

LONDON BOROUGH OF TOWER HAMLETS

MINUTES OF THE STRATEGIC DEVELOPMENT COMMITTEE

HELD AT 7.00 P.M. ON THURSDAY, 18 FEBRUARY 2016

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

Members Present:

Councillor Marc Francis (Chair)
Councillor Danny Hassell (Vice-Chair)
Councillor Helal Uddin
Councillor Asma Begum
Councillor Andrew Cregan
Councillor Muhammad Ansar Mustaqim
Councillor Gulam Robbani
Councillor Chris Chapman (Substitute for Councillor Julia Dockerill)

Other Councillors Present:

Councillor Dave Chesterton
Councillor Andrew Wood

Apologies:

Councillor Julia Dockerill

Officers Present:

Paul Buckenham	– (Development Control Manager, Development and Renewal)
Gillian Dawson	– (Team Leader, Legal Services, Law, Probity and Governance)
Piotr Lanoszka	– (Planning Officer, Development and Renewal)
Jermaine Thomas	– (Planning Officer, Development & Renewal)
Jerry Bell	– (East Area Manager, Planning Services, Development and Renewal)
Alison Thomas	– (Head of Housing Strategy, Partnerships and Affordable Housing, Development and Renewal)
Zoe Folley	– (Committee Officer, Directorate Law, Probity and Governance)

1. DECLARATIONS OF DISCLOSABLE PECUNIARY INTERESTS

Councillor Marc Francis declared a personal interest in agenda items 5.1 Land at corner of Broomfield Street and Upper North Street known as "Phoenix Works", London, E14 6BX (PA/15/00641), 6.1. 25-28 Dalgleish Street, London, E14 (PA/15/02674), 6.2 Hertsmere House, 2 Hertsmere Road, London (PA/15/02675, PA/15/02748) and 6.3 50 Marsh Wall, 63-69 And 68-70 Manilla Street London, E14 9TP (PA/15/02671). This was on the basis that he had received representation from interested parties on the applications.

2. MINUTES OF THE PREVIOUS MEETING(S)

The Committee **RESOLVED**

That the minutes of the meeting of the Strategic Development Committee held on 19th November 2015 and the extraordinary meeting held on 10th December 2015 be agreed as a correct record

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 and meeting guidance.

5. DEFERRED ITEMS

5.1 Land at corner of Broomfield Street and Upper North Street known as "Phoenix Works", London, E14 6BX (PA/15/00641)

Paul Buckenham (Development Control Manager, Development and Renewal) introduced and presented this application for the demolition of existing buildings on the site and erection of buildings ranging in height to

provide a residential led development. He advised of the site location near the Canal and Bartlett Park, comprising buildings of varying heights. Turning to the proposal, the Committee were advised of the key features of the application and noted images of the elevations and the surrounding area.

In terms of the history at Committee, Members resolved to defer the application at the 8 October 2015 meeting for a site visit where Members requested further information on the comparative heights and the daylight/sunlight impacts. The application was then brought back to the Committee with the requested information on 19 November 2015. The Committee were minded to refuse the application for the following reasons:

- Overdevelopment of the site.
- Height, build and massing.
- Impact on neighbouring amenity in terms of daylight and sunlight, particularly the properties at the north of the site.
- Impact on the towpath.
- Conflict with the Council's Core Strategy's Vision in respect of the area.

Officers had since assessed the Committee's suggested reasons, as set out in the new committee report. Officers considered that the development showed few physical signs of overdevelopment and that the height and massing would be appropriate in its context. However, it was recognised that there would be some conflict with policy.

The Officers recommendation remained to grant the application, but mindful of the Committee views, Officers had drafted suggested reasons for refusal for use by the Committee should they refuse the scheme.

In response, the Chair noted the reduction in height of the scheme to reduce the impact but did not feel that the changes went far enough to address the concerns.

On a vote of 0 in favour, 4 against and 0 abstentions the Committee did not agree the recommendation to grant planning permission.

