

LONDON BOROUGH OF TOWER HAMLETS

MINUTES OF THE STRATEGIC DEVELOPMENT COMMITTEE

HELD AT 7.00 P.M. ON THURSDAY, 29 AUGUST 2013

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

Members Present:

Councillor Helal Abbas (Chair)
Councillor Rajib Ahmed
Councillor Zara Davis
Councillor Marc Francis (Vice-Chair)
Councillor Kabir Ahmed
Councillor Md. Maium Miah
Councillor Peter Golds (Substitute for
Councillor Dr. Emma Jones)

Other Councillors Present:

None.

Officers Present:

Pete Smith	– (Development Control Manager, Development & Renewal)
Megan Nugent	– (Legal Services Team Leader, Planning, Chief Executive's)
Jane Jin	– (Planning Officer, Development and Renewal)
Mary O'Shaughnessy	– (Planning Officer, Development and Renewal)
Zoe Folley	– (Committee Officer, Democratic Services Chief Executive's)

1. APOLOGIES FOR ABSENCE

Apologies for absence were received from Councillors Denise Jones, Carli Harper-Penman and Councillor Emma Jones for whom Councillor Peter Golds was deputising.

Apologies for lateness were received from Councillor Zara Davis.

2. DECLARATIONS OF DISCLOSABLE PECUNIARY INTERESTS

No declarations of disclosable pecuniary interests were made.

Councillors Helal Abbas, Peter Golds, Rajib Ahmed, Md. Maium Miah and Kabir Ahmed declared an interest in agenda item 7.1, Former Queen

Elizabeth Hospital, Hackney Road (PA/13/00384 & PA/13/00386). This was on the basis that they had received correspondence from interested parties.

Councillors Zara Davis, Peter Golds and Md. Maium Miah declared an interest in agenda item 7.2 Heron Quays West, Heron Quay, London, E14 (PA/13/01150). This was on the basis that they had received hospitality from the Canary Wharf Group that were connected to the applicant.

Councillor Rajib Ahmed declared an interest in agenda item 7.2 Heron Quays West, Heron Quay, London, E14 (PA/13/01150). This was on the basis that the Speakers Charity had received donations from the Canary Wharf Group whilst he was acting as Speaker of the Council.

3. UNRESTRICTED MINUTES

The Committee **RESOLVED**

That the unrestricted minutes of the meeting of the Committee held on 18th July 2013 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, together with details of persons who had registered to speak at the meeting.

6. DEFERRED ITEMS

Nil Items.

7. PLANNING APPLICATIONS FOR DECISION

7.1 Former Queen Elizabeth Hospital, Hackney Road (PA/13/00384 & PA/13/00386)

Update Report Tabled

Pete Smith (Development Control Manager) introduced the report for the demolition of all buildings on the site apart from facades of the building fronting Hackney Road; erection of two courtyard buildings to provide 188 residential units and 90sq.m of flexible commercial/community floorspace, a shared surface street to the north of the development allowing access to basement parking for 30 cars; and associated highways and landscaping works.

The application also sought Conservation Area Consent for retention of the facades of the building fronting Hackney Road and demolition of the remaining parts of the building.

Officers drew attention the update report. In particular, the Planning Inspectorates report on the Revised Early Minor Alterations to the London Plan (REMA). It was reported that the Inspector's main recommendations to give Boroughs a greater role in agreeing affordable rent levels had been rejected by the Mayor of London. In his view, this would allow Boroughs to set rent caps below 80% of market rent that could compromise the delivery of affordable housing. The Authority would consider any necessary amendments to the Affordable Housing SPD in light of the REMA.

Members were reminded of the current status of the REMA pending approval by the London Assembly and the need for them to be mindful of the document.

The Chair then invited registered speakers to address the Committee.

Mark Harris spoke in objection to the proposal. He stated that he lived near to the development site and was speaking on behalf of many residents. There had been 183 objections and an online petition with over 200 signatures.

He referred to the concerns of the LB Hackney Planning Committee that objected to the application. The local community valued the historic hospital buildings and it was proposed to replace them with poor quality buildings contrary to the spirit of the London Plan. He expressed concern about overdevelopment given the density range exceeded the London Plan guidance. He also considered that the proposal would overshadow Hackney City Farm and Haggerston Park. There also would be a loss of light to the units at Goldsmith's Row from the development that would affect vulnerable occupants. He also objected to the sunlight levels within the proposed communal courtyards. The southern parts failed the day light and sunlight tests. There would also be a high number of single aspect units that would receive poor quality light.

