

**LONDON BOROUGH OF TOWER HAMLETS**

**MINUTES OF THE EXTRAORDINARY STRATEGIC DEVELOPMENT  
COMMITTEE**

**HELD AT 7.30 P.M. ON TUESDAY, 6 MARCH 2012**

**COUNCIL CHAMBER, 1ST FLOOR, TOWN HALL, MULBERRY PLACE, 5 CLOVE  
CRESCENT, LONDON, E14 2BG**

**Members Present:**

Councillor Helal Abbas (Chair)

Councillor Carlo Gibbs  
Councillor Khaled Uddin Ahmed  
Councillor Bill Turner (Vice-Chair)  
Councillor Dr. Emma Jones  
Councillor Denise Jones

**Other Councillors Present:**

Councillor Kabir Ahmed

**Officers Present:**

Pete Smith	– (Development Control Manager, Development & Renewal)
Megan Nugent	– (Legal Services Team Leader, Planning, Chief Executive's)
Owen Whalley	– (Service Head Planning and Building Control, Development & Renewal)
Jerry Bell	– (Strategic Applications Manager Development and Renewal)
Mary O'Shaughnessy	– (Planning Officer)
Jen Pepper	– (Affordable Housing Programme Manager, Development and Renewal)
Amy Thompson	– (Strategic Applications Planner)
Jo Dowle	– (Development Officer, Housing Strategy & Development)

**COUNCILLOR HELAL ABBAS (CHAIR) – IN THE CHAIR**

**1. APOLOGIES FOR ABSENCE**

Apologies for absence were received from Councillor Judith Gardiner, for whom Councillor Denise Jones deputised, and from Councillor Khaled Uddin Ahmed for lateness.

## 2. DECLARATIONS OF INTEREST

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

<b>Councillor</b>	<b>Item(s)</b>	<b>Type of interest</b>	<b>Reason</b>
Bill Turner	6.1, 6.2, 6.3	Personal	Had received emails in objection to the application. Had received a telephone call and email. Had looked at emails but had formed no opinion on these or the above.
	6.4	Personal	
	7.1, 7.2	Personal	
Carlo Gibbs	6.1, 6.2, 6.3	Personal	Had received emails in objection to the application. Had received a telephone call and email. Had looked at emails but had formed no opinion on these or the above.
	6.4	Personal	
	7.1, 7.2	Personal	
Dr Emma Jones	6.1, 6.2, 6.3	Personal	Had received emails in objection to the application. Had received a telephone call and email. Had looked at emails but had formed no opinion on these or the above.
	6.4	Personal	
	7.1, 7.2	Personal	
Denise Jones	6.1, 6.2, 6.3	Personal	Had received emails in objection to the application. Had received a telephone call and emails.
	6.4	Personal	
Helal Abbas	6.1	Personal	He was a Ward Member for this

	6.1, 6.2, 6.3, 6.4	Personal	application. Three people had referred to the application at his Ward surgery but he had not expressed any opinion. He had received emails in connection with the applications.
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### 3. 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

### 4. PROCEDURE FOR HEARING OBJECTIONS

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

The Chair referred to the large number of persons in the public gallery and commented that, while members of the public were always most welcome to attend meetings, he resented it when crowds were rented to attend. He also resented it when community organisations were effectively being bribed through S106 provisions. He indicated that an applicant had written to Councillors stating that, if an application were granted, a financial contribution would be made to a community association. The S106 procedure did not exist to buy or sell planning permission and he expected developers to abide by proper procedures in future.

### 5. DEFERRED ITEMS

Nil items.

