



## **Minutes of the Meeting of the London Legacy Development Corporation Planning Decisions Committee**

**Date:** Tuesday 23 October 2018  
**Time:** 6.00 pm  
**Venue:** Rooms 1, 2 & 3, LLDC, Level 10, 1 Stratford Place, Montfichet Road, London E20 1EJ

**Present:** Philip Lewis (Chair)  
Pam Alexander OBE  
Sukhvinder Kaur-Stubbs  
Piers Gough CBE RA  
James Fennell MRTPI MRICS  
Councillor James Beckles  
Councillor Marie Pye  
Councillor Nick Sharman  
Councillor Dan Tomlinson

**In Attendance:** Anthony Hollingsworth, Director of PPDT  
Catherine Smyth, Head of Development Management, PPDT  
Richard McFerran, Principal Planning Development Manager  
Anne Ogundiya, Principal Planning Development Manager  
Daniel Davies, Principal Planning Development Manager  
Steve Tomlinson, Principal Design Manager, LLDC  
Zena Hassan, Assistant Committee Secretary  
Susanne Andreasen, Legal Advisor  
Chloe Newbold, Committee Secretary, GLA

## **1 Updates, Order of Business and Requests to Speak (Item 1)**

- 1.1 The Chair welcomed Councillor Marie Pye, the representative from the London Borough of Waltham Forest, to her first Planning Decisions Committee Meeting.
- 1.2 The Chair stated there was an update report for Item 6 – Iceland Wharf, Fish Island, London – 18/00095/FUL
- 1.3 The Chair stated that the order of business would be as set out on the agenda.
- 1.4 The following requests to speak had been received:

- **Item 5 – TSVC Building, Land Bounded by Hepscott Road and Rothbury Road – 17/00222/FUL**

In support of Officers' recommendation:

Steve Akeju (Applicant)  
Alex Christopher (GL Hearn)  
Tim Tolcher (CJCT)

- **Item 6 - Iceland Wharf, Fish Island, London – 18/00095/FUL**

In support of Officers' recommendation:

Andy Puncher (pH+ Architects)  
Gavin Henneberry (pH+ Architects)  
Adam Williams (CMA Planning)  
Craig Robinson (Robinson's Surveyors)  
Glen Charles (City and Suburban Homes)  
Tim Gaskell (CMA Planning)  
Emma Critchley – Resident

In support of Officers' recommendation (with some concerns):

Haroon Mirza - Resident

## **2 Apologies for Absence (Item 2)**

- 2.1 Apologies for absence were received from Emma Davies MRICS, Louise Wyman MRICS MLA and Councillor Rachel Tripp.

### **3 Declarations of Interest (Item 3)**

3.1 The Committee received the report of the Director of Planning Policy and Decisions which set out, for the purposes of transparency, where a Member of the Committee was an elected Member of a Host Borough to which a planning application related, and/or other matters were to be dealt with at the meeting.

#### **3.2 Resolved:**

**3.2.1 That the following declarations of interest be noted:**

**Elected Members of Host Boroughs to which planning applications relate (where applicable):**

- **Councillor Dan Tomlinson, London Borough of Tower Hamlets, Elected Member (Item 5 – TSVC Building, Land bounded by Hepscott Road and Rothbury Road; and Item 6 - Iceland Wharf, Fish Island).**

**Independent Members**

- **James Fennell is Chief Executive of Nathaniel Lichfields & Partners and Emma Davies is Managing Director of CBRE Planning UK.**
- **Neither Member has been involved in decision making on any of the matters listed in the Decisions Made under Delegated Authority item on this agenda.**

### **4 Minutes of the Previous Meeting held on 25 September 2018 (Item 4)**

4.1 The Committee received the minutes of the previous Planning Decisions Committee held on 25 September 2018.

#### **4.2 Resolved:**

**4.2.1 That the minutes of the Committee meeting held on 25 September 2018 be signed as a correct record.**

### **5 TSVC Building, Land bounded by Hepscott Road and Rothbury Road - 17/00222/FUL (Item 5)**

5.1 The Committee received the report of the Principal Planning Development Manager and a presentation was also provided.

