

STRATEGIC DEVELOPMENT COMMITTEE 15 JANUARY 2025

UPDATE REPORT OF THE DIRECTOR OF PLANNING AND BUILDING CONTROL

Agenda item no	Reference no	Location	Proposal / Title
4.1	PA/24/00173	Site at 2-6 Commercial Street, 98,101-105 Whitechapel High Street and Canon Barnett Primary School, London E1	<p>Demolition of 101 Whitechapel High Street, 6 Commercial Street and the western annex of the Canon Barnett Primary School; partial demolition and partial retention of 102 - 105 Whitechapel High Street (with internal alterations) and 2 – 4 Commercial Street (façade retained); and redevelopment to provide buildings ranging from ground plus 17 storeys, comprising office floorspace (Class E(g)), community hall (Class F2); relocation and expansion of the existing school playground and School Annex (Class F1); associated car and cycle parking, hard and soft landscaping and other associated works.</p> <p>This application is accompanied by an Environmental Statement.</p>

1. ADDITIONAL REPRESENTATIONS

- 1.1. Since publication of the Deferral Report, 13 letters of representation have been received. All are in objection.
- 1.2. Nine of the objections are from people who have previously written objections and four are from people who have not previously made written representations.
- 1.3. Eight are from addresses from within the borough, two are from out of the borough and three have no address.
- 1.4. The objections cover the matters of:
 - Intrusion of privacy for pupils – observable by office workers.
 - Loss of light to Canon Barnett Primary School and residential buildings.
 - Harm to the conservation area and detriment to the area's character.
 - Unacceptability of a tall building – taller than refused scheme.
 - Wind impacts.
 - Strong stakeholder objection – 228 parents, Canon Barnett Primary School, Whitechapel Gallery, Toynbee Hall, Historic England, SAVE Britain's Heritage, Victorian Society, Spitalfields Trust, East End Preservation Society and all local residents.
 - Inadequate pre-application consultation.
- 1.5. The original Committee Report addresses the matters that have been raised in the additional objections.

1.6. The total number of representations now received in relation to this application is set out in the table below.

Total representations	Number in objection	Number in support
321	300	21

2. RECOMMENDATION

2.1. That subject to any direction by the Mayor of London, planning permission is **REFUSED** for the reasons as outlined in the Committee Report.

Agenda item no	Reference no	Location	Proposal / Title
5.1	PA/24/00996	Bow Common Gasworks, Bow Common Lane	Application for variation of Condition 2 (Approved Drawings), condition 12 (Private Residential Mix) and condition 26 (Dynamic Overheating Analysis), condition 33 (Cycle Parking Management Plan), condition 34 (Car Parking Management Plan) and condition 35 (Park Delivery) of Planning Permission PA/19/02379, dated 4 April 2022

3. CLARIFICATIONS AND CORRECTIONS

- 3.1. The Phase 2 affordable housing percentage referred to in the officers report within the Executive Summary and at 2.6, 7.12 and 8.3 should be 81% rather than 80%.
- 3.2. The proposed scheme floorspace included at figure 9 should be replaced by the table below.

Land Use	Minimum Floorspace (GIA)	Maximum Floorspace (GIA)
Retail (A1-A5) (now E)	150 sqm	3,000 sqm
Business (B1) (now E)	No minimum	1,000 sqm
Residential (C3)	No minimum	155,000 sqm
Community (D1) (now E, F1(a) and F2)	No minimum	600 sqm
Leisure (D2) (now E)	No minimum	No maximum**

- 3.3. The table at Paragraph 7.154 highlights a list of receptors tested for the daylight and sunlight impacts and details the relevant effect significance for each receptor. This has a number of omissions and requires a small number of minor clarifications which have been set out below:

- Omission of receptors deemed to experience negligible effects. The table should include: 44-66 (evens) Spanby Road, Lime Tree Court, 125-133 Steadman House, 1-19 Lockhart Street and 1-67 Belton Way.
- Incorrect inclusion of 68-90 Spanby Road. This receptor is not considered relevant for assessment due to a lack of sensitive room uses facing the site.
- 73-81 Whitethorn Street – Total number of rooms assessed should state **15**.
- 61-71 Whitethorn Street - Total number of rooms assessed should state **27**.

- 3.4. Some minor clarifications in relation to daylight impacts with corrections set out in bold below. Members should note these changes amount to small variations from the details

in the officers report and the overall impact and conclusions of the officers report remain unchanged.

