

**LONDON BOROUGH OF TOWER HAMLETS**

**MINUTES OF THE STRATEGIC DEVELOPMENT COMMITTEE**

**HELD AT 7.00 P.M. ON WEDNESDAY, 24 AUGUST 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 Asma Begum  
Councillor Gulam Robbani  
Councillor Helal Uddin  
Councillor Julia Dockerill  
Councillor Muhammad Ansar Mustaqim (Substitute for Councillor Md. Maium Miah)  
Councillor John Pierce (Substitute for Councillor Denise Jones)

**Other Councillors Present:**

None

**Apologies:**

Councillor Denise Jones  
Councillor Md. Maium Miah

**Officers Present:**

Paul Buckenham	(Development Control Manager, Development and Renewal)
Beth Eite	(Deputy Team Leader, Development and Renewal)
Christopher Stacey – Kinchin	(Planning Officer, Development and Renewal)
Abiodun Kolawole	(Legal Services, Directorate Law, Probity and Governance)
Zoe Folley	(Committee Officer, Directorate Law, Probity and Governance)

**1. DECLARATIONS OF DISCLOSABLE PECUNIARY INTERESTS**

No declarations of interest were made.

## **2. 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

## **3. PROCEDURE FOR HEARING OBJECTIONS AND MEETING GUIDANCE**

The Committee noted the procedure for hearing objections and meeting guidance.

## **4. DEFERRED ITEMS**

None.

## **5. PLANNING APPLICATIONS FOR DECISION**

### **5.1 Site Bound by Raven Row, Stepney Way Sidney Street, London E1 (PA/15/01789)**

Update report tabled.

Paul Buckenham (Development Control Manager, Development and Renewal) introduced the application for the demolition of existing buildings and erection of three blocks ranging from 4 to 25 storeys in height comprising 564 residential units, commercial floorspace, 70 off-street car parking spaces, communal courtyards, associated landscaping and associated ancillary works.

The Chair invited the registered objector to address the meeting and it was noted that they were not present at the meeting. The Chair then invited the applicant's representative to address the Committee. Maxine Powell highlighted the applicant's track record in delivering similar schemes. She also explained the regeneration benefits of the proposal, the level and quality of the affordable housing, the generous levels of communal amenity space and landscaped public open space. The plans had been amended to reduce the impacts and to maximise the level of affordable housing.

In responding to questions, she outlined the outcome of viability assessment and that the costs of delivering the affordable units would exceed the anticipated profits from the scheme. However, the applicant was willing to forgo profit in the short term in the hope that the margins would improve over time. In response to questions about the 1-2 bed affordable rent properties, it was noted that initial consideration had been given to reducing the rent levels further, but the view was that reducing the rents any further would impact on the overall level that could be provided and might require a significant redesign of the application. In relation to the car parking spaces, she stressed the need for the number of car parking spaces for the private sale units to help fund the 30.7% affordable housing. She also answered questions about the changes to the application to protect the development potential of the neighbouring site including the repositioning of the proposed buildings away from that site to address objections.

Beth Eite (Planning Officer, Development and Renewal) presented the detailed report. The Committee were advised of the site location, the aims for the site in the Whitechapel Vision Master Plan SPD and how the scheme complied with this. It was explained that the application had been carefully designed to facilitate the development of the neighbouring Cavell Street site. Consultation on the application had been carried out and the results were noted. The land use complied with policy and would result in a net increase in employment opportunities.

The Committee noted the key features of the scheme including the design approach, the amendments to reduce any impacts and the heritage assessment. They also noted details of the housing mix and that the level of amenity space and the child play space exceeded the policy requirements.

In terms of the amenity impact, the development would cause a loss of light to neighbouring properties. However it should be noted that the majority of windows most affected by the building did not serve habitable rooms and in many instances, the issues partly stemmed from the design of existing developments. Overall it was considered that plans would not unduly affect amenity and the impacts did not justify a refusal.

The proposed number of car parking spaces slightly exceeded the policy requirements. However, Officers did not consider that the proposals would increase parking pressure in the area.

