

LONDON BOROUGH OF TOWER HAMLETS

MINUTES OF THE STRATEGIC DEVELOPMENT COMMITTEE

HELD AT 7.00 P.M. ON TUESDAY, 24 JULY 2018

**COUNCIL CHAMBER, 1ST FLOOR, TOWN HALL, MULBERRY PLACE, 5 CLOVE
CRESCENT, LONDON, E14 2BG**

Members Present:

Councillor John Pierce (Chair)
Councillor Abdul Mukit MBE
Councillor Dan Tomlinson
Councillor Dipa Das
Councillor Kevin Brady
Councillor Val Whitehead
Councillor Zenith Rahman

Other Councillors Present:

Councillor James King

Apologies:

Councillor Rabina Khan

Officers Present:

Paul Buckenham	– (Development Manager, Planning Services, Place)
Jerry Bell	– (Area Planning Manager (East), Planning Services, Place)
Elizabeth Donnelly	– (Senior Planning Officer, Place)
Amanda Helliwell	– (Legal Services, Governance)
Graham Harrington	– (Planning Officer, Place)
Alison Thomas	– (Head of Housing Strategy, Partnerships and Affordable Housing, Place)
Joseph Ward	– (Development Viability Team Leader, Place)
Zoe Folley	– (Committee Officer, Governance)

The agenda order was varied at the meeting to consider item 8.1, 21 Buckle Street Public Inquiry reasons for refusal (PA/16/01612) before 7.1 Chrisp Street Market, Chrisp Street, London (PA/16/01612). For ease of reference, the items are listed in the minutes in the order that they appeared on the agenda.

1. ELECTION OF VICE-CHAIR FOR THE COMMITTEE FOR 2018/19.

It was proposed by Councillor Kevin Brady and seconded by Councillor Dipa Das and **RESOLVED**

That Councillor Abdul Mukit MBE be elected Vice-Chair of the Strategic Development Committee for the Municipal Year 2018/2019.

2. DECLARATIONS OF DISCLOSABLE PECUNIARY INTERESTS

Councillor Dipa Das declared a non disclosable personal interest in agenda item 7.1 Chrisp Street Market, Chrisp Street, London (PA/16/01612) as she had met with Steve Stride, (one of the speakers registered to address the Committee in support of the application) to discuss local services after the local election.

Councillor Zenith Rahman declared a non disclosable personal interest in agenda item 7.1, Chrisp Street Market, Chrisp Street, London (PA/16/01612). This was on the grounds that she was the Vice- President of the Bromley by Bow Centre and they worked with Poplar HARCA who were one of the applicants (along with Telford Homes) for the application.

Councillor Val Whitehead declared a non disclosable personal interest in agenda item 7.1, Chrisp Street Market, Chrisp Street, London (PA/16/01612) as she had met with Steve Stride, to discuss local services after the local elections.

3. MINUTES OF THE PREVIOUS MEETING(S)

The Committee **RESOLVED**

That the minutes of the meeting of the Strategic Development Committee held on 15th February 2018 and the extraordinary meeting held on 28th February 2018 be agreed as a correct record and signed by the Chair.

4. 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.

5. STRATEGIC DEVELOPMENT COMMITTEE'S TERMS OF REFERENCE, QUORUM, MEMBERSHIP AND DATES OF FUTURE MEETINGS

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

That the Strategic Development Committee's Terms of Reference, Quorum, Membership and Dates of future meetings as set out in Appendices 1, 2 and 3 to the report be noted.

6. DEFERRED ITEMS

No deferred items.

7. PLANNING APPLICATIONS FOR DECISION

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

Update report tabled.

Paul Buckenham (Planning Services) introduced the application for the comprehensive redevelopment of the site comprising the demolition of existing buildings (with the exception of the Festival of Britain buildings, Clock Tower and Idea Store) for the erection of new residential buildings (including the re-provision of the existing affordable residential units); existing market enhancement, the reconfiguration, replacement and provision of new commercial uses and associated works.

The Chair invited registered speakers to address the Committee.

Objector's case

Mr Murtuza Hasanie (local trader), Sue Brian and Terry Mcgrenera (local residents) addressed the Committee. Concern was expressed about the planning application documents, especially the applicant's transport study in respect of the need for customer parking spaces. They questioned its methodology and that it was carried out independently. Their own survey showed that most of the trips to the market were car born. Businesses and customers relied on these spaces so it would adversely affect them. They also expressed concern about the loss of existing services in view of the absence of a written agreement guaranteeing 'like for like' services for traders and the loss of trade during the construction phase.

It was also considered that there was a lack of consultation and engagement over the plans. A ballot of residents should have been carried out in compliance with the Mayor of London's requirements in respect of estate regeneration.

There would also be a lack of social and affordable housing particularly for the existing residents under the proposed equity share option. This would lead to the displacement of leaseholders. Steps should be taken to increase the level of affordable housing.

