

LONDON BOROUGH OF TOWER HAMLETS

MINUTES OF THE STRATEGIC DEVELOPMENT COMMITTEE

HELD AT 7.00 P.M. ON THURSDAY, 6 NOVEMBER 2014

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

Members Present:

Councillor Sirajul Islam (Chair)
Councillor Md. Maium Miah (Vice-Chair)
Councillor Danny Hassell
Councillor Amina Ali
Councillor John Pierce
Councillor Helal Uddin
Councillor Suluk Ahmed
Councillor Muhammad Ansar Mustaqim
Councillor Julia Dockerill

Other Councillors Present:

Councillor Andrew Wood

Apologies:

None.

Officers Present:

Paul Buckenham	(Development Control Manager, Development and Renewal)
Jerry Bell	(Applications Team Leader, Development and Renewal)
Fleur Francis	(Acting Team Leader - Planning, Directorate, Law Probity and Governance)
Robert Lancaster	(Principal Planning Officer, Development and Renewal)
Nasser Farooq	(Principal Planning Officer, Development and Renewal)
Graham Harrington	(Planning Officer, Development and Renewal)
Alison Thomas	(Private Sector and Affordable Housing Manager, Development and Renewal)
Zoe Folley	(Committee Officer, Directorate Law, Probity and Governance)

1. **DECLARATIONS OF DISCLOSABLE PECUNIARY INTERESTS**

No declarations of disclosable pecuniary interests were made.

Councillors Sirajul Islam, Md Maium Miah, Danny Hassell, Amina Ali, John Pierce, Helal Uddin, Suluk Ahmed, Muhammad Ansar Mustaqim and Julia Dockerill declared an interest in agenda items 6.1, Quay House, 2 Admirals Way, London E14 (PA/14/00990), 6.2 South Quay Plaza, 183-189 Marsh Wall, London, PA/14/00944 and 6.3 Arrowhead Quay, East of 163 Marsh Wall, E14 (PA/12/03315). This was on the basis that they had received representations from interested parties on the applications.

Councillors Sirajul Islam, Danny Hassell, Amina Ali, John Pierce, Muhammad Ansar Mustaqim and Julia Dockerill declared an interest in agenda item 6.1, Quay House, 2 Admirals Way, London E14 (PA/14/00990). This was because they had attended the formal site visit as agreed at the 25th September 2014 Committee meeting.

2. **MINUTES OF THE PREVIOUS MEETING(S)**

The Committee **RESOLVED**

That the minutes of the meeting of the Committee held on 25th September 2014 be agreed as a correct record and signed by the Chair.

3. **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

4. **PROCEDURE FOR HEARING OBJECTIONS AND MEETING GUIDANCE**

The Committee noted the procedure for hearing objections, together with details of persons who had registered to speak at the meeting.

5. DEFERRED ITEMS

5.1 Quay House, 2 Admirals Way, London E14 (PA/14/00990)

Update Report tabled.

Paul Buckenham (Development Manager, Development and Renewal) introduced the application and the update.

Robert Lancaster (Planning Officer) presented the deferred report. It was reported that the Committee considered the application at its last meeting on 25th September 2014 where Members resolved to defer the consideration of the application for a site visit to better familiarise themselves with the site and surrounds. The Officers recommendation remained to refuse the scheme for the reasons set out in the deferred report.

The Committee were reminded of the site location, the surrounds and the key features of the scheme. They were also informed that Officers had now agreed with the Applicant the Head of Terms of the proposed legal agreement and a draft unilateral undertaking had been submitted. However, it was proposed that the reason for refusal on this matter should remain a reason (reason 2) given that a legal agreement had not been entered into and the need to highlight the importance of such a legal agreement in the event of an appeal.

It was also reported that, since the last meeting, Officers had met with the Applicant to consider the concerns and the Applicant had submitted informal information to address some of the concerns (as referred to in the deferred report). The Applicant had also advised that if these amendments could not be fully assessed in time for this Committee meeting, then the Committee should take the scheme as submitted. Given the lack of time to assess and consult on these amendments before the Committee meeting, the scheme remained as originally submitted. Furthermore it was considered that the proposed amendments would not address all of the reasons for refusal or deal with the overdevelopment aspects of the scheme.

