

LONDON BOROUGH OF TOWER HAMLETS

MINUTES OF THE STRATEGIC DEVELOPMENT COMMITTEE

HELD AT 7.00 P.M. ON TUESDAY, 16 MARCH 2010

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

Members Present:

Councillor Shafiqul Haque (Chair)

Councillor Shahed Ali
Councillor Alibor Choudhury
Councillor Rupert Eckhardt
Councillor Shiria Khatun

Other Councillors Present:

Nil

Officers Present:

Jerry Bell – (Strategic Applications Manager Development and Renewal)
Megan Crowe – (Legal Services Team Leader, Planning)
Stephen Irvine – (Development Control Manager, Development and Renewal)
Mary O'Shaughnessy – (Planning Officer)
Owen Whalley – (Service Head Major Projects, Development & Renewal)

Alan Ingram – (Democratic Services)

1. APOLOGIES FOR ABSENCE

Apologies for absence were received from Councillor Dulal Uddin.

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
Shahed Ali	6.1, 6.2, 6.3, 7.1	Personal	Correspondence received from concerned parties.

	6.1, 7.1	Personal	Ward Member for the area of the applications.
Shiria Khatun	6.1, 6.2, 6.3, 7.1	Personal	Correspondence and phone calls received from concerned parties.
Alibor Choudhury	6.1, 6.2	Personal	Correspondence and phone calls received from concerned parties.
Shafiqul Haque	6.1, 6.2, 6.3, 7.1	Personal	Correspondence received from concerned parties. Ward Member for the area of the application
	6.3	Personal	
Rupert Eckhardt	6.1, 6.2, 6.3, 7.1	Personal	Correspondence and phone calls received from concerned parties. Ward Member for the area of the application
	6.2	Personal	

3. UNRESTRICTED MINUTES

The minutes of the meeting held on 2 February 2010 were agreed and approved as a correct record.

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 and those who had registered to speak at the meeting.

6. DEFERRED ITEMS

6.1 Former Goodmans Fields, 74 Alie Street (Land North of Hooper Street and East of 99 Leman Street, Hooper Street) London (PA/09/965)

Mr Jerry Bell, Strategic Applications Manager, introduced the report regarding the application for planning permission concerning the redevelopment at Former Goodmans Field, 74 Alie Street, London, which had been deferred at the meeting of the Committee held on 15 December 2009.

Mr Bell then commented on the amendments to the proposal that had been proposed by the developers in order to address the concerns raised by Members. These included reductions in the height of the perimeter blocks with a concurrent reduction in the number of inhabitable rooms, increase in the percentage of affordable units and a revised S106 package which provided an additional sum of £2m towards mitigating the impacts of the development.

He added that the report included suggested reasons for refusal, should Members be minded to refuse the application.

Members then put questions regarding the allocation of car parking spaces and proposals for support of local businesses, which were answered by Mr Bell.

Councillor Shahed then Ali proposed an amendment to the terms of the legal agreement, as shown in resolution (2) below, which, on being put to the vote, was declared carried three for and nil against. The substantive motion was then put to the vote and declared carried four for and nil against. Accordingly, it was –

RESOLVED

- (1) That planning permission be **GRANTED** for the redevelopment of the Former Goodmans Fields, 74 Alie Street (Land north of Hooper Street and east of 99 Leman Street, Hooper Street), London, to provide four courtyard buildings of 5 -10 storeys incorporating 6 buildings of 19 – 23 storeys, erection of a 4 storey terrace along Gower's Walk, change of use to residential, and construction of an additional storey to 75 Leman Street. Overall, scheme comprises 754 residential units, student accommodation, hotel, primary care centre, commercial uses, public open space, landscaping, car parking and associated works (as amended by the supplemental report tabled at the meeting) and subject to any direction by the Mayor of London and subject to the prior completion of a legal agreement and to the conditions and informatives set out in the report.

- (2) That the terms of the legal agreement to be completed prior to development be amended to reflect the following;
 - The contribution to the Skillsmatch service to be reduced to the former proposed level of £204,640.
 - The local youth, sport and culture contribution of £1,909,325 to be augmented accordingly by an additional sum of £960,000, to give a total sum of £2,869,325 overall, but from that amount there shall be contributions made of £150,000 to the new Berner Community Centre and £50,000 to the Children's Education Group at Harkness House, leaving a total of £2,669,325.
 - From the above sum of £2,669,325 for local youth, sport and culture, the sum of £1,669,325 be ringfenced for local projects based in Whitechapel Ward, leaving £1,000,000 for generic Borough projects.
- (3) That the Corporate Director Development and Renewal be delegated power to negotiate the legal agreement indicated above. If by the date nominated in the Planning Performance Agreement the legal agreement has not been completed, the Corporate Director Development & Renewal be delegated power to refuse planning permission.
- (4) That the Corporate Director Development & Renewal be delegated power to impose the conditions and informatives on the planning permission to secure the matters listed in the amended report.