Accordingly, Councillor Marc Francis proposed and Councillor Andrew Cregan seconded a motion that the planning permission be **REFUSED** (for the reasons set out in the Committee report dated 18th February 2016) and on a, vote of 4 in favour, 0 against and 0 abstentions it was **RESOLVED**:

1. That planning permission be **REFUSED** at Land at corner of Broomfield Street and Upper North Street known as "Phoenix Works", London, E14 6BX (PA/15/01601) for the demolition of existing buildings on the site and erection of buildings that range in height from 3 to 14 storeys containing 153 units including 28 undercroft and surface car parking spaces and a central landscaped courtyard for the following reasons set out in paragraph 5.2 the Committee report dated 18th February 2016(PA/15/00641)

2. **Overdevelopment**
The proposed development would result in overdevelopment of the site, evidenced by the residential density which would substantially exceed the range set out in table 3.2 of the London Plan, without having demonstrated exceptional circumstances and in a location outside of the nearest town centre, not supported by Local Plan policies relating to density. The development would have an overall scale and bulk of development that would be harmful to the visual amenities of the area and harmful to residential amenity of neighbouring properties through loss of daylight and sunlight. The proposed development would therefore conflict with policies 3.4 and 7.4 of the London Plan (2015), the London Housing SPG (2012), policies SP02 and SP10 of the Core Strategy (Tower Hamlets Local Plan), DM24 and DM25 of the Managing Development Document (Tower Hamlets Local Plan).
3. **Design and relationship to the canal**
The proposed development would result in an unsatisfactory design relationship between the proposed buildings and the Limehouse Cut canal and its towpath, arising from the proliferation of projecting balconies, the proximity of ground floor private amenity terraces and an unbroken elevation that would dominate this section of the canal towpath. The relationship of ground floor residential terraces would not provide adequate separation to provide a suitable level of privacy for the occupiers of the proposed units. The proposals would therefore adversely affect the special character of the canal and its use and enjoyment by the public for leisure and recreation as part of the London and Tower Hamlets Blue Ribbon Network. The proposed development would conflict with policies 7.4, 7.6 and 7.24 of the London Plan 2015; policies SP04 and SP10 of the Core Strategy (Tower Hamlets Local Plan) and policies DM12 and DM24 of the Managing Development Document (Tower Hamlets Local Plan).
4. **Place-making vision for Poplar**
The proposed high density and high rise development would conflict with the place making vision for Poplar, included in Annex 9 to the Core Strategy (Tower Hamlets Local Plan), which seeks to focus higher density development in and around Chrisp Street town centre; provide lower and medium density, lower rise family housing around Bartlett Park and ensure new buildings are responsive and sensitive to the setting of Bartlett Park, Limehouse Cut and the conservation areas in Poplar.

6. PLANNING APPLICATIONS FOR DECISION

6.1 25-28 Dalgleish Street, London, E14 (PA/15/02674)

Update report tabled.

Paul Buckenham (Development Control Manager) introduced this application for the construction of a part four storey, part seven storey building to provide 60 flats with refuse and recycling facilities together with a 'Homezone' in Dalglish Street. It was reported that whilst this application and item 6.2 (Hertsmere House, 2 Hertsmere Road, London (PA/15/02675, PA/15/02748)) were linked by virtue of the planning obligations, they should be considered on their own merits.

Piotr Lanoszka, (Planning Officer, Development and Renewal) presented the detailed report referring to the site and surrounds and the nearby new build developments, the Conservation Areas and listed buildings. The site itself carried no designations and had very good public transport connections. Consultation had been carried out and one objection had been received and the issues raised were noted.

It was considered that the site was suitable for new housing. The housing mix comprised 100% affordable housing and given the housing mix in the surrounding area, it was not considered that the application would result in an over concentration of one housing type in the area. The application could come forward as a donor site for the application at Hertsmere House or could be delivered as part of another market led application or possible by a Housing Association.

The site was within easy reach of local schools, parks and local facilities. The scheme ranged in height and included sets back to fit in with the area. Furthermore, it was of good quality design including a court yard and a roof terrace. Although there would be a high proportion of single aspect units, it was considered that this was largely unavoidable given the site constraints. The impact on the main school building would be minimal while the impact on neighbouring amenity would be minor. There were conditions to mitigate the construction impact. Planning contribution had been secured.

In view of the merits of the application, Officers were recommending that it be granted.

