

13/11/2024

**LONDON BOROUGH OF TOWER HAMLETS**  
**MINUTES OF THE STRATEGIC DEVELOPMENT COMMITTEE**  
**HELD AT 6.35 P.M. WEDNESDAY, 13 NOVEMBER 2024**  
**COUNCIL CHAMBER – TOWN HALL, 160 WHITECHAPEL ROAD,**  
**LONDON E1 1BJ**

**Members Present:**

Councillor Amin Rahman                      -(Chair)

Councillor Kamrul Hussain

Councillor Mufeedah Bustin

Councillor Suluk Ahmed

Councillor Asma Begum

Councillor Shahaveer Shubo Hussain

Councillor Ahmodul Khan

Councillor Kabir Hussain

Councillor Gulam Kibria Choudhury

Councillor Sabina Khan

**Officers Present in Person**

Ian Austin                                        – (Principal Lawyer, Planning, Legal Services,  
Governance)

Paul Buckenham                               – (Head of Development Management, Planning &  
Building Control)

Gareth Gwynne                               – (Area Planning Manager, Planning & Building Control)

Jerry Bell                                       – (Area Planning Manager, Planning & Building Control)

Robin Bennett                                 – (Principal Planning Officer)

Nicholas Jehan                                – (Principal Planning Officer)

Nick Graves                                    – (Planning Officer)

13/11/2024

Jane Jin – (Team Leader, Planning & Building Control

Justina Bridgeman – (Democratic Services Officer, Committees)

**Guests:**

Stewart Blakely – (Talyor Wimpey)

**APOLOGIES FOR ABSENCE**

Apologies for absence were received from Councillor Iqbal Hossain.

**1. DECLARATIONS OF DISCLOSABLE PECUNIARY INTERESTS**

There were no declarations of pecuniary interests.

**2. MINUTES OF THE PREVIOUS MEETING(S)**

The minutes of the Sub Committee meeting held on 09 October 2024 were approved as a correct record of proceedings.

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

**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 of Housing and Regeneration 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 of Housing and Regeneration is delegated authority to do so, provided always that the Corporate Director does not exceed the substantive nature of the Committee's decision.
3. To note the procedure for hearing objections at meetings for the Strategic Development Committee.

**4. DEFERRED ITEMS**

There were no deferred items for consideration.

13/11/2024

## **5. PLANNING APPLICATIONS FOR DECISION**

### **5.1 PA/24/00243: 7 Brannan Street**

The order of business on the agenda was changed at the meeting. This application was heard after item 6.1.

Update Report noted.

Paul Buckenham introduced the application for a redevelopment of the site to provide purpose built student accommodation with associated amenity space and Class E(a)(b) floorspace within a building of up to 46 storeys with basement; together with plant, car and cycle parking facilities, associated servicing, access and landscaping and all associated ancillary works and structures.

Nicholas Jehan provided a presentation to accompany the application, which highlighted the proposal's site and surroundings. The proposal will provide 912 student bedrooms within a 46 Storey tower block with two levels of basement community spaces in the centre. There will be a mix of student bedrooms, studio properties and cluster rooms, as well as dedicated kitchens, post room and study spaces. The ground floor will provide an area for commercial use and a cafe.

Members were given background information on the plot. Approval was granted to Wood Wharf for an outline planning permission in 2014, This related to a master plan mixed use development which included offices, cultural facilities a new primary school, sports and medical facilities and residential properties. Initially the site was granted approval for C3 standard housing use. Construction began and to date 3,334 homes have received detailed consent via a Reserved Matters application. The outline permission stipulated a requirement to provide a minimum of 1,700 homes. Wood Wharf has already provided a considerable number of homes and is fully compliant with the requirements for Affordable housing.

Mr Jehan then noted that 294 letters were sent to residents and neighbouring businesses and a press notice and site notices were published and erected near the site. Two objections were received regarding car park provision and the future of Lovegrove walk, situated near the scheme. Details of the proposed landscaping and the two main policies concerning the land use were outlined. The applicant is seeking to introduce student accommodation, SH1 and DH6, an amendment to the C3 housing use initially approved.