In response to questions, Officers considered that the scheme showed clear and demonstrable signs of overdevelopment due to the density of the scheme in relation to the site constraints. Officers objections were not merely based on the height of the scheme rather the symptoms of overdevelopment. Officers had engaged with the Applicant over a long period of time to express their in principle concerns about the scheme.

The views of Greater London Authority (GLA) remained as in September as detailed in their August letter (that had been circulated again to Committee Members). Officers read out a recent e-mail from the GLA dated November 2014 reiterating their concerns about the scheme.

Councillor John Pierce seconded by Councillor Amina Ali moved a motion that the application be deferred to allow Officers to engage further with the Applicant with a view to amending the scheme. On being put to the vote, this motion was lost.

On a vote of 4 in favour of the Officer recommendation, 1 against and 2 abstentions the Committee **RESOLVED**:

1. That planning permission PA/14/00990 at Quay House, 2 Admirals Way, London E14 be **REFUSED** for the demolition of the existing building and redevelopment to provide a residential led, mixed use scheme to include a tower of 68 storeys (233 metres AOD) comprising 496 residential units, 315.3 sq.m. (GEA) of flexible commercial uses including retail/financial and professional services/café/restaurant uses (Use Classes A1 to A3), a residents' gymnasium and associated residential amenity space, car and cycle parking and landscaping for the following reasons as set out in the Deferred Committee report:

The proposed development exhibits clear and demonstrable signs of overdevelopment which include:

- a limited and compromised public realm which would not provide a high-quality setting commensurate with a building of such significant height;
- an insensitive relationship with South Dock southern quayside, which as a result would provide little visual relief, be overbearing and fail to provide a human scale of development at street level;
- a failure to provide an active and engaging frontage on its southern façade due to its awkward geometry and design at lower levels;
- a failure to provide high quality child play space which, as a result, would not provide high quality residential accommodation.

As a result the proposed development would not be sensitive to the context of its surroundings or successfully bridge the difference in scale between Canary Wharf and surrounding residential area.

Accordingly, it would fail to provide a sustainable form of development in accordance with the National Planning Policy Framework and would be contrary to the Development Plan, in particular policies 3.4, 3.5, 3.6, 7.4, 7.5, 7.6 and 7.7 of the London Plan (2011), policies SP02, SP10 and SP12 of the Tower Hamlets' Core Strategy (2010) and policies DM4, DM24 and DM26 and Site Allocation 17 of the Tower Hamlets' Managing Development Document that taken as a whole, have an overarching objective of achieving place-making of the highest quality,

ensuring that tall buildings are of outstanding design quality and optimise rather than maximise the housing output of the development site.

2. In the absence of a legal agreement to secure Affordable Housing and financial and non-financial contributions including for Employment, Skills, Training and Enterprise, Community facilities, Leisure facilities, Education, Health, Sustainable Transport, Public Realm, Streetscene and Built Environment, Highways and Energy, the development fails to maximise the delivery of affordable housing and fails to mitigate its impact on local services, amenities and infrastructure. This would be contrary to the requirements of Policies SP02 and SP13 of the LBTH Core Strategy, Policy DM3 of the LBTH Managing Development Document and Policies 3.11, 3.12 and 8.2 of the London Plan and the Planning Obligations SPD.

Councillors Md. Maium and Muhammad Ansar Mustaqim could not vote on the item having not been present at the previous Committee meeting on 25th September 2014 where the application was considered.

6. PLANNING APPLICATIONS FOR DECISION

6.1 South Quay Plaza, 183-189 Marsh Wall, London (PA/14/00944)

Update Report tabled.

Paul Buckenham (Development Manager, Development and Renewal) introduced the application and the update and the Chair then invited registered speakers to address the Committee.