In response to questions, Officers highlighted the similarities and differences between this scheme and the extant scheme (in terms of the housing tenure, density, massing and location). This scheme was better designed than the previous scheme. The previous scheme could still be implemented so should be given some weight. It was noted that there were a number of scenarios for delivering the application in terms of the funding (as set out in the report) and that the condition requested by Thames Water was a standard condition and would be secured.

Officers also answered questions about the sunlight/daylight assessment for Iona Tower showing that there would be some reductions in daylight at the lower floors. Overall, given the character of the area and the constraints posed by the Tower, it was considered that this was acceptable. It was also confirmed that there would be no direct overlooking or loss of privacy due to the separation distances and orientation of the buildings.

Officers also answered questions about the services charges and rents for the units.

On a unanimous vote the Committee **RESOLVED**:

1. That planning permission be **GRANTED** at 25-28 Dalglish Street, London, E14 for the construction of a part four storey, part seven storey building to provide 60 flats with refuse and recycling facilities together with laying out of a 'Homezone' in Dalglish Street (PA/15/02674) 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 delegated authority. If within three months of the resolution the legal agreement has not been completed, the Corporate Director Development & Renewal is delegated power to refuse planning permission.
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 and the update report.
6. Any other conditions or informatives as considered necessary by the Corporate Director for Development and Renewal

6.2 Hertsmere House, 2 Hertsmere Road, London (PA/15/02675, PA/15/02748)

Update report tabled.

Paul Buckenham (Development Control Manager) introduced the application for the demolition of remaining buildings and structures and erection of a 67 storey building comprising predominately a residential scheme.

The Chair then invited registered speakers to address the Committee.

Jocelyne Van Den Bossche and Ian Ritchie (local residents), and Councillor Andrew Wood spoke in objection to the application. They drew attention to the main differences between this application and the consented scheme. They then expressed concerns about the following issues in relation to the application:

- The impact on highway safety from unauthorised parking from the scheme. Should the application be approved, it would require the strict enforcement of the parking regulations to prevent this.
- Overshadowing from the development of the area.
- Undue pressure on local infrastructure given the number of other new developments in the area and the lack of a plan for the delivery of this.
- Height of the buildings in relation to the area.
- That the scheme would be a 'standalone monster' given the lack of tall building cluster in the area.
- Adverse impact on the nearby heritage assets.
- Suitability of the development for family sized accommodation, in particular, for older children given the distance to the nearest parks
- That the aviation light would be a health hazard
- Disturbance from the plant in terms of noise.
- Interference with TV reception.

In response to Members, the speakers clarified their concerns about parking pressure from the scheme, the pressure on local infrastructure, the design, height and massing of the scheme that was unsympathetic to the area. The speakers also clarified their concerns about the lack of any proper plans for allocating the contributions and overshadowing from the scheme.

Setareh Neshati and Julian Carter (Applicant's agents) spoke in support of the application drawing attention to Historic England's comments who felt the scheme was an improvement on the previous application and did not object to the current application. The development was of a similar scale to the previous scheme. However this new application (in contrast with the previous scheme) was predominately a residential scheme. They explained the qualities of the scheme generally (i.e. in terms of the affordable housing, public realm improvements, new jobs and financial contributions). There had been extensive public consultation including engagement with Registered Social Landlords regarding the affordable housing and the statutory bodies. The Greater London Authority considered that the proposal complied with the London Plan's tall building policy. The scheme had been amended to reduce the impact on amenity. Overall, it was a high quality scheme that bore no symptoms of overdevelopment.

In responding to questions about the comments of the Conservation and Design Panel, the speakers explained that the existing permission was for a tall building at the site. So although it would be a stand alone building, the principle of a tall building at the site had already been established. Care had been taken to ensure the scheme reflected the surrounding area and the relevant experts considered that the scheme would have a good relationship with the existing Canary Wharf tall buildings cluster. The speakers also considered that there would be less traffic on site due to the reduction in parking spaces and that there would be an overall reduction in trips on the underground during peak hours compared to the now demolished office building. They also referred to the parking management plans. All of the

issues had been carefully assessed in the transport assessment. Transport for London hadn't raised any objections.

They also answered questions about the construction management plan and the number of new jobs that would be created. They also explained that the scheme would be tenure blind in terms of the quality of the private and affordable units, including good quality entrances and lobbies with access to the amenity space. Other matters discussed were the management of the child play space, especially the arrangements for the private hire of the space by residents (free of charge) and the affordability of the service charges.

