

LONDON BOROUGH OF TOWER HAMLETS

MINUTES OF THE STRATEGIC DEVELOPMENT COMMITTEE

HELD AT 10.00 A.M. ON MONDAY, 7 MARCH 2011

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

Members Present:

Councillor Carli Harper-Penman (Chair)

Councillor Dr. Emma Jones
Councillor Bill Turner
Councillor Kabir Ahmed
Councillor David Edgar
Councillor Shahed Ali

Other Councillors Present:

Nil

Officers Present:

Megan Nugent	– (Legal Services Team Leader, Planning, Chief Executive's)
Jerry Bell	– (Strategic Applications Manager Development and Renewal)
Alison Thomas	– (Private Sector and Affordable Housing Manager, Development & Renewal)
Pete Smith	– (Development Control Manager, Development and Renewal)
Jane Jin	– (Planning Officer)
Elaine Bailey	– (Strategic Applications Planner)
Alan Ingram	– (Democratic Services)

COUNCILLOR CARLI HARPER-PENMAN (CHAIR) IN THE CHAIR

1. APOLOGIES FOR ABSENCE

Apologies for absence were submitted on behalf of Councillor Stephanie Eaton.

2. DECLARATIONS OF INTEREST

Councillor	Item(s)	Type of Interest	Reason
David Edgar	8.1	Personal	The report contained references to the Leaside Regeneration Company, of which he was a Council nominated Board Member.
Carli Harper-Penman	8.1	Personal	She was an owner occupier of a property in Bow Quarter, the freehold for which was owned by Ballymore Group. However she had no financial interest in that Group.

3. UNRESTRICTED MINUTES

The Committee **RESOLVED**

That the unrestricted minutes of the meeting of the Committee held on 20 January 2011 be agreed as a correct record and signed by the Chair.

4. 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.

5. PROCEDURE FOR HEARING OBJECTIONS

The Committee noted the procedure for hearing objections.

6. DEFERRED ITEMS

Nil items.

7. PLANNING APPLICATIONS FOR DECISION

7.1 Bow Enterprise Park, Cranwell Close, London

At the request of the Chair, Mr Pete Smith, Development Control Manager, introduced the circulated report and **Tabled** update report concerning the application for planning permission at Bow Enterprise Park, Cranwell Close, London (Ref. No. PA/10/1734). He indicated that the proposal for A5 Class Use had now been removed as a result of negotiations with the applicant.

At the request of the Chair, Mr Jerry Bell, Strategic Applications Manager, made a detailed presentation of the report and update. He commented that there had been no objections from stakeholders and the proposal was considered to deliver an employment-led mixed use residential scheme which would safeguard the employment uses on site and facilitate locally-based employment, training and local labour opportunities for the local community, together with identified public realm improvements. The proposal would provide an acceptable amount of affordable housing and mix of units

The Chair invited questions from Members, who raised points regarding:

- the split of parking spaces allocated between affordable housing and full market housing units;
- whether there were open plan housing units;
- the future of businesses currently located in the Enterprise Park;
- intermediate family housing provision;
- the calculation of 144 resultant child places and consequent play space provision;
- whether or not the development would be gated;
- the level of density proposed for the development and whether the S106 reflected appropriate mitigation for transport and other related issues;
- the balance of car club spaces and electric vehicle points;
- whether there would be right to buy or acquire relating to larger family units.

Mr Bell responded to the questions in detail, indicating that some units were open plan in the market sector; the site owners and current occupiers would need to work out commercial arrangements for businesses but Officers were happy with the mix of business and employment opportunities; child numbers and play space had been calculated according to the existing formula and the proposals exceeded requirements; play equipment would be provided; this would not be a gated development; the housing mix was considered suitable as proposed; suitable density of developments was assessed using a variety of elements; the S106 contribution had been tested by Viability Consultants and had been directed in the main towards health and education provision with some £400,000 from TfL to mitigate for the impact on the bus network.

Ms Alison Thomas, Private Sector and Affordable Housing Manager, confirmed that Registered Social Landlords gave right to acquire facilities and intermediate homes were risky to provide from a Housing Association point of view due to relatively large costs putting them out of reach of most families.

Councillor Shahed Ali proposed an amendment, seconded by Councillor Kabir Ahmed, "That a condition be added for details of proposed uses of parking spaces between affordable and full market housing to be referred to Officers for approval at a later date." On being put to the vote, the amendment was declared **carried** unanimously.