6.2 40 Marsh Wall, London E14 9TP (PA/09/01220)

Mr Stephen Irvine, Development Control Manager, introduced the report regarding the planning application for development of the site at 40 Marsh Wall, London, E14 9TP that had been deferred after consideration by the Committee at its meeting on 15 December 2009.

Mr Irvine, presented details of the suggested reasons for refusal of the planning application, based on concerns voiced by Members at that meeting. However, Members commented that the reference to parking issues should be broadened to include inadequacy of provision for coach parking.

Members then confirmed that the report adequately reflected the matters raised, subject to additional wording to take account of coach parking and, on a vote of nil for and three against the original Officer recommendation, it was

RESOLVED that planning permission for the demolition of the existing office building at 40 Marsh Wall, London, E14 9TP and erection of a 39 storey building (equivalent of 40 Storeys on Manilla Street) with three-level basement, comprising a 305 bedroom hotel (Use Class C1) with associated ancillary hotel facilities including restaurants (Use Class A3), leisure facilities (Use Class D2) and conference facilities (Use Class D1); serviced offices (Use Class B1); together with rooftop plant, associated landscaping and the formation of a taxi drop-off point on Marsh Wall be **REFUSED** subject to any direction from the Mayor of London, for the following reasons:

1. The proposed development, by virtue of its excessive height and bulk, would appear out of character with the surrounding area. As a result, it is considered that the proposal would be out of keeping with the existing urban form. The proposal is therefore contrary to policies 4B.1, 4B.8, 4B.9, and 4B.10 of The London Plan 2008, policies DEV1, DEV2 and DEV3 of the Unitary Development Plan (1998) and policies CP48, DEV1, DEV2, DEV27 and IOD21 of the Council's Interim Planning Guidance 2007 which seek to ensure development and tall buildings in particular are of an appropriate design, height, scale and mass.
2. The proposed development would result in unacceptable traffic and parking impacts and as such is contrary to Policies 2A.1, 3A.7, 3C.1, 3C.2, 3C.19, 3C.20 of The London Plan (Consolidated 2008), PPS1, PPG13, Policy ST25, ST28, ST30, T16, T18, T19, T21 of the LBTH UDP 1998, Policies DEV17, DEV18, DEV19 of the LBTH IPG 2007 which seek to ensure the proposal does not impact on the local road system. The coach parking facilities proposed in the application are considered inadequate.
3. The planning obligations are considered inadequate to mitigate against the impact of the development. As such, the proposal fails to comply with the requirements of Policy DEV4 of the adopted Tower Hamlets Unitary Development Plan (1998) which seeks to secure appropriate planning obligations which are reasonably related to the scale and nature of the proposed development and are necessary for the development to proceed.

NOTE: At 7.45 p.m. the Chair declared the meeting temporarily adjourned to allow members of the public to leave the public gallery. The meeting reconvened at 7.52 p.m.

6.3 Site at 82 West India Dock Road and 15 Salter Street London (PA/09/2099)

Mr Stephen Irvine, Development Control Manager, introduced the report regarding proposals of the development of the site at 82 West India Dock Road and 15 Salter Street that had been deferred by the Committee at its meeting held on 2 February 2010. Mr Irvine commented that the scheme had been reduced in terms of height bulk and mass, to address the concerns raised by Members. Additional heads of terms had also been negotiated to address their concerns about the wider impact of the scheme on the adjacent area.

Councillor Shahed Ali referred to information given at the meeting of the Committee on 2 February 2010 that there had been an in principle understanding between the hotel developers and Tower Hamlets College that apprenticeships would be arranged to equip local people for jobs. He asked if a suitable condition could be added to secure the matter and Mr Irvine confirmed that this could be delivered through the S106 agreement.

On being put to the vote, it was unanimously –

RESOLVED

- (1) That planning permission at the vacant site at 82 West India Dock Road and 15 Salter Street, London, be **GRANTED** for the erection of a part 3, 14 and 16 storey building to provide a 252 hotel and incorporating meeting/conference rooms, restaurant, café and bar as well as formation of a drop-off area and servicing access off Salter Street, subject to:
 - (a) any direction by the Mayor of London;
 - (b) the prior completion of a legal agreement to secure the planning obligations listed in the report and including the provision of a scheme for apprenticeships in partnership with Tower Hamlets College, for local people;
 - (c) the conditions and informatives listed in the report
- (2) That the Corporate Director Development & Renewal be delegated power to negotiate the legal agreement indicated above.
- (3) That if by 3 May 2010 the legal agreement has not been completed to the satisfaction of the Assistant Chief Executive (Legal Services), the Corporate Director Development and Renewal be delegated power to refuse planning permission.
- (4) That the Corporate Director Development & Renewal be delegated power to impose the conditions and informatives listed in the report.

