

LONDON BOROUGH OF TOWER HAMLETS

MINUTES OF THE STRATEGIC DEVELOPMENT COMMITTEE

HELD AT 7.00 P.M. ON THURSDAY, 23 APRIL 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:

Paul Buckenham	– (Development Control Manager, Development and Renewal)
Jerry Bell	– (Applications Team Leader, Development and Renewal)
Nasser Farooq	– (Principal Planning Officer, Development and Renewal)
Fleur Francis	– (Acting Team Leader - Planning, Directorate, Law Probity and Governance)
Jen Pepper	– (Affordable Housing Programme 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 extraordinary meeting of the Committee held on 19th February 2015 and the ordinary meeting held on 12th March 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

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

Update Report Tabled.

Paul Buckenham (Development Control Manager, Development and Renewal) introduced the item. It was explained that given the nature of the changes to the application since previously considered by the Committee in March, that the Chair in consultation with Officers had decided to permit public speaking on this application in accordance with the Development Committee procedure rules.

Accordingly, the Chair invited registered speakers to address the meeting.

Michael Majewskito, (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 trees at Mastmaker Road.
- Flood risk from the scheme given the capacity of the water drainage system.
- Lack of sustainable energy measures – i.e. solar panels.
- Car parking issues.
- Impact from construction works. There was no information on how the impact from noise and dust etc. would be dealt with. To address this, no work should be permitted on Saturday.
- Concern about the inclusion of the foot bridge in the PTAL assessment given the poor condition of the bridge to cope with the additional population. Transport for London felt that it was not fit for purpose. The PTAL rating drove the density assessment, so the issue also undermined the density assessment.
- That it would be premature to approve the scheme prior to the adoption of the South Quay Master Plan and the Isle of Dogs Action Plan to manage the impact of the scheme as stated by Sir Edward Lister of the Greater London Authority (GLA).
- Lack of child play space given the child yield from the scheme and other schemes. The introduction of four bed units would increase the yield further. There was also no guarantee that the play space from the surrounding schemes would come forward.
- That the density of the scheme was significantly in excess of the London Plan density guidance and other approved schemes.
- Impact on infrastructure from the development.
- Adequacy of the CIL contribution to mitigate the impact of the development.

In response to questions from Councillors, a speaker clarified his concerns about flood risk from the development given of the lack of space for natural drainage and that some Council's don't allow basements to cover more than 50% of the site. Mr Majewskito pointed out that he had written to the developer to voice his concerns but none of the issues had been properly addressed save some changes to the trees. It was also felt that the proposed South Quay foot bridge should have been excluded from the PTAL rating and density assessment as there was no guarantee it would come forward.

Jennifer Ross and Andrew Long spoke in favour of the application, explaining the history of the application in the context of the Urban Development Framework (UDF). Whilst the plan set some general principles for the development of this site, (that were briefly outlined), the scheme had been developed as a stand alone scheme and to respond well to what was there already. The scheme complied with the Council's Development Plan and South Quay Master Plan that was supplementary policy and did not carry the weight of the development plan.

They outlined the key features of the scheme including the impact on the surrounding area, the proposed level of open space and the measures to mitigate the impact on surrounding amenity.

The speakers also outlined the changes made to the scheme to overcome the Committee's initial concerns (explained in detail in the Officer's presentation). This included an increased area of open space and changes to the tenures of the affordable housing including the introduction of 4 bed units. The Applicant had worked with Officers to mitigate the impact on trees. Steps would be taken to ensure the two public highway trees were retained and that the replacement trees were of a good quality. In addition, many more new trees would be provided. The speakers outlined the consultation that had taken place with Thames Water and reminded Members that density was about more than numbers. They also confirmed that daylight and sunlight tests were carried out.

In response to questions from Councillors, the speakers explained the renewable energy measures. The option of installing solar panels had been carefully considered. However, it was found that given the benefits of the other measures and the need to retain roof space for other important uses amongst other issues, that the option was unviable. Steps would be taken to coordinate the tree planting across the site to animate the area. A holistic approach would be taken to this. More trees were being re - provided than removed and care would be taken to ensure the mature trees were planted properly. The schemes for this and the adjoining UDF sites had come forward as separate application as the sites were under different ownership. As indicated above, the plans now included additional child play space with the potential for an indoor play area. The basement size was partly as a result of all servicing being provided in the basement to enable active frontages and green roofs.

