

LONDON BOROUGH OF TOWER HAMLETS

MINUTES OF THE STRATEGIC DEVELOPMENT COMMITTEE

HELD AT 6.30 P.M. ON WEDNESDAY, 30 MARCH 2022

**COUNCIL CHAMBER - TOWN HALL, MULBERRY PLACE, 5 CLOVE CRESCENT,
LONDON, E14 2BG**

Members Present:

Councillor Kevin Brady (Chair)
Councillor Abdul Mukit MBE (Vice-Chair)
Councillor Sabina Akhtar
Councillor Kahar Chowdhury
Councillor David Edgar
Councillor Tarik Khan
Councillor Val Whitehead
Councillor Kabir Ahmed

Other Councillors Present:

Councillor Andrew Wood

Other Councillors Present Virtually:

Councillor Kyrsten Perry

Apologies:

None

Officers Present:

Jerry Bell	– (Area Planning Manager (East), Planning Services, Place)
Katie Cooke	– (Planning Officer, Place)
Kevin Crilly	– (Planning Officer, Place)
Siddhartha Jha	– (Principal Planning Lawyer, Legal Services, Governance)
Aleksandra Milentijevic	– (Principal Planning Officer, Planning Services, Place)
Matthew Wong	– (Planning Officer, Place)
Euan Millar-McMeeken	– (Heritage & Design Officer, Place)
Zoe Folley	– (Democratic Services Officer, Committees, Chief Executive's Office)

Officers Present Virtually:

Jack Leafe	– (Principal Viability Officer, Place)
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- Shahi Mofozil – (Access to Employment
(Skillsmatch), Economic
Development, Place)
- Matthew Pullen – (Infrastructure Planning Manager)

1. DECLARATIONS OF DISCLOSABLE PECUNIARY INTERESTS AND OTHER INTERESTS

None was reported.

2. MINUTES OF THE PREVIOUS MEETING(S)

RESOLVED:

1. That the minutes of the meeting of the Strategic Development Committee held on 16th February 2022 be agreed as a correct record

3. RECOMMENDATIONS AND PROCEDURE FOR HEARING OBJECTIONS AND MEETING GUIDANCE

To RESOLVE 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 Place 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 Place is delegated authority to do so, provided always that the Corporate Director does not exceed the substantive nature of the Committee's decision.
- 3) To NOTE the procedure for hearing objections at meetings of the Strategic Development Committee.

4. DEFERRED ITEMS

There are none.

5. PLANNING APPLICATIONS FOR DECISION

5.1 Cuba Street Site, Land At North East Junction Of Manilla Street And Tobago Street, Tobago Street, London (PA/20/02128)

Update reports published.

Jerry Bell introduced the application for the erection of single tower block accommodating a high density residential led development, with a publicly accessible park, and commercial use.

Kevin Crilly presented the report, providing details of the following issues:

- The character of the site and the surrounding area, including new and consented developments. This also included views from key points from the surrounding area. The site had an excellent PTAL rating.
- An overview of the recent Planning history including the refused application
- Key features of the application.
- Outcome of the two rounds of public consultation following amendments to the layout. 62 individual objections were received and a Petition in objection with 37 signatories. The main issues raised were noted.
- The land use. The provision of a tall residential led development in this location would be in line with policies for the area. It would help meet the Borough's housing targets (including a significant amount of family houses across all tenures). It would provide 30.15% of high quality affordable homes by habitable room. This was considered to represent the maximum amount of affordable housing that could be delivered, according to the viability assessment that had been reviewed. There would also be a late stage review mechanism. The development would be tenure blind.
- The proposed development responds positively to its local context and would be of appropriately high architectural quality.
- The proposal would provide publicly accessible open space, with a proposed park.
- The on site child play space had a focus on younger children, and would be accessible to all occupants. A contribution had also been secured for facilities for older children via the s106.
- The scheme had been designed to minimise impacts on neighbourhood amenity including sunlight and daylight impacts and overlooking. Whilst there would be some impacts, on balance, it was noted they would be less severe than the previously refused application. Taking into account the context and the various mitigating factors, Officer did not consider that they were significant to warrant refusal.
- In terms of fire safety, the application includes a Fire Statement which has been amended to address the concerns raised by the London Fire Authority as part of the consultation process of this application. The

layout had been amended to introduce a second stair case which all the occupants would have access to, as well as the introduction of other changes, including increasing the size of the remaining three lifts

- In terms of the Highways issues, the proposals would be car free. It was also proposed to provide on street car parking places for disabled residents and cycle parking spaces. Details of these plans were noted and as well as the operation of the servicing arrangements.
- A range of planning obligations had been secured. The scheme would be liable for both the Mayor of London's and the Borough's Community Infrastructure Levy.

