

LONDON BOROUGH OF TOWER HAMLETS

MINUTES OF THE DEVELOPMENT COMMITTEE

HELD AT 5.00 P.M. ON TUESDAY, 27 APRIL 2021

ONLINE 'VIRTUAL' MEETING - [HTTPS://TOWERHAMLETS.PUBLIC-I.TV/CORE/PORTAL/HOME](https://towerhamlets.public-i.tv/core/portal/home)

Members Present:

Councillor Abdul Mukit MBE (Chair)

Councillor Sufia Alam

Councillor Kahar Chowdhury

Councillor Leema Qureshi

Councillor Kevin Brady (Substitute for Councillor John Pierce)

Other Councillors Present:

Councillor Shad Chowdhury

Councillor Puru Miah

Officers Present:

Paul Buckenham

– (Development Manager, Planning Services, Place)

Adam Garcia

– (Senior Planning Officer, West Area Team Place Directorate)

Gareth Gwynne

– (Area Planning Manager (West), Planning Services, Place)

Patrick Harmsworth

– (Senior Planning Officer, Planning Services, Place)

Siddhartha Jha

– (Principal Planning Lawyer, Governance, Legal Services)

Euan Millar-McMeeken

– (Heritage & Design Officer, Place)

Simon Westmorland

– (West Area Team Leader, Planning Services),

Zoe Folley

– (Democratic Services Officer, Committees, Governance)

Apologies:

Councillor John Pierce

Councillor Dipa Das

1. **DECLARATIONS OF DISCLOSABLE PECUNIARY INTERESTS AND OTHER INTERESTS**

Councillor Sufia Alam declared a Non - DPI interest in agenda item 140, 146 Brick Lane and 25 Woodseer Street, London, E1 6RU. This was on the basis that she lived in the ward. She advised that this had not influenced her in anyway in relation to the consideration of the application.

Councillor Leema Qureshi declared a Non - DPI interest in agenda item 140, 146 Brick Lane and 25 Woodseer Street, London, E1 6RU. This was because the application was located in her ward.

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

The Committee **RESOLVED**

1. That the minutes of the meeting of the Development Committee held on 8th April 2021 be agreed as a correct record

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**

There were none.

5. PLANNING APPLICATIONS FOR DECISION

5.1 140, 146 Brick Lane and 25 Woodseer Street, London, E1 6RU (PA/20/00415)

Update report was published.

Paul Buckenham introduced the application for the proposed development to provide an office-led, mixed use development, including retail units, restaurants and a basement gym, with associated works. It was also reported that the update report included additional representations (in objections and support) and a corrected list of documents as well as clarifications. It also proposed two additional conditions to further safeguard residential amenity.

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

- An overview of the consultation process. There had been two rounds of public consultation. Many objections had been received from residents, businesses and local amenity groups both from within Tower Hamlets and outside London. These related to a range of issues. A number of letters of support had also been received. A summary of the key issues raised was noted.
- In land use terms, the proposal was consistent with the development plan policies for the site location. Given the land uses and benefits proposed, officers considered overall that the proposal would have a positive impact on the Brick Lane District Centre, in view of the provision of flexibly-designed employment floor space, retail and restaurant space, as well as the provision of affordable workspace and independent retail units as planning obligations
- In design terms, the scheme had been designed to provide an appropriate response to the site context. Details of the design features to ensure this were noted including the setting back of upper floors; setting back of the building line along Woodseer Street; the warehouse-aesthetic of the new building taking cues from nearby brewery buildings; and various changes made to the scheme to reduce mass in response to feedback and comments received
- The development would provide new public realm in and around the site; as well as new local connections through the site to enhance the permeability of the wider area. A s106 obligation safeguarding wider connectivity improvements would be secured, including to the site to the north in the event this site comes forward for development in the future. In addition, as noted above, it was proposed that the pavement along the north side of Woodseer Street would be widened and improved with new materials, street trees and lampposts. A new public square would also be provided in the eastern part of the site
- In heritage terms, officers considered that the proposal will protect and enhance the character and appearance of the Brick Lane and Fournier Street Conservation Area; and would preserve the setting of the nearby listed buildings, given the poor condition of the existing site and quality

of the proposals. The development would only be visible to a minor extent from nearby listed buildings.