The proposal would also harm residential amenity late at night due to the increase in establishments such as restaurants that could apply for a late night license.

Concern was also expressed about the loss of the existing shops and the need for the new shops and cinema etc.

In response to Members questions, they clarified their concerns about the applicant's parking study. It was considered that the organisation that conducted the survey had been appointed to negotiate with traders rather than carry out a survey. They stressed the need for like for like services especially loading bays with suitable delivery times for smaller traders and customer car parking to meet current business needs.

They also responded to questions about the loss of residents homes, the affordability of the new units, the impact of the proposal on residential amenity and the adequacy of the consultation.

Councillor James King addressed the Committee. He considered that the viability assessment should be reviewed to better understand the risks and to maximise the amount of affordable housing that could reasonable be provided. He answered questions from Members about the discrepancies in the various viability appraisals submitted to the Council and the GLA.

Applicant's case.

Scott Hudson, (Planning consultant), Steve Stride (Poplar HARCA) and Shabel Khan (local resident), spoke in support of the application. They confirmed that the plans had been updated since the February 2018 Committee meeting as set out in the Committee report. There would be more affordable housing, over and above what was currently on site. This included two and three bed affordable units. There would be no net loss of social housing. There would also be no increase in A4 drinking establishments. Furthermore, the car parking plans complied with policy. Additional on street pay and display bays could potentially be provided. The scheme would deliver a wide range of community benefits, including a variety of shops, a new market place with enhanced facilities, a family orientated night time economy, jobs and a guaranteed space for the post office. Further consultation had been carried out. The feedback indicated that there was widespread support for the proposals.

In response to Members questions, the speakers explained in further detail the scope of their engagement with the market traders and residents. They also highlighted their reasons for providing a number of 2-3 bed affordable units rather than 5 bed units. Judging by the housing waiting list, these types of units were most in demand in the Borough. The housing mix broadly complied with policy.

There would be measures to assist existing traders, such as the provision of rent concessions over a number of years. It was planned that the new development would accommodate a diverse mix of both new and existing businesses and give local people a greater choice of services.

The car parking plans, including the loss of parking spaces, complied with policy as shown by the applicant's independent review. The plans would help reduce air pollution. The plans would be kept under review.

The speakers also provided reassurances about the decantation strategy, including the equity review option for existing residents. This had worked well elsewhere. They also answered questions about the affordable housing review mechanism, and the establishment of a liaison forum to discuss and resolve issues with people with a direct interest in the scheme.

Presentation.

Graham Harrington (Planning Services) presented the application describing the site and the character of the surrounding area. The Committee were also advised of the relevant policy site designations and the key features of the application in terms of the layout, the building heights and massing. They also noted verified views of the proposal from the surrounding area.

Consultation had been carried out. The number of representations received for and against and the nature of the objections were noted.

Members were advised that this application for planning permission was considered by the Strategic Development Committee on 15th February 2018.

The application was recommended for approval. However, members resolved 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 car parking plans.

In accordance with the Council's Constitution, the application was deferred to enable Officers to prepare a supplementary report to a future meeting of the

Committee addressing the above issues. It was not possible to bring the application back to the Committee before the 2018 Local Election, so it was necessary to bring it back as a new application to the Committee.

The Committee noted the amendments to the application and the further information supplied since that meeting addressing the above issues.

In land use terms, the proposal complied with policy. The applicant had revised the application to remove the proposed additional pub/bar and instead proposed that Unit 301 would be used for A3 purposes (Café/Restaurant). This meant that the application now before the Committee would not result in a net increase in A4 (Drinking Establishments) uses.

The applicant had also confirmed that as part of this purchase, it had entered into a contract with Post Office Ltd such that it had the option of taking a lease and occupying one of two proposed ground floor spaces. The Post Office had withdrawn its previous objection to the application and it could continue to operate during the construction phase.

It was noted that there would be some loss of office floor space, but an overall increase in good quality commercial space. There were also measures to help existing community facilities relocate and to retain the Police Station as set out in the Planning obligations.

The density of the proposal complied with the guidance in the London Plan

There would be a net gain in affordable housing compared to what was on site already. This represented 35.8% of the housing mix by habitable room and a net increase of 11.9% affordable units. There would be an overprovision of one bed affordable units and a slight under provision of 3 and 4 bed units. The units would be of a good quality and the overall housing mix broadly complied with policy.

The density of the proposal complied with the requirements in the London Plan. The child play space met the policy standards.

The application scheme would be car free (with the exception of 10 blue badge spaces for disabled residents within the site). The proposed car parking provision, including the loss of the existing car park, was supported by the Mayor of London and TfL. There was potential to provide additional on street pay and display spaces for visitors to the market. However to secure this, an agreement would need to be reached with the Council and the applicant, in consultation with residents.