Officers were recommending that the application was granted permission.

Ralph Hardwick, Rehanaz Begum, local resident and Councillors Andrew Wood and Kyrsten Perry (Canary Wharf Councillors) spoke in objection to the application regarding the following points:

- That the proposals would be contrary to the Local Plan.
- Scale and size would be too much for the area.
- Increased parking pressure, given application of the parking permit transfer scheme.
- Adequacy of the servicing arrangements.
- Lack of on - site disabled car parking spaces contrary to the 3% policy requirements. Spaces would be on the public highway.
- Harm to neighbouring amenity, particularly properties at Manilla Street. The objector's property would be in close proximity to the development, windows would be directly facing. The occupants relied on these windows facing the development for light. Other nearby properties would be also severely affected
- Overdevelopment of site. Too dense for area.
- Cumulative impacts on amenity. It was requested that these were reviewed, and whether the applicant could provide further mitigation measures against these impacts.
- Need to ensure that the construction impacts were minimised and that the green space is publicly accessible.
- Fire safety issues.
- Pressure on Infrastructure. Concerns were expressed about the lack of adherence to the GLA Opportunity Area Framework or the Isle of Dogs Neighbourhood Plan in relation to the delivery of infrastructure.

Members of the applicant's team spoke in support of the application:
Jon Roshier, Role Judd and Simon Ryan. The following points were noted:

- Applicant had worked with the Council and had amended the plans with a view to addressing the concerns and delivering a range of benefits, including the public park. The proposed development delivers the requirements of the Site Allocation and accords with the Development Plan.

- Provided details of the new housing. This would be tenure blind with shared access to communal space. Facilities would be accessible to all occupants.
- The measures to protect residential amenity, including the setting back of the development from Manilla Street and to provide a good outlook.
- A number of on - street disabled bays will be provided as set out in the report.
- The changes to address fire safety matters, including measures to provide appropriate fire safety systems. The Applicant will continue to liaise with the Fire Authority about the Fire Safety measures.
- Provided assurances about the infrastructure issues, in terms of the electricity supply and securing a condition to ensure there was sufficient water supply to serve the development.
- Conditions would be secured to manage construction impacts.

The Committee then asked questions of the registered speakers and Officers regarding the following points:

- Infrastructure issues. Matthew Pullen gave an overview of the infrastructure briefing note that had been circulated to the Committee – including the role of the Committee in relation such issues. The utility companies had a statutory requirements to meet needs. This paper also sets out the longer term plans for increasing infrastructure capacity
- The Committee also note 3D views of the proposals and the surrounding area.
- The sunlight and daylight assessment. The report set out in detail the findings, including the impacts on the properties that would be most affected, and also that the scheme had been designed in such a way to limit the impact. It was confirmed that the losses in real terms would only be small, due to the factors highlighted in the report restricting light to these existing properties. With the permission of the Chair, the Committee heard from William Whitehouse, the Council's daylight and sunlight external advisor, on the assessment. He explained in further detail the nature of these existing constraints and the need to take into account that that the site was vacant.
- On balance, given the findings, it was considered that the impacts will be consistent with other high density developments where supported. The benefits of the scheme would outweigh any impacts. The social rented units would be of good quality. Many would overlook the park.
- The level of on - site play space for under 12 year olds broadly met policy requirements. In addition, the green space on site may also provide informal child play space, as well as the nearby parks, including for older children.
- The provision of off site disabled parking – given the policy requirements. It was noted that the proposal would still provide a significant proportion of the required space. TfL had considered the proposals. On balance, given the need to provide the green space on

site, in accordance with the site allocation, they felt that the proposal were acceptable.

