

LONDON BOROUGH OF TOWER HAMLETS**MINUTES OF THE DEVELOPMENT COMMITTEE****HELD AT 7.00 P.M. ON WEDNESDAY, 29 JUNE 2011****COUNCIL CHAMBER TOWN HALL, MULBERRY PLACE, 5 CLOVE CRESCENT,
LONDON, E14 2BG****Members Present:**

Councillor Helal Abbas (Chair)

Councillor Kosru Uddin
Councillor Helal Uddin
Councillor Marc Francis

Councillor Peter Golds

Other Councillors Present:

Nil

Officers Present:

Richard Murrell	– (Deputy Team Leader, Development and Renewal)
Pete Smith	– Development Control Manager, Development and Renewal
Fleur Brunton	– (Senior Lawyer - Planning Chief Executive's)
Alan Ingram	– (Democratic Services)

COUNCILLOR HELAL ABBAS (CHAIR) IN THE CHAIR**1. APOLOGIES FOR ABSENCE**

Apologies for absence were submitted on behalf of Councillor Shiria Khatun (Vice-Chair) and Councillor Craig Aston, for whom Councillor Peter Golds deputised.

2. DECLARATIONS OF INTEREST

Councillor	Item(s)	Type of interest	Reason
Marc Francis	7.1 & 7.2	Personal	Had received representations from interested parties.

Helal Uddin	8.1	Personal	Was a Ward Councillor for the area of the application.
Kosru Uddin	7.2	Personal	Had received representations from interested parties.
Peter Golds	7.1	Prejudicial	Had undertaken professional work in the past for the applicant in connection with Spitalfields Market.
Helal Abbas	7.2	Personal	Had received representations from interested parties.
	8.1	Personal	Was a resident of the Ward wherein the application was located.

3. UNRESTRICTED MINUTES

The Committee **RESOLVED**

That the unrestricted minutes of the meeting of the Committee held on 1st June 2011 be agreed as a correct record and signed by the Chair.

4. 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

NOTE: Mr Pete Smith, Development Control Manager, indicated that it was necessary to amend the agenda by withdrawal of item no. 7.2 – "Ground Floor, 248 Westferry Road, London, E14 3AG" as there had

been problems in giving the applicant and consultees adequate notice that the application was to be considered by the Committee. He responded to further questions from Members on the matter.

5. PROCEDURE FOR HEARING OBJECTIONS

The Committee noted the procedure for hearing objections, together with details of persons who had registered to speak at the meeting.

6. DEFERRED ITEMS

Nil items.

7. PLANNING APPLICATIONS FOR DECISION

7.1 Central Area, Spitalfields Market E1 (PA/11/00602)

In view of his earlier declaration of a prejudicial interest, Councillor Peter Golds withdrew from the meeting prior to consideration of this item and took no part in the discussion, nor voted thereon.

At the request of the Chair, Mr Pete Smith, Development Control Manager, introduced the circulated report and **Tabled** update concerning the application for planning permission at Central Area, Spitalfields Market, E1 (Ref. No. PA/11/00602).

The Chair then invited persons who had registered for speaking rights to address the meeting.

Mr Michael Myers indicated that was a resident of Spitalfields Market and was Chair of the Residents' Group. Residents were opposed to the application and had submitted a petition containing 21 signatures, whilst other emails stating objections had been sent. Other groups such as the Spitalfields Society and St George's Residents' Association had raised objections. Some 594 households also had expressed opposition. The objectors were aware of the issues at stake, however, Saturday operation of the market had been excluded in the original application so that people could have one day of quiet and this would be lost if the application were granted. He added that noise could be boisterous on occasion and the application should be rejected.

Mr Jonathan Shapiro stated that he represented both St George's Residents' Association, with 193 households, and the Spitalfields Society, with 97 households, all of which were affected by traffic and the outlying effects of the market. In 2004 Saturday trading had been rejected in order to maintain the amenity of Spitalfields residents and there had been no change in circumstances. Saturday trading was not wanted, especially as the applicants currently did not exercise adequate controls over market operations. Parking and congestion arising from the Sunday market blocked access to the underground ramps to buildings, including Allen & Overy and the Royal Bank

of Scotland, which put their infrastructure at risk and there were other transgressions of applicable codes. He asked for the application to be rejected.

In response to members' queries, Mr Shapiro added that other transgressions related to setting up of market stalls before 8.00 am and operations continuing after the 8.00 pm cut-off. The disabled toilet was also locked and difficult to access, while half the underground public toilets were blocked and had very poor ventilation.

