

LONDON BOROUGH OF TOWER HAMLETS

MINUTES OF THE STRATEGIC DEVELOPMENT COMMITTEE

HELD AT 7.00 P.M. ON THURSDAY, 27 OCTOBER 2011

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

Members Present:

Councillor Helal Abbas (Chair)

Councillor Khaled Uddin Ahmed
Councillor Bill Turner (Vice-Chair)
Councillor Carlo Gibbs
Councillor Judith Gardiner

Councillor Peter Golds

Other Councillors Present:

Nil

Officers Present:

Megan Nugent	– (Legal Services Team Leader, Planning, Chief Executive's)
Jerry Bell	– (Strategic Applications Manager Development and Renewal)
Simon Ryan	– (Deputy Team Leader, Development and Renewal)
Jane Jin	– (Planning Officer)
Pete Smith	– (Development Control Manager, Development and Renewal)
Matthew Lawes	– (Senior Engineer - Development)
Alan Ingram	– (Democratic Services)

1. APOLOGIES FOR ABSENCE

Apologies for absence were submitted on behalf of Councillor Dr Emma Jones, for whom Councillor Peter Golds deputised.

2. DECLARATIONS OF INTEREST

Members declared interests in items on the agenda for the meeting as set out below:-

Councillor	Item(s)	Type of interest	Reason
Peter Golds	6.1	Personal	He had received a number of communications about the application but had not taken them into consideration.
Khales Uddin Ahmed	6.1, 7.1	Personal	Had received many representations from interested parties for and against the applications.
Carlo Gibbs	6.1	Personal	Had received representations from interested parties for and against the application.
Bill Turner	6.1	Personal	Had received representations from interested parties for and against the application.
Helal Uddin	6.1	Personal	Had received representations from interested parties for and against the application.

3. UNRESTRICTED MINUTES

Councillor Judith Gardiner pointed out that she had submitted apologies for non-attendance at the meeting as she had been out of the country and it was agreed that her name be added in the apologies for absence.

Councillor Bill Turner referred to the minutes of the meeting of 4th August 2011 and it was agreed that these be amended to include the statement made by Borough Planning Officer presenting the application concerning the

redundant railway viaduct north of Pooley House, Westfield Way, London (PA/10/01458) that the Network Rail Officer had put forward inaccurate information in his submission.

The Committee **RESOLVED**

That the unrestricted minutes of the meeting of the Committee held on 15th September 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

5. **PROCEDURE FOR HEARING OBJECTIONS**

The Committee noted the procedure for hearing objections.

6. **DEFERRED ITEMS**

6.1 **Tower House, 38-40 Trinity Square, London, EC3N 4DJ**

At the request of the Chair, Mr Pete Smith, Development Control Manager, introduced the circulated report and **Tabled** update report concerning the application (PA/11/00163) at Tower House, 38-40 Trinity Square, London, EC3N 4DJ, for the erection of a 9-storey building with basement, comprising a 370-room hotel (Use Class C1) with associated ancillary hotel facilities including café (Use Class A3), bar (Use Class A4) and meeting rooms (Use Class B1) with plant and storage at basement and roof level. The application also proposed the formation of a pedestrian walkway alongside the section of Roman Wall to the east of the site; the creation of a lift overrun to facilitate a lift shaft from ticket hall level to platform level within the adjacent London underground station and associated step free access works; works of hard and soft landscaping; and other works incidental to the application.

Mr Smith commented that the application had been deferred at the meeting of the Committee on 15th September 2011 to enable Members to attend a site meeting (which had been held on 20th October) and enable the provision of additional, detailed visual images of the proposed development. Additional letters of support from the application had been received since the previous Committee from Transport For All and the Tower Hamlets Accessible Transport Forum.

At the request of the Chair, Mr Simon Ryan, Deputy Team Leader, Development Decisions, made a detailed presentation of the application, as contained in the circulated report and update, including plans and a slideshow. Mr Ryan referred to the letter from the City of London's Planning Services and Development Director to the Department for Communities and Local Government (DCLG) as reported at the previous meeting, suggesting that the Secretary of State might wish to call in the application. He indicated that, if the application were granted at this meeting, the matter would be referred to the DCLG.

Mr Ryan further commented on the applicant's offer to increase their obligation to ensure 20% of the final workforce were Tower Hamlets residents to 40%. Those residents would also be provided with the Employment First Training Programme. He added that the proposed scheme would encroach on an area of adopted highway by way of over-cladding of the west elevation of the Tower Hill Underground station exit hall and the area of adopted highway would need to be extinguished. LBTH Highways had raised no objection to this.

Members then put questions relating to:

- Clarification of existing planning permissions affecting the site.
- The possibility of obtaining additional S106 mitigations relating to impact on the community.
- How the proposed additional employment for local residents would be effected and monitored to ensure the provision continued into the future.
- The estimated number of residents who would be hotel employees.
- Continuing concerns about street level deliveries to and from the hotel.
- Whether the Council was being required to take responsibility for step free access that should be addressed principally by London Underground Ltd.

Officers' responses included comments that:

- Planning permissions already existed for redevelopment to provide offices, accommodation for London Underground and associated matters (PA/02/01400 dated 25th April 2005); Conservation Area Consent (PA/020/01401 dated 25th April 2005); variation of permission PA/02/1400 (PA/07/00266 dated 20th April 2007); further variation of PA/02/1400 (PA/08/00593 dated 11th June 2008).

