

LONDON BOROUGH OF TOWER HAMLETS

MINUTES OF THE DEVELOPMENT COMMITTEE

HELD AT 6.30 P.M. ON TUESDAY, 14 SEPTEMBER 2021

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

Members Present:

Councillor Abdul Mukit MBE (Chair)

Councillor Kahar Chowdhury

Councillor Leema Qureshi*

Councillor Kevin Brady

*on-line

Officers Present:

- | | |
|--------------------|---|
| Paul Buckenham | – (Development Manager, Planning Services, Place) |
| Gareth Gwynne | – (Area Planning Manager (West), Planning Services, Place) |
| Patrick Harmsworth | – (Principal Planning Officer, Planning Services, Place) |
| Siddhartha Jha | – (Principal Planning Lawyer, Governance, Legal Services) |
| Shahi Mofozil | – (Access to Employment (Skillsmatch), Economic Development, Place) |
| Zoe Folley | – (Democratic Services Officer, Committees, Governance) |

Apologies:

Councillor Kyrsten Perry

1. DECLARATIONS OF DISCLOSABLE PECUNIARY INTERESTS AND OTHER INTERESTS

No declarations of interest were reported

2. MINUTES OF THE PREVIOUS MEETING(S)

The Committee RESOLVED

1. That the unrestricted minutes of the meeting of the Committee held on 23rd August 2021 be agreed as a correct record and signed by the Chair.

3. **RECOMMENDATIONS AND PROCEDURE FOR HEARING OBJECTIONS AND MEETING GUIDANCE**

The Committee **RESOLVED** that:

1. The procedure for hearing objections and meeting guidance be noted.
2. In the event of changes being made to recommendations by the Committee, the task of formalising the wording of those changes be delegated to the Corporate Director, Place along the broad lines indicated at the meeting; and
3. 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, Place be delegated authority to do so, provided always that the Corporate Director does not exceed the substantive nature of the Committee's decision

4. **DEFERRED ITEMS**

4.1 **140, 146 Brick Lane and 25 Woodseer Street, London, E1 6RU(PA/20/00415)**

Update report was tabled.

Paul Buckenham introduced the application regarding – for the redevelopment to provide an office led – mixed use development, containing retail and restaurants with associated works. This application was considered by the Development Committee on 27 April 2021. As set out in the Minutes of the meeting, the Committee expressed concern that further exploration was needed on the planning obligations in relation to:

- the terms and provision of affordable workspace;
- the provision of independent retail with a focus on supporting existing local businesses;
- the community cohesion aspects of these matters.

Several changes have now been made to the proposed affordable workspace and independent retail commitments in order to address the reasons for deferral. The officer recommendation remains to grant planning permission and has been updated to reflect the outcome of the negotiations. The Committee were also advised of the content of the update report.

Patrick Harmsworth presented the report, providing an overview of the site and the key features of the application. The following issues were noted:

- The site location and details of the proposal, the proposed floor plans and the public realm improvements, including a new internal street (New Dray Walk) and public square (Black Eagle Yard).
- Before and after images of the site with the proposals, including details of the key features.
- The proposed public realm enhancements to Woodseer Street and Brick Lane including new active frontage to all areas of public realm. In relation to Woodseer Street, it was noted that the development had been set back doubling the width of the pavement.
- Outdoor terraces were also proposed at Woodseer Street as well as a series of mitigation measures to minimise any impacts. This includes the stepping down of the new building to transition between the taller brewery buildings and the Woodseer Street terraces.
- The results of the public consultation. Further representations had been received but these raised no new issues.

The Committee noted the details of the changes as set out in the Committee report in relation to the following issues:

The affordable workspace.

- Members noted the improved offer to provide affordable workspace consisting of not less than 45% below the indicative market rent for a period of 15 years. This is an increase from the offer at the previous Committee which comprised of affordable workspace that is not less than 30% below the indicative market rate for a period of 10 years - with no restrictions on the size of the businesses this could be secured for. This increased offer exceeded Local Plan policy, and was in line with the draft Spitalfields Neighbourhood Plan
- The amendments to base the definition of a small business that could occupy the space to that set out under the Companies Act 2006.
- The requirement to submit an Affordable Workspace Strategy with a strong focus on prioritising local businesses and ensuring that occupiers were in keeping with the nature and character of the wider Brick Lane and Spitalfields area. The Committee were advised of the amendments in relation to fit out costs to Category A specification. The Committee also noted the requirements for a marketing strategy and the key terms of this, requiring an initial local marketing strategy of three months and the range of methods proposed to give priority to local businesses in marketing the affordable workspace

Independent Retail Strategy

The Committee were also advised of key features of these proposals regarding the following:

- The proposal to secure independent retail units - 20% of all retail units.
- Changes to base the definition of an SME that can occupy the space on the definition of a small business on the Companies Act 2006.