- The amenity assessment including details of the sunlight and daylight impacts on neighbouring properties. Whilst some nearby properties would experience a moderately adverse impact to daylight, such impacts were comparable with existing urban conditions and unavoidable, taking into account that the application site is uncharacteristically vacant for the location as a surface car park, and the narrowness of Woodseer Street. The Council's appointed daylight and sunlight consultant, Amy Donovan was present at the meeting to respond to any questions.
- In summary, Officers considered that the necessary steps had been taken to ensure the scheme would result in no undue impacts on residential amenity. This included mitigation measures to prevent overlooking from the proposed outdoor terraces on the second, third and fourth floors to the residential terraces on the opposite side of Woodseer Street.
- It was also of note that the proposed development performed better in terms of daylight and sunlight when compared to the historic massing on the site.
- In highway and transport terms, the scheme was policy compliant.
- A range of s106 contributions had been secured.
- Officers were recommending that the scheme was approved.

The Chair invited the registered speakers to address the committee

Alec Forshaw (Spitalfields Trust), Saif Osmani, Marian Goodrich, (resident of Woodseer Street) and Councillors Shad Chowdhury (Ward Councillor) and Puru Miah highlighted concerns about:

- Harm to the character of the existing Town Centre. The provision of office space and retail space (large offices and shopping malls) would be out of keeping with the local character and contrary to planning policy for the area. Woodseer Street was a quiet residential street.
- It would be better suited to providing housing, or a mixed use scheme that was more in keeping with the area. The area also had enough restaurants and this would also worsen problems with anti-social behaviour (ASB) in the area. Additional office/retail floor space was also not required anymore in this location, particularly in light of the pandemic
- Lack of development brief for the Truman's Brewery site.
- Poor design and the excessive building height. The proposal would be out of keeping with the character of the area and dwarf nearby properties.
- Harm to the character of the Conservation Area and heritage assets – the report does not mention the scale of the harm and importance of Woodseer Street to the Conservation area. It would be clearly visible.
- The proposals regarding widening the pathway conflicted with planning policy and would be out of keeping with the tight-knit street pattern.

- Harm to local residential amenity due to sunlight and daylight impacts. Woodseer Street would suffer a loss of light, including habitable rooms. Only few properties would remain compliant. The Woodseer Street terraces would also be overlooked by the offices.
- Impact on residential amenity from the activities associated with the commercial uses and increased footfall, including noise disturbance.
- Disturbance during the construction. There will be a high level of noise as per existing developments. Doubt was expressed about the adequacy of the controls.
- Light pollution issues.
- Harm to views
- Displacement of local businesses and residents, especially those with protected characteristics. Many small businesses opposed the proposals.
- Lack of inclusive workspace to support those from all backgrounds including Bangladeshi community.
- Lack of consideration to the Runnymede report and Equalities and Diversity issues in relation to the workspace.
- Impacts worse than the previous development.

The following representatives addressed the Committee in support of the application, Jason Zeloof, (Applicant) Azad Islam, (local trader), Jim Pool, Matt Yeoman (Architect) and Barry Hood (Daylight and Sunlight Consultant)

They highlighted the following issues:

- The applicant's longstanding commitment to the site in terms of creating successful business developments including SME space and their excellent track record in regenerating industrial buildings.
- That the site was a derelict carpark with a wall that attached ASB. This would transform the site, providing a high-quality development. There would be no new bars, large shopping malls or displacement of tenants as a result of the proposals
- The key benefits of the scheme included: creation of SME workspace. This included 10% affordable workspace and new independent retail units secured via planning obligation.
- Other benefits of the scheme were also highlighted included the public realm improvements and the environmental enhancements.
- Reassurances were provided in regards to the height and design in relation to the local context and that the scheme complied with planning policy.
- Reassurances were provided in regards to the amenity impacts.
- The applicant had fully engaged with the community, including local groups, businesses and the Mosque. Changes had been made to the scheme to address concerns. The applicant is committed to continuing to engage with the community.
- Azad Islam, local trader, highlighted the merits of the scheme from his perspective. It will bring footfall to the area and create jobs. He considered that it's a significant benefit for the area.

