

LONDON BOROUGH OF TOWER HAMLETS

MINUTES OF THE STRATEGIC DEVELOPMENT COMMITTEE

HELD AT 7.00 P.M. ON THURSDAY, 15 SEPTEMBER 2011

**COUNCIL CHAMBER, 1ST FLOOR, 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 Peter Golds

Other Councillors Present:

Nil

Officers Present:

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)
Devon Rollo – (Strategic Applications Planning Officer)
Simon Ryan – (Deputy Team Leader, Development and Renewal)
Matthew Lawes – (Senior Engineer - Development)
Alan Ingram – (Democratic Services)

1. APOLOGIES FOR ABSENCE

Apologies for absence were received on behalf of Councillor Dr Emma Jones, for whom Councillor Peter Golds was deputising.

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
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Khales Uddin Ahmed	7.2	Personal	He was a member of Poplar HARCA Board.
Bill Turner	7.1	Personal	Had received representations from interested parties for and against the application.
Helal Abbas	7.1	Personal	Had received representations from interested parties for and against the application.
Carlo Gibbs	7.1/7.2	Personal	Had received representations from interested parties for and against the applications.
Peter Golds	7.1	Personal	Had received representations from interested parties for and against the applications.

3. UNRESTRICTED MINUTES

Councillor Bill Turner asked that it be noted that the Planning Officer had made the point that there had been inaccurate information put forward in the National Rail statement regarding the application concerning the redundant railway viaduct north of Pooley House, Westfield Way, London (PA/10/01458).

The Committee **RESOLVED**

That the unrestricted minutes of the meeting of the Committee held on 4th August 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, together with details of persons who had registered to speak at the meeting.

6. DEFERRED ITEMS

6.1 PA/10/01458 – Redundant Railway viaduct, North of Pooley House, Westfield Way

At the request of the Chair, Mr Owen Whalley (Service Head, Planning & Building Control) introduced the application (PA10/01458) regarding Redundant Railway Viaduct North of Pooley House, Westfield Way, London. He added that the Committee, at its meeting on 4th August 2011, had resolved not to accept the Officers' recommendation and were minded to refuse planning permission for the reasons shown in the report.

At the request of the Chair, Mr Devon Rollo (Strategic Applications Planning Officer) then presented the report in detail and set out the implications of a decision to refuse planning permission, together with suggested reasons for refusal.

The Vice-Chair expressed the view that it should be noted that the Planning Officer had made the point that there had been inaccurate information put forward in the National Rail statement when the application had been first considered.

The Chair commented that there had been full discussion of the application at the last meeting and indicated that the matter would, therefore, be put to the vote.

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

That the application for planning permission at the redundant railway viaduct north of Pooley House, Westfield Way, London (PA/10/01458) for the erection

of two separate four storey podium blocks of Student Apartments be **REFUSED**, subject to any direction by the Mayor of London, for the following reasons:

1. The scheme would result in an overconcentration of student housing within the area and fail to provide an appropriate mixed and balance of housing, including a failure to provide family housing. As such the scheme is contrary to policies 3.9 and 7.1 of the adopted London Plan 2011 and policies SP02 and SP12 of the Core Strategy Development Plan Document 2010, which seek to ensure places have a range and mix of dwelling types and tenures to promote balanced and socially mixed communities.
2. The scheme would have a detrimental impact on the amenity of the residents of the surrounding area due to the increased potential of late night disturbance from the occupation of the student housing. As such the scheme is contrary to policies SP02 and SP10 of the Core Strategy Development Plan Document 2010, saved policies DEV2 of the adopted Unitary Development Plan 1998 and policies DEV1 of the Council's Interim Planning Guidance 2007, which seek to protect the amenity of occupants and the surrounding area.
3. The proposal would represent an over-development of this restricted site, resulting in a built form of excessive scale, bulk and inappropriate design, leading to an overbearing form of development and an unacceptable loss of daylight, outlook and increased enclosure with inadequate opportunities for meaningful landscaping, contrary to policies 3.4, 7.1, 7.4 and 7.5 of the adopted London Plan 2011, policy SP10 of the Council's Core Strategy Development Plan Document 2010 and saved policies DEV1, DEV 2 and DEV 12 of the adopted Unitary Development Plan 1998, which seek to ensure that development is appropriate to its context and maintains the amenity of neighbouring residents and the surrounding environment.

7. PLANNING APPLICATIONS FOR DECISION

7.1 PA/11/00163 - Tower House, 38-40 Trinity Square, London EC3N 4DJ

At the request of the Chair, Mr Owen Whalley (Service Head Building & Control), introduced the circulated report and **Tabled** update report concerning the application for planning permission at Tower House, Trinity Square, London, EC3N 4DJ, for the erection of a 9-storey building with basement, comprising a 370-room hotel (Use Class C1) with 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.