Sarah Castro, local resident, Richard Horwood, Chair of the Pan Peninsula Leaseholders and Residents Association and Councillor Andrew Wood, ward Councillor spoke in objection to the scheme. The objectors expressed concern about the following matters in relation to the scheme:

- The impact on the DLR from the cumulative impact from this and other schemes in the area. The DLR line was already at a capacity as recognised by TFL and capacity cannot be increased.
- Impact on local schools from the increased population.
- Concerns about the suitability of a tall tower as homes for children and the lack of dedicated child play space (on and off site).
- Lack of consultation with residents. The applicant should engage with residents and come back with a better scheme.
- Concerns about the density of the scheme that was way in excess of the Greater London Authority (GLA) guidance and presented symptoms of overdevelopment.

- Concerns about the height of the scheme contrary to Council policy that stated that developments in this location should step down in height from the tall building cluster in Canary Wharf.
- Lack of social housing.
- That, in absence of the master plan, that this scheme and other similar schemes would have a detrimental impact on the area. Such applications should be deferred pending the adoption of the master plan to properly assess and manage the impact.
- A press release referring to a London Assembly motion calling on the Mayor of London to do more to protect London's skyline.

On behalf of the Applicants, Harry Lewis and Julian Carter addressed the committee expressing the following points in support of the application:

- Current building did not make best use of the site.
- Highlighted the merits of the scheme given the more generous levels of open space (in comparison to the Quay House application).
- Highlighted the plans to provide the pedestrian bridge, to improve the permeability of the site, the proposed community facilities facilitated by the s106 agreement.
- That the scheme would deliver new housing and affordable housing. Many with separate kitchens - all on one site.
- Extent of the consultation compromising a number of public exhibitions that were well attended.
- The scope of the s106 to mitigate the impact on infrastructure.
- Removal of car parking spaces to reduce the impact from the site on traffic and the highway.

In response to Members, the speakers clarified the levels of on site play space that would be provided and how the developer would ensure that this was of high quality. There would also be home working spaces that could be used by older children. Whilst consideration had been to providing a new school on site, it was found that there was not enough capacity to provide a school in the development. The applicant would take steps to prevent anti social behaviour by for example working with the site management company. The viability of the scheme (to provide 25% affordable housing) had been robustly tested. Both English Heritage and the Greater London Authority had no concerns that the scheme would harm the setting of the surrounding heritage assets including the world heritage site at Greenwich. The developer felt that they had complied with the Council's policies in respect of height.

Officers drew attention to the criteria in policy that this scheme should be assessed against in terms of the height amongst other matters. It was necessary to take in account the formal Stage One views of the GLA on the application as set out in the Committee report.

Nasser Farooq (Planning Officer) gave a comprehensive presentation on the application and the update explaining: the site and surrounds, the key

differences between this and the previous scheme in terms of the density and the nature of the site amongst other issues.

He also explained the site designation, the policy support for the scheme, the ground floor plans, the height and design, the scope and outcome of the consultation, the housing proposal, the measures to minimise the impact on amenity, the amenity and open space, the security measures, the child play space and the child yield calculation (that took into account both the LBTH and GLA yields). Whilst there was a shortfall in child play space, it was considered that given the level of open space in the scheme and the contributions, this was acceptable. It was also noted that further play space could be accommodated within the building.

English Heritage and the GLA were of the view that the scheme should not adversely impact on nearby heritage assets. The issues raised by the GLA regarding energy efficiency had now been addressed as set out in the update.

Attention was also drawn to the transport assessment as set out in the committee report and the update report which mentioned that the methodology used by the objector excluded activity from the existing office use. The methodology used within the transport assessment was accepted by the Council's Highway Officer and Transport for London (TfL). The Committee were advised of the expected coming and going from the scheme at peak times on the DLR. Whilst there would be some impact, contributions had been secured in line with policy for transport. Overall the impact was considered to be acceptable. Contribution had also been secured to help provide a second bridge across South Quay that was welcomed by Officers and strongly supported by the GLA and TfL.