In response to further questions, the speakers clarified that all of the proposed car parking spaces would be reserved for residents. There was no intention to sell them for external use. They also explained the scope and the outcome of the local consultation, that subsequently informed the UDF. Consultation events were held both at an early stage and at application stage. The density remained as per the March Committee report. Given the lack of adverse impact, it was felt that this was acceptable.

Nasser Farooq (Principal Planning Officer, Development and Renewal) presented the detailed report reminding the Committee of the site location, the site allocation in policy and the principles of the UDF. Whilst this set the context, this application should be considered on its own merits.

He highlighted the key features of the application and explained the changes made to the application to address Members previous concerns. They were summarised as follows:

- Lack of affordable housing and an overprovision of intermediate units. The plans had been amended to increase the number of affordable units and remove intermediate units. New 4 bed units had also been introduced. Details of the changes were explained. Whilst the split between both tenures had changed, the overall level of affordable housing remained the same as well as the basic layout of the scheme.
- Lack of child play space. The scheme now included additional play space in place of a retail unit and an additional area of communal space. As a result, the shortfall in child play space had now been reduced (taking into account the increased child yield following the changes) and the shortfall in amenity space had been reduced. It was noted that this approach to the provision of play space (to provide a variety of spaces) complied with the GLA guidance in this regard.
- Lack of community facility. Since the last meeting, Officers have met with officers in the LBTH third sector team who have expressed an interest in the D1 unit to provide a community facility. In view of this, a new head of terms had been added to the s106 to seek expressions of interest for the space and to allocate the unit to a local community group. The develop would grant a three year lease to a community group at a peppercorn rent.
- In terms of the density of the scheme, Officers remained of the opinion that the density of the scheme was acceptable given the lack of adverse impacts of the scheme.

Officers also drew attention to the CIL liability for the scheme (following the changes) and the impact that this had had on the s106 contributions.

Given the merits of the scheme, Officers were recommending that the scheme was granted planning permission.

In response to questions from Councillors, it was reported that the applicant had elected to pay the additional CIL contributions and to forego a further viability appraisal of the scheme. Details of the viability appraisal were set out in the Committee report.

The scheme would provide good quality play space. Whilst the calculation solely measured the amount of dedicated play space (excluding communal space that had been counted separately), it was recognised that the both types of spaces may be used by all occupants of the development.

In assessing density, it was necessary to assess the impact of the scheme against the criteria in policy. Under planning policy, a scheme cannot be rejected merely on the density in pure numerical terms and Members must consider the impacts. Using this criteria, the scheme showed no signs of having any major impact on the area or that it would affect the plans for neighbouring UDF sites. Accordingly, it was considered that the density of the scheme was appropriate.

A key purpose of the UDF was to manage the impact of the schemes on the surrounding area.

The scheme generally complied with the planning policies including requirements in the South Quay Master Plan and new CIL regime for mitigating the impact on infrastructure.

The plans had been discussed at length over a long period of time at pre and post application stage with LBTH Officers and the GLA. As a result the scheme had been amended several times until Officers were satisfied with it. This had resulted in a reduction in the density of the scheme from that originally proposed. The GLA had been involved in the discussions throughout and they had no objections to the final scheme.

The scheme would deliver 147 car parking spaces including 31 disabled spaces. The occupants of the affordable housing would be eligible to transfer parking permits to the development under this scheme. Overall, the level of car parking complied with the Council's parking standards.

It was reiterated that the D1 unit may provide a community facility. The third sector team could look at allocating the unit for such purposes in the first instance. However, the Committee could not specifically require this. At the request of Officers, Members clarified that they wished that the community facility be open to the wider community and was a genuine community facility.

Officers also answered questions about the market value of the intermediate units, the maximum income threshold of applicants, the role of the Registered Provider in relation to this development and the position with regard to the Right to Buy Scheme.

On a vote of 3 in favour, 1 against and 4 abstentions, the Committee **RESOLVED:**

1. That planning permission be **GRANTED** 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 (PA/14/01246).

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

Subject to:

2. Any direction by The London Mayor.

3. The prior completion of a legal agreement to secure the planning obligations in the Committee report of 23rd April 2015.
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 conditions and informatives.

6. PLANNING APPLICATIONS FOR DECISION

No items.

The meeting ended at 8.20 p.m.

Chair, Councillor Sirajul Islam
Strategic Development Committee