

LONDON BOROUGH OF TOWER HAMLETS

MINUTES OF THE STRATEGIC DEVELOPMENT COMMITTEE

HELD AT 7.40 P.M. ON THURSDAY, 12 MARCH 2015

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

Members Present:

Councillor Sirajul Islam (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:

Councillor Md. Maium Miah

Officers Present:

Jerry Bell	– (Applications Team Leader, Development and Renewal)
Fleur Francis	– (Acting Team Leader - Planning, Directorate, Law Probity and Governance)
Nasser Farooq	– (Principal 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.

2. MINUTES OF THE PREVIOUS MEETING(S)

The Committee **RESOLVED**

That the minutes of the meeting of the Committee held on 29th January 2015 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

None.

6. PLANNING APPLICATIONS FOR DECISION

6.1 Former Enterprise Business Park, 2 Millharbour, London (PA/14/01246)

Update Report Tabled.

Jerry Bell (Applications Team Leader, Development and Renewal) introduced the item and the Chair invited registered speakers to address the meeting.

Michael Majewskito, local resident, Richard Horwood (Pan Peninsula Leaseholders and Residents Association) and Councillor Andrew Wood, ward Councillor, spoke in objection to the scheme. They expressed concerns over:

- Loss of the trees at Mastmaker Road and the quality of the replacement trees. The impact of this had not been properly taken into account especially the impact on wind tunnelling.

- Sewage and rainwater issues due to the design of the scheme.
- Loss of light to the neighbouring properties from the massing of the scheme.
- Adequacy of the sustainable and renewable energy measures.
- Lack of information about the management of the car parking spaces and whether they would be for the occupants of the office or the tenants of the residential units.
- Overdevelopment of the site given the site constraints; the density in relation to the London Plan guidance and also the Public Transport Accessibility Level (PTAL) for the site. According to the objectors own research, the rating was in fact 3 (not 4) using the tool kit on the TFL website. Maps produced by the Council in November 2014 also stated that PTAL rating was 3. The PTAL drove the density assessment, so based on this, the density of the scheme should be lower.
- Drew attention to inconsistencies in the report about the PTAL rating.
- Impact of the scheme on the surrounding infrastructure (Dockland Light Railway, roads, health services and education) already at a capacity given the cumulative impact of the recently approved schemes in the area, including the Meridian Gate scheme, the Wood Wharf scheme. There had been a lack of consideration to the cumulative impact of schemes and it appeared that they were only considered on a case by case basis. If approved, there would be a 14% increase in the population of the local ward. The density should stay within the London plan guideline densities.
- That it would be premature to approve the application prior to the approval of the South Quay Master Plan or the Isle of Dogs Opportunity Area Action plan. Schemes should be plan led to fully assess the impact of the schemes of the area.

In response to questions, the speakers stated that there were a number of trees along Mastmaker road that, according to the Council, they could not be subject to a Tree Preservation Order. A speaker also felt that the light assessment should be independently reviewed as the submitted assessment was weighted in favour of the developer. It was also felt that the capacity of the DLR especially the line running through South Quay station and the local road network could not be increased any further to accommodate the increased population from the scheme. The recently approved developments alone would take up at least half of the passenger capacity of DLR trains. So this scheme would make this unbearable. The Chair pointed out that the Greater London Authority (GLA) had no objections to the density of the scheme.

John August, Applicant's Agent, spoke in favour of the scheme. He drew attention to the Urban Development Framework (UDF) which had been drawn up with Officers to manage the development of this site and the neighbouring sites. He also drew attention to the amendments to the scheme in relation to the proposed car parking spaces amongst other matters. The Applicant had been working with the Council and have had regard to the key plans throughout the process.

In response to Councillors questions, he considered that this scheme and those for the neighbouring sites fully reflected the aims in the UDF and the South Quay Master Plan and would form a key element of the master plans delivery. Other approved schemes were much taller than this scheme and a key benefit of this scheme was the quality of amenity space in the scheme.

He also explained that the adjacent site sought to deliver a new school and that taking into account the developments on the UDF site, there would be an uplift in play space. Other benefits of the scheme included: good quality play space, contributions for open space, facilities for all age groups, landscaping improvements and the creation of links to facilitate pedestrian movements around the site. In view of these benefits, the density of the scheme was acceptable.