- 5.2 The Committee noted the planning application sought consent for the redevelopment of the TSVC site, which covered an area of 0.54ha and was bounded by Rothbury Road and White Post Lane to the north, Hepscott Road to the west, the Lea Tavern and 92 White Post Lane to the east; and the McGrath waste site to the south. The development would provide a significant number of new homes and employment workspace and would take advantage of its proximity to Hackney Wick Station and the amenities of the Queen Elizabeth Olympic Park.
- 5.3 Officers advised the Committee that, though the site was not located within a conservation area, the nearby buildings at 92 White Post Lane and the McGrath House and outbuildings were recognised within the conservation area appraisal as non-designated heritage sites.
- 5.4 The Committee noted the site would consist of two urban blocks with four separate buildings (A-D) of six-storeys in height, which would provide 145 residential units (2 x studio; 45 x one-bedroom units; 88 x two-bedroom units; and 10 x three-bedroom units) and 2,213sqm of commercial space.
- 5.5 Officers advised that the larger block would consist of Buildings A-C and the smaller block, Building D. Both blocks would have a commercial unit at ground level with residential units on upper floors. The residential units would be of high-quality and in accordance with the Mayor's Housing Supplementary Planning Guidance (SPG). 69 per cent of the units would be dual aspect and the single aspect units would be one or two-bedroom flats, none of which would be north-facing.
- 5.6 Both blocks would have access to areas of communal amenity space, one to the rear of Building D and a podium courtyard at first floor of the larger block. Access to the podium level garden for residents of Building D would be secured through a legal obligation.
- 5.7 The Committee noted that the carpark would be accessed from Hepscott Road and would have capacity for 16 blue badge holders, a loading bay for commercial use, cycle parking and refuse areas.
- 5.8 The Committee was advised that the scheme would deliver a high-quality public realm, in accordance with the Hackney Wick and Fish Island Supplementary Planning Document (SPD), through the provision of a new north/south pedestrian route known as Davey Way. Davey Way would link Hackney Wick Overground Station with Fish Island via the proposed replacement Roach Point Bridge.
- 5.9 Officers advised the Committee that, of the 145 residential units, 10 would be London Living Rent (LLR); 13 London Affordable Rent (LAR)/social rent; and 27 shared ownership units. In accordance with the Draft London Plan, if Strategic Industrial Land was released for residential purposes, the scheme would need to provide 50 per cent affordable housing. As a

result, a condition was recommended that required details of the commercial uses to be approved by the Local Planning Authority. The condition would ensure no reduction in industrial capacity. Therefore, 35 per cent threshold affordable housing would be appropriate.

- 5.10 The Committee heard that Buildings A and C would be finished in dark multi-stock brickwork with a lighter multi-stock facing brickwork used on courtyard facades. Buildings B and D would be finished in stock brickwork to reflect the different character of the new north-south public route. The podium between the buildings would have a pre-concrete finish and the openings to the commercial units would feature a bronze metal surround. In addition, all units would benefit from access to balconies, which would feature metal balustrades to reference the industrial heritage of the area.
- 5.11 The Committee was provided with responses from the public consultation, which had been advertised in the East London Advertiser and three site notices displayed around the site. 32 consultation letters had been sent to a number of stakeholders, including: Transport for London; LB Tower Hamlets; Environment Agency, Historic England, Thames Water, Metropolitan Police; and London Fire and Emergency Planning Authority. In addition, comments were provided from the Quality Review Panel (QRP), which supported the scheme but stressed the importance of high-quality detailing, materials and construction, and the retention of the design team. QRP advised that the scheme had the potential to meet the tests of Policy BN.10 and recommended that suggested conditions and legal obligations be imposed.
- 5.12 A representative from Telereal General Properties Ltd (the applicant) was present and addressed the Committee. The Committee was advised that the applicant had worked closely with officers and statutory bodies to find solutions to complex issues such as flood risks and non-designated heritage sites. The applicant stated that it was a strong development with numerous benefits to the area, namely: infrastructure, contribution of public realm that would unlock the area; high-standard of design; creation of employment opportunities; and the provision of residential homes, 48 per cent of which would be family accommodation and 35 per cent affordable housing.
- 5.13 The Committee expressed concern about the limited amount of amenity space afforded to Building D and the limited sunlight it would receive. A Committee Member also queried why there was no provision of roof amenity space. Officers advised that residents of Building D would have access to the podium level amenity space elsewhere within the scheme, and that amenity space on the roof of this building would require additional height; discussions had taken place with QRP, which had voiced reluctance for an additional storey as previous discussions had resulted in removal of storeys from Buildings A, B and C.