The Chair invited registered speakers to address the Committee.

Mr Patrick Gurner, a Director of Montague Evans, Consultant Engineers for the Trinity Square Group, spoke in objection to the application, expressing the view that the proposed servicing system for the hotel would have unacceptable implications for Trinity Square, which was the centre of a major transport interchange and the main arrival point for 50% of visitors to the Tower of London. He commented that servicing for the hotel should take place on-site, rather than on-street and added that drawings had been submitted to demonstrate how this could be achieved. The Corporation of the City of London had voiced similar concerns, although this did not seem to have been taken up by Tower Hamlets' Highways Section. The proposal would result in many more vehicular movements in the immediate locality of Coopers Row and Trinity Square. Transport for London was also concerned and had asked for footpath widening to accommodate servicing. He suggested that the application should be deferred for the present time.

Mr Gurner then replied to questions from Members relating to the likelihood of adverse impact on the Square and concerns arising from the City of London.

Ms Marianne Fredericks, a City of London Councillor for Tower Ward and local resident, spoke against the application and stated that the proposals were contrary to the Borough's Development Plan and should be refused. Listed buildings would be adversely affected and it was essential to protect these assets. No proper description or analysis had been provided on the likely harm to the environment of buildings near the Tower House site and the size of the hotel meant that it would loom over Conservation Area buildings. The Tower Hill area was already well-served by hotels for all budget ranges and consequently demand for hotel space was well and truly met. Buildings affected by the proposals included Tower House, 41/42 Trinity Square, the Crescent Conservation Area, Tower square Gardens and the Merchant Seamen's War Memorial. Concerns expressed by the City of London had not been addressed and she felt that a site visit would be appropriate for Members of the Committee to gain more insight into the local impact of the hotel.

Ms Fredericks then responded to questions from Members regarding her concerns for effects of the scheme on listed buildings, the number of existing hotels in the locality of Trinity Square and the likely problems caused by increased vehicular movements in servicing the new hotel.

Mr Martyn Sibley, speaking in favour of the application, stated that he had just finished working on a project to evaluate the step free access works carried out by TfL at various London Underground Stations so he knew how expensive the proposed lift shafts and step free access work at Tower Hill would be. He also knew how vital they were to hundreds of thousands of people who could not use the tube network because not enough stations were

accessible. It was exactly what this area of London needed. It would mean wheelchair users and families with push chairs could access a fantastic tourist location and a brand new hotel, employing local people. By approving the scheme, Councillors would be generating a long term benefit to this area. Vacant land would be used, local jobs would be created and this corner of London would be opened up to mobility impaired people like him who would otherwise miss out on coming to Tower Hill.

Mr Michael Levie, speaking as the applicant's agent, stated that he was a founder member of the citizenM hotel group that provided accommodation for independent travellers and did not cater for block bookings or parties. Their operations used the greenest methods possible and had an excellent record in achieving sustainability. The applicants had worked with Council Officers and wanted all employees of the hotel, of whom there would be about 80, to come from Tower Hamlets. It was hoped to encourage local people back to work and provide job opportunities for school leavers. Two new lift to Tower Hill station would be provided at the applicants' expense. It was hoped that the hotel would make a long term contribution to the Borough.

Mr Levie then replied to questions put by Members relating to aspirations for providing work for local residents and the applicants' efforts to avoid adverse effects on listed buildings.

At the request of the Chair, Mr Simon Ryan (Deputy Team Leader Development & Renewal), made a detailed presentation of the application, as contained in the circulated report and update, including plans and a slideshow. He summarised the arguments for and against the proposal as engendered by wide public consultation. Officers were satisfied that the scale, mass and height of the proposed scheme was appropriate for the surrounding area and did not overwhelm the Tower of London buildings. There had been lengthy discussions over several months to protect local heritage and the scheme also provided much needed step free access to the Tower Hill station. There would be upgrades to the public realm around the Tower Hill underground and DLR interchange. Wider pavements would be provided and conditions ensured that adverse transport and pedestrian movements would be avoided.

Members then put questions relating to:

- The impact of the hotel on Trinity House and concerns that the latter would be dominated by the new building.
- The effects on the locality of large scale on-street deliveries to the hotel, of food, drink, bedding, etc that would have to be brought in large vehicles which would obstruct the street over long periods.
- The effect resulting from the height of the proposed hotel, as other high buildings in the area were at some distance from Trinity Square.
- Whether there had been any other plans to upgrade Tower Hill station as the proposed step free access seemed to contribute more to London Underground than the Borough.
- Whether land was available to provide the new access and if the applicants were legally obliged to make the provision.

- Whether there could be any assurance of jobs for local residents other than an aspiration for provision of 20% of the hotel workforce.