There had been consultation with residents on many occasions and the feedback was mixed.

Members were advised that the sites within the UDF area were coming forward in separate planning applications because the sites were in different ownership.

Nasser Farooq, (Principal Planning Officer, Development and Renewal) presented the report and update explaining the site and surround and the impact of the recently consented schemes in the area. The plans were in accordance with the policy for the Millennium Quarter and the changes to the London Plan further alterations. The scheme had been informed by the UDF that sought to coordinate the development of the site and the adjacent sites subject to the modifications to facilitate light levels to neighbouring properties and to increase the level of public realm.

He explained the outcome of the local consultation. Whilst there would be some loss of trees to facilitate the development, there were measures to mitigate this as set out in the legal agreement and condition. The trees were under Council ownership and not privately owned so were not subject to a TPO.

It was noted that concern had also been expressed about the PTAL rating for the scheme. It was reported that both TFL and LBTH Highways agreed that the PTAL rating for the site was 4 taking into account the South Quay footbridge to the Canary Wharf station that the objectors study and the maps excluded. Information on this was set out in the update report. The DLR and Transport for London had not made any objections about the impact of the scheme following an assessment of the peak time activity on the network at intervals.

He described the key features of the application including, the height, design appearance of the scheme, the housing mix, the impact on views, child play space and amenity space on the site and also within the adjacent developments that it was envisaged that many of the children from the

development would use. It was intended that the scheme at the neighbouring site would deliver a new school, identified in the UDF as the most appropriate place to provide the school. It was noted that the development needed to stand on its own two feet and that the application for the adjoining site was currently with the Council for consideration and included child play space and a two form entry school.

It was considered that the density of the scheme was acceptable and that the Greater London Authority had not raised any concerns about the impact.

Contributions had been secured including a contribution for the South Quay foot bridge and to reduce in carbon admissions. It was considered that the level of car parking was acceptable on balance given the PTAL rating and contributions towards highway improvement works.

Taking into account the merits of the scheme, Officers were recommending that the scheme was granted planning permission.

In response, Members asked questions about the following issues:

- The affordable housing given: the concentration of such housing within the development, the affordability of the rents, the level of affordable units compared to the level of intermediate housing and the lack of four bedroom units. Some concern was expressed at the lack of four bedroom units given the plans to provide a school on the adjacent site.
- The need to take into account the neighbouring scheme in considering this scheme given each application should be considered on its planning merits.
- Child yield from the development and the shortfall of child play space in the scheme. It was felt that the child yields figures from both the GLA and the LBTH criteria should have been provided.
- The impact of a lower PTAL rating on the density assessment,
- The measures for monitoring the obligations for local employment in the legal agreement
- Impact of the scheme on future developments in the nearby area.
- The highway assessment
- The discussions with the developer about the district heating plant.
- The content of the recent London Plan alterations.
- The impact on the main walking bridge to the development. It was questioned if it was fit for purpose especially during rush hours to support the pressure from the scheme.
- Use of the D1 space.

Members were also mindful of the pressure on services from the development. In view of this, some Members considered that the contributions for community facilities should be ring fenced to the local ward and that some of this funding should be allocated towards the provision of a community centre in the development. The Committee also expressed a wish for the education contributions to be ring fenced to the local area.

In response, Officers explained in further detail the nature of the affordable units in the development. The scheme sought to deliver 35% affordable housing. Whilst the units would be located in two blocks they would be delivered first and they would be of equal quality to the private sale properties. Taking this into account and the level of affordable housing for the adjacent sites, it was considered that overall the communities would be mixed and balanced. Officers also stressed the need for private and affordable units to be managed as separate separately blocs, that was often the case for the registered providers for managements purposes and to ensure that the services charges remained affordable for the occupants of the affordable housing.

Officers provided a breakdown of the housing mix. The scheme was focused towards one to three bedroom units in the affordable rent tenure and one bedroom units reflecting demand. Whilst noting that there was no four bedroom units, given the results of the viability assessment and the overall housing mix, this was considered acceptable.