Piotr Lanoszka, (Planning Officer, Development and Renewal) gave a comprehensive presentation on the application describing the site location, the surrounding area in relation to heritage assets, the extant office led scheme and the outcome of the consultation and the issues raised.

The proposed land use was acceptable given the site's designation and the need for housing in the Borough. The housing mix comprised 30% affordable housing by habitable room (12% on site affordable properties at Borough Framework Rents with additional off-site provision at Dalgleish Street through a payment in lieu).

The Committee also noted the servicing and delivery arrangements, the landscaping improvements, the waste storage plans, the quantity and quality of the amenity space, the heritage assessment, the impact on neighbouring amenity (minor and broadly similar to the consented scheme) and the conditions to mitigate the impact on the micro climate.

Planning Contributions had been secured as well as a Community Infrastructure Levy contribution (CIL) and New Homes Bonus money.

There would also be a Play Space Management Strategy to amongst other things, ensure that play space was available free of charge to residents.

The Committee also noted details of the listed building application. Historic England and the Borough Conservation Officer had not raised objections to this application subject to the conditions.

In response to questions, it was reported that despite the differences some weight should be given to the consented scheme. The scheme satisfied the objectives in policy in that it would deliver the maximum level of affordable housing that the application could afford. Whilst the policy included guidance on off site affordable housing, it did not cover 'hybrid' affordable housing schemes where substantial on-site component was included. However, given the above, it was considered that the affordable housing offer was acceptable and complied with policy.

Steps had been taken to minimise the impact of the building for example through breaking up the massing. Given this and the similarities with the

previous scheme, Officers considered that the scheme would comfortably sit within the landscape

Careful consideration had been given to the impact on infrastructure including the transport network. Colleagues within the Council had estimated the contribution and a full CIL payment had been secured.

A travel assessment had been submitted that took into account the impact of parking on the wider area including Garford Street. Responsibility for preventing unauthorised parking in nearby streets rested with the Parking Enforcement Team. Therefore any incidences of which may be controlled by that regime. It was anticipated that many of the occupants would travel by CrossRail when opened in December 2018 and, as explained by the speakers, it was likely that the scheme would generate fewer trips on the underground compared to the old office use.

Officers also answered questions about the density assessment in the report and the reasons why, in this case, the density of scheme was considered acceptable in view of the qualities of the scheme highlighted above.

Officers also responded to questions about the impact on the micro climate on the surrounding area including the beer gardens subject to robust testing. The testing showed that, with the mitigation, the impact would be minor with acceptable conditions achieved.

Reassurances were also provided about the daylight and sunlight assessment.

In summary, the Chair expressed concerns about the application. He felt that in some ways, it was worse than the previous scheme approved by the Mayor of London given the wider foot plate and it was a bulkier building. However, he also felt that the application would make a significant contribution to the community in Tower Hamlets and it would be a significant enhancement on what was approved by the Mayor of London. So with a heavy heart, he felt obliged to vote for the application.

On a vote of 5 in favour and 3 against, the Committee **RESOLVED:**

1. That planning permission be **GRANTED** at Hertsmere House, 2 Hertsmere Road, London for the demolition of remaining buildings and structures and erection of a 67 storey building (240.545m AOD) with two basement levels, comprising 861 residential units (Use Class C3), 942sqm (GIA) flexible commercial floorspace (Use Class A1-A3 and D2), ancillary circulation space and plant, as well as associated infrastructure, public realm and parking. Accompanied by an Environmental Impact Statement. (PA/15/02675) 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 and the update report
4. That the Corporate Director Development & Renewal is delegated power to negotiate the legal agreement indicated above acting within delegated authority. If within three months of the resolution the legal agreement has not been completed, the Corporate Director Development & Renewal is delegated power to refuse planning permission.
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 and the update report
6. Any other condition(s) and/or informatives as considered necessary by the Corporate Director for Development & Renewal.