7. PLANNING APPLICATIONS FOR DECISION

7.1 33-35 Commercial Road, London, E1 1LD (PA/08/01034 and PA/08/01035)

Mr Stephen Irvine, Development Control Manager, outlined the proposals for the redevelopment of 33-35 Commercial Road, London, E1 1LD, as detailed in the report previously circulated.

Mr Patrick Kerr, a local resident, spoke in objection to the proposals and indicated that he was speaking on behalf of the Aldgate Triangle Residents' Association. He felt that the aims of the scheme were laudable but considered that the proposal as submitted was flawed and illogical. Considerable loss of light would affect residents and this had not been covered adequately in the proposal and assessments had been made on flats not affected by balconies. Ground floor flats had not been given enough consideration and would suffer a 63.3% reduction in light. Almost half of natural light would be taken from residents' properties, which was a considerable detriment. In addition, no consideration had been given to breaches of privacy, despite local people having issued invitations to view the effects on their properties. The S106 agreement also failed to address homelessness policies.

Mr Matthew Gibbs, of DP9, agents for the developers, stated that the report addressed the relevant considerations to loss of light and added that the Council and consultants had worked closely together, resulting in several amendments to the proposals. On the matter of privacy, the report also covered the proximity of buildings and their relationships to the Naylor North and West elements of the scheme. There had also been close work with the Council on the development of S106 proposals to provide suitable mitigation. Mr Gibbs continued that 250 jobs would be delivered in the new office space and the proposed student accommodation had been designed in accordance with Council policies. The management plan would deal with any issues arising from the buildings and two separate presentations had been held so that residents might comment on any issues.

Mr Jerry Bell, Strategic Applications Manager, then presented a detailed explanation of the proposed scheme, as set out in the report. He indicated that there had been much consideration given to the matter of loss of light but such losses in the context of a dense urban context were outweighed by the benefits of the scheme, which included the refurbishment of a listed building that would be brought back to an appropriate standard. He further referred to revisions to the S106 package, as detailed in the tabled update report.

Members then put questions that were answered by Mr Bell regarding the moving of the pedestrian crossing from outside the East London Mosque to Alie Street; the amount of S106 allocated to parks and open spaces; the possibility of gating off the access to the pathway between Assam Street and Altab Ali Park.

Councillor Alibor Choudhury proposed an amendment to the terms of the legal agreement, as shown in resolution (2) below, which, on being put to the vote, was declared carried three for and nil against. The substantive motion was then put to the vote and declared carried four for and one against. Accordingly, it was –

RESOLVED

- (1) That planning permission for demolition of all buildings on the site at 33-35 Commercial Road, London, E1 1LD (except the former St Georges Brewery and associated building on Assam Street Warehouse) be **GRANTED** for:
 - Erection of a building comprising one basement, ground plus 17 storeys (maximum) to be used as student accommodation (Sui Generis) and associated uses.
 - Erection of ground floor plus two and six storey buildings along Commercial Road for retail (Use Class A1) and/or offices (Use Class B1) and non residential institutions (Use Class D1).
 - Refurbishment of and alterations to the former St Georges Brewery for use as offices (Use Class B1) and/or non residential institutions (Use Class D1).
 - Refurbishment of and alterations to the Assam Street warehouse for use as student accommodation.

Provision of a total of 406 cycle parking spaces for student and commercial use.

Alterations to pedestrian accesses into the site and provision of a vehicular servicing access off Assam Street.

Works of hard and soft landscaping and other associated works.

All as shown on the plans (and as amended by the supplemental report tabled at the meeting), subject to any direction made by the Mayor of London and to the prior completion of a legal agreement and to the conditions, informatives and listed building conditions detailed in the report.

- (2) That the legal agreement for prior completion be amended to reduce the financial contribution of £400,000 towards parks and open spaces by £250,000, such sum to be used to enable the provision of a pedestrian crossing outside the East London Mosque and the remaining sum of £150,000 be used for projects to benefit the Aldgate Masterplan Area community.
- (3) That a further condition be applied to ensure the gating-off of the thoroughfare from Assam Street to Altab Ali Park.
- (4) That the Corporate Director Development & Renewal be delegated power to negotiate the legal agreement indicated above.
- (5) That the Corporate Director Development & Renewal be delegated power to issue the planning permission and impose the conditions and informatives listed in the report.
- (6) 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 meeting ended at 8.30 p.m.

Chair, Councillor Shafiqul Haque
Strategic Development Committee