## **6. PLANNING APPLICATIONS FOR DECISION**

### **6.1 London Fruit & Wool Exchange (LFWE), Brushfield St, 99-101 Commercial Street, 54 Brushfield St & Whites Row Car Park, London (PA/11/02220) ( PA/11/02221)**

At the request of the Chair, Mr Owen Whalley, Head of Planning and Building Control, introduced the application for planning permission (PA/11/02220) and conservation area consent (PA/11/0221) regarding demolition and redevelopment works at the London Fruit & Wool Exchange (LFWE), Brushfield Street, 99-101 Commercial Street, 54 Brushfield Street and Whites Row Car Park, London.

The Chair then invited registered speakers to address the Committee.

Mr Dan Cruikshank, speaking in objection to the proposal, stated that he appeared on behalf of the Spitalfields Historic Buildings Trust, which had been in existence since 1975. Spitalfields had been greatly transformed over the last decade, generally for the better, and as a very vibrant quarter where diverse communities co-existed peacefully. Sensitive development of the site would reinforce what was considered a modern urban ideal, fed by notable local history. However, the opportunity to do so would be lost through the current development. Many offices and shops were proposed but there was no residential component. The Pinnacle development in Bishopsgate had not been able to pre-let office space and there was accordingly a question about whether LFWE would remain as a vacant site and dormant for years. Dorset Street would be obliterated but should be retained and the Trust was asking that the application be refused in its present form.

Mr Peter Boisseau, speaking in objection to the proposal, expressed the view that the development would harm this residential area and would mostly affect the south west corner. A supersized restaurant was proposed to be located opposite homes and residents would be disturbed by laughter, drunkenness, urination, taxi noise and loud chatter. Deliveries, etc. at 2.00 a.m. would also disturb residents. Developers would argue that these matters would be controlled by a management plan but this was likely to be ineffective. The proposed public open space would be overlooked by almost 1500 students who would wish to make use of it. There was also a shelter for the homeless in Old Providence Row. Accordingly, the park area should be gated at night to ensure the security, peace and wellbeing of local residents. The scheme could have been very good but was actually ill thought-through.

Mr John Nicholson, speaking in objection to the proposal, indicated that he was representing the Spitalfields Community Group. People knew when a development would be wrong for an area and residents did not want this scheme. The development was ugly, looked cheap and did not fit in with other local architecture. He felt that the proposal was contrary to the Council's conservation area guidelines. The historic Dorset Street would be wiped from the map. Spitalfields had been much improved but more shops

and homes were needed and the current proposal had resulted in 600/700 objections from residents. There had been lack of consultation and his Group had been refused a meeting by Planning Officers. He requested that the application be deferred so that developers and the Community Group could meet for further discussions

In response to queries from Members, Mr Nicholson indicated that meetings with the developer had not involved conversations and had been merely a presentation of proposals. Spitalfields Community Group was relatively new but wanted to be a proactive organisation to represent the views of its 160 members like a mini Spitalfields Parliament.

Mr Philip Vracas, speaking in support of the application, stated that he was Honorary Treasurer of the Spitalfields Society. The current proposal was the third variation of the proposal and the developer had carried out consultation that had resulted in the scheme being amended. The park space in the south west of the site should not have a pavilion building but the proposed cross-route was supported, although the restaurants should be moved towards Commercial Street. Not all residents approved of the proposal but it represented overall improvements, retained key views and would provide 2,000 jobs for the neighbourhood. The Society did not welcome the loss of the Gun public house and The Bank but could accept it. On balance, the scheme would preserve the conservation area, even if it represented pragmatism over idealism.

Mr Vracas responded to matters of clarification raised by Members relating to the need to secure the park area at night, employment provision and the proposed mix of use classes.

Ms Em Ekong, speaking in support of the application, stated that she worked with Urban Inclusion, an organisation based in Artillery Lane, which had worked with local communities for over 20 years. She felt that the proposal provided great opportunities for employment and enterprise in the Borough. The group had spoken with the developer and now it was proposed that at least 75 apprenticeships would be provided. Youth unemployment was a huge problem in the Borough and the developer was offering a minimum of 20% employment of local people during construction. Local businesses would also benefit. Retail space in the area was currently very expensive but the proposals would allow small to medium traders access to local premises.