- Paragraph 7.156 “The windows on the upper level see the most restricted daylight as a result of self-limiting overhanging eaves, with these removed the VSC levels to this property range from **16-25.4%**.”
- Paragraph 7.161 “With the Proposed Development in place 165 of the 176 windows will meet the initial BRE guidance for VSC. The remaining 11 windows to see noticeable effects, of which **6** are minor adverse, 2 are moderate adverse and 3 are major adverse.”
- Paragraph 7.164 – “With the Proposed Development in place, **3 of the 23 windows** show no noticeable effects. The remaining **20** windows would show noticeable effects in VSC, which are considered to be major adverse.”
- Paragraph 7.165 – “With the proposals in place, **14** of the **15** rooms relevant for the NSL assessment would show noticeable effects. Of the remaining rooms, **1** see minor adverse effects, **2** see moderate adverse effects and **11** would see major adverse effects.”
- Paragraph 7.167 – “With the Proposed Development in place, **14** of the **35** windows would show no noticeable effects in VSC. Of the remaining **21** windows, **8** see minor adverse effects, 9 see moderate adverse effects **and the remaining 4 see major adverse effects**. The rear elevations of these properties currently enjoy relatively open outlook to the west where light can pass over the underutilised Site.”
- Paragraph 7.168 – “With the Proposed Development in place, **23** of the **27** rooms relevant for assessment would show no noticeable effects in NSL. Of the remaining rooms **2** sees a minor and **2 a major** adverse effect.”
- Paragraph 7.172 – “The retained VSC levels however remain in excess of 15.7% **with the maximum extent massing in place**. The results show that where windows would experience a noticeable reduction in light levels, the majority of windows would see levels retained VSC levels in closer or in excess of 20%. Under the flexibility of the BRE guidelines, these levels are considered acceptable for an inner urban context.”
- Paragraph 7.173 – “With the Proposed Development in place, 2 of the 7 windows assessed would show no noticeable effects in VSC. Of the remaining windows, **2** are subject to minor adverse effects, with **2** windows seeing moderate adverse and 1 window seeing major adverse effects.”
- Paragraph 7.174 – The sentence “*For NSL, 72 of 85 rooms see no noticeable effects. For the remaining rooms, the effects to 5 are minor adverse, 3 are moderate adverse and 9 are major adverse.*” To be deleted. Included in error.
- Paragraph 7.182 – “For sunlight, the APSH results show **1** of the 10 rooms with windows orientated towards 90° of due south will meet the BRE guidelines. The remaining **9** rooms would experience APSH levels below the suggested targets.”
- Paragraph 7.183 – “For sunlight, the APSH results show that **7** of the **15** rooms with windows orientated towards 90o of due south will meet the BRE guidelines. The remaining **8** rooms would experience APSH levels below the suggested targets.”
- Paragraph 7.190 - “With the maximum parameter scenario in place, the overshadowing results show that **77** of the **85** areas assessed will satisfy the BRE

guidelines, experiencing no noticeable effects as a result of the Proposed Development.”

3.5. The table at Paragraph 7.186 draws comparison of the daylight and sunlight impacts of both the extant permission and proposed schemes. This table includes minor errors, and the clarifications for these have been detailed below.

- 122-188 Fairfoot Road – “Shifts in impacts = +2 minors, -3 moderates and +12 majors.”
- Thimble Court – “Reduction in compliance from 73/140 windows passing to **65/140** windows passing (**8** additional deviations). Shifts in impacts = -2 minors, +3 moderates and +7 majors.”

3.6. Some minor clarifications in relation to overshadowing impacts with corrections set out in bold below. Members should note these changes amount to small variations from the details in the officers report and the overall impact and conclusions of the officers report remain unchanged.

- Paragraph 7.190 – “With the maximum parameter scenario in place, the overshadowing results show that **77** of the **85** areas assessed will satisfy the BRE guidelines, experiencing no noticeable effects as a result of the Proposed Development.

4. RECOMMENDATION

4.1. Officers maintain a recommendation to GRANT planning permission, subject to the conditions and obligations outlined in the original report.

Agenda item no	Reference no	Location	Proposal / Title
5.2	PA/23/02097	1 Selsdon Way, E14 9GL	Demolition of existing buildings and erection of a building up to 35 storeys, comprising residential (Class C3) uses, flexible Community Hub (Class E / F1), landscaping, public realm, plant, cycle storage, servicing and other associated works. This application is accompanied by an Environmental Statement.

1 ADDITIONAL REPRESENTATIONS

- 1.1 Since publication of the Report, 2 additional letters of objection have been received.
- 1.2 Both letters were from residents who had previously written objections in relation to the initial consultation.
- 1.3 The additional material matters raised, which are not cited in the Committee Report, are as follows:
 - Loss of the football pitches which are used for external play by students at Canary Wharf College
 - Impact on the safety of the students of the adjacent schools during construction

2 UPDATES

Local Finance Considerations

- 2.1 It is estimated that the proposed development would be liable for £5,405,469.61 Tower Hamlets Community Infrastructure Levy (CIL) and Mayor of London CIL of £1,289,167.58.

Additional Non Financial Obligations

- 2.2 Provision of a Build to Rent Covenant and clawback mechanism to ensure that homes are secured for the rental market for 15 years.
- 2.3 Provision for offering tenancies of 3 years for all renters; provision for rent and service charge certainty for renters; and no upfront charges for tenants apart from deposit and advance rent.

3 RECOMMENDATION

- 3.1 To recommend to GRANT planning permission, subject to the conditions and obligations outlined in the original report and this update report.