The Committee asked a number of questions of Officers and the registered speakers around the following issues:

- Reassurances were sought regarding the impact on existing businesses and the support for existing business and tenants. The applicant confirmed that no tenants would be displaced. Furthermore in attracting greater numbers of visitors to the area, local businesses should benefit from the proposals.
- It was also discussed whether a greater amount of affordable workspace could be provided, given the scale of the scheme. It was confirmed that the offer exceeded policy thresholds – 10% of the proposed employment space was to be provided as affordable workspace at 30% discount of market rent levels. It was confirmed that this would be secured in the s106. Officers also provided confirmation of the clauses already in the s106 guaranteeing this.
- The Committee asked questions about the measures to achieve/maintain a diverse local community. Members sought further assurances on how best this could be secured, particularly in relation to access to the affordable workspace for local businesses and the BAME community. It was asked whether further measures could be added to the s106 in relation to equality issues, to ensure this, given the character of the community, to alleviate concerns.
- It was noted that the development had been designed to accommodate SME's including, small independent businesses. It was proposed that an Affordable Workspace Strategy and an Independent Retail Strategy would be approved by the Council as part of the s106 agreement, covering such issues as promotion, rent levels and outreach work. The Council also carried out an equalities assessment, and had a duty to have regard to the equalities impact of developments.
- Members sought assurances on whether small businesses in the wider Borough could occupy the workspace, if the units were available. The applicant expressed a willingness to explore this.

Turning other issues, the Committee also discussed the following:

- The impact from the construction works. It was noted that there would be a Construction Management Plan to regulate these impacts, which would be secured by condition.
- Accessibility of the new public square. It was confirmed that the square would be publicly accessible during daytime hours.
- Daylight and sunlight impacts at Woodseer Street and the mitigation to protect amenity. It was confirmed that the retained daylight levels were consistent with the levels for other developments. A number of properties would be affected, however on balance when weighed against the merits of the scheme, these impacts were not considered to justify a refusal on this basis. It was further noted that since this was a vacant site, any development of the site would impact on sunlight and daylight levels of neighbouring properties. The assessment had been independently verified and the Council's appointed consultant was satisfied with the methodology and the results.

- Impact on residential amenity in relation to Woodseer Street, in terms of noise disturbance and loss of privacy. It was confirmed that the scheme had been designed in such a way to protect residential amenity for example by locating the smaller retail units near Woodseer Street. In addition, steps had taken to design out overlooking and protect amenity. The measures included: the installation of integrated planting troughs and a condition limiting use of the outdoor terrace to working hours only. Other measures included – the installation of gates on Woodseer Street with an earlier closing time of 11pm.
- Additional preventative measures were proposed in the update report regarding the provision of obscure glazing and that planters be retained as such for the lifetime of the building.
- The widening of Woodseer Street pathway and narrowness of the street. It was proposed to more than double the pathway, alongside other public realm improvements, (under a Section 278 Agreement) including, replacing lampposts. New trees would also be provided. The new lighting was welcomed. There may be opportunities to address any 'pinch points' through the Section 278 Agreement.
- Suitability of the site for a commercial development rather than a residential development.

Councillor Kevin Brady **moved** and Councillor Abdul Mukit **seconded** a proposal that the consideration of the planning application be deferred for the reason set out below.

On a vote of 5 in favour and 0 against the Committee **RESOLVED:**

That the consideration and determination of planning permission is **DEFERRED** at 140, 146 Brick Lane and 25 Woodseer Street, London, E1 6RU due to the following reason:

- To enable Officers to explore further the Head of Terms for the s106 agreement in relation to the terms & provision of affordable workspace and the provision of independent retail space with a focus on supporting existing local businesses and the community cohesion aspects of these matters.

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.

5.2 Community Centre and Adjoining Land, Gill Street, London, E14 8AN (PA/20/02552)

Update report published.

Paul Buckenham introduced the application for the demolition of existing modular buildings and construction of a building - comprising community use and residential dwellings with associated works.

Adam Garcia presented the report advising that:

- In land use terms, the proposed development would re-provide and enhance community facilities. It would provide much needed affordable housing, which is appropriate for the site's location.
- All of the housing would be affordable accommodation, and the Housing mix, (whilst it slightly deviated from the policy targets in terms of the bedroom mix) was broadly in line with policy and was considered acceptable due to the public benefits. All of the units would be of a high quality standard.
- The development would positively respond to the local context.
- The development would result in the loss of 7 trees. 5 of which were of low quality. 7 replacement trees would be planted.
- It was noted that a number of properties would experience daylight and sunlight impacts, at Padstow House and West Point. Overall the residual levels were in line with BRE guidance.
- Open space would be provided, resulting in an increase in readily accessible space compared to PA/15/03148.
- The scheme would provide contributions to local employment and training.
- Officers were recommending that the scheme was granted planning permission.