In response to questions from Members, Ms Ekong stated that the proposal would provide more security for people in the Whites Row area at night; better rentals for local traders and showed the developer's commitment to working with local businesses.

Ms Rohema Miah, speaking in support of the application, indicated that she worked with community groups from offices in Osborn Street and felt that the proposal was in keeping with the local historic feel. The small retail premises would preserve opportunities for local enterprise and would increase local

jobs to 3,000. The proposal supported local businesses and would enhance security in the currently unsafe car park area.

Replying to queries from Members, Ms Miah stated that she was attending the meeting in a personal capacity. She worked with women's groups in the area and was reporting what local people thought of the development in retaining the character of the locality with better business usage.

At the request of the Chair, Mr Pete Smith, Development Control Manager, made a very detailed presentation of the application, as contained in the circulated report and tabled update, including plans and a slideshow. He commented particularly that:

- Through routes would ensure the permeability of the scheme
- The pavilion building would provide a busy activity centre, however, in view of some views expressing opposition, the developer was prepared to discuss this aspect further with residents and would prepare alternative design details for this part of the site.
- The GLA were generally supportive but had some concerns regarding the demolition of the Gun public house and The Bank. English Heritage were also concerned at the loss of the Gun. Although the scheme had been amended, the demolitions were still intended but this was accepted by Officers to achieve a balance of planning priorities.
- Proposals for employment and training opportunities would be provided to a level in excess of SPD requirements.

The Chair pointed out that Councillor Khales Uddin Ahmed, who had joined the meeting at 8.15 p.m., would not be able to vote on this application as he had entered after consideration of the business had commenced.

Members then put questions relating to:

- The lack of housing provision in the scheme.
- The position of the City of London in that they had not commented upon the scheme.
- Measures available to enforce the conditions relating to the employment of local people and the mix of employment types..
- The future of current entrepreneurs on the site.

Officers made responses including:

- The main current occupation of the site comprised offices and a car park. Off-site housing had been negotiated to mitigate the application.
- The City of London were building owners but were not the applicant. However, they had forwarded a letter commending efforts to assist existing business users.
- A minimum of 75 apprenticeships was significant and work would ensue with Skillsmatch and local businesses to help residents into jobs.
- Measures to enforce the social compact would be written into the S106 agreement.

Following further debate, on a vote of Nil for and 5 against, (Councillor Khales Uddin Ahmed not voting) the Committee **RESOLVED**

That the Officer recommendations to grant planning permission and conservation area consent for London Fruit & Wool Exchange, Brushfield Street, 99-101 Commercial Street, 54 Brushfield Street & Whites Row Car Park, London, (PA/11/02220) (PA/11/02221) be **NOT ACCEPTED**.

The Committee indicated that they were minded to refuse the planning application because of Members' concerns in connection with:

- The loss of employment uses
- The lack of any on-site social housing development in the proposed scheme.
- The loss to the local environment and heritage that would arise from the proposed demolition of the Gun public house historic building.

The Committee also expressed an expectation that the applicant should engage actively with the objectors to address the concerns expressed by them.

In accordance with Development Procedural Rules, the application was **DEFERRED** to enable Officers to prepare a supplementary report to a future meeting of the Committee setting out proposed detailed reasons for refusal and the implications of the decision.

At 9.10 p.m. the Chair indicated that the Committee would adjourn for a short period to allow members of the public to vacate the public gallery. The meeting reconvened at 9.15 p.m.

## **6.2 1 - 18 Dollar Bay Court, 4 Lawn House Close, London (PA/11/01945)**

The Chair stated that, as agenda items 6.2 and 6.3 were linked, the Officers' presentations would be concurrent. Each application would be the subject of a separate vote, however, with a decision on item 6.3 being made first.