On a vote 5 in favour and 3 against, the Committee **RESOLVED:**

7. That Listed Building Consent be **GRANTED** at Hertsmere House, 2 Hertsmere Road, London for Temporary dismantling of Grade II "Former West Entrance gate to West India Docks with Curved Walling" and re-installment in conjunction with redevelopment proposals (PA/15/02748) subject to the conditions set out in the Committee report.
8. Any other condition(s) and/or informatives as considered necessary by the Corporate Director for Development & Renewal.

6.3 50 Marsh Wall, 63-69 And 68-70 Manilla Street London, E14 9TP (PA/15/02671)

Update report tabled.

Paul Buckenham (Development Control Manager) introduced the application for the demolition of all buildings on site at 50 Marsh Wall, 63-69 and 68-70 Manilla Street to enable redevelopment to provide a mixed used development.

The Chair then invited registered speakers to address the Committee.

Councillor Dave Chesterton spoke in objection to the application expressing concern about the height of the scheme, contrary the aspiration in policy to lower heights moving away from Canary Wharf. He also expressed concern about the quality of the affordable units and the child play space given the expected child yield from the scheme and the dual use arrangements with the school in terms of the play ground. This may restrict access at certain times to the play space. The scheme also would result in a loss of daylight and

sunlight to the surrounding properties and due to these issues, bore signs of overdevelopment and would be a 'bad neighbour'

John Connolly (Applicant's agent) and Councillor Andrew Wood, ward Councillor, spoke in support of the application. The scheme would deliver a much needed new medical centre, a school, affordable units, local jobs, a new public square, whilst retaining the North Pole public house. The applicants had listened carefully to the views of local people and the plans were very much informed by what they wanted and what was needed in the community. It was a tribute to the good consultation that no objections were received.

In response to questions, it was noted that the developer had engaged with the Barkentine Clinic (that was oversubscribed) and visited their residents forum about the plans to expand their services. They had also liaised with the NHS Clinical Commissioning Group who felt that, due to the layout and the configuration of the proposed health space, it would be unsuitable for their services. The applicant had also worked hard with the LBTH Education staff and all the issues regarding the use of play space had now by and large been resolved. A local college had also expressed an interest in the new school site.

They also answered questions about the heritage assessment, the local consultation including consultation with the residents of Bellamy Close and the measures to preserve the occupants amenity. The height and density of the scheme was very much influenced by the need to generate enough profit for the social infrastructure.

Jermaine Thomas (Planning Services, Development and Renewal) presented the detailed report, describing the site location and surrounds. A similar scheme was previously submitted to the Committee but withdrawn two days before the meeting. The application was then amended following consultation with Officers and the revised proposal was before Members. He explained the key features of the scheme including the housing mix and the social infrastructure and the outcome of the consultation. In terms of the assessment, the proposed land use was considered acceptable. Officers also considered that the housing mix was broadly acceptable in the context of policy. The child play space exceeded the policy requirements, however was reliant on the space within the school but this was acceptable.

Nevertheless, whilst mindful of the benefits of the scheme, Officers considered that it demonstrated negative impacts in terms of the quality of the public realm and the community space, excessive height and density, the impact on the surrounding area and the development potential of neighbouring sites and waste management issues. As a result, the application demonstrated signs of overdevelopment so Officers were recommending that it was refused for the reasons set out in the Committee report and the update report.

In response to the Committee, it was explained that the Council's Education Department recognised the need for additional school places in the Borough

and had a programme of new school buildings. It was also explained that there were a number of new schemes coming forward that would provide additional school places. In relation to the height, the South Quay Master Plan recommended that this particular area should comprise more mid – rise buildings. Should the Committee be minded to approve the application, a condition could be agreed with the school and imposed for dealing with dual use of the play area.

Officers also answered questions about the impact on neighbouring amenity, that, whilst not ideal, they did not believe was severe enough to form a reason for refusal. They also clarified the arrangements for providing the new school (the shell and core) with LBTH Children's Services. In relation to the new school, it was confirmed that the costs of which, if approved, would be offset against the CIL payment.

As stated in the update report, there were proposals in place to expand the clinical capacity in the Borough in the short term and the NHS were engaging with the Council about the new Local Plan to ensure suitable sites for such services were safeguarded in the South Quay area in view of the number of new development coming forward .