Given the merits of the application Officers were recommending that it was granted planning permission.

The Committee asked questions about the air quality assessment and the exclusion of the Ayosofia school from the assessment. They also asked about the consultation responses, the need for an additional drop and off and pick up area within the development, the need for the number of car parking spaces (given the good transport links), the number of disabled parking spaces, particularly the number to be made available to the affordable units.

Questions were also asked about the height and design of the development, the access route to the development given the level of traffic congestion in the area, the quality of the ground floor properties and the housing in general, the quantum and location of the child play space within the development, the energy efficiency measures, the health contributions and the secure by design measures.

Members also asked about the density issues and the impact of such issues on internal amenity (as highlighted in the report) and the measures to preserve the development potential of the neighbouring Cavell Street site.

Officers responded that the school no longer operated from the building so had not been included in the assessment. It was common practice for consultees to make no comments on applications but all of the issues identified in the consultation section of the report had been assessed.

The plans sought to provide 70 car parking spaces at basement level. 10% of which would be provided as wheelchair accessible spaces, in accordance with the policy which only set targets for the development as a whole. It did not set specific targets for particular tenures.

The application had been carefully designed to enhance of the setting of the surrounding buildings and details of the materials would be secured by condition. The design of the ground floor units had been revised to address the amenity issues raised by the GLA and the residential units complied with the former Lifetime Home Standards. Consideration had been also given to the level of affordable housing that could be provided. The viability testing showed that should the units be delivered as affordable rents, a slightly greater percentage could be provided. However this would still fall short of the policy targets.

Officers welcomed the overprovision of play space for all the age groups. All of the residential blocks would have access to child play space, comprising a mixture of ground floor and roof top space.

There would be conditions to ensure that the application would be secured by design and measures to minimise building emissions (in accordance with the targets). Consideration would be given to the potential to link the development with a suitable heating plant. The applicant would take steps to ensure this. The application would be CIL liable and would include health contributions that would be allocated according to need.

The density of the scheme marginally exceeded that recommended for a site of this size in the London Plan. Whilst a small number of both the private and affordable housing fell short of meeting the sunlighting and daylighting targets, it should be noted that 80% of the proposed units did achieve the targets and these were common results for development in a dense urban area.

As explained in the presentation, the plans had been amended to protect the development potential of the neighbouring site and there had been discussions with the applicants throughout to ensure this.

Officers also explained the various vehicles access routes to the site and to the proposed car park.

In summary the Chair felt that there was a lot of merit to the application and was therefore minded to support the application. He hoped that the proposed level of affordable housing would be the minimum that would be provided on site. Nevertheless he expressed reservations about the affordability of the one bed affordable properties, the appropriateness of the height of the development and that the plans exhibited some signs of overdevelopment.

On a vote of 7 in favour and 1 against, the Committee **RESOLVED**

1. That the planning permission be **GRANTED** at Site Bound by Raven Row, Stepney Way Sidney Street, London E1 for the demolition of existing buildings and erection of three blocks ranging from 4 to 25 storeys in height comprising 564 residential units, commercial floorspace, 70 off-street car parking spaces, communal courtyards, associated landscaping and associated ancillary works (PA/15/01789) subject to:
2. The prior completion of a legal agreement to secure the planning obligations set out in the Committee report.
3. That the Corporate Director Development & Renewal is delegated power to negotiate the legal agreement indicated above acting within normal delegated authority.
4. 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
5. Any other conditions(s) considered necessary by the Corporate Director Development & Renewal.
6. That, if within 3 months of the date of this committee the legal agreement has not been completed, the Corporate Director Development & Renewal is delegated power to refuse planning consent.

## 5.2 Redundant Railing Viaduct North of Pooley House, Westfield Way, London (PA/16/00425)

Paul Buckenham introduced the application for a minor material amendment to the approved permission for a student apartment block APP/E5900/A/12/2173692, dated 26/03/2013.