Following debate on both presentations, and on a unanimous vote, the Committee **RESOLVED**

- (1) That planning permission be **GRANTED** at 1-18 Dollar Bay Court, 4 Lawn House Close, London, (PA/11/01945) for the redevelopment of the site for a residential led mixed use, comprising a 31 storey building to provide 121 residential units, 105 sqm A1/A3 at ground floor, 122 sqm ancillary gym at basement level, underground parking, plant and ancillary accommodation and hard and soft landscaping providing both public and private open space amenity, subject to any direction by the Mayor of London; 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.

- (2) That the Corporate Director Development & Renewal be delegated authority to recommend conditions and informatives to secure matters listed in the circulated report.

### **6.3 Site at 18 to 36 Thomas Road, London, E14 7BJ (PA/11/01944)**

Following the Chair's comments as made in connection with the previous agenda item, Mr Owen Whalley, Head of Planning and Building Control, introduced the application (PA/11/1944) regarding the redevelopment of the site at 18-36 Thomas Road, London, E14 7BJ, for residential purposes, as contained in the circulated report, tabled update and slideshow.

The Chair then invited registered speakers to address the Committee.

Ms Ginette Casey, speaking in objection to the proposal, stated that she was a resident leaseholder speaking on behalf of 228 objectors who had signed a petition. She felt that the developers had been given exceptions and approvals regarding their requirements without considering the devastating effects on local employers and jobs. She felt that the 50% affordable housing to be delivered by the proposal did not allow for evicting current tenants and the site should be preserved for local prospective tenants. Proposals for the height of the flats were opposed and there was insufficient social housing. Transport problems would arise and people's human and civil rights were being tampered with. The results would be alienation and lack of opportunities. She expressed the view that the Committee should visit the site to see the matters raised by the objectors and decline the application.

Mr Anu Miah, a local resident in Thomas Road for 23 years, commented that the developers were taking advantage of young people. The present school premises could cater for only 300 from more than 800 properties. There were houses built over every corner of the estate and young people had to move away. There were insufficient local school facilities and account should be taken of all needs for education.

Mr David Barnet, of London Newcastle Agents for the developer, stated that development of the two sites was linked to ensure the Borough would receive more affordable housing and S106 contributions. The rented properties on Thomas Road would be provided with gardens, with local families in mind. All such properties would be allocated to local people on the housing waiting list. Employment opportunities would be made available and the Council would be able to decide how the appropriate monies would be allocated. All homes would meet current standards and sustainability provisions.

Mr Jim Pool, speaking in support of the proposal, commented that there would be no problem in finding alternative accommodation for existing tenants and



there were no problems with daylight/sunlight standards. The houses would fall to people on the waiting list, so their needs would be catered for.

Following questions from Members to the speakers, Mr Jerry Bell, Applications Manager, made a detailed presentation of the circulated report and tabled update, with a slideshow. He indicated that the provision of housing at Thomas Road depended upon the approval of the Dollar Bay scheme (agenda item 6.2). Scenarios of mixing social housing with other tenures had been examined but due to service charges and management problems experienced by RSL's, the current proposals offered the best solution for social housing.

Members then put questions relating to:

- Provision of private gardens or other open space.
- The size and scale of the proposal.
- The application of the car free policy.
- The low child yield envisaged at Dollar Bay.
- Contributions for public transport.

Officers responses included information that:

- All homes on Thomas Road would have private balconies and communal amenity space at ground level. At Dollar Bay, all units would have balconies with ground floor community space, including access-controlled child playspace.
- The previously proposed Dollar Bay tower had been considered too high at 42 storeys and had been significantly reduced to 31 storeys in size. However, it was now considered to work well on the dock and in the context of Canary Wharf. It was felt that the slender and sleek building would enhance the skyline.
- 10 car parking spaces would be made available at Thomas Road but anyone moving into the large family units would be able to take existing parking permits with them through the Councils Permit Transfer Scheme.
- Low child yields were expected to be generated from the private Dollar bay accommodation.
- Public transport contributions would be in the region of £544,000 total for both schemes.