Officers' responses included comments that:

- The dimensions of the proposed hotel had been assessed and were not considered to present a significant impact on the locality. The height of the building was considered by English Heritage and the Historical Palaces to preserve the local assets.
- The applicants had agreed that there would not be more than six vehicular movements daily for on-street servicing purposes. Servicing periods would occur at periods of low pedestrian density. No servicing would take place between 7.00 am – 10 am or 4 pm – 7 pm. There would also be double yellow lines along the relevant kerbs and kerb faces.
- The step-free access was important not only for London Underground but constituted a significant benefit for the Borough both for residents and tourists. The S106 agreement required that the access should be provided before the hotel could open.
- The access included a very small area of land of unknown ownership but this would have to be resolved by the applicants to provide the facility before the hotel could operate.
- While 20% employment was an aspiration, finance would also be provided to ensure local people had access to suitable training.

Following further debate, the Chair commented that it was obvious that Members still had substantial concerns over the impact of the scheme on the locality of Trinity Square. Accordingly, he **moved** and, on a unanimous vote, the Committee **RESOLVED**

That the application for planning permission at Tower House, 38-40 Trinity Square, London, EC3N 4DJ, (PA/11/00163) 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 C1), bar (Use Class A4) and meeting rooms (Use Class B1) with plant and storage at basement and roof level be **DEFERRED** for consideration at the next meeting of the Committee to enable:

1. a site meeting to be held so that Members may better acquaint themselves with the impact of the proposed development on the surrounding area;
2. the provision of more detailed visual images of the proposed development.

7.2 PA/10/2093 – Tweed House, Teviot Street, E14

At the request of the Chair, Mr Owen Whalley (Service Head Planning & Development Control), introduced the circulated report and **Tabled** update report concerning the application for planning permission at Tweed House, Teviot Street, E14, for the demolition of existing building and associated

garage buildings; partial demolition of the adjacent towpath wall and the erection of a new residential development, 1 disabled parking space, 166 cycle parking facilities, landscaped open space and private amenity space.

At the request of the Chair, Mr Jerry Bell (Strategic Applications Manager), provided a detailed presentation of the proposed scheme including plans and a slideshow.

Members then put questions relating to:

- Clarification of social rent levels.
- The rationale behind the segregation of social and other tenures.
- The legal viability of stipulating a car free development and the position of residents transferring to the new development who already had Borough car parking permits.
- Whether children's playspace would be overlooked.

Officers' responses included comments that:

- The report contained information relating to new definitions of affordable housing, affordable rent, as well as social rent and intermediate housing.
- Officers had also raised concerns about the desirability of a more mixed tenure. The Housing Associations involved had indicated that problems arose in management where housing tenure was mixed and this could result in unsustainable servicing costs for tenants.
- The car free policy was well-established in the Borough and the site had a good PETA transport rating, so it was not felt there was any need to introduce further parking spaces or permits.
- Playspace would be adequately overlooked for security purposes.

Councillor Khales Uddin Ahmed proposed an **amendment** which, on being put to the vote, was declared **carried** unanimously and appears as resolution (2) below.

The Chair proposed a **motion**, incorporating Councillor Ahmed's amendment and, on a unanimous vote as the substantive motion, the Committee **RESOLVED**

- (1) That planning permission be **GRANTED** at Tweed House, Teviot Street, E14 (PA/10/2093) for the demolition of existing building and associated garage buildings; partial demolition of the adjacent towpath wall and the erection of a new residential development to provide 115 units (comprising 33 x 1 bed, 43 x 2 bed, 31 x 3 bed, 7 x 4 bed and 1 x 5 bed), 1 disabled parking space, 166 cycle parking facilities, landscaped open space and private amenity space, 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 use of financial contributions contained in the legal agreement referred to in resolution (1) above, regarding community facilities and child playspace facilities be prioritised towards schemes in the East India & Lansbury and Bromley by Bow Wards only.
- (3) That the Permit Transfer Scheme applies to the new development.
- (4) That the Corporate Director of Development & Renewal be delegated powers to negotiate the legal agreement indicated above.
- (5) That the Head of Development Decisions be delegated power to impose planning conditions and informatives on the planning permission to secure the matters listed in the circulated report.
- (6) That, if by 15 December 2011 the legal agreement has not been completed to the satisfaction of the Chief Legal Officer, the Head of Planning and Building Control be delegated power to refuse the planning permission.

Following a request from the Vice-Chair, the Chair asked that Officers take on board the preparation of a report or information session for Members on the principles of pepper-potting. Mr Owen Whalley confirmed that suitable arrangements would be made.

The meeting ended at 8.30 p.m.

Chair, Councillor Helal Abbas
Strategic Development Committee