In summary, the Chair felt that there was a lot of merit in this scheme. But there was too much being crowded on this site. He also noted the efforts to understand the infrastructure needs, but felt that these should have been prioritised according to what could reasonable be delivered on site. He considered that possible other scheme could contribute to the provisions of the additional social infrastructure in the area.

On a vote of 6 in favour, 0 against and 2 abstentions, the Committee
RESOLVED:

1. That subject to any direction by the London Mayor planning permission be **REFUSED** at 50 Marsh Wall, 63-69 And 68-70 Manilla Street London, E14 9TP (PA/15/02671) for demolition of all buildings on site at 50 Marsh Wall, 63-69 and 68-70 Manilla Street to enable redevelopment to provide three buildings of 65 (217.5m AOD), 20 (79.63m AOD) and 34 (124.15m AOD) storeys above ground comprising 634 residential units (Class C3), 231 hotel rooms (Class C1), provision of ancillary amenity space, a new health centre (Class D1), a new school (Class D1), ground floor retail uses (Class A3), provision of a new landscaped piazza, public open space and vehicular access, car parking, cycle storage and plant. Retention of 74 Manilla Street as North Pole public house (Class A4) for the following reasons as set out in the Committee report and the update report:
2. The proposed development exhibits clear and demonstrable signs of overdevelopment which include but not limited to:
 - a limited and compromised public realm which would not provide a high-quality setting commensurate with buildings of such significant height and density;

- its impact to the setting of the Maritime Greenwich World Heritage Site and the Grand Axis
- an insensitive relationship of the western building with the surrounding properties of Byng Street and Bellamy Close 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 interface with the surrounding land uses, which as a result would prejudice future development of neighbouring sites and fail to contribute positively to making places better for people;
- a failure to provide sufficient private amenity space, sense of ownership within the cores, an appropriate welcoming quantum of communal amenity space, and a significant number of sunlight and daylight failures would not provide high quality residential accommodation;
- a failure to implement the waste management hierarchy of reduce, reuse and recycle;

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.

The above demonstrable negative local impacts cannot be addressed through the appropriate use of planning conditions or obligations and as a consequence substantially outweigh the desirability of establishing a new school.

Accordingly, the proposal would fail to provide a sustainable form of development in accordance with the National Planning Policy Framework and is contrary to the Development Plan, in particular policies 3.1, 3.2, 3.3, 3.4, 3.5, 3.6, 3.7, 3.8, 3.9, 3.10, 3.11, 3.12, 3.16, 3.18, 6.1, 6.3, 6.4, 6.9, 6.10, 6.11, 6.12, 6.13, 7.1, 7.2, 7.3, 7.4, 7.5, 7.7, 7.8, 7.10 and 7.11 of the London Plan (2015), policies SP02, SP03, SP05, SP07, SP08, SP09, SP10 and SP12 of the Tower Hamlets' Core Strategy (2010) and policies DM4, DM10, DM14, DM18, DM20, DM22, DM23, DM24, DM25 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.

3. In the absence of a legal agreement to secure Affordable Housing and financial and non-financial contributions including for Employment, Skills, Training and Enterprise, Sustainable Transport, 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 Draft Planning Obligations SPD 2015.

- 4 Schedule 4 (Part 1 (3 and 4) and Part 2 (3)) of the EIA Regulations states, that the ES must describe and assess the proposed developments likely significant effects on the environment, which should cover cumulative effects. Schedule 4 (Part 1 (5) and Part 2 (2)) of the EIA Regulations also require a description of the measures envisaged to prevent, reduce and where possible offset any significant adverse effects on the environment.

The ES does not include a cumulative wind assessment incorporating the Cuba Street planning application (PA/15/2528) - no information has been provided on the likely significant effects, nor what mitigation measures are envisaged. The ES therefore does not meet the requirements of Schedule 4 of the EIA Regulations.

Without this additional information the ES is not considered to be complete and therefore the only option available to the Council is to refuse the application.

This is in accordance with Regulation 3(4) of the EIA Regulations which states that a local authority cannot grant permission for a project covered by the EIA Regulations unless it takes 'environmental information' into consideration. Environmental information is defined in Regulation 2(1) and includes the ES. This is defined as a statement including information required by Schedule 4 of the EIA Regulations.

The meeting ended at 10.35 p.m.

Chair, Councillor Marc Francis
Strategic Development Committee