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

- (1) That planning permission be **GRANTED** at 18-36 Thomas Road (PA11/01944) for redevelopment of the site for residential development, comprising a 6 to 8 storey building (measuring 31m AOD), to provide 64 residential units (Class 3), and the provision of public and private open space, undercroft parking and public realm improvements, subject to any direction by the Mayor of London; 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.

- (2) That the Corporate Director Development & Renewal be delegated power to negotiate the legal agreement indicated above.
- (3) 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.
- (4) That, if within three months of the date of this Committee the legal agreement has not been completed, the Corporate Director Development & Renewal be delegated power to refuse planning permission.

The Chair then indicated there would be a brief adjournment of the meeting at 10.10 p.m. The meeting reconvened at 10.15 p.m.

#### **6.4 Former Goodmans Fields, 74 Alie Street and Land North of Hooper Street and East of 99 Leman Street, Hooper Street, London E1 (PA/11/03587)**

At the request of the Chair, Mr Owen Whalley, Head of Planning and Building Control, introduced the application (PA/11/03587) regarding redevelopment of the site at Former Goodman's Fields, 74 Alie Street and land north of Hooper Street and east of 99 Leman Street, Hooper Street, London, E1.

The Chair then invited registered speakers to address the meeting.

Mr Helal Uddin, a local resident and Mitali Tenants' Association member, speaking in objection to the proposal, stated that he was speaking on behalf of many Backchurch Row residents and expressed the opinion that the proposal would result in more noise pollution and a loss of green space. Dust would make matters worse for asthma-sufferers and there would be no open ground for children. Tenants had made a request to the developer for the provision of a park but had received no reply.

Councillor Denise Jones then made a declaration of personal interest in that her position as a School Governor at Mulberry Girls' School had resulted in her being acquainted with the next speaker.

Ms Vanessa Ogden, Headteacher at Mulberry Girls' School, spoke in support of the proposal, indicating that the success of her school was due in part to Tower Hamlets community regeneration measures. The Mulberry Centre was being built to support the community beyond the school gates and classes would be provided for all sectors. In a time of a troubled economy, the developer had given them support and such a partnership could work well in

other models. The proposal would provide regeneration for the area and had the community interest at heart.

At 10.30 p.m. Councillor Bill Turner proposed, Councillor Khales Uddin Ahmed seconded and it was

**RESOLVED** that, in accordance with Procedural Rule 9.1, the meeting be extended for one hour to enable consideration of the remaining business on the agenda.

At the request of the Chair, Mr Pete Smith, Development Control Manager, made a detailed presentation of the application, as contained in the circulated report and update, including plans and a slideshow. He indicated that the planning permission for the site granted in February 2011 was now being built up. There had been wide consultation of the proposal, with views expressed both for and against.

Mr Smith referred to a letter sent direct to Members by the Bengali Youth Group. Although it was good for developers to engage with local groups, he did not especially agree with such an approach. The Chair made reference to his comments earlier in the meeting (see agenda item 4) and stated that Members should disregard the letter so that the S106 arrangements could be determined in the usual manner.

Members then put questions relating to:

- English Heritage comments with regard to the effects of the development on the Tower of London World Heritage site.
- The matter of other hotel provision in the area.
- The possible need to redesign the scheme to include playspace for local children.
- Why there was less social housing provision than achieved by a planning application earlier in the meeting.
- Terms for the provision of a local health amenity.
- Measures for sustainability and brown/green roofs.

Officers made responses including:

- An email had been received that day confirming that English Heritage were satisfied in terms of impact on the Tower of London.
- The area was considered suitable for hotel provision as it was within the City Fringe near tourist attractions.
- The Park Square proposals provided a great opportunity to engage with local people and to ensure needs for playspace were met.
- Social housing provision derived from land values, quality of development, etc., so each application had to be decided on its own merits. Officers relied on Valuation advice and in this case had worked with Berkeley Homes to ensure achieving as much affordable housing as possible.