The Committee were given details on the North Quay development, which has permission for up to 100,000 square metres of mixed use floor space. The applicant's proposal includes an amendment application to vary the North Quay permission to exclude the student floor space from the approved mix of land uses. Therefore in combination, if granted the permission would effectively

13/11/2024

move a quantum of floor space from the North Quay scheme to the Wood Wharf development, via a Section 96A non-material amendment on the North Quay application. Permission can be obtained under delegated authority and is awaiting determination. If permission is granted, 67,000 square metres would remain on North Quay and 32,791 square metres of student accommodation floor space would move to Wood Wharf.

Details on the obligations were noted, including 35% of rooms to be affordable and majority secured via a nominations agreement, standard employment obligations, 25 construction apprenticeships, a Carbon offset contribution of £343, 867. The borough CIL will be chargeable on this scheme.

Further to the presentation, the Committee asked questions to Officers regarding the following issues;

- Clarified that the active travel zone improvements will be covered by CIL monies.
- Confirmed that a biodiversity net gain assessment was undertaken and reviewed by an external consultant. This was calculated to be approximately 118.% net gain and deemed acceptable, as the statutory requirement is 10%. Landscaping and greenery will be planted if the proposal is approved.
- Explained that the London Plan policies for the development of this scale require it to be car-free. Residents would be able to apply for parking permits. The Blue Badge parking are the only parking spaces available through the policy, although an additional 7% of Blue Badge parking will be included in the planning obligations.
- Noted that the lack of objections may relate to the proposals site, which lies within the Canary Wharf Estate. This will not cause adverse impacts to residents; the proposal has sufficient distance between other residential buildings and neighbouring residents were consulted and responses received.
- Clarified that a Student Management Plan accompanied the application, which deals with noise, anti-social behaviour and on-site security. A final Student Management Plan is required prior to the building being occupied and the Environmental Health team will also assess the noise levels and action can be taken if anti-social behaviour occurs.

Following questions from the Committee, Councillor Gulam Kibria Choudhury moved and Councillor Kamrul Hussain seconded to defer the application for a site visit. Members deliberated and Councillor Asma Begum reminded the Committee that Officers had made the offer of an accompanied site visit well in advance of the meeting. Members are free to visit sites unaccompanied, which was what she did. Councillor Sabina Khan moved to vote on the application

13/11/2024

recommendation rather than defer, which was seconded by Councillor Asma Begum. The Chair then requested Members vote on a site visit.

Upon a vote of 4 in favour, 4 against with no abstentions and the Chair's casting vote, the Officers recommendations as set out in the main report to grant full planning permission was deferred for a site visit.

It was therefore **RESOLVED**;

That consideration of the planning application at 7 Brannan Street, London be **DEFERRED** for a site visit.

## **5.2 PA/24/01241: Levels 48 & 49, One Canada Square, Canary Wharf, London, E14 5AB**

Paul Buckenham introduced the application which proposed a change of use from Use Class E(g)(i) (Office) to Flexible Use Class F1 (Learning and Non-Residential Institution) / Use Class E (g)(i) (Office).

Nick Graves provided a presentation to accompany the application, which highlighted the proposal's site and surroundings. It was noted that the proposal, if granted would result in the net loss of 4,138sqm of office floorspace. This loss, within a 'Primary Preferred Office Location' (PPOL), is not normally supported. However, in this specific instance, it is considered to be acceptable as the proposal would not undermine the supply of office floor space within the Canary Wharf PPOL.

In addition, a higher educational use is considered a Strategic 'Central Activities Zone' use. An educational provision of this type is also consistent with the uses that would be expected within a Metropolitan Town Centre.

Further to the presentation, the Committee asked questions to Officers regarding the following issues;

- Confirmed that the consultation was undertaken in conjunction with the statement of Community involvement and is fully compliant.
- Noted that University College London already occupy the building and wish to expand. The building itself has 115,000 square metres of lot space and this expansion is small in comparison.

Upon a unanimous vote of 7 for the application, the Officers recommendations as set out in the main report for the change of use from Use Class E(g)(i) (Office) to Flexible Use Class F1 (Learning and Non-Residential Institution)/ Use Class E(g)(i) (Office) were agreed.

13/11/2024

It was therefore **RESOLVED**;

That the change of use application at Levels 48 & 49, One Canada Square, Canary Wharf, London, E14 5AB is **GRANTED** planning permission.

