

LONDON BOROUGH OF TOWER HAMLETS

MINUTES OF THE STRATEGIC DEVELOPMENT COMMITTEE

HELD AT 6.30 P.M. ON THURSDAY, 21 JULY 2022

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

Members Present:

Councillor Amin Rahman (Chair)
Councillor Gulam Kibria Choudhury (Vice-Chair)
Councillor Kamrul Hussain
Councillor Abdul Wahid
Councillor Kabir Hussain
Councillor Sabina Akhtar
Councillor Mufeedah Bustin
Councillor Shubo Hussain

Apologies:

Councillor Rachel Blake

Officers Present:

Ian Austin	– (Principal Lawyer for Planning, Governance)
Jerry Bell	– (Area Planning Manager (East), Planning and Building Control, Place)
Fran Haines	– (Planning Officer, Planning and Building Control, Place)
Jane Jin	– (Team Leader, Planning and Building Control, Place)
Euan Millar-McMeeken	– (Heritage & Design Officer, Place)
Aleksandra Milentijevic	– (Principal Planning Officer, Planning and Building Control, Place)
Zoe Folley	– (Democratic Services Officer, Committees, Chief Executive's Office)

1. DECLARATIONS OF DISCLOSABLE PECUNIARY INTERESTS AND OTHER INTERESTS

None were reported

2. MINUTES OF THE PREVIOUS MEETING(S)

RESOLVED:

1. That the minutes of the meeting of the Strategic Development Committee held on 8th June 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

4.1 15-27 Byng Street (odd), 29 Byng Street (Flats 1-6 Dowlen Court) and 1-12 Bellamy Close, London, E14 (PA/21/02776/A1)

Update report was published.

Jerry Bell introduced the application for the demolition of the existing buildings and structures and construction of residential dwellings, public realm works, landscaping, access, servicing, parking and associated works.

Fran Haines provided a presentation on the application.

It was noted that this application for planning permission was considered by the Strategic Development Committee on 8th June 2022. The application was deferred by members for a site visit. This was held on 4th July 2022.

The application has been updated since the June Committee with a Post Committee Clarification Note – prepared by Quod

No additional consultations have been carried out.

The Committee were reminded of the key features of the application, including photographs of the site and surrounds.

The following topics were discussed during the Strategic Development Committee on 8th June 2022. Officers addressed each matter in turn:

- Clarified the number of additional storeys to the residential tower. This proposal sought to increase the number of residential storeys by six (and five overall) compared to the previous scheme, ref PA/20/01065 with other changes as set out in the Committee report.
- Residential entrances would be of the same standard. The development would be tenure blind in terms of the quality of the private and the affordable housing
- Affordable housing. A total of 202 dwellings would be provided including 94 low cost homes which totalled 58% of the total residential accommodation by habitable room, which exceeded policy.
- Of these 94, 58 would be affordable homes (including 34 London Affordable rent homes) and 36 intermediate homes, which was in accordance with the 70/30 policy target.
- Compared to the previous scheme, this proposal would provide 58 more homes including 12 more affordable homes. Of these 12, six would be homes for London Affordable Rent and 6 shared ownership.
- The proportion of larger family sized affordable homes also complied with policy. A viability assessment had been carried out showing that this was the maximum amount of affordable housing the application could provide.
- Shared ownership agreement. This would be controlled by the nominations agreement in the s106 and One Housing's, following their inclusion on the LBTH Intermediate Housing register.
- Child play space provision. Play space would be located at podium level in Block C as well as in the pedestrian link. This would be assessable to all.
- Fire safety matters. Details of the staircase and lift arrangements were noted and the fire protection features. The proposals met the relevant building regulation.
- Details of the energy strategy, including the plans to link the development to the Barkantine District Heating Network where feasible and viable. This would be secured via the s106. If not feasible, an alternative strategy would be secured in the s106 involving Air Source Heat Pumps.

The Officers recommendation is to grant planning permission.

The Committee asked questions of Officers around the following issues:

- Assurances were sought about the quality of the development. It was confirmed that all of the proposed housing would be tenure blind and be of a good quality. Warranties would also need to be secured. Quality of accommodation complied with relevant standards.