In response to Members, he stated that he had discussed the project with many residents and had attended many of the consultation meetings so had a good understanding of residents views. He stressed the heritage value of the existing buildings that had been designed by a specialists and had earned a lot of recognition. If renovated, the buildings would make a positive contribution to the area. A more fuller study of retaining the existing buildings should be carried out along with the Hackney Road façade.

Oliver Lazarus spoke in objection to the proposal. He stated that he was speaking on behalf of local residents and the Trustees of the City Farm. He expressed concern about future noise nuisance claims against the City Farm from the development. A legal agreement should be put in place to protect the farm from this. He objected to the lack of commercial units given that the area was an important market link with vibrant markets. Therefore the plans conflicted with the policies in the London Plan for place shaping. The application should be refused and a better solution found. In response to Members, he considered that the area was a town centre and a hub. However it was proposed to build 188 residential units without any social enterprise units which was out of keeping with the nature of the area.

Jonathan Murch spoke in support of the scheme on behalf of the applicant. He reported on the extensive work carried out with Officers in preparing the scheme including the work with the Council's Conservation Officer and also English Heritage to retain the important heritage aspects. They did not believe that anything of value would be lost. The applicant had fully explored the potential to preserve the existing buildings to be demolished. However, this would require a substantial amount of repair work that would significantly reduce the housing offer and therefore the viability of the scheme. The scheme proposed 43% affordable housing, that could only be afforded through the cross subsidy. There would be an acceptable level of family housing. The applicant was exploring the potential for using the commercial units for local community activities.

In response to Members, Mr Murch emphasised the scale of consultation carried out by the applicant including exhibitions at the City Farm. The majority of units were dual aspect and they would receive adequate levels of light. He explained the location of the commercial units with a small number on Goldsmith's Row. He clarified that the application was submitted to the LB Hackney Planning Committee for information. The comments made by the Members mainly concerned overshadowing to the park. This had since been clarified. Mr Murch reassured Members that there would be no major impact in this regard.

Jane Jin (Planning Officer) presented the detailed report. She explained in detail the site location in relation to the Conservation Area and surrounding listed buildings. She explained the outcome of the consultation. To date the Council had received 183 objections, 1 online petition with 177 signatures (as corrected in the update report). She also explained the housing mix, the design and appearance of the new buildings that had been redesigned in parts in view of the surrounding area.

Officers had fully explored the options for retaining the buildings on the former hospital site (save for the Hackney Road Façade) at pre application stage. However, all of the studies found that the buildings to be demolished were of low architectural value and would require major works to make them fit for purpose. This would in turn reduce the development potential of the site and the viability. Given this, Officers considered that proposal to demolish the buildings were acceptable on planning grounds. The Council's urban design expert was present at the meeting and supported this view. The Conservation and Design Officer was supportive of the plans and considered that the scheme would respect the local character of the area. English Heritage had not raised any objections.

It was considered that the loss of the hospital site was acceptable given that the hospital use ceased in the 1990s and had been declared surplus to NHS requirements. It was also considered that the site was suitable for a residential development given that it was a brownfield site with no special designations in a mainly residential area. The location and use classes of the commercial units for small business were explained.

There were measures to protect amenity and mitigate the impact on bio diversity. Whilst there would be a minor increase in overshadowing to the park, the Biodiversity Officer considered that the impact on the park was acceptable and that the scheme would not harm the natural habitat subject to the conditions. There would be a minor impact on light to the neighbouring properties. However this was because the site was currently vacant and, on balance, it was not considered that this justified refusal.

The Borough Highway Officer had no concerns with the scheme. Overall, the plans generally complied with policy and should be granted permission.

In response to Members, it was reported that discussions had taken place with the relevant Council Departments to secure affordable rents levels for the start up business in the commercial units as part of the s106. Officers also highlighted the policy changes since the initial development brief was produced, for a mixed used development, such as the Council's Core Strategy and the London Plan. They also highlighted and the targets for housing growth within these policies since the initial plans were produced and that the area was now mainly residential. As a result, the current policy supported the change to a residential led scheme on this site.