The proposal would not significantly adversely impact the amenity of surrounding residents and building occupiers. Therefore, the proposed development was in accordance with relevant policy and thus acceptable in amenity terms in view of the urban setting.

Contributions had been secured as set out in the committee report.

Officers were recommending that the proposal be granted planning permission.

Committee's questions.

In response to the presentation, the Committee asked questions about the affordable housing and the operation of the viability review mechanism to secure more affordable housing if possible. The Committee also sought assurances about the number of affordable units including the number of larger family units and the grant support for the scheme.

Members also asked questions about: the amenity impacts on the surrounding residents and the Lansbury Lawrence School, the retention of the Festival of Britain buildings, the heritage issues, fire safety matters, the micro climate measures and the consultation carried out with the tenants and leaseholders.

In responding, Officers explained the process for carrying out the viability assessment and the proposed schedule for the reviews at various stages of the scheme. It was also explained that the issues in respect of the deficit would need be addressed, before additional affordable housing could be sought in line with the requirements.

It was confirmed that the scheme would result in a net increase in affordable housing compared to what was on the site already– in addition to the retained festival of Britain buildings. Officers were satisfied with the number of family sized units being provided given that the number of two to three bed units only just fell marginally short of the policy targets. It was also confirmed that since the February meeting, the GLA had provided grant funding for additional affordable units. The Council also would explore the option of providing funding for additional Tower Hamlets Living rent units. It was also noted that any further increase in the grant support for the affordable housing could have negative consequences on the level of affordable housing.

It was also confirmed that the impacts on amenity in terms of sunlight and daylight would mostly be minor in nature and on the whole be acceptable. It should be noted that in some instances, particularly in respect of 10 Chrisp Street, the impacts could be attributed to the design of the developments themselves due to the position of balconies that shaded windows underneath. Whilst the Lansbury Lawrence School would experience a slight loss of light, the impact was found to be acceptable. The school had been consulted and had raised no objections about the plans. The Council assessment had been independently reviewed

It was confirmed that the design of the scheme would be of a high quality. It had taken it's references from the surrounding buildings. The impact on the Festival of Britain buildings should be a positive one. There was a condition requiring that details of the materials be submitted.

There would be measures to reduce the carbon emissions. This included financial contributions for carbon offsetting. Officers were satisfied that the applicant had done all that they could in respect of this matter.

Responsibility for the fire safety was a matter for the building control department, but it was noted that the applicant would install sprinkler systems.

The applicant had carried out a lot of consultation with the tenants and leaseholders and with the GLA. All in all, officers consider that the applicant had carried out high quality and thorough consultation on its proposals at both the pre-application and application stages. The requirement to ballot residents only came into effect recently following the completion of the scheme. Therefore, it did not apply to this scheme as it could not be applied retrospectively

Overall, it was considered that the applicant has addressed the issues raised at the February meeting and that the proposals complied with policy.

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

1. That subject to any direction by the London Mayor, Planning permission be **GRANTED** at Chrisp Street Market, Chrisp Street, London for the comprehensive redevelopment of the site (the full description of the proposal is set out in the Committee report) (PA/16/01612)subject to:
2. The prior completion of a legal agreement to secure the planning obligations set out in the Committee report
3. That the Corporate Director for Place is delegated authority 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 for Place is delegated power to refuse planning permission.
4. That the Corporate Director for Place is delegated authority to impose conditions and informatives on the planning permission to secure the matters set out in the Committee report:
5. Any other condition(s) and/or informatives as considered necessary by the Corporate Director for Place.

8. OTHER PLANNING MATTERS

8.1 21 Buckle Street Public Inquiry reasons for refusal (PA/16/01612)

Paul Buckenham (Planning Services) introduced the application seeking the Committee's permission to delegate to Officers authority to remove reason 3 from the proposed reasons for refusal for the public inquiry for 21 Buckle Street. The reason for this was that Officers considered that it would be very difficult to defend this reason at the appeal on planning grounds. It was also considered that the matter should be brought to the Committee since it made the original decision and in the interests of transparency.

Elizabeth Donnelly (Planning Services) presented the report, providing an overview of the application. The application was originally considered by the Committee in August 2017 and the Committee were minded to refuse the application. At its meeting on 4th October 2017, the Committee received an updated report in line with the Committees procedures, and resolved to refuse the application for four reasons as set out in the report.

The Committee were reminded of the full wording of the suggested third reason, relating to the need for short term accommodation.

The Committee were recommended that this ground should be removed given the issues set out in the report in respects of the policy grounds and lack of evidence to support the reason.

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

1. That officers be delegated authority to advise the Planning Inspectorate and the appellant that refusal reason 3 in respect of the public Inquiry for 21 Buckle Street (PA/16/01612) will not be defended by the Council at the Appeal Inquiry and that this can be agreed as part of an updated Statement of Common Ground.

The meeting ended at 9.45 p.m.

Chair, Councillor John Pierce
Strategic Development Committee