- A sizeable health centre would be provided at a peppercorn rent for three years initially and the PCT were happy with the proposals.

Following further debate, on a vote of nil for and 5 against, the Committee **RESOLVED**

That the Officer recommendation to grant planning permission at Former Goodmans Fields, 74 Alie Street and land North of Hooper Street and East of 99 Lemman Street, Hooper Street, London, E1 (PA/11/03587) be **NOT ACCEPTED**.

The Committee indicated that they were minded to refuse the planning permission because of Members' concerns in connection with:

- Insufficient provision of on-site social housing.
- The lack of child play space and open space in the proposed development.
- The impact on sustainability and biodiversity due to lack of brown and green roofs.

In accordance with Development Procedural Rules, the application was **DEFERRED** to enable Officers to prepare a supplementary report to a future meeting of the Committee setting out proposed detailed reasons for refusal and the implications of the decision.

## **6.5 Former Blessed John Roche Secondary School, Upper North Street, London E14 6ER (PA/11/3765)**

At 11.20 p.m. the Chair indicated that insufficient time remained to consider this item and, accordingly, it would stand adjourned to the extraordinary meeting of the Committee to be held on 15<sup>th</sup> March 2012.

## **7. OTHER PLANNING MATTERS**

### **7.1 Aberfeldy Estate, Abbott Road, London, E14 (PA/11/02716)**

Mr Owen Whalley, Head of Planning and Building Control, introduced the report (PA/11/02716) regarding redevelopment at Aberfeldy Estate, Abbott Road, London, E14, as contained in the circulated report and tabled update.

On a unanimous vote the Committee **RESOLVED**

- (1) That the application for planning permission at Aberfeldy Estate, Abbott Road, London, E14 (PA/11/02716) be **formally supported** for the reasons detailed in the circulated report, subject to any direction by the Mayor of London; the prior completion of a legal agreement to

secure the planning obligations as set out in the circulated report and to a 21-day consultation period with the Health and Safety Executive.

- (2) That the above formal support be subject further to the applicant being informed of the Committee's strong concerns over the low level of affordable housing provision in the proposed scheme.
- (3) That the Corporate Director Development & Renewal be delegated power to engage with the London Thames Gateway Development Corporation and the applicant to negotiate the legal agreement indicated in resolution (1) above.
- (4) That the Corporate Director Development & Renewal be delegated authority to recommend planning conditions and informatives to secure the matters listed in the circulated report.

## 7.2 **Aberfeldy Estate, Abbott Road, London, E14 (PA/11/03548)**

Mr Owen Whalley, Head of Planning and Building Control, introduced the report (PA/11/02716) regarding redevelopment at Aberfeldy Estate, Abbott Road, London, E14, as contained in the circulated report and tabled update.

On a unanimous vote the Committee **RESOLVED**

- (5) That the application for planning permission at Aberfeldy Estate, Abbott Road, London, E14 (PA/11/03548) be **formally supported** for the reasons detailed in the circulated report, subject to any direction by the Mayor of London; the prior completion of a legal agreement to secure the planning obligations as set out in the circulated report and to a 21-day consultation period with the Health and Safety Executive.
- (6) That the above formal support be subject further to the applicant being informed of the Committee's strong concerns over the low level of affordable housing provision in the proposed scheme.
- (7) That the Corporate Director Development & Renewal be delegated power to engage with the London Thames Gateway Development Corporation and the applicant to negotiate the legal agreement indicated in resolution (1) above.
- (8) That the Corporate Director Development & Renewal be delegated authority to recommend planning conditions and informatives to secure the matters listed in the circulated report.

The meeting ended at 11.25 p.m.

Chair, Councillor Helal Abbas  
Strategic Development Committee