- The existing S106 contributions were in accordance with the Planning Obligations SPD and the step free access and associated costs mitigated impact on the community.
- The change in the applicant's offer to 40% local residents as employees was significant. Monitoring/enforcement was to be enshrined in the S106 agreement and there would be robust mechanisms to ensure this took place. Regular updates would also be provided to ensure the obligations for training and employment were met.
- Details of the six-daily deliveries were contained in the applicant's own business plan and they had agreed to limit deliveries to that number, which would comprise five light vehicles and one HGV. Officers of LBTH and the City of London were satisfied that the proposals were adequate and appropriate.
- With a proposed staff of 90 persons, it was envisaged that 35 residents would be employed.
- Improvements to step free access did not relate solely to disabled access and would enhance access to service users across the board. Such enhancement to access was embedded in planning policies. The site was a very sensitive location and Officers had worked with English Heritage and Historic Royal Palaces to ensure there would be a scheme worthy of planning permission.

Councillor Peter Golds made particular reference to the situation regarding the likely effects on Trinity Square Gardens, of the proposed building, which had resulted in a widespread public outcry. Trinity Square, the surrounding Georgian buildings and the Merchant Seamen's War memorial would be dwarfed by the development and he was of the opinion that the scheme should be re-submitted on a much smaller scale.

On a vote of nil for and 1 against, with 4 abstentions, the Committee **RESOLVED**

That the Officer recommendation to grant planning permission at Tower House, 38-40 Trinity Square, London, EC3N 4DJ (PA/11/00163) be **NOT ACCEPTED**.

The voting Member indicated that he was minded to refuse the planning application because of concerns raised in connection with:

- Inappropriate and excessive height, scale, bulk and elevations of the proposed development.
- Inappropriate design of the proposed development resulting in detrimental effects on neighbouring Conservation Areas, listed buildings and local views.
- Inadequate servicing provisions for the proposed development which were considered likely to result in unacceptable pedestrian/vehicular conflicts.

NOTE: As there was no subsequent formal motion to refuse the application on these grounds, the application was effectively **DEFERRED**. Accordingly, Officers will prepare a supplementary report setting out the implications of the decision, for consideration at the next appropriate meeting of the Committee.

7. PLANNING APPLICATIONS FOR DECISION

7.1 134 to 140 Pennington Street & 130, 136 & 154 to 162 The Highway

At the request of the Chair, Mr Pete Smith, Development Control Manager, introduced the circulated report and Tabled update report concerning the application (PA/11/01278) regarding redevelopment of the site at 134 to 140 Pennington Street and 130, 136 & 154 to 162 The Highway to provide a 242-room hotel (Class C1), 63 serviced apartments (sui-generis) and retail (Class A1) building with publicly accessible courtyard together with provision of pedestrian access.

At the request of the Chair, Mr Jerry Bell, Strategic Applications Manager, made a detailed application of the application, as contained in the circulated report and update, including plans and a sideshow.

Members then put questions relating to:

- The viability of arrangements for transportation/car parking for hotel clients given the location in The Highway.
- Waste storage and refuse collection arrangements.
- Daylight and sunlight standards and the effects of the proposed development on existing properties.
- Lack of firm detail as to the number of Tower Hamlets residents who would be employed in the hotel.
- The costs involved in relocating the TfL Cycle Hire station and the preference of Members for redirecting the S106 provision elsewhere for community projects.

Officers' responses included comments that:

- The proposal included a car free requirement with one disabled space at the front of the building. The Highway was a red route no-stopping zone and Pennington Street was governed by double yellow lines. Provision had been made for dropping-off facilities only and Officers were comfortable with the arrangements.
- Refuse servicing would be to the rear of the development on Pennington Street and arrangements would be addressed through the applicant's management plan.
- Daylight and sunlight issues had been problematic but had been properly addressed using approved standards. It was important to recognise that a previous planning application for a cinema on the site had been approved and any development in the vicinity would affect neighbouring properties.

Councillor Khaless Uddin Ahmed proposed an amendment as follows:

1. That under funding for open space and leisure, £150,000 be allocated from this for the development of a community centre at the closed Wapping Housing Office.
2. That under funding from employment and training £20,000 be allocated to the Bangladeshi Welfare Association towards WBA projects to support young employed locals.
3. That S106 funding be spent locally.

Following advice from Ms Megan Nugent, Legal Services Team Leader, Planning, the amendment was not seconded but a subsequent amendment, proposed by Councillor Bill Turner and seconded by Councillor Khaless Uddin Ahmed as set out in resolution (2) below, on being put to the vote, was **carried** 3 for and 3 against with the Chair's casting vote. On a unanimous vote on the substantive motion, the Committee **RESOLVED**

- (1) That planning permission be **GRANTED** at 134 to 140 Pennington Street and 130, 136 & 154 to 162 The Highway (PA/11/01278) for the redevelopment of the vacant site to provide a 242-room hotel (Class C1), 63 serviced apartments (sui-generis) and retail (Class A1) building with publicly accessible courtyard together with provision of pedestrian access, subject to the prior completion of a legal agreement to secure planning obligations and to the planning conditions and informatives as set out in the circulated report and amended by the update report **Tabled** at the meeting, **but further:**
- (2) That the terms of head (f) of the S106 agreement be amended to reallocate the sum of £223,000, currently intended for the TfL Cycle Hire Scheme, to local community and infrastructure projects in the Wapping area in consultation with Members of the Strategic Development Committee and elected Councillors for Wapping Ward. In the event of the S106 agreement being unable to be finalised with the developer, a further report to be submitted to the Committee in due course.
- (3) That the Corporate Director Development & Renewal be delegated power to negotiate the legal agreement indicated above.
- (4) That the Corporate Director Development & Renewal be delegated power to impose planning conditions and informatives on the planning permission to secure the matters listed in the circulated report.
- (5) That, if after 20 days following GLA's Stage II response, the legal agreement has not been completed, the Corporate Director Development & Renewal be delegated power to refuse planning permission.

The meeting ended at 9.00 p.m.

Chair, Councillor Helal Abbas
Strategic Development Committee