

## **Member's Update**

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London Thames Gateway Development Corporation Planning Committee

Planning Application LTGDC-08-145-FUL

Update of the Director of Planning

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### **1. Summary**

- 1.1 This update seeks to advise Members of representations received in respect of an application by MCRP (No.1) LLP to redevelop 2 Broadway Chambers, Broadway, Stratford E15, tabled as item number 6 for consideration by the Committee; and to provide LTGDC's officer response.

### **2. Further representations received by LTGDC**

- 2.1 A letter from RPS on behalf of Stratford City Developments Limited (SCDL) dated 6<sup>th</sup> July 2009 was emailed to the LTGDC planning officer. Members are requested to note the content of that letter, which is appended to this update (Update Appendix 1.)

### **3. LTGDC officer response to representation**

- 3.1 The comments made by RPS are noted. In response, officers note the following points:
- i. The original combined offer (affordable housing and tariff) were not considered acceptable because the financial contribution offered did not comply with the Corporation's Planning Obligations Community Benefit Strategy, and the financial appraisal did not justify policy non-compliant offers in respect of both affordable housing and tariff payment.
  - ii. To ensure consistency of approach the applicant was asked to revise their tariff offer so that it was compliant with the Strategy and to submit further financial information in support of that offer and the quantum of affordable housing.
  - iii. A revised offer has been made in respect of the tariff which is broadly compliant with the Strategy. Additional financial information has been

Meeting: 9 July 2009  
Agenda Item: 6  
Report No.: LTGDC/09/PC32

submitted, which Officers agree may well support that revised offer and the 10% level of affordable housing.

- iv. The further scrutiny that is required of the financial information submitted goes to the timing, rather than the quantum, of the financial contributions payable under the s.106 agreement. Based on the financial information submitted, Officers are comfortable that the quantum of affordable housing is acceptable and that the sales value thresholds, which will trigger various payments under the s.106 agreement, are capable of being agreed in the short term and at levels that would be consistent with LTGDC's approach to date.
- v. Officers remain confident that the parameters of the financial information submitted to date are sufficiently agreed that postponement of a resolution to determine this application as suggested by RPS is not necessary. Rather, the recommendation is to delegate authority to Officers to approve the final details of the tariff payment, having regard to the quantum of affordable housing offered, in accordance with normal practice and based upon their professional judgement. This approach would be consistent with that taken previously in respect of other similar schemes.

**CASE OFFICER:** Amanda Reid for John Allen, Director of Planning

Update Appendix 1: Letter from RPS dated 6 July 2009

RPS

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 Date: 6 July 2009

The Director of Planning  
 London Thames Gateway Development Corporation  
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**FAO: Ms Amanda Reid**

Dear Sir,

**BROADWAY CHAMBERS, 2 BROADWAY, STRATFORD**  
**LTGDC REF NO. LTGDC/08/145/FUL**

We write on behalf of our client Stratford City Developments Limited (SCDL) and refer to the above application, which is scheduled to be reported to the London Thames Gateway Development Corporation (LTGDC) Development Control Committee on 9<sup>th</sup> July 2009.

As you will be aware, we have previously commented on this application. In addition to their original concerns, which they maintain, SCDL have a further concern to raise following a review of the most recent committee report. It is considered that there remains a key issue, which is one of consistency in approach, that has not been adequately addressed following the applications deferral at the previous LTGDC meeting on 11<sup>th</sup> June 2009.

On behalf of SCDL, we would be grateful if you would draw this to the attention of your committee on Thursday.

Paragraph 3.4 of the Addendum Report prepared for the previous LTGDC 11<sup>th</sup> June Development Control Committee stated that:

**“the combined offer in respect of provision of affordable housing and LTGDC’s Planning Obligations Community Benefit Strategy is currently unsatisfactory and requires a further financial appraisal to be submitted by the Applicant.”**

In the absence of the additional details and clarification from the applicant, the Addendum Report concluded, at paragraph 3.4, with a recommendation to Members to:

**“defer the determination of the application to enable discussion to continue between officers and the Applicant to ensure compliance with the Strategy.”**

The subsequent and latest committee report, prepared for the upcoming 9<sup>th</sup> July 2009 development control meeting, indicates that the affordable housing issue is still to be resolved and the report confirms that the applicant’s offer of 10% on site affordable housing remains unchanged. It is noted that a further financial appraisal was submitted by the



applicant, however, the committee report acknowledges that analysis of this appraisal is ongoing and no conclusions or agreements have been reached as of yet.

It is noted that the Applicant has made another offer in respect of LTGDC's Planning Obligations Community Benefit Strategy. However, the report states that negotiations are still ongoing and the offer remains to be agreed between LTGDC and the Applicant. The recommendation of the officer, as set out in Paragraph 3.10 of the committee report for the upcoming 9<sup>th</sup> July Development Control meeting, states that:

**"Members are requested to agree to delegate authority to the Director of Planning to: (i) grant full planning permission..."**

This recommendation is subject to resolving the outstanding issues of the applicant's current affordable housing offer and the current Planning Obligations Community Benefit Strategy offer. These two issues were raised in paragraph 3.4 of the 11<sup>th</sup> June 2009 committee report addendum (as outlined above) and were previously considered to be significant enough to merit the deferral of the application.

It is noted, therefore, that the circumstances do not appear to have changed at all in the interim and these issues still remain unresolved. However, the present committee report now recommends that Members make a decision on the application to delegate authority back to the Director of Planning to grant permission.

We would therefore express concern, on behalf of our client, that there appears to be a level of inconsistency between the recommendations of this committee report and those made in the previous 11<sup>th</sup> June addendum committee report.

It is therefore considered that it is premature to bring the application back to the Development Control Committee at the present time, as a full assessment of the financial appraisal has not been completed and the Community Benefit Strategy offer has also not yet been agreed between the parties.

We trust that you will take the above comments fully into account and these will be raised at committee as key outstanding issues.

Yours faithfully,



**SIMON SLATFORD**  
Senior Director

c.c. David Watkinson - GLA