Members asked a number of questions that were answered by Officers. It was confirmed that the percentage of affordable housing would be 25% as set out in the committee report. It had been estimated that the scheme would generate 227 children based on the GLA yield and 200 children based on LBTH yield.

It was considered that the density of the scheme was acceptable given the lack of adverse impact. Officers clarified the density per hectare with and without the office building as set out in the Committee report.

In response to further questions, Officers clarified the level of open space and the set back of the buildings.

In relation to the impact on schools, the Council's Education department recognised the need for school places and had a programme of new school buildings. It was recognised that the Isle of Dogs was a priority area and there was particular pressure on school places in that area. Furthermore, Officers were actively encouraging developers to deliver new schools as part of major developments coming forward. In response, Members stressed the need for new school places to accommodate new developments and asked if there was a minimum distance in policy from school to home. Officers sought to

confirm this whilst members of the audience confirmed that the guidance provided that primary schools should be within walking distance.

The cumulative impact of approved schemes was a material consideration and this had been taken into account. Less weight should be given to proposed schemes. It was necessary to consider the application on its planning merits in line with adopted policy.

It was considered that the scheme would successfully mediate between Canary Wharf and the existing/ proposed buildings to the south of Marsh Wall. Attention was drawn to the specific features to ensure this.

In response to further questions, officers clarified the proposals in respect of private amenity space communal areas and advised that the local employment would be secured through the s106 agreement.

Officers also responded to Members questions as to whether a decision could be delayed given the emerging South Quay masterplan, advising that it would not be appropriate here where there are development plans in place and there was no question of there being a policy vacuum. Officers confirmed that the SPD is currently aspirational and the weight to be given to it will increase as it moves through the process.

On a vote of 4 in favour, 2 against and 3 abstentions, the Committee **RESOLVED:**

1. That planning permission PA/14/00944 at South Quay Plaza, 183-189 Marsh Wall, London, be **GRANTED** for the demolition of all existing buildings and structures on the site (except for the building known as South Quay Plaza 3) and erection of two residential-led mixed use buildings of up to 68 storeys and up to 36 storeys comprising up to 888 residential (Class C3) units in total, retail (Class A1-A4) space and crèche (Class D1) space together with basement, ancillary residential facilities, access, servicing, car parking, cycle storage, plant, open space and landscaping, plus alterations to the retained office building (South Quay Plaza 3) to provide retail (Class A1-A4) space at ground floor level, an altered ramp to basement level and a building of up to 6 storeys to the north of South Quay Plaza 3 to provide retail (Class A1-A4) space and office (Class B1) space 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 if, within three months of the date of this committee meeting the legal agreement have not been completed, the Corporate Director of Development & Renewal has delegated authority to refuse planning permission.
6. 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.

6.2 Arrowhead Quay, East of 163 Marsh Wall, E14 (PA/12/03315)

Update Report tabled.

Paul Buckenham (Development Manager, Development and Renewal) introduced the application and the update and the Chair then invited registered speakers to address the Committee.

Diana Maudslay Cross, Rachael Crellin, local residents and Councillor Andrew Wood, ward Councillor spoke in objection to the scheme expressing the following points:

- That it would be premature to grant the planning permission without the adoption of the South Quay Master plan to properly assess the impact.
- There was an overprovision of small units and not enough family units so it would not encourage mixed and balanced communities.
- Lack of social housing.
- Impact on local schools, doctor surgeries that were already overstretched
- Impact on transport.
- Noise impact.
- Loss of open space, paths and adverse impact on biodiversity and wildlife
- Creation of a barrier between Canary Wharf and the south of the Island.
- That the consultation document of 2012 was out of date in terms of number of children in the area and play space.
- Concerns about the density that was significantly in excess of the Greater London Authority guidance.
- Impact on existing problems with broadband water.
- Height. If granted, it would be one of the tallest buildings in the country.

