes being needed to the wording of the Committee's decision (such as to delete, vary or add conditions/informatives/planning obligations or reasons for approval/refusal) prior to the decision being issued, the Corporate Director, Place be delegated authority to do so, provided always that the Corporate Director does not exceed the substantive nature of the Committee's decision

4. DEFERRED ITEMS

There were none

5. PLANNING APPLICATIONS FOR DECISION

5.1 13-15 Dod Street (PA/20/00123)

Update report was tabled

Paul Buckenham introduced the application for the demolition of the existing office and job centre building and the erection of building of up to 8 storeys comprising 84 residential units. He also highlighted the key issues in the update report.

Victoria Coelho presented the application, explaining the site context and the key features of the proposals. Consultation had been carried out and 10 objections were received. The key issues raised related to the height, loss of light and overshadowing, increased traffic and the impact on biodiversity of the canal.

In terms of the assessment, it was noted that:

- The loss of the current office space and the provision of a residential development, was acceptable and justified given the poor quality of the existing office space and the relocation of the job centre building. It was considered that the benefits of the proposal outweighed the benefits of continued employment use.
- The scheme provides 37% affordable housing by habitable room, (increased from 19%) with a 69/31 tenure split. This allowed for the scheme to be considered eligible for the fast track route.

- The standard of accommodation is considered to be high, in terms of the internal spaces, the private and communal amenity space. The scheme can accommodate the majority of child play space within the communal amenity space. Whilst the provision marginally fell short of policy when combined with the communal space requirements, the proximity of nearby parks can accommodate play space for 12+ years
- The height, massing and design are considered to appropriately respond to the local context, due to amongst other things the varied building heights. It would relate well and would integrate well with the area. The enhanced pedestrian link was welcomed.
- The daylight and sunlight, assessment had been independently assessed. This found that the impact on neighbouring properties would be acceptable for an urban setting. The properties would continue to receive acceptable levels of daylight and sunlight including the properties that would experience a material reduction in light. In terms of the concerns around overlooking, it was recommended that privacy screening to the roof terrace, adjacent to Aspen Court, be secured by condition.
- Biodiversity enhancements would be secured by condition. The Environment Agency were satisfied that the applicant had satisfied the requirements regarding flood defence subject to the conditions.
- Car and cycle parking and servicing are considered to be acceptable.
- Financial contributions had been secured and the scheme would be liable for both the Mayor of London's and the Borough's Community Infrastructure Levy.
- Officers recommend the proposed development be granted planning permission.

The Chair invited the registered speakers to address the Committee.

Tufyal Choudhury, a local resident of Coalmakers Wharf, spoke in objection to the application. Whilst not objecting to the principle of redeveloping the site, he expressed concerns about:

- The scale and height of the development. It would be out of keeping with the area given the surrounding buildings were lower in height.
- The major impacts on sunlight and daylight, from the height of the 8 storey building, particularly affecting ground and first floor properties.
- Strength of local objections amongst the TRA.
- Lack of engagement with residents by the developers.
- That the 8 and 6 storey buildings should be reversed or more evenly spread across the development. 6 storey buildings would be sufficient.

Councillor David Edgar, ward Councillor, also expressed concerns about the application on behalf of local residents. Whilst noting the need for more housing and affordable housing, he expressed concerns about:

- Scale and prominence of the 8 storey building near the canal given the nearby buildings were lower.
- Impact of the 6 storey building on Dod Street. It would have more of an impact than the existing buildings.
- Impact on neighbouring amenity.
- Public access to the canal link. Would this be maintained?

Simon Marks spoke in support of the application. He advised that the principle of residential accommodation had already been established by the previous permission. The redevelopment for office use was no longer viable. The scheme would deliver a number of substantial benefits. This included: new affordable homes, improved public realm, that would enhance the appearance of the area. The density met the tests in policy and the site had good transport links. The impact on daylight and sunlight would be negligible. The massing and height of the buildings had been designed to minimise any impacts of the scheme and respect the local context. The number of affordable housing had been increased.

Committee's questions:

In response to the presentation, the Committee asked questions of the Officers and the registered speakers and the following points were noted:

- Officers advised that public access to the pedestrian link would be secured in the s106.
- Regarding the lack of 4 bed affordable units, it was noted that the application had been amended to increase the level of 3 bed units in response to concerns. The housing mix was considered to be reasonable and to provide an acceptable number of family units.
- Whether the development would be open plan. It was reported that whilst not specifically designed as such, the proposals had been designed in accordance with and met London Plan standards.
- That prior approval had been granted for residential development with no affordable homes. This should carry little weight. This application should be considered on its own merits.
- The increase in affordable housing, from 19% (requiring the submission of a viability assessment) to 37%, which met policy. The application now qualified for the fast track route and a viability assessment would no longer need to be submitted.
- The viability assessment, (submitted with the original scheme) had been assessed. This found the offer of 19% affordable housing (with a surplus of £0.29m payment in - lieu) to be the viable position. Officers had worked to increase the level of affordable housing.
- Details of the sunlight and daylight impacts including the impact on rooms that did not comply with policy. The properties would retain

adequate levels of sunlight and daylight. So overall the impact would be moderate.