- Application of the permit transfer scheme and increased parking pressure. It was noted that the car free agreement should minimise this.
- The level of affordable housing in relation to policy. Officers were mindful of the shortfall of larger intermediate units, and also the focus on affordable family sized units, where there was most demand. Overall, Officers considered that the development provided a good balance between smaller and larger units across all tenures. Regarding the two entrances, the applicant confirmed that they had been designed in such a way to ensure they would be next to each other and would be visually indistinguishable. Jack Leafe (Council's Viability Officer) provided a brief overview on the discussions with the applicant regarding the level of affordable housing, and the factors taken into account in relation to the viability review.
- Fire safety issues and measures to address. It was confirmed that the applicant had engaged with the Fire Authority on all matters. Further details would be considered and submitted as part of the building control process. The Fire Authority were satisfied with the details submitted so far.
- Overdevelopment issues. It was noted that the applicant had worked hard to provide a high density scheme, with a number of benefits including the provision of open space, to minimise the impacts.

On a vote of 6 in favour and 2 against the Committee **RESOLVED:**

1. That subject to any direction by the Mayor of London planning permission is **GRANTED** at Cuba Street Site, Land At North East Junction Of Manilla Street And Tobago Street, Tobago Street, London, for the following development:
 - Erection of single tower block accommodating a high density residential led development (Use Class C3) with ancillary amenity and play space, along with the provision of a flexible retail space at ground floor (Use Class E), the provision of a new publicly accessible park and alterations to the public highway.(PA/20/02128)

Subject to:

2. Prior completion of a legal agreement to secure the planning obligations, set out in the Committee report and the amendment to section 8.2 of the officer's report to include a financial obligation of £42,197 towards Development Co-ordination, set out in the update report.
3. That the Corporate Director of Place is delegated the power to negotiate the legal agreement. If within six months of the resolution the legal agreement has not been completed, the Corporate Director for Place is delegated power to refuse planning permission.

4. That the Corporate Director of Place is delegated the power to impose conditions and informatives to address the matters set out in the Committee report

Councillor Kabir Ahmed voted against the development.

5.2 30 Marsh Wall, London, E14 9TP (PA/20/02588)

Update report was published

Jerry Bell introduced the application for the demolition of existing building and erection of a 48 storey building to provide student accommodation bedrooms and ancillary amenity spaces - along with flexible retail / commercial floorspace and alterations to the public highway and public realm improvements.

Katie Cooke presented the report, highlighting the following points:

- The site location, the surrounding area and the site allocations in policy
- Overview of the proposal, including the layout.
- That two round of public consultation had been undertaken. The outcome of this was noted and the issues raised, as set out in the Committee report and the update report.
- Officers considered that in land use terms, that the scheme complied with policy. This was due to a number of reasons including: the difficulties with providing large office floor space on the site, the pipeline line of new office space in the area, and sites unsuitability to provide residential accommodation. The provision of student space is supported in view of the location and increasing demand for such accommodation.
- A Fire Report had been provided. The GLA and the London Fire Authority have raised no objections.
- The scheme would deliver a number of benefits, in addition to high quality student accommodation. These were noted including: retail/commercial space, amenity space, biodiversity benefits and carbon reduction/energy efficiency measures.
- The principle of providing a tall building in this location accorded with policy. Overall, the height, scale and massing was supported by officers and comparable with other developments in area. It would be of a high quality design, and it was considered to respond positively to it's context. Images of the proposed development were noted. This included the cumulative views from General Wolf Statue, and along Marsh Wall/Millharbour. Overall, it would form a positive addition to area.
- The scheme had been designed to limit impacts on neighbouring developments, including measures to prevent overlooking, Given the retained levels of residential amenity, the losses were not considered

sufficient enough to warrant refusal. The benefits of the development would outweigh this.

- In terms of the Highways issues, the proposals would be car free with cycle parking spaces and a cycle hire scheme.
- A range of number of planning obligations had been secured. The scheme would be liable for both the Mayor of London's and the Borough's Community Infrastructure Levy.

Officers were recommending that the application was granted planning permission.

The Chair invited the registered speakers to address the Committee

Ralph Hardwick and Councillor Andrew Wood (Canary Wharf Councillor), spoke in objection to the application regarding the following points:

- Lack of disabled parking spaces contrary to London Plan.
- Adequacy of the waste collection arrangements.
- Adequacy of the proposed servicing at Cuba Street.
- Air quality issues given the provision of the gas boiler system.
- Obstruction caused by construction process. This will hold up traffic on Marsh Wall.
- No indication of cycle routes.
- Fire Safety issues – given the separation distances between this development and the Cuba Street site. Has anyone looked at the risk of fire spreading between buildings?
- That the sunlight/daylight policies equally applied to high density areas.
- Lack of consideration to the Isle of Dogs Neighbourhood Plan and GLA Opportunity Area Framework in relation to infrastructure needs.