**[Councillor James Beckles joined the meeting]**

- 5.14 The Committee asked how the pedestrian route, Davey Way, would remain safe and optimised. Officers advised that the landscaping proposals were considered high-quality. QRP supported the design and had encouraged enjoyment of the space via public areas e.g. commercial frontages would activate the space. Davey Way would also accommodate cycling, creating a route which was considered safe for pedestrians and cyclists alike.
- 5.15 Some Committee Members expressed disappointment at the level of proposed affordable housing and noted that, within the 35 per cent affordable homes, the proposed tenure-split was 31 per cent London Affordable Rent (LAR) and 69 per cent Intermediate housing, which would not meet the recommended tenure-split within the Local Plan (60 per cent LAR:40 per cent intermediate housing). Officers advised that the proposed tenure-split met the Mayor's SPG, plus the number of affordable homes had increased and a viability assessment concluded that the technically viable percentage of affordable homes was 19.4 per cent based on a Local Plan compliant split. The 35 per cent affordable housing offer made by the applicant was a commercial offer that significantly exceeded the technically viable position, and whilst the tenure mix differed from Local Plan policy the proposed offer included 13 LAR units as opposed to 10 LAR units within the technically viable offer which was based on a Local Plan compliant tenure split.
- 5.16 Officers advised that the LAR units were all located in Building D. The Committee noted that the three-bedroom LAR units were all located in Building D but asked for clarification as to why the two-bedroom LAR units had not been spread into Buildings A, B and C. Officers advised that 'pepper-potting' was not a policy requirement and the applicant advised that the location of the LAR units was likely to be for management reasons.
- 5.17 The Committee was told that 10 per cent of the development was designed as wheelchair accessible or adaptable dwellings. Officers confirmed that the podium level could be accessed via a lift and the 16 blue badge parking spaces would be open to all of the development. Buildings B and D were roughly 14m apart and Building B was roughly 15m in width. Therefore, the distance of the carpark from Building D would be roughly 30m. The Committee was concerned about the distance of the carpark and communal areas from Building D, plus the limited availability of blue badge spaces for residents if used by visitors.
- 5.18 A Committee Member noted that the buildings were described as being of the same standard, however unlike Buildings A-C, Building D had a much smaller communal amenity space which was also not compliant with BRE guidance for sunlight.
- 5.19 A Committee Member sought clarity on a review carried out by PPDT's heritage consultant. The review had concluded that the development would result in less than substantial harm to the adjacent conservation area and non-designated heritage sites, due to the proximity of the scheme and long street frontages alongside the heritage assets. In accordance with the National Planning Policy Framework (NPPF), officers considered that the public benefit of the scheme outweighed the identified harm. The design of the buildings, which were in keeping

with the site's industrial background, mitigated the impact plus Buildings A, B and C were separated, which broke down the massing.

5.20 Officers confirmed that, in accordance with a viability assessment for the cost of workspace, the scheme's baseline was £15 per sq. ft. Committee Members were pleased that the baseline figure was low.

5.21 The Committee agreed that the scheme was commendable and would provide a valuable pedestrian route. However, there remained some areas of concern. These included:

1. The location of wheelchair units within the scheme and accessibility for wheelchair users to and from the car park and communal areas;
2. The quality of the amenity space for Building D and whether the roof space could be used to provide an additional amenity area; and
3. The location of two-bedroom LAR units in Building D which could be relocated within Buildings A, B or C.

5.22 The Chair moved that the application be deferred to allow the applicant to consider and respond to the matters raised.

5.23 The Director of PPDT noted that, the proposed s.106 Head of Terms should capture the relevant workspace at £15 per sq. Ft, to reflect the modelled values in the viability assessment. . .

**5.24 Resolved: (eight votes in favour: one abstention)**

**5.24.1 To DEFER consideration of the planning application to allow officers to work with the applicant to consider the matters set out in paragraphs 5.21 (Points 1-3) and 5.23 above.**

## **6 Iceland Wharf, Fish Island, London - 18/00095/FUL (Item 6)**

6.1 The Committee received the updated report of the Principal Planning Development Manager and a presentation was also provided.