- In response to questions, Tufyal Choudhury confirmed that the main issues from his point of view related to the size and height of the development

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

1. That, subject to any direction by the Mayor of London, planning permission is **GRANTED** at 13-15 Dod Street for
 - Demolition of the existing office and job centre building. Erection of building of up to 8 storeys comprising 84 residential units (Use Class C3) with basement car parking, associated hard and soft landscaping and infrastructure works. (PA/20/00123)
2. Subject to the prior completion of a legal agreement to secure the planning obligations set out in the 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,

5.2 102-126 and 128 The Highway, London, E1W 2BX (PA/19/00559)

Update report was tabled

Paul Buckenham introduced the application for the redevelopment of site to provide buildings ranging in height from 5-7 storeys, comprising a residential led scheme with commercial uses at ground floor. He also highlighted the issues raised in the update report.

Rikki Weir presented the application, explaining the site location and the surrounding area. He also advised that the scheme had been amended following negotiations. Public consultation had been undertaken with 11 objections and 1 in support. The main issues raised related to the impact on the neighbouring area, residential amenity and protection of The Old Rose public house. The application had been brought to the Committee due to size of the development rather than number of objections.

In terms of the assessment, the following points were noted:

- In land use terms, the loss of the drive-thru restaurant and petrol filling station to provide new housing and commercial uses, complied with policy.

- The housing mix comprised, 35% affordable housing at 70/30 tenure split of affordable rented and intermediate housing. There would be a slight under provision of family sized rented affordable accommodation. Taking into account the overall housing offer and wider benefits of the scheme, the housing offer was considered to be acceptable.
- The accommodation would be of a high standard in terms of internal and external amenity and access to play space.
- Details of the height, massing and design of the proposed development including images from the surrounding area. It was considered to be of a high quality design and would appropriately respond to the local context.
- The surrounding area including a number of listed buildings, principally St George in the East Church (Grade I), Tobacco Dock (Grade I) and Pennington Street Warehouses (Grade II).
- The proposal would result in less than substantial harm to designated heritage assets including listed buildings and the conservation area, within which, The Old Rose public house, described as a non-designated heritage asset, at the lower end of this scale. It was considered that the proposals met the planning balance tests in policy and that the public benefits would outweigh harm.
- The proposal would adversely impact upon the daylight and sunlight to some habitable rooms of residential buildings (Chi Buildings and Orchid Apartments) on the north side of The Highway. The impacts have been quantified and carefully assessed and the retained levels of amenity to neighbouring units were considered to be acceptable on balance in this urban context. Details of these impacts were reported and that the Council's sunlight and daylight expert was on hand to answer any questions from Members.
- Other benefits of the scheme were noted. These included: public realm and pedestrian crossing improvements, measures to protect the operation of The Old Rose public house and surrounding night time venues, and a range of contributions, including Community Infrastructure Levy contributions.
- In highway terms, the proposals included - a car-free agreement (apart from the provision of Blue Badge accessible car parking spaces within the development and adequate cycle parking for all uses.
- Officers recommend the proposed development be granted planning permission, subject to conditions and supporting legal agreement.

The Chair invited the registered speakers to address the Committee.

Christian Lalli expressed objections about the following issues:

- The size, scale and height of the development. It would be out of character with the area and would overpower the street scene.
- Harm to amenity arising from this, in terms of increased sense of enclosure, loss of light to properties at Orchid Apartments. The south facing balconies would suffer a significant loss of outlook

- Close proximity of the development to neighbouring properties, leading to loss of privacy and intrusive impacts.

Ben Kelway spoke in support of the application, highlighting the benefits of the development, including the provision of good quality new homes with affordable housing at a 70/30 tenure split with affordable rented and intermediate housing. Other benefits included - four flexible commercial units, to contribute to the local economy and create new jobs, and the reinstatement and refurbishment of The Old Rose public house. In design terms, the application seeks to provide a high quality scheme, that respected heritage assets and the town scape. The impact on amenity had been fully assessed and the proposal would be compatible with the local area.

Committee's questions:

In response to questions, Officers advised of the approach to bringing the public house back into use. All of the floor space would be brought back into use and the plans include a pub garden. It would also be separate from the new commercial units. The planning obligations included a deed of easement to protect the use of the public house with regard to the surrounding uses and also conditions to protect amenity.

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

1. That, planning permission is **GRANTED** at 102-126 and 128 The Highway, London, E1W 2BX for:
 - Demolition of existing petrol filling station (sui generis use class) and drive-through restaurant (A3 use class) and redevelopment of site to provide buildings ranging in height from 5-7 storeys, comprising 80 residential dwellings (C3 use class) and 574sqm (GIA) commercial floorspace (flexible A1/A2/A3/A4/B1/D1/D2 use classes) plus associated servicing, parking and refuse stores, amenity space and public realm enhancement. Refurbishment of existing public house (302sqm). (PA/19/00559)
2. subject to the prior completion of a legal agreement to secure the planning obligations set out in the Committee report
3. Subject to the planning conditions set out in the Committee report

6. OTHER PLANNING MATTERS

None

The meeting ended at 7.30 p.m.
Chair, Councillor Abdul Mukit MBE
Development Committee