- The number of family size of homes. Whilst Officers noted the overall housing mix, and the slight deviations from policy targets, it was emphasized that the development would deliver a good number of family sized affordable units - where there was a great deal of need.
- The issues raised regarding lack of community hall and poor consultation. It was noted that update report addressed the point regarding the community hall. The report also set out the findings of the Council's statutory consultation exercise that complied with requirements. It also outlines the nature of the applicant's consultation exercise, as set out in their statement of community involvement.
- The nature of the public benefits. It was confirmed that the scheme would deliver a number of benefits in terms of the re-provided pedestrian link, child play and amenity space, a significant amount of housing, including the re-provision of the existing homes. The applicant had worked to ensure the re-provided homes would be of a better quality and would be larger.
- Water pressure issues on the Isle of Dogs. It was confirmed that the Council were working with Thames Water in respect of infrastructure capacity. Thames Water also had a legal duty to deliver water to developments, and the developer must also work to ensure this. Thames Water had not objected to the application. Further information on this could be supplied to Members.
- Car parking issues. The development would be car free. It was understood existing residents could transfer their parking permits to the development. The One Housing Group would work also with the residents to provide parking as required/ on request.
- Six accessible parking bays would be provided, including two with electric charging points. Highways Services has stated that additional accessible on street spaces could be provided if more demand arises. Overall the approach to limiting car parking was consistent with policy.
- Daylight and sunlight impacts. An assessment has been carried out in accordance with the BRE guidance. Overall Officers were satisfied that it had been carried out correctly and that overall the impacts were considered to be acceptable.
- It was confirmed that an energy strategy would be secured to ensure the properties have sufficient heating by condition. It was proposed that the development would be connected to a centralised heating system - through the Barkantine District Heating Network or an Air Source Heat Pump system.

In conclusion the Chair stated that he would like to see future development include more affordable five bedroom accommodation.

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

1. That subject to any direction by the Mayor of London planning permission is **GRANTED** at 15-27 Byng Street (odd), 29 Byng Street (Flats 1-6 Dowlen Court) and 1-12 Bellamy Close, London, E14 for the following development

- Demolition of the existing buildings and structures and construction of residential dwellings (use class C3), public realm works, landscaping, access, servicing, parking and associated works.

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 of Place is delegated the power to negotiate the legal agreement. If within three 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.

5. PLANNING APPLICATIONS FOR DECISION

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

Update report published

Jerry Bell introduced the report for the erection of a ground plus 55-storey residential building with ground floor flexible commercial space and associated works

Aleksandra Milentijevic presented the report highlighting the following:

- Key features of the proposal.
- Overview of the planning history and details of the extant scheme.
- That in land use terms the proposal would be compliant with policy.
- This proposal is for a total of 390 residential units, (58 more than the approved application). Of which 90 would be affordable units (19 more than the previous scheme). This equated to 26.6% of the total residential development per habitable room. On viability grounds, this was considered to represent the most that could be provided.
- According to policy, the affordable housing contribution for the scheme should be considered as a whole, rather than the contribution for this new proposal in isolation.
- The quality of the housing would broadly meet standards, but the proposed communal space arrangements at Level 53 would only be accessible to private tenure residents. There were also concerns about the segregated entrances in terms of promoting social exclusion.
- Other key aspects of the scheme included new public space and a policy compliant level of child play space.

- Consultation had been carried out and details of the letters in support and objection were noted. Additional information had been provided by the applicant about noise impacts as set out in the update report.
- The Officers had concerns about the building height. This was in terms of the lack of compliance with the step down objectives for tall buildings in the Canary Wharf Tall buildings Zone in the Local Plan. As a result, it was considered that the proposed building would undermine the principles and objectives of the TBZ policy in the Local Plan, and adversely affect the townscape of the Canary Wharf area and its designation as the Skyline of Strategic Importance.
- That the amenity impacts remained acceptable.
- An Environmental Statement had been submitted. No objection had been raised to this.
- Details of the waste management plans were also noted. Whilst Officer were mindful that the proposed method did not comply with the Council's waste policies, Officer's did not consider that this would cause any additional harm.
- Details of the highway aspects were also reported.