Jon Roshier spoke in support of the application: It was noted that:

- The applicant had worked to coordinate the scheme with the Cuba Street site development and will continue to do so.
- There had been a huge growth in the need for student accommodation in the area given the number of universities/ proposed ones in the nearby area. This will also free up residential housing. It would be of a high quality and would be a tenure blind development
- The other benefits of the scheme included the delivery of a pedestrian route, new commercial space, new jobs with measures to reduce the construction impact
- Impact on parking should be minimal, for the reasons set out in the report and presentation.
- The applicant had agreed a Waste Management Strategy with the council and had a completed a Fire Safety Strategy. There would be conditions requiring on ongoing dialogue with the Fire Authority.
- The speaker also provided reassurances about the infrastructure assessment.

The Committee then asked questions of the registered speakers and Officers regarding the following points:

- Use of student accommodation during summer breaks. (Secondary use). It was noted that the permission sought to provide student accommodation. It may be used out of term time for short term events, such as conferences, so long as the primary uses remained student accommodation.
- The energy efficiency measures. The applicant confirmed that the gas boiler would only be used as a back up.
- The proximity between the development and the Cuba Street site, in view of the issues raised at the meeting about fire safety. Officers noted the concerns about this. It was emphasised that a fire safety statement had been provided. The Fire Authority was satisfied with this and that further work will be carried out at the Building Control stage in line with the usual procedures. The separation distances generally met the guidelines – with some exceptions. It was also noted that the measures previously highlighted, should protect amenity.
- The proposals to create jobs. The applicant commented on the criteria for calculating this. It was also proposed that a contribution will be secured, as detailed in the update report, (as a maximum contribution) to compensate for any shortfall in providing the 33 construction phase apprenticeship places on site. In relation to this, Shahi Mofozil, explained the role of Council's employment team in helping to delivering these commitments.
- It was confirmed that a Waste Management Strategy been agreed as set out in the conditions. An overview of the key features was noted.
- The servicing arrangements and the impact on traffic. It was noted that Highways Services had reviewed the plans and that the Cuba Street option was considered to be a better alternative to Marsh Wall. These arrangements will be secured by condition.
- Accessibility of the facilities to the occupants. It was confirmed that everyone would have access to the facilities and the amenity space.
- Affordability of the rents. Officers and the applicant highlighted the criteria for setting rent levels for the affordable units and the eligibility requirements.

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

1. That planning permission is **GRANTED** at 30 Marsh Wall, London, E14 9TP for the following development
 - Demolition of existing building and erection of a 48 storey building (plus basement and lift pit) to provide 1,068 student accommodation bedrooms and ancillary amenity spaces (Sui Generis Use) along with 184.6sqm of flexible retail / commercial floorspace (Use Class E), alterations to the public highway and public realm improvements, including the creation of a new north-south pedestrian route and replacement public stairs (PA/20/02588)

Subject to:

2. Prior completion of a legal agreement to secure the planning obligations, set out in the Committee report.
3. That the Corporate Director of Place is delegated the power to impose conditions and informatives to address the matters set out in the Committee report

5.3 Innovation Centre, 225 Marsh Wall, London, E14 9FW (PA/21/00900)

Update report was published

Jerry Bell introduced the application for erection of a ground plus 55-storey residential building, ground floor flexible commercial space, basement cycle storage, resident amenities, public realm improvements and other associated works.

It was noted that the

- The proposal seeks to build on the extant consent to provide additional 58 residential units and increase in height of 7 storeys, adding further 22m to the consented 49 storey building, ground plus 48 storeys (163.08m AOD).
- The proposal is for a total of 390 residential units, 85 of which would provide 25.9% of affordable housing offer by habitable room, with ground floor commercial space and associated works.

Aleksandra Milentijevic presented the report, highlighting the following:

- The site location and the surrounding area.
- Key features of the application.
- Details of the planning history, including an overview of the extant scheme compared to the proposed development.
- Outcome of the public consultation. 27 reps were received with 25 in support, collated by the applicant in a single document, 2 in objection and 1 further correspondence in support, set out in the update report. These were briefly summarised. The applicant had also carried out their own consultation.
- In land use terms – this had already been established. This was supported.
- Details of the housing mix and the affordable housing proposal. The LBTH viability team had reviewed the offer and had concluded that this was the maximum that could be supported.
- The amenity assessment. The impacts on the surrounding area were considered acceptable on balance, in terms of daylight and sunlight, privacy, outlook and construction impacts.