6.2 Officers advised the Committee that the application sought consent for the redevelopment of a site that lay within Fish Island and covered an area of 0.51ha. The site fronted Iceland Road to the north and Wick Lane to the west.

- 6.3 The redevelopment was for a mixed-use employment-led development for seven buildings, between two and eight storeys in height, which would provide 3,813sqm of employment floorspace and 120 residential units. The commercial units would be located on the ground floor and, in five of the seven proposed buildings, the residential units would be above. 95 per cent of the residential units would be dual aspect. Affordable housing would be provided at 35 per cent and was compliant with the requirements of the threshold approach to viability as set out within the Mayor's Affordable Housing and Viability SPG.
- 6.4 The Committee was told that the site was designated as an 'Other Industrial Location' (OIL) and, to the south, bordered a 'Strategic Industrial Location' (SIL). The OIL designation required the development to provide an employment-led mix of uses with potential for residential development. Further, the Old Ammonia Works factory, a two-storey dark brick building with a tiled pitched roof, within the site and identified in the Local Plan as a non-designated heritage asset, would be retained as part of the proposed redevelopment.
- 6.5 The Principal Planning Development Manager's presentation included a video, which provided a detailed outline of the development. Details included:
- 6.5.1 The massing of the residential blocks would be arranged around open communal spaces, in the form of courtyards, roof gardens and a series of raised walkway decks. The accommodation would be accessed off Iceland Road and would provide a secure entry zone for residents and lead onto communal walkway decks.
- 6.5.2 Three courtyards at ground floor level. A working yard would be accessed from Wick Lane, a breakout yard accessed from Wick Lane and a residential courtyard also accessed from Iceland Road. The breakout yard would be bounded on all sides by double height commercial space, which would respect the height of the neighbouring SIL site.
- 6.5.3 The development was proposed to be car-free but there would be 14 parking bays on Iceland Road for people with disabilities. For the commercial aspect, a vehicular access route was proposed to link the working yard with Wick Lane and Iceland Road, and allowed for a 10m truck to enter and leave the site in forward gear, accommodating delivery and servicing.
- 6.5.4 The proposed materials for each of the buildings would be a mix of concrete and brick.
- 6.6 The Committee noted that two consultations had been carried out. The application had been advertised in the East London Advertiser, four site notices had been displayed in and around the site and 228 neighbouring properties had been consulted by post. Officers summarised the responses received. Over 30 letters had been received, of which: two had fully supported the scheme; five had supported the scheme in principle but expressed concerns around construction impacts and delivery and servicing; and 14 had objected (residents of 419 Wick



Lane). Also received were two objections from adjacent commercial premises, Autumn Yard Studios.

- 6.7 The Committee noted that QRP was in support of the application and, in response to QRP comments, adjustments had been made to the development. QRP stated *“The panel has no hesitation in concluding that Block D would meet the requirements of Policy BN.10: it considers that Iceland Wharf as whole demonstrates ‘outstanding’ architectural quality...”*.
- 6.8 Officers advised that, on consideration of the assessment, there was no demonstrable harm to neighbouring properties. The scheme would provide affordable workspace; a satisfactory landscaping and public realm strategy and no significant environmental impacts. In addition, following discussions with officers, the affordable housing tenure-split had been revised in an attempt to achieve closer alignment with the Local Plan policy H.2 target split of a 60 per cent:40 per cent mix.
- 6.9 The Committee heard from Emma Critchley and Haroon Mirza, two local residents. Ms Critchley advised that she was generally in support of the development as the site was a derelict wasteland and did not contribute to the community. However, Ms Critchley’s concerns related to the truck deliveries via Iceland Road as the road was extremely narrow, and the operational hours of the deliveries. Officers advised that within the Heads of Terms, a management strategy would need to be submitted, and a condition required the submission of a commercial strategy, which would include the hours and days of operation.
- 6.10 Mr Mirza told the Committee that the scheme was welcomed but he was concerned about the level of sunlight his working studio would receive. Officers told the Committee that their environmental consultants had assessed the scheme and assessed the sunlight hours to the studio. The conclusion was that the studio would likely receive more than 60 per cent of sunlight hours. BRE guidance states that 25 per cent would be reasonable. In addition, in winter the BRE guidance stated that 5 per cent sunlight should be received, PPDT’s consultants assessed that 15 per cent would be received. Officers confirmed that given that Iceland Wharf was currently more or less an open site there would likely be a reduction in sunlight/day light, however the reduction would still be above BRE targets and was therefore acceptable.
- 6.11 Following a question from a Committee Member, Officers advised that public access to the river towpath was on the opposite side of the building and, whilst it would not be possible to walk alongside the River Lea in front of the building, the applicant had decided not to build on the whole of the development plot to allow for the length of road alongside the building to reach the river.
- 6.12 The applicant was present and advised the Committee that the scheme had been designed to promote and incorporate amenity spaces. As a result, the amount of amenity space was double the requirements of the Local Plan. Each walkway would branch into different