Ms Elaine Sutherland-Carter, speaking in support of the application, stated that she had worked in the market for 13 years and had been involved in the Cityside Regeneration Programme for seven years. She knew how important it was to involve the community in such discussions and pointed out that Spitalfields market now worked with the BME community on events such as the Mela, Black History Month and Women's Month. It also generated revenue for local restaurants and small businesses. She was also pleased to express support from Ladies Who Learn and Urban Inclusion, which provided free skills and enabled people in the community to meet. Ms Sutherland-Carter added that she was a churchgoer on Sundays but felt that any increase in noise would be manageable. The additional operation of the market on Saturday would help put Spitalfields on the London map.

Mr Malcolm Ball, speaking for the applicant, expressed the view that the Officers' report was fair and balanced and took account of the objections raised. However, 135 letters had been received in support of the application. Wellington Markets and Ballymore had been operating the site for 18 months and had tried to contact all local stakeholders and residents to have regular meetings on the proposals. An independent noise survey had been conducted which indicated that the situation would be manageable but he would work with local people so no-one felt put out. 2012 would be a major event for the country and LBTH and would be enhanced by the positive effects of a Saturday opening.

At the request of the Chair, Mr Richard Murrell, Deputy Planning Team Leader, made a detailed presentation of the report and update. He outlined the history of the application and indicated that most objections arose from additional noise, although this was likely to be acceptable, given the character of the area. Other controls included a requirement for market trolleys to have rubber wheels. Additional problems arising from congestion would be controlled through the management plan. It was also considered that the latter issue had also been adequately addressed in terms of traffic and footfall. He referred to the update report that contained the comments of the Parking Section, who felt that further controls were unnecessary at this time, although there would be monitoring for a six-month period.

The Chair then invited questions from Members.

Questions were put relating to: the conditions on the original planning application in 2004; the impact of the proposals on street cleaning and any

additional costs; the impact of additional parking restrictions and the need for six months' monitoring; the likely additional footfall that would result.

Mr Murrell made detailed responses, stating that:

- The experience of Sunday market operations gave a fair idea of the likely noise levels and the original application had been subject to re-assessment, in this light, seven years on.
- Street cleansing had been discussed at length and the existing Veolia contract was considered adequate to deal with additional litter and extra sweeping.
- The Parking Section did not feel additional restrictions were necessary but a monitoring period was being paid for by the applicant.
- Footfall figures were extrapolated from data gathered from counts made on Sunday. The overall maximum of 25,000 in a day was an estimate from the market operator.

The Chair then indicated that the vote would be put and, on a vote of 3 for and 0 against, the Committee **RESOLVED**

- (1) That planning permission at Central Area, Spitalfields Market, E1 be **GRANTED** for the variation of condition 2 attached to planning permission reference PA/02/1211, to allow market use in trading hall area on Saturdays, as set out in the circulated report and **Tabled** update, namely,

“The stall market hereby approved, including the setting up and taking down of stalls, shall operate between 8.00 am and 8.00 pm Monday to Friday, 9.00 am and 6.00 pm Saturdays (with stalls open from 11.00 am), 8.00 am and 5.00 pm Sundays and Public Holidays.”

- (2) Such planning permission to be further subject to the additional conditions set out in the circulated report and to the prior completion of a legal agreement to secure the following planning obligations as set out in the circulated report and **Tabled** update as follows:
 - (a) A deed of variation to ensure obligations secured under Planning permission PA/02/1211 continue to apply to this permission.
 - (b) The monitoring of parking on Brushfield Street for six months after permission is granted and, if necessary, for the amendment of parking restrictions to extend restrictions on permit holder bays to include Saturday. Any necessary amendments to be carried out at Developer's expense.
 - (c) Any other obligation considered necessary by the Director of Development & Renewal.

7.2 Ground floor, 248 Westferry Road, London, E14 3AG (PA/11/00546)

Item withdrawn.

8. OTHER PLANNING MATTERS

8.1 Bromley Public Hall, Bow Road, London, E3 3AA (PA/11/00341)

At this point 7.50 pm, Councillor Peter Golds rejoined the meeting.

At the request of the Chair, Mr Pete Smith, Development Control Manager, introduced the report concerning the application for planning permission at Bromley Public Hall, Bow Road, London, E3 3AA.

At the request of the Chair, Mr Richard Murrell, Development Team Leader, gave a detailed presentation of the circulated report.

On a vote of 3 for and 0 against, the Committee **RESOLVED**

That the application for planning permission at Bromley Public Hall, Bow Road, London, E3 3AA (Ref: PA/11/00341) be referred to the Government Office for London with the recommendation that the Council would be minded to grant Listed Building Consent, subject to the conditions set out in the circulated report.

8.2 Planning Appeals Report

At the request of the Chair, Mr Pete Smith, Development Control Manager, presented the report. The report provided details of appeals, decisions and new appeals lodged against the Authority's Planning decisions. Members expressed satisfaction with the format of the information provided.

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

That the details and outcomes of the appeals be noted as detailed in the report.

The meeting ended at 8.05 p.m.

Chair, Councillor Helal Abbas
Development Committee