### 5.3 PA/24/01636: Former Poplar bus Depot, Leven Road E14 0LN

Councillor Kabir Hussain left the Committee briefly but in doing so could not vote on this application.

Update Report noted

Paul Buckenham introduced the application to modify the S106 agreement dated 09/10/2020, to planning permission with reference PA/19/02148 dated 14/10/2020. A site notice has been displayed in accordance to regulations although if the modification to the S106 are agreed and any representations are received, the application will be brought back to the Committee for consideration.

Jane Jin provided a presentation to accompany the application, which outlined the site and surroundings. Background details were given on the site, initially part of the London trams network and later a storage facility. The original consented scheme had 532 residential units, 35% of affordable housing and commercial spaces with 22% of commercial space secured as affordable workspace. Ms Jin noted that due to, adverse changes to the economy, material shortages, a housing provider withdrawing from the project and changes to fires safety regulations; requiring two staircases within buildings over 18 metres, works were suspended.

Members were informed that planning permission was granted by the Strategic Development Committee on 22 July 2020 for a residential development. Work initially began on site but stopped temporarily as the applicant has submitted a proposal to modify the affordable housing tenure and mix via the S106A agreement, in order to complete works on the scheme. All relevant development policies will still apply,

Details on the proposed differences in unit numbers for all tenures were provided, indicating that the shared ownership properties will be removed. However there will be increases with affordable rent units, family-sized affordable rented homes and Tower Hamlets Living rent provision. A Deed of Variation (DoV) will also include a 'late stage' review clause, to ensure any increase in value is captured

The proposal if granted will also ensure that Affordable rented units will be provided before the private homes. The applicant has also secured a contract with Clarion Housing to progress the scheme. The recommended is to approve the revisions to the Affordable Housing offer, finalise the recommended deed of variation to the original legal agreement under the S106A. In the event that

13/11/2024

objections are raised before the publicity period on the site notice expires, to bring the application back to the Committee for review.

Further to the presentation, the Committee asked questions to Officers and the applicant regarding the following issues;

- Acknowledged that the portion of affordable housing has been reduced. The developer's contract with the housing provider is to deliver affordable housing. The S106 obligation's 'Late Stage' review ensures that any upward growth in the market is observed and housing is delivered.
- Explained that the reduction in the 11 affordable rent homes is compensated by more larger family sized units, more affordable rent and an earlier and quicker delivery of homes. Taylor Wimpey confirmed that works required under the modified S106 will commence within six months.
- Clarified that the removal of the 65 Intermediate properties and spitting them into private and rented units, ensures the projects viability. The 2020 application initially had 89 affordable rent units; this proposal offers 116. The 28, three and four bed units in the original application has risen to 39 three and four bed rented units.

Upon a vote of 7 for and 1 against, the Officers recommendations as set out in the main report to modify the S106 agreement dated 09/10/2020 was agreed.

It was therefore **RESOLVED**;

That the application to modify the S106 agreement dated 09/10/2020 for development at Former Poplar bus Depot, Leven Road E14 0LN. is **GRANTED**.

The Committee **Adjourned** for a short while then **Reconvened**.

## **6 OTHER PLANNING MATTERS**

### **6.1 PA/21/02707: Whitechapel Road Development Site, Whitechapel Road, London E1 2BB**

The order of business on the agenda was changed at the meeting. This application was considered before item 5.1.

Paul Buckenham reintroduced the application to grant planning permission with conditions and planning obligations, for the redevelopment of the site, involving the erection of five buildings and retention of one building for provision of up to 69,033 sqm (GIA) of Class E(g) space for flexible life science purpose uses; and provision of up to 6,363sqm (GIA) flexible Class E supporting uses and Class F1 and Class F2 supporting uses (gallery/ exhibition/ community uses); up to 2,820 sqm (GIA) F1(a) for research and development and teaching activities in the life science sector; with associated landscaping; public realm and highway works; re-provision of existing on-street car parking; and erection

13/11/2024

of a single pavilion building comprising up to 759 sqm (GIA) Class E(b) café use with ancillary storage, and Sui Generis use (public toilets) set within a new landscaped open square.