landscape areas and no areas were secured. Wheelchair accessible units would be pepper-potted around the scheme.

- 6.13 A member of the Committee asked how concerns for loss of privacy of existing residents in neighbouring buildings had been resolved. Officers advised that the closest distance to any building was 11.3m, which was typical for a London street and nearby sites. Therefore, it was not considered that the development caused loss of privacy.
- 6.14 A Committee Member asked if TfL had a view on the traffic flow and the size of vehicles; and whether any measures would be put in place to manage matters such as loud noises and traffic caused by large vehicles. The applicant advised that TfL had not raised concerns as to the points mentioned. Large commercial vehicles would enter via Wick Lane, would not have to reverse and would exit at the west end of Iceland Road. Therefore, vehicle time spent on Iceland Road would be limited. It was confirmed that the vehicular access points for servicing and delivery had been subjected to Swept Path Analysis and assessed by a transport consultant.
- 6.15 The Committee was pleased to learn that the applicant had pepper-potted the affordable housing units, and that the requirement for affordable workspace had been incorporated into the Heads of Terms.
- 6.16 The Chair allowed a member of public at the meeting, who had not registered to speak, to address the Committee. Nina Tolstrup was the owner of Autumn Yard and explained that she had been in previous discussions with officers. Ms Tolstrup was concerned that the development would reduce sunlight to studio apartments on her property. Officers advised that discussions had been held with Ms Tolstrup and considered that her concerns had been addressed and resolved. The proposed development was to the north of Autumn Yard and as such would not adversely affect its quality of amenity.
- 6.17 Overall, the Committee was impressed by the development, in particular the integration of mixed-use buildings plus two heritage buildings; and considered the development attractive and a good example of mixed-use development.

**6.18 Resolved: (Unanimously)**

**a) To APPROVE the application for the reasons given in the report and grant planning permission subject to:**

- 1. the satisfactory completion of a legal agreement under section 106 of the Town and Country Planning Act 1990 and other enabling powers to secure the planning obligations set out in the recommended heads of terms which are set out in this report; and**
- 2. the conditions set out in the report.**

**b) To AGREE TO DELEGATE AUTHORITY to the Director of Planning Policy and Decisions to:**

- 1. Finalise the recommended conditions as set out in the report including such refinements, amendments, additions and/or deletions (including to dovetail with and where appropriate, reinforce, the final planning obligations to be contained in the section 106 legal agreement) as the Director of Planning Policy and Decisions considers reasonably necessary;**
- 2. Finalise the recommended legal agreement under section 106 of the Town and Country Planning Act 1990 and other enabling powers as set out in the report, including refining, adding to, amending and/or deleting the obligations detailed in the heads of terms set out in this report (including to dovetail with and where appropriate, reinforce the final conditions and informatives to be attached to the planning permission) as the Director of Planning Policy and Decisions considers reasonably necessary; and**
- 3. Complete the section 106 legal agreement referred to above and issue the planning permission.**