On a vote of five for and one against, the Committee **RESOLVED**

- (1) That planning permission be **GRANTED** at Bow Enterprise Park, Cranwell Close, London, for the demolition of existing buildings and erection of new buildings between 3 to 20 storeys plus basement and comprising Use Class B1 (up to 6220 sq.m.), flexible Use Class A1/A2/A3/A5 (up to 490 sq.m.), 557 residential units (Use Class C3) (up to 46,844 sq.m.) comprising 217 x 1bed, 234 x 2bed, 93 x 3bed, 6 x 4bed, 7 x 6bed with associated landscaping, highways and infrastructure works, subject to any direction by the Mayor of London, the prior completion of a legal agreement to secure planning obligations, and to the planning conditions and informatives as set out in the circulated report and amended by the update report **Tabled** at the meeting.
- (2) That a further condition be added as follows:

"That details of proposed uses of parking spaces between affordable and full market housing be referred to Officers for approval at a later date."
- (3) That the Corporate Director Development & Renewal be delegated authority to negotiate the legal agreement indicated in resolution (1) above.

- (4) That the Corporate Director Development & Renewal be delegated authority to issue planning conditions and informatives to secure the matters listed in the circulated report.
- (5) That, if within three months of the date of this committee the legal agreement has not been completed, the Corporate Director Development & Renewal be delegated the power to refuse planning permission.

8. OTHER PLANNING ITEMS

8.1 Leamouth Peninsula North, Orchard Place, London, E14

At the request of the Chair, Mr Pete Smith, Development Control Manager, introduced the circulated report and **Tabled** update report concerning the application for planning permission at Leamouth Peninsula North, Orchard Place, London, E14 (PA/10/1864). He indicated that amendments had been proposed by the developer and details thereof, together with additional consultation responses, were contained in the update report.

At the request of the Chair, Mr Jerry Bell, Strategic Applications Manager, made a detailed presentation as to why Officers were recommending that the Committee make a formal objection against the application. He commented that Officers were dissatisfied with the proposals for affordable housing provision and the proposed triggers for additional financial contributions; the proposed inclusion of a bridge in the S106 package when it was felt that this was more properly a development cost; unresolved concerns from the Port of London Authority about proposals for the bridge; unresolved environmental concerns.

In response to questions from Members, Mr Bell indicated that there were proposals to increase bus services to the south end of the site when the rotunda was closed (1.00 am – 5.00 am) and there was a convoluted access route to the top end of the site but this raised concerns around safety issues. Any objection raised by the Committee would be put before the London Thames Gateway Development Corporation on 10 March 2011, when they would consider the application.

The Chair stated that a decision was now required and, on a **unanimous** vote, it was **RESOLVED**

- (1) That the Committee formally object to the application made by the London Thames Gateway Development Corporation (LTGDC) at Leamouth Peninsula North, Orchard Place, London, E14 for hybrid planning application for the comprehensive redevelopment of the Leamouth peninsula for mixed-use development to provide up to 185,077 sq.m (GEA) of new floor space and up to 1,706 residential units (use class C3) comprising:

1) Full planning application for development of **Phase 1**, at the southern end of the site, comprising the erection of 5 buildings, namely G, H, I, J & K, and alterations to existing building N, to provide:

- 537 residential units (use class C3)
- 5,424sqm of office and flexible business workspace (use class B1)
- 382sqm retail, financial and professional services, food and drink (use class A1, A2, A3, A4 A5)
- 1,801sqm of leisure (use class D2)
- 1,296sqm of community uses (use class D1)
- 249sqm art gallery (use class D1)
- 2,390sqm energy centre 275 car parking spaces

2) Outline planning application for **Phase 2**, at the northern end of the site, comprising Buildings A, B, C, D E, F & M (with all matters reserved except for access and layout) and to provide:

- Maximum of 1,169 residential units (use class C3)
- 2,424sqm of office and flexible business workspace (use class B1)
- 1,470sqm of retail, financial and professional services, food and drink (use class A1, A2, A3, A4 A5)
- 1,800sqm of arts and cultural uses floorspace (use class D1)
- 4,800sqm of educational floorspace (use class D1)
- Storage and car and cycle parking
- Formation of a new pedestrian access (river bridge) across the River Lea
- Formation of a new vehicular access and means of access and circulation within the site, new private and public open space and landscaping and works to the river walls.

(2) That such formal objection be made, as set out in the circulated report and the update report **Tabled** at the meeting, on the grounds that:

(i) The provision of 19.6% affordable housing (or 11% without grant funding) together with the proposed cascade mechanism would fail to contribute towards meeting the borough's affordable housing need and affordable housing targets, contrary to the aims of PPS3, Policy

3A.9 of the London Plan (2008), Policy HSG3 of the IPG (2007) and Policy SP02 in the Core Strategy (2010) which seek to ensure the borough meets the overall strategic target for affordable housing.

(ii) The overall under provision of family housing would result in an unacceptable housing mix contrary to policy 3A.9 and 3A.10 in London plan, policy HSG2 and HSG3 in the IPG (2007) and policy SP02 in the Core Strategy (2010) which seek to ensure developments provide an appropriate housing mix to meet the needs of the borough.