Principally, reducing the number of employees in a prospective business occupier from 250 to 50.

- The requirement to submit an Independent Retail Strategy with similar terms to the Affordable Workspace Strategy in terms of the strong focus on attracting local businesses, the marketing methods and fit out costs.
- That the Section 106 clause would 're-start' if and when an independent retail unit vacates during the 20-year period.

The updated obligations will provide additional benefits to the businesses and the local community, as well as a number of other public benefits to be delivered by the scheme such as improved public realm.

In response to the presentation, the Committee asked a number of questions around the following issues:

- The local marketing strategy and the measures for seeking local occupants – how would this work in practice given this was quite a unique approach. Officers further outlined the strategies to comprise of several strands with a strong focus on prioritising local businesses. This had been developed with the Council's Economic Development Team. It went a step beyond the minimal requirements, whilst still complying with the tests set out in the Regulation 122 of the Community Infrastructure Regulations 2010. They expressed confidence that the objectives could be delivered, and whilst the proposed approach was not standard practice, it was not unique given the similarities with the Council's approach to securing Travel Plans, for example. It also could be worked on further following the Committee.
- Reassurances were provided about the proposed monitoring arrangements of the marketing strategy, as detailed in the Committee report and the update report. Monitoring would take place after a 3 month period then after 12 months, allowing the Council to review whether it was meeting the objectives and to seek any amendments necessary to ensure this. The Committee heard from the Council's Economic Development Team regarding their role in negotiating the strategy and the monitoring.
- The concerns around the introduction of large companies to the development and the creation of a shopping mall and the affect of this on local business. Officers and the applicant were mindful of these concerns given the rich cultural history and nature of the area and the level of interest in the application. In response to this, the Applicant and Officers had worked hard to further develop the above measures to provide the best possible opportunities to get the best possible occupants. - A development that is contextually sensitive to the Brick Lane area. It was also noted that the current Truman's Brewery site served as a home for a range of SMEs and independent businesses as set out in the Committee report. This demonstrated that their business model sought to support independent and SMEs, rather than the large corporations. The scheme has also been designed to reflect the warehouse look of the area – changes has also been made to the appearance to make it fully brick and remove glazing. Therefore it was

unlikely to attract large businesses or to become a shopping mall given the small number of retail units combined with the design of the public realm improvements. The floor plates would not also be that big. They had been designed to be flexible and easily subdivided to cater for SMEs,

- The affordability of the rents for local businesses and small business given the fears about displacement. Reassurances were provided that they would be genuinely affordable and compared very favourable to the rent levels for most types of employment space in the area, taking in to account that they would be good quality new workspace, where as the existing spaces may be older and may need updating. It was felt that they would represent good value and should enable small businesses to grow and new ones to develop and would enhance the area. There would be no displacement of businesses, given that the site was mostly a car park.
- The status of the draft Spitalfields Neighbourhood Plan and the extent the proposals complied with this. Officers confirmed that at this stage in the process, the Council can give and had given this full weight in relation to assessing this application. It has been properly applied and the proposals accorded with the plan and has helped secure some of the additional concessions.
- The height and scale of the previous building on site. The Committee noted images of the historic massing and that it would be of a similar height and scale, but would have much less of an impact due to the stepping back design and the proposed widening of the footpath, amongst other things.
- Whilst happy with the reassurances provided in relation to this scheme, a Member felt that the issue of community cohesion generally needed to be given further consideration and policies should be formulated in relation to this issue

On a vote of 2 in favour and 1 against the Committee RESOLVED:

1 That, planning permission is GRANTED at 140, 146 Brick Lane and 25 Woodseer Street, London, E1 6RU for the following development.

- Redevelopment to include erection of a part five storey office building (Class B1) plus rooftop plant with ground floor and first floor commercial units (Class A1/A3) and two storey basement for provision of plant, servicing, storage and a gym (Class D2) (140 Brick Lane - Plot S1), linked to the reconfigured ground floor of the adjacent building and provision for commercial units (Class A1) (146 Brick Lane - Plot H), refurbishment and two storey extension of the adjacent building (25 Woodseer Street - Plot S2) for office use (Class B1) with ground floor commercial unit (Class A3), plus rooftop plant and external landscaping

Subject to:

2. The prior completion of a legal agreement to secure the planning obligations as set out in the Committee report dated 14th September 2021

3. That the Corporate Director of Place is delegated the power to impose conditions and informatives to address the matters, set out in the Committee report dated 14th September 2021

5. PLANNING APPLICATIONS FOR DECISION

There were none

6. OTHER PLANNING MATTERS

There were none.

The meeting ended at 8.10 p.m.

Chair, Councillor Abdul Mukit MBE
Development Committee