Consideration had been given to the impact on the highway from the scheme and the cumulative impact of other schemes on the junctions at Preston Way and Westferry Road . An Officer from LBTH highways was present to explain the finding. It was explained that given that the two junctions suffered from serious congestion, LBTH highways had requested that the level of car parking be reduced to mitigate the impact on the area.

It was confirmed that the new housing target in the London Plan applied across the whole LBTH area.

Consideration was being given to providing a communal heating plan in the South Quay Master Plan area. Whilst not part of this application, there would be flexibility for the development to be connected to the service. A Waste Management strategy would also be secured by condition. There were a range of different waste servicing systems under consideration for the wider area and in view of the uncertainty over the compact waste system that was not likely to be adopted until 2017, it would be premature to make a decision on this now. However this option had not been ruled out.

Whilst there was a shortfall of child play space, there was an acceptable level of door step provision for younger children as required in policy. The LBTH criteria for calculating child yield was more stringent than the GLA criteria. The numbers for from each were very similar. Furthermore, there were play spaces on nearby sites and the adjoining developments sought to provide child play space.

It was possible to ring fence the contributions for open space and community uses to help towards providing a community centre in the development, if the developer wished for this. However, the Committee could not specifically designate the D1 unit for community centre use. The Council's Planning

Contributions Overview Panel decided how the contributions for scheme were to be spent according to need.

The contributions for health and education were normally pooled and allocated based on need in compliance with the SPD. Officers expressed concerns that ring fencing the education contributions to the ward could compromise strategic plans for delivery and there were other practical considerations to take into account such as the availability of other funding required to support the delivery of a new school in a particular location. Therefore, careful consideration would need to be given to such a request with the appropriate Officers in the Council before this suggestion was taken forward so as not to compromise the delivery of education facilities and the ability to spend the education contribution requested in connection to the scheme.

The Council's Enterprise Team would monitor the commitment regarding local jobs under the s106.

Officers were satisfied that the site was well serviced by public transport and that there were no serious signs of overdevelopment bearing in mind the density of the scheme. Therefore, even if the PTAL rating was as argued by the objector, the impact of the scheme would continue to be acceptable. It was reiterated that the Highways calculation found that the PTAL rating was 4 due to the inclusion of the foot bridge and that Transport for London had approved the method used and agreed that the footbridge was an alternative route to the Canary Wharf Jubilee Line Station. It was confirmed that the future Crossrail station had not been included in the PTAL calculation.

Officers were keen to secure the provision of the south quay bridge. This would facilitate access to the area. Contribution had been secured from this and other developments to secure this.

The scheme was a stand alone scheme and should be considered on its own planning merits. However, it was important to consider the relationship with the other two schemes to fully understand the application.

It was reported that as part of the discussion on the UDF, that the impact of the scheme on the adjacent schemes had been tested. Officers were satisfied with the results.

On a vote of 1 in favour of the Officer recommendation to grant, 5 against and 2 abstentions, it was **RESOLVED:**

That planning permission be **NOT ACCEPTED** at Former Enterprise Business Park, 2 Millharbour, London for the erection of seven mixed-use buildings—A, B1, B2, B3, C, D and E (a 'link' building situated between block B1 and D)—ranging in height from 8 to 42 storeys. The new buildings to comprise: 901 residential units (Class C3); 1,104 sqm (GIA) of ground-floor mixed-use (Use Class B1/ A1/ A2/ A3/ A4/ D1); a 1,049 sqm (GEA) 'leisure box' (Use Class D2); plant and storage accommodation, including a single

basement to provide vehicle and cycle parking, servicing and plant areas; new vehicle and pedestrian accesses and new public amenity spaces and landscaping(PA/14/01246)

The Committee were minded not to accept the officers recommendation due to concerns over:

- Lack of child play space.
- Lack of supporting amenities and community facilities.
- Lack of affordable rent units and overprovision of intermediate housing.
- Density of the scheme.

In accordance with Development Procedural Rules, the application was **DEFERRED** to enable Officers to prepare a supplementary report to a future meeting of the Committee, setting out proposed reasons for refusal, any amendments to overcome Members concerns and the implications of the decision.

The meeting ended at 9.30 p.m.

Chair, Councillor Sirajul Islam
Strategic Development Committee