

UPDATE REPORT, DEVELOPMENT COMMITTEE. 14th September 2021

Agenda item no	Reference no	Location	Proposal / Title
4.1	PA/20/00415	140, 146 Brick Lane and 25 Woodseer Street, London, E1 6RU	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.

1.0 NEW REPRESENTATIONS AND OTHER CORRESPONDANCE

- 1.1 11 additional letters of objection have been received since the publication of the deferral report on 9 September 2021. There were no new points of objection raised.
- 1.2 Two documents were emailed to development committee members from Spitalfields Trust and the Save Brick Lane coalition on 10 September 2021. The first document outlined six reasons, which according to the authors, the application should be refused. These reasons reiterate many of the objections originally provided by the Spitalfields Trust. Unless stated otherwise, these issues are addressed within the April 2021 Committee Report (Appendix 1).

The six reasons are summarised below:

- Harm to Brick Lane Town Centre on the basis of 'large office floorplates' and lack of residential uses;
- Lack of provision of affordable rental space given the high market rents for office space and no rent reduction on retail space;
- Harm to the character and appearance of the Conservation Area on the basis that the development is out of scale; impact to the quiet nature of Woodseer Street; and obscuring the Truman's chimney;
- Harm to residential amenity in terms of noise, overlooking and loss of daylight;
- Sustainability issues given the excavation of the basement and loss of existing trees;
- Prematurity in advance of an adopted planning brief for the Old Truman Brewery.

- 1.3 Regarding the basement excavation, the excavation is necessary to achieve a range of desirable urban design outcomes including suitably discrete space for back of house functions including refuse storage and space provision for plant. The trips required to undertake excavation will be detailed within a Demolition, Construction Environmental Management and Logistics Plan (including Dust and Emissions Management Plan) submitted to and approved by the local planning authority prior to the commencement of any demolition or works.
- 1.4 In regards to the grounds for prematurity, as set out in paragraphs 7.47 to 7.53 of the April 2021 Committee Report (Appendix 1), the lack of a Development Brief does not preclude individual planning applications coming forward and being determined on the site, which as with all such applications should be assessed on their own merits, in accordance with relevant Development Plan policies.
- 1.5 In this instance, officers have assessed that the proposals accord with the development plan, and furthermore, there is no development brief in the public domain, draft or otherwise. In the absence of any masterplan, development brief or planning brief that carries any weight in the consideration of the application, or meaningful preparation to date of any such document, there are no robust grounds to construe current determination of the application could be deemed premature.
- 1.6 It is also of note with regard to the wider Old Truman Brewery site in terms of built form and connectivity, the scheme would provide new pedestrian routes through to the wider site including scope for a future pedestrian link through to the undeveloped plot to the north. The latter route would be safeguarded through a planning obligation.
- 1.7 The second document sent to members stated that the negotiated planning obligations in relation to affordable workspace and independent retail are insufficient to meet the reasons for deferral.
- 1.8 In addition to the above, letters were sent to Mayor Biggs and Mr Will Tuckley (Chief Executive) from Rushanara Ali (MP for Bethnal Green and Bow) on 10 September 2021. The letters reinforced concerns previously raised by the MP that the scheme would negatively impact on the small independent shops and restaurants along Brick Lane. A letter of objection signed by 90 no. Brick Lane traders and businesses received by the Council on 26 April 2021 (updated 27 July 2020) was re-attached. There were no new points of objection raised.

2.0 AFFORDABLE WORKSPACE RENTS

- 2.1 Paragraph 3.3 of the Deferral Report sets out that the applicant has increased their offer to provide affordable workspace that is not less than 45% below the indicative market rent for a period of 15 years. The applicant has since provided further information on the affordable rental levels.
- 2.2 As set out in the Deferral Report, the applicant has committed to the workspace 'fit out' being Category A. On this basis, the applicant has provided information that current commercial rates for Category A workspace in the area are approximately £40 to £45 per sq ft. Thus, applying a 45% discount would equate to indicative affordable workspace rents of £22 to £24.75 per sq ft.
- 2.3 It has been confirmed by the Council's Growth and Economic Development Team that these stated discounted rates, expressed as £ per sq ft, are consistent with 45%

discounts of comparable new office space, in this town centre location opening onto Brick Lane.

3.0 MONITORING OF PROPOSED MARKETING STRATEGY

- 3.1 As set out in Appendix 2 (Affordable workspace and independent retail commitments secured through the legal agreement), criteria xi of the Affordable Workspace Strategy states: *'provision of ongoing monitoring and reporting of the Affordable Workspace by the affordable workspace provider to the Council'*.
- 3.2 An arrangement of monitoring of the affordable workspace would be agreed and incorporated into the Affordable Workspace Strategy. It is envisaged this would comprise initial reporting to the council following the proposed three month local marketing period, and thereafter, annual reporting on the marketing and occupancy of the affordable workspace, with an opportunity to evolve the marketing strategy over time if the annual monitoring reviewed and agreed in writing by the local planning authority deemed this appropriate and necessary.

4.0 RECOMMENDATION

- 4.1 Officer recommendation remains that planning permission should be GRANTED for the reasons set out in the Deferral Report and with application of all the amended planning obligations and set out planning conditions.