

STRATEGIC DEVELOPMENT COMMITTEE

HELD AT 7.00 P.M. ON THURSDAY, 18 FEBRUARY 2016

DECISIONS ON PLANNING APPLICATIONS

1. DECLARATIONS OF DISCLOSABLE PECUNIARY INTERESTS

Councillor Marc Francis declared a personal interest in agenda items 5.1 Land at corner of Broomfield Street and Upper North Street known as "Phoenix Works", London, E14 6BX (PA/15/00641), 6.1. 25-28 Dalgleish Street, London, E14 (PA/15/02674), 6.2 Hertsmere House, 2 Hertsmere Road, London (PA/15/02675, PA/15/02748) and 6.3 50 Marsh Wall, 63-69 And 68-70 Manilla Street London, E14 9TP (PA/15/02671). This was on the basis that he had received representation from interested parties on the applications.

2. MINUTES OF THE PREVIOUS MEETING(S)

The Committee **RESOLVED**

That the minutes of the meeting of the Strategic Development Committee held on 19th November 2015 and the extraordinary meeting held on 10th December 2015 be agreed as a correct record

3. RECOMMENDATIONS

The Committee **RESOLVED** 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, Development and Renewal 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, Development and Renewal is delegated authority to do so, provided always that the Corporate Director does not exceed the substantive nature of the Committee's decision

4. PROCEDURE FOR HEARING OBJECTIONS AND MEETING GUIDANCE

The Committee noted the procedure for hearing objections and meeting guidance.

5. DEFERRED ITEMS

5.1 Land at corner of Broomfield Street and Upper North Street known as "Phoenix Works", London, E14 6BX (PA/15/00641)

On a vote of 0 in favour, 4 against and 0 abstentions the Committee did not agree the recommendation to grant planning permission.

Accordingly, Councillor Marc Francis proposed and Councillor Andrew Cregan seconded a motion that the planning permission be **REFUSED** (for the reasons set out in the Committee report dated 18th February 2016) and on a, vote of 4 in favour, 0 against and 0 abstentions it was **RESOLVED**:

1. That planning permission be **REFUSED** at Land at corner of Broomfield Street and Upper North Street known as "Phoenix Works", London, E14 6BX (PA/15/01601) for the demolition of existing buildings on the site and erection of buildings that range in height from 3 to 14 storeys containing 153 units including 28 undercroft and surface car parking spaces and a central landscaped courtyard for the following reasons set out in paragraph 5.2 the Committee report dated 18th February 2016(PA/15/00641)
2. Overdevelopment
The proposed development would result in overdevelopment of the site, evidenced by the residential density which would substantially exceed the range set out in table 3.2 of the London Plan, without having demonstrated exceptional circumstances and in a location outside of the nearest town centre, not supported by Local Plan policies relating to density. The development would have an overall scale and bulk of development that would be harmful to the visual amenities of the area and harmful to residential amenity of neighbouring properties through loss of daylight and sunlight. The proposed development would therefore conflict with policies 3.4 and 7.4 of the London Plan (2015), the London Housing SPG (2012), policies SP02 and SP10 of the Core Strategy (Tower Hamlets Local Plan), DM24 and DM25 of the Managing Development Document (Tower Hamlets Local Plan).
3. Design and relationship to the canal
The proposed development would result in an unsatisfactory design relationship between the proposed buildings and the Limehouse Cut canal and its towpath, arising from the proliferation of projecting balconies, the proximity of ground floor private amenity terraces and an unbroken elevation that would dominate this section of the canal towpath. The relationship of ground floor residential terraces would not provide adequate separation to provide a suitable level of privacy for the occupiers of the proposed units. The proposals would therefore adversely affect the special character of the canal and its use and enjoyment by the public for leisure and recreation as part of the London and Tower Hamlets Blue Ribbon Network. The proposed development would conflict with policies 7.4, 7.6 and 7.24 of the London Plan 2015; policies SP04 and SP10 of the Core Strategy (Tower Hamlets Local

Plan) and policies DM12 and DM24 of the Managing Development Document (Tower Hamlets Local Plan).