(iii) Given the significance of this strategic site in terms of the Council's overall growth agenda and the vision for Leamouth (especially housing growth, the provision of affordable housing, improved connectivity and the delivery of required social/community infrastructure to support development), the proposal, viewed alongside financial viability constraints and the inability of the scheme to satisfactorily mitigate the various impacts and accommodate associated infrastructure requirements, will fail to deliver a sustainable, liveable, vibrant, accessible and inclusive community, contrary to policies S01, SP02 and SP13 of the adopted Core Strategy (2010).

(iv) The proposal, by virtue of the proposed solid encroachment of the northern bridge landing on to the foreshore, fails to provides sufficient information to ensure necessary mitigation against nature conservation contrary to Policy 3D.14 and Policy 4B.1 of the London Plan (2008); the London Biodiversity Action Plan (2008); Policy DEV57 of Tower Hamlets UDP (1998) (saved policies); Policy DEV7 of Tower Hamlets IPG (2007) and Policy SP04 of Tower Hamlets Core Strategy (2010) which seeks to protect and enhance biodiversity value.

(v) The proposed encroachment of the northern bridge landing into the river is likely to impede flood flow and/or reduce storage capacity, thereby increasing the risk of flooding contrary to PPS25, Policy 4A.13 of the London Plan (2008), Policy DEV21 of Tower Hamlets IPG (2007) and Policy SP04 of the Core Strategy (2010) which seek to reduce the risk and impact of flooding.

(vi) The encroachment of the northern bridge landing in to the deepest part of the river is considered to have adverse impact on the navigational function of the river, and considered unacceptable by the Council and the Port of London Authority, contrary to Policy SP04 (4) of the Core Strategy (2010) and Policy OSN3 of the IPG (2007) which seek to deliver a network of high quality usable and accessible water spaces through protecting and safeguarding existing water spaces from inappropriate development and using water spaces for movement and transport.

(3) That notwithstanding the position outlined above, if LTGDC is minded to approve the application this should be subject to conditions relating to:

- Permission valid for 3 years
- Submission of reserved matters
- Approved plans
- Accordance with approved phasing plan
- Constructed in accordance with the drawings hereby approved
- Contamination remediation reports
- Landscape plan
- Details of disabled access and egress
- Details of emergency access and widening works
- Details and samples of external materials
- Ambient noise & noise insulation
- Refuse store details
- External lighting scheme
- Details of the proposed unit sizes for the A1- A5 uses
- Restriction to level of A5 floorspace
- Details of opening hours of non residential uses
- Details of directional signage and way finding
- Details of shared surfaces and cycling route
- Details of cycle storage
- Lifetime Homes
- 10% wheelchair accessible units
- Security management scheme & secured by design details
- Sustainable Homes Code Level 4
- BREEAM rating of excellent
- Details on CHP, swimming pool heat load and site heat network.
- Further details regarding PV technologies
- Construction management plan
- Environmental management plan
- Details of ventilation/extraction for non-residential uses
- Details of shared surface and boundary treatment
- Details of post excavation work (following previous programme of recording and historic analysis)
- Design details and method statements for ground floor structures to ensure the proposed location of Crossrail structures and tunnels.
- Details on fire brigade access and water supplies and ring main
- Drainage plans including details of minimum water pressure head and flow rates
- Details of en-route aviation obstruction lighting at the top of the tallest structure
- Separate systems of drainage for foul and surface water
- No building/other obstruction within 3m of public sewer
- Restriction of 1995 Permitted Development Rights
- 20% electric vehicle charging points

- Further potential work required regarding the precise location of proposed bus stop
 - Car park management strategy
 - Further details showing design of Building N
 - Ecological Improvements, including details of:
 - Reed bed planting and intertidal terraces
 - At least 6,000sqm of brown roofs
 - Timber baulking on all sections of river wall
 - Nest boxes for peregrine falcons on tall buildings.
 - A swift tower to provide multiple nest sites for swifts
 - 11 nest sites in the river walls for kingfishers and sand martins.
 - Other nest boxes for birds including black redstarts, house martins and grey wagtails
 - Any other planning condition(s) considered necessary by the Corporate Director Development & Renewal.
- (4) That Members of the Strategic Development Committee be kept informed of the results of this objection and the progress of the application.

ANY OTHER BUSINESS

Huntingdon Estate/Fleet Street Hill Planning Application

At the request of the Chair, Mr Peter Smith, Development Control Manager, gave details of the above impending complex applications and stated that it would be useful for Members to inspect the site informally.

It was agreed that Members so wishing should contact the Development Control Manager for a briefing on the Huntingdon Estate/Fleet Street Hill application before this is submitted to Committee.

The meeting ended at 8.30 p.m.

Chair, Councillor Carli Harper-Penman
Strategic Development Committee