The development would also involve the erection of a building up to 4 storeys on Plot A (including top storey plant); and erection of two buildings (on Plots B1 and B3) of 4 storeys rising to 8 storeys respectively (the latter including top storey plant) including the demolition of former Outpatient's Building Annexe and part demolition/part retention of main former Outpatient's Building; and on Plot B2 the retention of the Ambrose King building.

Lastly the development would also involve the erection of a 7 storey building (including top storey plant) on Plot C (45.9m AOD); and erection of 15 storey building (including 2 top storeys of plant) on Plot D1 (78.7m AOD).

Mr Buckenham provided a presentation to accompany the application and noted that on 09 October meeting the Committee resolved to grant planning permission for the application, subject to certain amendments to the proposed Section 106 heads of terms. This included the financial contribution, affordable workspace and clarification in regards to the Community Involvement Centre.

The Committee were advised that if the applicant were unable to agree the proposed amended heads of terms, or if there were any other legal issues, that a report would be brought back for further consideration. The applicant and Council sought separate legal advice, which both concluded independently that the Development Plan Policy is the correct approach to affordable workspace and a departure from the policy had not been justified. Amendment 3 would therefore not meet the statutory legal basis for planning obligations.

The Chair requested the report be brought back to the Committee to discuss the application and subsequent planning and legal advice from Officers. Members were requested to revoke the previous resolution and agree to changes to the heads of terms, recommended in the Officer's report. Details of the proposed amendments at the previous meeting held on 09 October, the applicants position and the Officers advice were outlined to the Committee:

The Committee's proposed amendments:

1. To amend the £2.5 million planning contribution to be worded more flexibly to read "2.5 million towards the community health and wellbeing projects and programmes.
2. To clarify that the Community Involvement Centre is being offered at a 20 year lease, peppercorn rent and that the Council has exclusive use and oversight on the space and can rent it out.
3. That the planning obligations be amended to provide a commuted sum in lieu of the affordable workspace and delegate responsibilities



13/11/2024

to agree the financial amount due to the Corporate Director of Housing and Regeneration.

Applicant's Position:

1. The applicant has advised that they have a strong preference to retail the obligation with its emphasis on women's health.
2. A lease would be offered to the Council on an exclusive use basis at peppercorn rent, for health related initiatives, Lettings to third parties would need to be made in accordance with an approved lettings strategy.
3. Following the applicant obtaining legal advice on this request, they have confirmed that they cannot accept the proposed amendment. The applicant and LBTH legal advice confirms that planning policies and guidance do not allow for the requested amendments to be made and that consequently the proposed amendment does not comply with legislation on the use of planning obligations.

Officer's Advice:

1. Officers recommend that Financial Contribution 'c' is amended as follows: "2.5000,000,00 towards Women's and other Community group's health and wellbeing research, projects and programmes."
2. Obligation 'e is amended to: i) Provision of a 'Community Involvement Centre' accessible to the public and community groups to be leased to the Council on an exclusive basis to be used for health related initiatives:
  - To be provided on the ground floor of Plot D1 with Cat B fit out.
  - Peppercorn rent arrangements
  - Minimum of 20 years
  - Lettings to be in accordance with approved lettings strategy
3. Because relevant policies and guidance do not allow for this amendment and the resulting obligation would not meet relevant legislative tests, Officers recommend that this amendment is revoked and that the original affordable workspace offer is reinstated.

Only members physically present at both 28 August and 09 October meetings were permitted to vote on this application.

On a vote of 6 in favour and none against, the Committee **RESOLVED**;

1. To revoke the 9 October 2024 resolution to grant planning permission subject to the amended planning obligations.

STRATEGIC DEVELOPMENT COMMITTEE SUB SECTION ONE (UNRESTRICTED)

13/11/2024

2. To agree the minor amendments and changes to items 1 and 2. Agree to reinstate the original affordable workspace obligation (item 3).
3. To grant planning permission subject to the full list of obligations and conditions.

That planning permission be **GRANTED** for development at Whitechapel Road Development Site, Whitechapel Road, London, E1 2BB subject to planning obligations and conditions set out in the original report and minor amendments set out in the report back to the Committee.

The meeting ended at 9.08pm

Chair, Councillor Iqbal Hossain

Strategic Development Committee