Christopher Stacey – Kinchin (Planning Officer, Development and Renewal) presented the detailed report. He explained the application site and the consent scheme. He then explained the proposed changes to the appearance of the building, the massing to reduce the impacts. He also explained the changes to the accommodation mix, the layout to improve the entrances and security of the apartments and the proposed provision of the roof top plant (that would fit within the original building envelop). Consultation had been carried out and the outcome of this was explained.

Turning to the assessment, it was considered that the revised proposal would improve the standard of accommodation, improve the appearance of the building therefore the building would be more in fitting with the immediate context. The impact on the amenity continued to be acceptable and it was required that details of the energy efficiency measures be submitted. Officers were recommending that the planning permission was granted. In response to questions about the energy efficiency measures, Officers outlined the conditions in the application requiring that the building achieve the highest possible BREAM standards. Overall it was considered that the proposal provided a good example of a sustainable development.

On a unanimous vote, the Committee RESOLVED

1. That planning permission be **GRANTED** at Redundant Railing Viaduct North of Pooley House, Westfield Way, London for

The erection of two separate four storey podium blocks of Student Apartments – the easterly block flanked by two eight storey towers rising from the podium level and the western block by an eight storey block and a ten storey tower at the western end terminating the view along the Campus Access Road to the south. 412 student rooms are proposed which include 344 en suite single rooms, 32 self-contained studios, 36 rooms designed for students with disabilities, 67 kitchen/diners and communal facilities on the site of a redundant railway viaduct running along the northern boundary of the Queen Mary College Campus in Mile End, London

Application for variation of Condition 2 (approved plans) of planning permission reference APP/E5900/A/12/2173692, dated 26/03/2013, for a minor material amendment to the approved scheme including;

- Amended unit type and room design – changed from 332 en-suite and 80 studios to 334 cluster rooms and 78 studios;

- Amended internal layouts to improve the entrance / security arrangements and communal facilities;
- Provision of roof top plant (within the envelope of the approved scheme); and
- Elevational changes to reflect the internal arrangements and Scape's design aspirations, including a reduction, in part, in the overall massing of the building. (PA/16/00425)

Subject to:

2. A deed of variation to link the current S.73 application to the previous S.106 agreement dated 26<sup>th</sup> June 2012 (as amended by a deed of variation dated 14<sup>th</sup> February 2013).
3. That the Corporate Director of Development & Renewal is delegated authority to recommend the following conditions and informatives in relation to the matters set out in the Committee report

### **5.3 99 Mansell Street & 31-33 Prescott Street, London E1 (PA/16/00757)**

Update report tabled.

Paul Buckenham introduced the application for mixed-use development in a part 6, part 8 and part 11 storeys block with lower ground floor comprising 67 serviced apartments on the upper floors and 1,115sqm of office floorspace at basement, ground and first floor and a 103 sqm of flexible retail/financial services/restaurant/cafe/drinking establishment floorspace at ground floor level.

The Chair then invited the registered speakers to address the meeting.

Dr David O'Neil (Londinian Tower Residents Association) and Dr Maria Salichou spoke in objection the application. The speakers stated that they were speaking on behalf of the residents who have raised concerns about the proposals. They objected to the impact of the proposal on residential amenity in terms of loss of privacy, sunlight and daylight, overshadowing and overlooking from the development due to height and the inadequate separation distances. The speaker's stated that their standard of living had already been affected by development. The proposal would worsen these current issues. They also considered that the plans would be out of keeping with the neighbouring buildings disturbing the street pattern and would be visually overbearing due to its height. Concern was also expressed about the developer's consultation exercise with neighbours. In response to Members questions they clarified their concerns about the impact on neighbouring amenity.