Overall, Officers considered that planning balance exercise has not identified significant public benefits which would outweigh the harm caused to the townscape and Skyline of Strategic Importance, as well as the proposal's failure to meet other Development Plan policies relating to design tall buildings. Officers were recommending that the application was refused permission.

The Chair invited Julian Carter to address the meeting, in support of the application highlighting the following:

- That compared to the extant scheme, this would deliver additional benefits. This included additional homes and affordable homes, amenity and play space, a more energy efficient building and an additional CIL contribution. No weight had been attached to this only the proposed height
- The development was in a tall buildings zone and the nearby Madison building was taller. Wood Wharf already extended over the imagined line, shown in the presentation. He was of the view that it would be very difficult to spot from strategic views. The GLA was broadly supportive of the design of the development and that there would be no harm caused in heritage terms.
- It would step down from Canary Wharf.
- Less weight should be given to draft plans

The Committee asked a number of questions of the registered speakers and officers about:

- The sunlight and daylight assessment. Officers provided assurances about the level of BRE compliance

- The level of social housing and the rent levels. The proposal seeks to deliver 90 affordable homes comprising 64% affordable rented housing (50 units) and 36% intermediate housing (40 units). The affordable rented units would be split 50:50 between London Affordable Rent (LAR) and Tower Hamlets Living Rent (THLR)
- The height of the proposal and the skyline policy. Officers further explained in greater detail the concerns about the breach in the policy, and the key features of the policy.
- The key differences between the height and location of the Madison scheme and the proposal. It was noted the Madison development was located further to the west of Marsh Wall and closer to the centre of the Tall Buildings Zone. It had a sloping roof towards the application site and complied with the policy. This scheme would only be 2 metres shorter than the tallest element of the Madison development which would be a marginal difference and did not follow the pattern of buildings, specified in policy. The extant scheme provides the step down approach required by policy.
- The concerns about the consultation. The applicant stated that most of the letters in support were from the Isle of Dogs addresses. It was also confirmed that only one of the letters lacked an address.
- In conclusion, Members stressed the need to preserve building height policy. Going against this could set a precedence. They also noted the GLA's comments about lack of affordable housing and noted that the additional height was not providing this.
- Concerns were also expressed about access arrangements for the private and affordable accommodation.

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

That subject to any direction by the Mayor of London, planning permission is **REFUSED** at Innovation Centre, 225 Marsh Wall, London, E14 9FW (PA/21/00900) 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.

For the following reasons:

1. The proposed development, by virtue of its height and scale within its context and relationship to the height and scale of nearby tall buildings, would fail to provide a step down approach towards the edge of the Canary Wharf Tall Building Zone nor provide any substantial variation of heights in this part of cluster. The proposal would harm the character and distinctiveness of the Canary Wharf townscape and would cause harm to the designated Canary Wharf Skyline of Strategic Importance. The proposal is therefore contrary to policy D3 and D9 of the London Plan, policies S.DH1, S.DH3, D.DH4 and D.DH6 of the Tower Hamlets Local Plan 2031, and the Isle of Dogs and South Poplar Opportunity

Area Planning Framework (2019). The public benefits of the development, including the provision of housing and affordable housing would not be sufficient to warrant a departure from the Development Plan policies for managing height and scale within the Tall Building Zone.

2. In the absence of a legal agreement to secure policy compliant financial and non-financial contributions including for affordable housing, employment, skills, training and enterprise, transport matters, public realm improvements including contributions towards active travel zone, and carbon offsetting contribution, the development fails to mitigate its impact on local services, amenities, infrastructure and environment. This is contrary to the requirement of policy DF1 of the London Plan, policy D.SG5 of the Tower Hamlets Local Plan 2031, and Planning Obligations Supplementary Planning Document (2021).

The meeting ended at 8.30 p.m.

Chair, Councillor Amin Rahman
Strategic Development Committee