4. Place-making vision for Poplar
The proposed high density and high rise development would conflict with the place making vision for Poplar, included in Annex 9 to the Core Strategy (Tower Hamlets Local Plan), which seeks to focus higher density development in and around Chrisp Street town centre; provide lower and medium density, lower rise family housing around Bartlett Park and ensure new buildings are responsive and sensitive to the setting of Bartlett Park, Limehouse Cut and the conservation areas in Poplar.

6. PLANNING APPLICATIONS FOR DECISION

6.1 25-28 Dalglish Street, London, E14 (PA/15/02674)

Update report.

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

1. That planning permission be **GRANTED** at 25-28 Dalglish Street, London, E14 for the construction of a part four storey, part seven storey building to provide 60 flats with refuse and recycling facilities together with laying out of a 'Homezone' in Dalglish Street (PA/15/02674) subject to:
 2. Any direction by the London Mayor.
 3. The prior completion of a legal agreement to secure the planning obligations set out in the committee report.
 4. That the Corporate Director Development & Renewal is delegated power to negotiate the legal agreement indicated above acting within delegated authority. If within three months of the resolution the legal agreement has not been completed, the Corporate Director Development & Renewal is delegated power to refuse planning permission.
 5. That the Corporate Director Development & Renewal is delegated power to impose conditions and informatives on the planning permission to secure the matters set out in the Committee report and the update report.
 6. Any other conditions or informatives as considered necessary by the Corporate Director for Development and Renewal

6.2 Hertsmere House, 2 Hertsmere Road, London (PA/15/02675, PA/15/02748)

Update report tabled.

On a vote 5 in favour and 3 against, the Committee **RESOLVED:**

1. That planning permission be **GRANTED** at Hertsmere House, 2 Hertsmere Road, London for the demolition of remaining buildings and structures and erection of a 67 storey building (240.545m AOD) with two basement levels, comprising 861 residential units (Use Class C3), 942sqm (GIA) flexible commercial floorspace (Use Class A1-A3 and D2), ancillary circulation space and plant, as well as associated infrastructure, public realm and parking. Accompanied by an Environmental Impact Statement. (PA/15/02675) subject to:
2. Any direction by the London Mayor.
3. The prior completion of a legal agreement to secure the planning obligations in the Committee report and the update report
4. That the Corporate Director Development & Renewal is delegated power to negotiate the legal agreement indicated above acting within delegated authority. If within three months of the resolution the legal agreement has not been completed, the Corporate Director Development & Renewal is delegated power to refuse planning permission.
5. That the Corporate Director Development & Renewal is delegated power to impose conditions and informatives on the planning permission to secure the matters set out in the Committee report and the update report
6. Any other condition(s) and/or informatives as considered necessary by the Corporate Director for Development & Renewal.

On a vote 5 in favour and 3 against, the Committee **RESOLVED:**

7. That Listed building consent be **GRANTED** at Hertsmere House, 2 Hertsmere Road, London for Temporary dismantling of Grade II "Former West Entrance gate to West India Docks with Curved Walling" and re-installment in conjunction with redevelopment proposals (PA/15/02748) subject to the conditions set out in the Committee report.
8. Any other condition(s) and/or informatives as considered necessary by the Corporate Director for Development & Renewal.

6.3 50 Marsh Wall, 63-69 And 68-70 Manilla Street London, E14 9TP (PA/15/02671)

Update report tabled.

On a vote of 6 in favour, 0 against and 2 abstentions, the Committee **RESOLVED:**