- The environmental matters were also considered to be adequate.
- Height of the proposed building. Officers explained the concerns in relation this, including the issues with the height difference with Madison Square. It was considered therefore that the proposal does not respond to its context and fails to deliver on the objectives and principles set out in the Local Plan policies on tall buildings and views, It would be detrimental to the townscape and the Canary Wharf Skyline, which was of Strategic Importance.
- The concerns about the waste management and collection methods for the proposed development. These were not considered appropriate for a building of this scale
- The concerns around the lack of policy compliant level of cycle storage spaces for future residents.

Overall, the planning balance exercise has not identified significant public benefits which would outweigh the harm caused by the application. On this basis, for the reasons set out in the report Officers recommend the refusal of planning permission.

Julian Carter spoke in favour of the application, highlighting the following:

- The existing planning permission. This proposal will provide opportunities to provide further benefits – including additional affordable homes. The applicant was willing to provide 35% affordable homes in this part of the application. Applicant has confirmed that the 35% offer only relates to the uplifted units and not the whole scheme.
- Fire safety measures had been secured. The applicant was willing to provide additional measures such as sprinklers.
- The applicant was willing to redesign aspects of the development to provide additional cycle parking in the basement.
- That the waste collection arrangements were the same as for nearby developments.
- Site sits in the Canary Wharf Tall Buildings Zone and is still lower than the Madison Square development
- GLA supported the provision of the proposed high density residential led development.

The Committee then asked questions of the registered speakers and Officers regarding the following points:

- The Committee noted 3d images of the proposals.
- The issues around the height of the development. The Committee discussed whether the nearby consented buildings to the west of the development also complied with the stepping down policy.
- It was noted that these were granted permission prior to the introduction of the Council's Tall Building study and the relevant policies set out the Committee report. In response Officers explained in further detail the Council's policy on Tall Buildings in this location – including the approach to Marsh Wall west and East. It was Officer's

view that the proposal breached the principles in the relevant policies, set out in the Committee report, in view of the proposed buildings function, its location at the edge of the Tall Buildings Zone and that it would not response to the local context.

- The applicant also added that they had offered to address the waste collection issues and will amend the application to provide the required amount of cycle storage spaces. They were happy to accept conditions to ensure this.
- The level of affordable housing. The applicant reported that this proposal would provide: 52 social rented units, 39 intermediate units. A total of 91 units with 301 private units. This equated to 35% affordable units on the additional floors. In response, Officers confirmed the scheme overall will still fall short of providing 35% affordable housing in line with policy and that the policy required that the whole scheme must be taken into account when assessing if it met this target, rather than just part of the development. The consented scheme would deliver 25% affordable housing and this scheme sought to provide an additional 0.9% affordable housing when looking at the whole scheme.
- Officers explained the implementation of the housing policy requires the Applicant to take into consideration the overall affordable housing contributions, rather than the affordable housing offer on the uplift units.
- GLA comments on the application as set out in the Committee report.

(During the course of the meeting, the meeting was adjourned, including for the purposes of considering advise from Officers) and the Chair agreed to extend the meeting time by an hour)

On a vote of 3 in favour, 4 against with 1 abstention the Officers recommendation to **REFUSE** planning permission **was not agreed**.

Councillor David Edgar **moved** to **DEFER** the application for further consideration of the waste management and collection issues, the cycle storage space issues, and for Officers to bring forward the proposed Heads of Terms for a s106 agreement and list of appropriate conditions.

On a vote of 4 in favour, 4 against this proposal, with the Chair exercising a casting vote in favour of a deferral, it was **RESOLVED** that the planning application be **DEFERRED** at Innovation Centre, 225 Marsh Wall, London, E14 9FW for the following development:

- Erection of a ground plus 55-storey residential building (Use Class C3), ground floor flexible commercial space (Use Class E), basement cycle storage, resident amenities, public realm improvements and other associated works.

To allow further consideration of:

- The proposed waste management and collection method
- Cycle storage space
- A proposed Heads of Terms for the s.106 agreement.
- Proposed list of conditions

6. OTHER PLANNING MATTERS

To note the briefing note on infrastructure

The meeting ended at 11.10 p.m.

Chair, Councillor Kevin Brady
Strategic Development Committee