On behalf of the Applicant, Glen Howell, Julian Carter and Simon Ryan spoke in support of the scheme expressing the following points:

- That the height of the scheme was acceptable taking into account the surrounding buildings site and advice from Officers. The GLA had no major concerns with the height of the scheme.

- Highlighted the merits of the scheme including the landscaping works, the public dockside walkway, the improvements to the permeability of the site. A large part of the site would be open space.
- Lack of demand for the existing the office use. The policy support for this type of scheme in the area.
- High quality housing including affordable housing in excess of size requirements.
- New S106 and CIL contributions in addition to those secured for the previous consent. This included contributions for education and contributions to transport.
- There had been testing to provide a school on site. However, it was found that this could not be achieved so there were contributions for school places.
- Clarified the percentage of new units that could be easily adapted for wheelchair use.
- That the cumulative impact of this scheme and other schemes had been taken into account.
- That the plans had been widely advertised and there had been widespread public engagement on the scheme.
- That the scheme complied with the emerging South Quay Master Plan according to Council Officers.
- Effort had been made to ensure that the affordable and private units were of equal quality.
- Noted the need to provide separate entrances for the private/affordable blocs to ensure that the services charges for the affordable units were affordable.

Graham Harrington (Planning Officer) presented the report and update. He gave a detailed presentation on the scheme covering: the planning history of the site, the site and surrounds, the site designation in policy, the outcome of the consultation and the issues raised.

He also explained the height and design, the layout, the level of amenity space and child play space, the podium, the housing offer, the measures to minimise any noise impact and protect amenity and the transport impact. Contributions had been secured to mitigate the impact of the scheme including contributions for school places. This was in addition to the contributions already secured from the previous consented office scheme on the site. Overall, the scheme generally complied with policy and in view of the merits, Officers were recommending that the scheme be granted planning permission.

Members asked questions that were answered by Officers about the allocation of the previous s106 contributions on projects in the Isle of Dogs Area. They also referred to the level of affordable housing to be provided on site and that the occupants of the affordable housing would have access to the podium. Every effort had been made to ensure that both the entrances to the affordable/private units would be of a high quality and in a prominent location. The feedback from the housing providers was that they would not

want one entrance for both types of housing tenures as it could make the services charges for the social units/affordable unaffordable.

As explained by the speakers, a number of the residential units would be wheelchair adaptable. In addition, there were measures to ensure that the scheme would be fully inclusive and accessible to wheelchair users including changes to the taxi drop off arrangements to ensure this. The benefits of these measures (over a further ramp in the amenity space) were explained.

In relation to the impact on schools, the Council's Education Department recognised the need for school places and had a programme of new school buildings. It was recognised that the Isle of Dogs was suffering particular pressure on school places. Furthermore, Officers were actively encouraging developers to deliver new schools as part of major developments coming forward.

It was emphasised that the Canal and River Trust had no objections to the scheme in principle. It was recommended that conditions be added to manage the issues around the dock wall and water via agreement with the Trust.

On a vote of 5 in favour, 0 against and 4 abstentions, the Committee **RESOLVED:**

1. That planning permission at PA/12/03315 Arrowhead Quay, East of 163 Marsh Wall, E14 be **GRANTED** for the erection of two buildings of 55 and 50 storeys to provide 756 residential units (Use Class C3) (including 90 Affordable Rent and 42 Affordable Shared Ownership) and ancillary uses, plus 614sqm. ground floor retail uses (Use Classes A1-A4), provision of ancillary amenity space, landscaping, public dockside walkway and pedestrian route, basement parking, servicing and a new vehicular access 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 authority to negotiate the legal agreement and deed of variation indicated above acting within normal delegated authority.
5. That if, within three months of the date of this committee meeting the legal agreement and/or deed of variation have not been completed, the Corporate Director of Development & Renewal has delegated authority to refuse planning permission.
6. That the Corporate Director Development & Renewal use delegated power to impose conditions and informatives on the planning permission for Arrowhead Quay to secure the matters set out in the Committee report.

The meeting ended at 11.05 p.m.

Chair, Councillor Sirajul Islam
Strategic Development Committee