**7 Charging for pre-application planning advice on development proposals (Item 7)**

- 7.1 The Committee received a report from the Principal Planning Development Manager and a presentation was provided.
- 7.2 The Committee was advised that other local planning authorities were already able to charge for provision of pre-planning application advice. In 2013 and 2015, the Planning Decisions Committee had agreed a pre-application charging schedule. However, the agreed charging schedules had not been implemented because Mayoral Development Corporations were not classed as local authorities for the purposes of s.93 of the Local Government Act. Following amendments to the Town and Country Planning (Fees for Applications, Deemed Applications, Requests and Site Visits) (England) Regulations 2012, that came into effect on 17 January 2018, Mayoral Development Corporations could now adopt a pre-application fee charging schedule.
- 7.3 The Committee noted the proposed pre-application charging fee schedule set out in the report. Officers advised that charging schedules of the adjoining Boroughs had been taken into account. Also, particular regard had been given to pre-application fees charged by the GLA, Transport for London and the OPDC.
- 7.4 Officers advised the Committee that LLDC would continue to agree bespoke Planning Performance Agreement (PPA) for developments where pre-application discussions were

likely to be protracted and required significant resources. The PPA was a voluntary agreement that would incorporate and outline timescales, actions and resourcing during the pre-application and planning application processes.

- 7.5 To ensure the two processes would work together, new pre-application advice requests would be charged an initial pre-application fee, based on the adopted fee charging schedule, but this fee would be taken into account in any future PPA agreements.
- 7.6 Several Members of the Committee were of the view that LLDC provided a good quality service and should charge higher costs for large scale developments, in line with the London Boroughs of Newham and Tower Hamlets. The Director of Planning Policy and Decisions advised the Committee that the proposed charging fee schedule was commercially driven and would achieve the figures set out in the budget. If, towards the end of the year, the figures no longer looked achievable, revisions to the schedule could be considered.
- 7.7 A Committee Member asked if the schedule was similar to the London Boroughs'. Officers confirmed that Boroughs charged for similar services such as follow-up fees, site visits and written advice.
- 7.8 A Committee Member noted that the schedule charged major developments a fee of £,500 (+VAT) for non-material amendments. On the basis that a developer had not entered into a PPA, the Member asked if this fee would still be charged. Officers advised that the LLDC could be flexible and exercise discretion in particular circumstances.
- 7.9 Following a question from a Committee Member, Officers confirmed that no fee would be charged for extensions or alterations to single dwelling houses, , including where residents choose to seek advice jointly on extensions to their homes.

#### **7.10 Resolved: (Unanimously)**

- a) **To APPROVE the proposed pre-application fee schedule set out in Table 1; and**
- b) **To AGREE TO DELEGATE AUTHORITY to the Director of Planning Policy and Decisions to adopt the proposed pre-application fee schedule following publication of the schedule for 21 days on the LLDC website and in local newspapers and make reasonable changes to the schedule if considered appropriate.**

### **8 Decisions Made Under Delegated Authority (Item 8)**

- 8.1 The Head of Development Management introduced a report of decisions made under delegated authority.

8.2 The Committee noted the table provided.

8.3 Between 1 and 30 September, 29 applications had been decided. Of these, 95 per cent had been signed off in accordance with set targets and only one refused, which had been for a large advert close to Stratford Station.

**8.4 Resolved:**

**8.4.1 The Committee NOTED the report and the attached Appendix 1 and 2.**

**9 Any Urgent Business (Item 9)**

9.1 A Committee Member raised that a Telford Homes site in Hackney Wick had reportedly released benzene and naphthalene into the surrounding area. As a result, local councillors had received an influx of complaints from local residents. The LLDC had immediately ensured that the site work was stopped but, for the future, it would be useful to establish a clear protocol as to coordination between the LLDC, the Boroughs and other authorities. It was noted that the Director of Planning and Policy Decisions had convened a meeting to address better coordination with the Boroughs on a range of matters including construction management.

9.2 The Committee requested that for future meetings, officers consistently provided a breakdown of the tenure-mix and details of whether the mix met the requirements of the Local Plan.

9.3 The Chair advised that he would be absent from the next meeting and it was proposed that Pam Alexander would Chair. Appropriate approval had been sought under the Committee's Standing Orders for this.

**10 Close of Meeting (Item 10)**

10.1 The meeting ended at 8.30pm.

---

Chair

---

Date

**Contact Officer:** Zena Hassan, Assistant Committee Secretary; Tel: 020 3288 8834;  
Email: [planningcommittee@londonlegacy.co.uk](mailto:planningcommittee@londonlegacy.co.uk)