The Chair invited the registered speakers to address the committee

Alno Lesch and Volha Leech (local residents), expressed concerns regarding the following issues:

- That the development would put increased pressure on infrastructure and services. It would worsen existing problems on the estate including estate management issues. The area was already overpopulated. THH needs to resolve these existing issues.
- The development was higher than surrounding buildings.
- Suitability of this site for the development given the site constraints.
- Other sites were more suited to providing housing.
- The loss of green space and trees was not justified for a small amount of housing, and a hotel. Concerns over the quality of replacement trees.
- Quality of the proposed open space due to poor location and security issues.
- Harmful impacts on residential amenity
- Overdevelopment of area.

Councillor James King, the Ward Councillor, addressed the Committee. He reported on the following issues :

- The use of the portacabin by the TRA, SPLASH as well as Limehouse Bangladeshi Cultural Association. It has been stated they were interested in leasing this facility. Clarification was sought on this

- Whilst he supported the proposal, he sought clarification on the use of the E/F1 portion and its suitability for use as a prayer room for the Muslim community.
- He sought assurances from THH regarding outstanding estate management issues.
- He also requested further details on the proposed green space at the site.
- His points of clarification were set out in the Committee update report.

The applicant's representative Tim Waters and Anthony Jones addressed the Committee.

They highlighted the key features of the scheme and the main benefits including:

- The regeneration of the site to provide good quality affordable housing (100% of the accommodation), whilst providing a community facility. This would be larger in size, fitted to a 'shell and core' standard that could accommodate different end users.
- Increasing the size or changing the design of the scheme would impact on the green space.
- All of the technical reports supported the scheme.
- The existing permission had lapsed, PA/15/03148.
- The developer had consulted widely and the residents views had been taken into account. The Council were mindful of the feedback regarding the need for improved child play space, communal space, pressures on local services, and estate management issues The Council worked with THH in relation to these issues.

The Committee asked a number of questions of Officers and the registered speakers around the following issues:

- The difficulties in providing any 4 bed units, which complied with the necessary standards, due to the site constraints.
- The installation of efficient sound proofing given the site's proximity to the DLR. All of the units would have to comply with the relevant standards in this regard.
- The impact on the existing green space. It was confirmed that the existing area comprised areas of open space of poor quality or not currently accessible. Taking this into account, it was confirmed that the proposal would deliver a net increase in good quality open space.
- The proposed community facility and the plans to accommodate community groups. It was emphasised that the proposal met the policy tests regarding existing community uses. Only the land use could be secured by planning policy, not a specific end user, however it would be able to accommodate and be adapted to suite a range of end users.
- Impact on residential amenity. It was considered that due to the mitigating factors (orientation of the buildings/the windows closet to the

development/the good separation distances), that the development would have a minimal impact in terms of overlooking.

- Public access to the MUGA
- The Committee also discussed and received reassurances regarding the impact on infrastructure.

Councillor Kevin Brady **moved** and Councillor Abdul Mukit **seconded** additional conditions regarding the submission of a noise and vibration survey and a management strategy for the replacement MUGA, ensuring public access is maintained.

On a vote of 5 in favour and 0 against the Committee **RESOLVED:**

1. That, planning permission is **GRANTED** at Community Centre and Adjoining Land, Gill Street, London, E14 8AN for the following development
 - Demolition of existing modular buildings and construction of a part-one and part-seven storey building comprising community use (Class E (e-f) and Class F1) at ground floor level and 15 x residential dwellings (Class C3) above together with associated amenity areas, cycle and car parking (in the form of 1 x accessible parking bay), refuse/recycling stores and landscaping, including refurbishment of existing play and amenity space adjoining Trinidad Street and provision of replacement MUGA. (PA/20/02552)
2. Subject to the conditions and informations set out in the Committee report and the additional conditions agreed at the meeting regarding: the submission of a noise and vibration survey and a management strategy for the replacement MUGA, ensuring public access is maintained.

6. OTHER PLANNING MATTERS

There were none.

The meeting ended at 8.15 p.m.

Chair, Councillor Abdul Mukit MBE
Development Committee