On a vote of 5 in favour and 1 against, the Committee **RESOLVED:**

1. That planning permission and Conservation Area Consent at former Queen Elizabeth Hospital, Hackney Road be London (PA/13/00384 & PA/13/00386) be **GRANTED** for

- PA/13/00384: Demolition of all buildings on the site apart from facades of the building fronting Hackney Road; erection of two courtyard buildings of part 5,6,7 and 9 storeys to provide 188 residential units

(Use Class C3) and 90sq.m (GIA) of flexible commercial/community floorspace (A1 and/or A2 and/or A3 and/or A4 and/or B1 and/or D1 and/or 'Community Enterprise' Use); the creation of a new shared surface link between Kay Street and Haggerston Park; a shared surface street to the north of the development allowing access to basement parking for 30 cars; and associated highways and landscaping works.

- PA/13/00386: Conservation Area Consent for retention of the facades of the building fronting Hackney Road and demolition of the remaining parts of the building.

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 normal delegated authority.
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.
6. Any other condition(s) and informative(s) considered necessary by the Corporate Director Development & Renewal.
6. That, if within 3 months of the date of this committee the legal agreement has not been completed, the Corporate Director Development & Renewal is delegated power to refuse planning permission.

7.2 Heron Quays West, Heron Quay, London, E14 (PA/13/01150)

Update Report Tabled

Councillor Zara Davis joined the meeting for the consideration of this item.

Pete Smith introduced the report regarding Heron Quays West, Heron Quay, for outline planning application (all matters reserved) for the demolition of existing buildings and structures and erection of a new building comprising a office floor space and flexible floor space along with associated works.

Mary O'Shaughnessy (Planning Officer) presented the detailed report and update explaining the key elements of the scheme covering: the site and surrounds and the extant scheme that could be built out. She explained the

outcome of the consultation to which 4 letters of objection had been received regarding a number of issues including the impact on amenity, biodiversity, transport, infrastructure, the environment and design. On balance Officers considered that the plans were acceptable on these grounds, as detailed in the Committee report.

Members were being asked to approve the outline scheme with all matters reserved (such as the appearance, layout, materials). The outline plans would be subject to control documents to ensure the delivery of a high quality and acceptable development. The site was located in a Preferred Office Location as designated in the Council's Planning Policies and there would be no net loss of office floor space. The applicant was committed to working with the current occupiers to find alternative locations in Canary Wharf. The occupants were Skillsmatch, East London Business Place and the George Brumwell Learning Centre.

It was considered that the impact on amenity was acceptable given the distance to the nearest residential properties. Transport for London and the Borough Highway Officer supported the scheme subject to conditions and the s106 to mitigate the highway impact. The s106 complied with the Council's s106 Supplementary Planning Document (SPD) which was strictly followed when calculating the request. There were minimum/maximum ranges for certain contributions to be finalized at the reserved matters stage.

In response to Members, it was reported that the application included generous walkways around the development. These could be furnished with soft landscaping to improve the pedestrian environment. It was anticipated that Environmental Health would carry out further testing of the environmental impact of the development at reserved matters stage to ensure any mitigation required.

Officers confirmed the details of the s106 agreement for the extant scheme compared to this scheme. They also highlighted the policy changes since the previous scheme, (such as the adoption of the Council's SPD, the Community Infrastructure Levy and the need for cross rail contributions). Given the differences, the respective s106 agreements were difficult to compare. The Committee should consider this proposal on its own merits.

Councillor Marc Francis proposed that the application be deferred pending further information on the s106 offer in relation to the extant scheme. On being put to a vote, the proposal fell.

On a vote of 5 in favour, 0 against and 2 abstentions, the Committee **RESOLVED:**

1. That planning permission at Heron Quays West, Heron Quay, London, E14 PA/13/01150 be **GRANTED** for outline planning application (all matters reserved) for the demolition of existing buildings and structures and erection of a new building with a maximum height of 191.5 metres AOD comprising a maximum of 129,857 square metres GIA of office

floor space (Use Class B1) and a maximum of 785 square metres GIA of flexible floor space (Use Class A1, A2, A3, A4 and A5) along with a decked promenade to the South Dock, access and highways works, landscaping and other associated works.

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 normal delegated authority.
5. That the Corporate Director Development & Renewal is delegated authority to recommend the conditions and informatives in relation to the matters set out in the committee report.

7.3 Indescon Court (Phase 2 site), 20 Millharbour (PA/13/00846 and PA/07/03282)

That application was withdrawn from the agenda by Officers.

The meeting ended at 9.00 p.m.

Chair, Councillor Helal Abbas
Strategic Development Committee