

STRATEGIC DEVELOPMENT COMMITTEE

HELD AT 7.00 P.M. ON THURSDAY, 15 FEBRUARY 2018

DECISIONS ON PLANNING APPLICATIONS

The agenda order was varied at the meeting to consider item 6.1 Sainsbury Foodstore, 1 Cambridge Heath Road, London, E1 5SD (PA/17/01920) before 5.1 Chrisp Street Market, Chrisp Street, London (PA/16/01612). For ease of reference, the items are listed in the decision sheet in the order that they appeared on the agenda.

1. DECLARATIONS OF DISCLOSABLE PECUNIARY INTERESTS

Councillor Marc Francis reported that he would not be participating in agenda item 5.1 Chrisp Street Market, Chrisp Street, London (PA/16/01612). Councillor Francis left the meeting for the consideration of this application.

Councillor Peter Golds declared a personal interest in agenda item 6.1 Sainsbury Foodstore, 1 Cambridge Heath Road, London, E1 5SD (PA/17/01920). This was on the basis that he had undertaken consultancy work on behalf of Sainsburys.

2. MINUTES OF THE PREVIOUS MEETING(S)

The Committee **RESOLVED**

That the minutes of the meeting of the Committee held on 11 January 2018 be agreed as a correct record and signed by the Chair subject to the inclusion of Councillor Peter Golds in the list of other Councillors present at the meeting.

3. RECOMMENDATIONS AND PROCEDURE FOR HEARING OBJECTIONS AND MEETING GUIDANCE

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, 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 Development Committee and the meeting guidance.

4. DEFERRED ITEMS

None

5. PLANNING APPLICATIONS FOR DECISION

5.1 Chrisp Street Market, Chrisp Street, London (PA/16/01612)

Update report.

Councillor David Edgar proposed and Councillor Asma Begum seconded a proposal that the application be deferred for the reasons set out below. On a vote of 7 in favour and 1 against the Committee **RESOLVED**:

That the application for planning permission at Chrisp Street Market, Chrisp Street, London be **DEFERRED** for the comprehensive redevelopment of the site (the full description of the proposal is set out in the Committee report and the update report)

The Committee were minded to defer the application for further consideration and information on the following issues:

- The level of affordable housing being provided.
- The applicant's consultation with the local community.
- The increase in A4 (Drinking Establishments) in terms of the measures to mitigate any adverse impact from such uses.
- The measures to safeguard the Post Office within the development
- Details of the car parking plans.

In accordance with Development Procedural Rules, the application was **DEFERRED** to enable Officers to prepare a supplementary report to a future meeting of the Committee addressing the above issues.

6. OTHER PLANNING MATTERS

6.1 Sainsbury Foodstore, 1 Cambridge Heath Road, London, E1 5SD (PA/17/01920)

Update report.

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

That the Committee resolves to inform the Planning Inspectorate that were it empowered to determine the application for planning permission at Sainsbury Foodstore, 1 Cambridge Heath Road, London, E1 5SD (PA/17/01920) the Council would have **REFUSED** permission for:

- Demolition of the existing store and decked car park to allow for a replacement Sainsbury's store to include a 'explore learning' facility,

flexible retail/office/community floorspace, 471 residential units arranged in 8 blocks ranging from six to 14 storeys in height, an energy centre and plant at basement level; car parking spaces, the creation of a public realm route, public realm enhancements and associated highway works. (The full description of the proposal is set out in the Committee report)

For the following reasons as set out in the Committee report:

- 1) The affordable housing offer of 17.5% within the proposed development would fail to meet the minimum requirement of the adopted Tower Hamlets Local Plan. The offer has not been justified in financial viability terms and would fail to provide an adequate amount of affordable housing to meet strategic targets.

The development consequently fails to accord with a number of material considerations, including but not limited to: the Borough's adopted Development Management Document policy DM3, the Borough's adopted Core Strategy policy SP02, the adopted London Plan including policies 3.8, 3.11 and 3.12, the National Planning Policy Framework and supplementary planning guidance as set out in LBTH's Development Viability SPD (October 2017), LBTH Planning Obligations' SPD (2016) and the Mayor of London's Affordable Housing and Viability SPG (August 2017).

- 2) The proposed development within the setting of the Grade II listed Albion Yard Brewery would cause less than substantial harm to the significance of the heritage asset and would fail to preserve or enhance the character or appearance of the Whitechapel Market Conservation Area, by reason of the adverse impacts of the development upon townscape views of Albion Yard Brewery from Whitechapel Road.

As such, the proposal fails to provide a sustainable form of development in accordance with paragraphs 17, 56 and 61 of the NPPF and fail to be consistent with the guidance set out in Chapter 12 of the NPPF in respect to conservation and enhancement of the historic environment. The proposal is also contrary to policies 7.4, 7.5, 7.6 and 7.7 and 7.8 of the London Plan (2016), SP10 and SP12 of the Tower Hamlets Core Strategy (2010) and policies, DM24, DM26 and DM27 of the Tower Hamlets Managing Development Document (2013).

- 3) The development would unacceptably impact on the amount of daylight and sunlight that would be received by surrounding properties namely, Albion Yard, Blackwood, Berry, Collingwood and Grindall Houses, Kempton Court, Key Close breaching guidance in the Building Research Establishment Handbook 'Site Layout Planning for Daylight and Sunlight' 2011. The extent and severity of the impacts are such that the development would not be consistent with the Mayor's London Plan Policy 7.6 B(d) and the Borough's 'Managing Development Document' Policy DM25 Amenity.

- 4) In the absence of a legal agreement to secure financial and non-financial contributions including affordable housing, street market enhancements, highway works, land allocated for Transport for London bike station, employment, skills, training and enterprise, and energy, the development fails to maximise the delivery of affordable housing and fails to mitigate its impact on highways, local retail sector, local services and amenities. This would be contrary to the requirements of Policies SP01, SP02, SP09, SP12, and SP13 of the LBTH Core Strategy, Policy DM1, DM3, DM20, DM21 of the LBTH Managing Development Document and Policies 2.15, 3.11, 3.12, 4.7, 6.3 and 8.2 of the London Plan and the LBTH Planning Obligations SPD 2016.

WILL TUCKLEY, CHIEF EXECUTIVE

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