1. That subject to any direction by the London Mayor planning permission be **REFUSED** at 50 Marsh Wall, 63-69 And 68-70 Manilla Street London, E14 9TP (PA/15/02671) for demolition of all buildings on site at 50 Marsh Wall, 63-69 and 68-70 Manilla Street to enable redevelopment to provide three buildings of 65 (217.5m AOD), 20 (79.63m AOD) and 34 (124.15m AOD) storeys above ground comprising 634 residential units (Class C3), 231 hotel rooms (Class C1), provision of ancillary amenity space, a new health centre (Class D1), a new school (Class D1), ground floor retail uses (Class A3), provision of a new landscaped piazza, public open space and vehicular access, car parking, cycle storage and plant. Retention of 74 Manilla Street as North Pole public house (Class A4) for the following reasons as set out in the Committee report and the update report:
2. The proposed development exhibits clear and demonstrable signs of overdevelopment which include but not limited to:
 - a limited and compromised public realm which would not provide a high-quality setting commensurate with buildings of such significant height and density;
 - its impact to the setting of the Maritime Greenwich World Heritage Site and the Grand Axis
 - an insensitive relationship of the western building with the surrounding properties of Byng Street and Bellamy Close which as a result would provide little visual relief, be overbearing and fail to provide a human scale of development at street level;
 - a failure to interface with the surrounding land uses, which as a result would prejudice future development of neighbouring sites and fail to contribute positively to making places better for people;
 - a failure to provide sufficient private amenity space, sense of ownership within the cores, an appropriate welcoming quantum of communal amenity space, and a significant number of sunlight and daylight failures would not provide high quality residential accommodation;
 - a failure to implement the waste management hierarchy of reduce, reuse and recycle;

As a result the proposed development would not be sensitive to the context of its surroundings or successfully bridge the difference in scale between Canary Wharf and surrounding residential area.

The above demonstrable negative local impacts cannot be addressed through the appropriate use of planning conditions or obligations and as a consequence substantially outweigh the desirability of establishing a new school.

Accordingly, the proposal would fail to provide a sustainable form of development in accordance with the National Planning Policy Framework and is contrary to the Development Plan, in particular policies 3.1, 3.2, 3.3, 3.4, 3.5, 3.6, 3.7, 3.8, 3.9, 3.10, 3.11, 3.12, 3.16, 3.18, 6.1, 6.3, 6.4, 6.9, 6.10, 6.11, 6.12, 6.13, 7.1, 7.2, 7.3, 7.4, 7.5, 7.7, 7.8, 7.10 and 7.11 of the London Plan (2015), policies SP02, SP03, SP05, SP07, SP08, SP09, SP10 and SP12 of the Tower Hamlets' Core Strategy (2010) and policies DM4, DM10, DM14, DM18, DM20, DM22, DM23, DM24, DM25 and DM26 and Site Allocation 17 of the Tower Hamlets' Managing Development Document that taken as a whole, have an overarching objective of achieving place-making of the highest quality, ensuring that tall buildings are of outstanding design quality and optimise rather than maximise the housing output of the development site.

3. In the absence of a legal agreement to secure Affordable Housing and financial and non-financial contributions including for Employment, Skills, Training and Enterprise, Sustainable Transport, Highways and Energy, the development fails to maximise the delivery of affordable housing and fails to mitigate its impact on local services, amenities and infrastructure. This would be contrary to the requirements of Policies SP02 and SP13 of the LBTH Core Strategy, Policy DM3 of the LBTH Managing Development Document and Policies 3.11, 3.12 and 8.2 of the London Plan and the Draft Planning Obligations SPD 2015.
- 4 *Schedule 4 (Part 1 (3 and 4) and Part 2 (3)) of the EIA Regulations states, that the ES must describe and assess the proposed developments likely significant effects on the environment, which should cover cumulative effects. Schedule 4 (Part 1 (5) and Part 2 (2)) of the EIA Regulations also require a description of the measures envisaged to prevent, reduce and where possible offset any significant adverse effects on the environment.*

The ES does not include a cumulative wind assessment incorporating the Cuba Street planning application (PA/15/2528) - no information has been provided on the likely significant effects, nor what mitigation measures are envisaged. The ES therefore does not meet the requirements of Schedule 4 of the EIA Regulations.

Without this additional information the ES is not considered to be complete and therefore the only option available to the Council is to refuse the application.

This is in accordance with Regulation 3(4) of the EIA Regulations which states that a local authority cannot grant permission for a project covered by the EIA Regulations unless it takes 'environmental information' into consideration. Environmental information is defined in Regulation 2(1) and includes the ES. This is defined as a statement including information required by Schedule 4 of the EIA Regulations.

WILL TUCKLEY, CHIEF EXECUTIVE

(Please note that the wording in this document may not reflect the final wording used in the minutes.)