Simon Smith, Applicant's representative, spoke in support of the application. He drew attention to the positive aspects of the proposal in terms of the design, and its relationship to the church. The setting down design towards Prescott Street would provide an appropriate transition to the surrounding

area. The proposals complied with the tests in policy as set out in the Officers report and would not harm amenity. He also highlighted the similarity between the scheme and the approved scheme. They were broadly similar save for the provision of the new Mansell Street elevation that would be slightly taller than the consented application. In response to questions from the Committee he commented on similar developments in London

Beth Eite, (Planning Officer, Development and Renewal) presented the detailed report. She explained the site location and the similarities between the new scheme and the consented scheme. Whilst comparable, changes had been made to the design of the elevation and to provide a new 11 storey building at Mansell Street. Consultation on the plans had been carried out and the concerns raised were noted. The proposed land use complied with the tests in policy applicable to the site, and it was not considered that it would result in an overprovision of short term accommodation. The proposal, whilst higher in part, would preserve the setting of the nearby church and the listed buildings.

It was considered that the impacts on the neighbouring amenity (in terms of sunlight/daylight and privacy) were predominantly negligible. It was however recognised that a small number of properties would experience a modest loss of light and the separation distances marginally fell short of the policy requirements. However, these were fairly common issues for a dense urban area and given the benefits of the application, Officers did not consider that they justified a refusal.

Officers also explained the highway issues including the proposed servicing and loading bay and that there would be a S106 agreement and that the plans would be CIL liable.

Officers were recommending that the planning permission be granted approval.

In response to the presentation, the Committee sought clarity on the consented developments on site and Officers answered these questions. The Committee also asked whether the application would deliver public realm improvements. It was explained that due to the site constraints and the small size of the site, there would be limited opportunities to provide public realm improvements. However, there would be CIL contributions and representations could be made to channel funding into certain areas. In response to questions about the consultation, it was noted that the consultation carried out by the Council included the display of site notices and all of the supporting materials were available on its website.

In response to questions about residential amenity (overlooking and the severity of the loss of light, particularly to properties at Prescott street and Mansell Street,) it was noted that careful consideration had been given to these issues, and it was considered that overall, the impacts, in numerical terms were not that significant. However, it was noted that properties on Mansell street would experience a loss of light (greater than that from the



consented scheme). It was also noted that properties would experience a loss of winter sun lighting. However, this was not uncommon for a London location and it would only require a relatively modest development to effect winter sunlight. It was also noted that the proposal footprint broadly covered that of the consented scheme. In summary Officers felt that despite the issues, the amenity impacts would be acceptable and would be offset by the merits of the application.

Members also asked about the impact of the proposal on the setting of the Church given its proximity to the Church and that the proposal would sit just below the church spire. Officers reported that they considered that it would preserve its special features given its positioning away from the church and the proposal's high architectural quality.

The Committee also questioned the need for additional service apartments in area and progress in meeting the targets for such uses. Officers responded that the targets had yet to be met but they could provide more detailed information on this

On a vote of 1 in favour of the Officer recommendation, 5 against and 2 abstentions, the Committee did not agree the Officer recommendation to grant planning permission.

Accordingly, Councillor Marc Francis proposed a motion that the recommendation to grant planning permission be not accepted (for the reasons set out below) and on a vote of 6 in favour, 1 against and 1 abstention, it was **RESOLVED**:

That the Officer recommendation to grant planning permission be **NOT ACCEPTED** at 99 Mansell Street & 31-33 Prescott Street, London E1 for mixed-use development in a part 6, part 8 and part 11 storeys block with lower ground floor comprising 67 serviced apartments (Use Class C1) on the upper floors and 1,115sqm of office floorspace (Use Class B1) at basement, ground and first floor and a 103 sqm of flexible retail/financial services/restaurant/cafe/drinking establishment floorspace (Use Class A1, A2, A3, A4 and A5) at ground floor level. (PA/16/00757)

The Committee were minded to refuse the proposal due to concerns over the following matters:

- Adverse impact on the setting of the grade II listed Church and 30 Prescott Street
- Adverse impact on the residents of Londinium Tower particularly in terms of access to sunlight and daylight.
- Insufficient evidence to demonstrate that the proposed serviced apartments use would assist in meeting the targets in the London Plan and LBTH Core Strategy.

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 detailed reasons for refusal and the implications of the decision.

**6. OTHER PLANNING MATTERS**

None.

The meeting ended at 9.20 p.m.

Chair, Councillor Marc Francis  
Strategic Development Committee