

STRATEGIC DEVELOPMENT COMMITTEE

HELD AT 7.00 P.M. ON THURSDAY, 16 SEPTEMBER 2010

DECISIONS ON PLANNING APPLICATIONS

1. APOLOGIES FOR ABSENCE

Apologies were received on behalf of Councillor Emma Jones, for whom Councillor Gloria Thienel 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
Carli Harper-Penman	7.1	Personal	Had received representations from a number of residents, Members of the Shadwell Labour Party and two sitting Councillors. Pledge made in the Labour Group Election Manifesto on the matter in question.
	7.3	Personal	Former employer subcontracted to Job Centre Plus but not in this Borough. Had received correspondence from Indigo Planning Ltd.
Bill Turner	7.1	Personal	Had received representations from Members of Shadwell Labour Party including a

			Member who had made a public representation against. Had received correspondence from Indigo Planning Ltd. Member of the Scrutiny Review Panel on Childhood Obesity.
Anwar Khan	7.1	Personal	Had received correspondence from interested parties.
	7.3	Personal	Had received correspondence from Indigo Planning Ltd.
David Edgar	7.1	Personal	Had received correspondence from interested parties.
	7.3	Personal	Had received correspondence from Indigo Planning Ltd.
Kabir Ahmed	7.1, 7.3	Personal	Had received correspondence from interested parties.
Shahed Ali	7.1	Personal	Had received correspondence from interested parties.

3. UNRESTRICTED MINUTES

The Committee **RESOLVED**

That subject to the following amendments, the unrestricted minutes of the meeting of the Committee held on 2 August 2010 be agreed as a correct record and signed by the Chair.

Item 2 – (Pg 4 of the minutes) - Councillor Bill Turner’s Declaration of Interest being amended to clarify that he had visited the Rich Mix Centre on four occasions in a 5 year period.

Item 6 – (Pg 6) – being amended to state that Councillor Shahid Ali’s proposal fell without being seconded.

Item 6 (Pg 6) – Voting on the resolution – being amended to state ‘ on a vote of 6 for and 1 against with **1 abstention**’

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 at meetings.

6. DEFERRED ITEMS

There were no deferred items.

7. PLANNING APPLICATIONS FOR DECISION

7.1 375 Cable Street, London, E1 (PA/07/03290)

Update Report Tabled.

The Chair pointed out that Councillors Shahed Ali and Anwar Khan were ineligible to vote on this item as they had not been present at the start of the item.

On a vote of 1 for and 4 against, the Committee **RESOLVED**:

That the planning permission at 375 Cable Street, London for change of use of the ground floor from retail (Class A1) to hot food take-away use (Class A5)

and the erection of an extract duct on the side elevation be **REFUSED** for the following reasons:

- impact on the Cycle Superhighway– due to parking and traffic arising from use of the takeaway.
- proximity to schools/health consideration - The scheme, by virtue of its close proximity to schools, contradicts the government's obesity strategy seeking to locate takeaways away from schools.

7.2 40 Marsh Wall (PA/10/1049)

Update Report Tabled

The Committee considered an amendment to condition (f) of the Legal Agreement requesting that the heading be changed to 'Youth Community and Arts'. This amendment was carried.

Subject to this amendment

On a vote of 5 for and 1 against with 1 abstention the Committee **RESOLVED**

1. That planning permission at 40 Marsh Wall for demolition of existing office building and erection of a 38 storey building (equivalent of 39 storeys on Manilla Street) with a 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); public open space, together with the formation of a coach and taxi drop-off point on Marsh Wall for be **GRANTED** subject to:

A. Any **direction** by **The Mayor**

B. The prior completion of a **legal agreement**, to the satisfaction of the Chief Legal Officer, to secure the following:

Financial Contributions:

- a) Employment & Training – Provide **£597,608** towards improving access to employment and training for local residents including Skillsmatch, and toward the Enterprise Team including local business support and supply chains;
- b) Transport Infrastructure Improvements - **£722,627** comprising:
 - £424,627 towards Crossrail;
 - £150,000 towards footway and carriageway reconstruction beyond the immediate environs of the site;
 - £75,000 towards Mastmaker Road/Marsh Wall junction improvements;
 - £20,000 towards the provision of TfL DAISY information boards;
 - £50,000 towards the re-provision of bus stop; and
 - £3,000 towards the funding of Workplace Travel Plan monitoring;

- c) Public Art - Provide **£35,000** towards public art within the local area. This is in line with contributions secured in the Millennium Quarter;
- d) Tourism and Olympic Signage - Provide **£1,400** towards the Thames Path National Trail;
- e) Open Space Provision – **£40,260**;
- f) Youth Community and Arts. - **£100,000**;
- g) Olympic volunteering programme - **£30,000**;
- h) Tower Hamlets leisure marketing and promotion - **£108,000**; and
- i) Tower Hamlets business tourism marketing programme - **£30,250**.

Non-Financial Contributions:

- a) Car-free agreement;
- b) TV reception monitoring;
- c) Publicly accessible open space – To maintain access across the new public realm ;
- d) Code of Construction Practice - To mitigate against environmental impacts of construction;
- e) Access to Employment - To promote employment of local people during and post construction, including an employment and training strategy;
- f) Social Compact Obligation to Commit Skills - To provide training and skills development for local secondary school children, apprenticeships and developing employment linkages with the community for the duration of occupancy at the site;
- g) Servicing Management Plan – To ensure servicing is undertaken in an appropriate manner;
- h) Air quality monitoring during construction;
- i) Travel Plan;
- j) Relocation of bus stop; and
- k) Disabled bay, coach drop off and taxi parking to be provided/maintained.

Total financial contribution: **£1,665,145**.

2. That the Head of Development Decisions is delegated power to impose conditions [and informatives] on the planning permission to secure the following:

Conditions

- 1) Permission valid for 3 years;
- 2) Contamination;
- 3) Construction Management Plan;
- 4) Foul and surface water drainage;
- 5) Monitoring and protection of ground water;
- 6) Archaeology;
- 7) Air quality assessment;
- 8) Movement of freight by water;
- 9) Evacuation plan;
- 10) Scheme of necessary highways improvements to be agreed (s278 agreement);
- 11) Piling and foundations;
- 12) Landscape management;

- 13) Ventilation and extraction;
- 14) Refuse and recycling;
- 15) Service Management Plan;
- 16) Black Redstart habitat;
- 17) Brown roof details;
- 18) Accessible hotel rooms;
- 19) Access management plan;
- 20) Pedestrian audit;
- 21) Heat network;
- 22) Materials – samples and details;
- 23) BREEAM;
- 24) Relocation of bus stop;
- 25) Vehicular, cycle and service parking;
- 26) Timely provision of coach/taxi layby on Marsh Wall;
- 27) Means of access and egress for people with disabilities;
- 28) Hours of building works;
- 29) Hammer driven piling;
- 30) Noise levels;
- 31) Vibration;
- 32) Compliance with the submitted Energy Strategy;
- 33) Photovoltaic panels;
- 34) Wheel washing;
- 35) Servicing and delivery via Manilla Street;
- 36) Compliance with Flood Risk Assessment;
- 37) Hotel Use Only;
- 38) Period of hotel suite occupation no longer than 90 consecutive days;
- 39) Approved plans; and
- 40) Any other planning condition(s) considered necessary by the Corporate Director Development & Renewal.

Informatives

- 1) Section 106 agreement required;
 - 2) Section 278 & 72 Highways agreements required;
 - 3) Contact Thames Water regarding installation of a non-return valve, petrol/oil-interceptors, water efficiency measures and storm flows;
 - 4) Changes to the current licensing exemption on dewatering;
 - 5) Contact London City Airport regarding cranes and scaffolding;
 - 6) Contact LBTH Environmental Health;
 - 7) Contact Environment Agency;
 - 8) Section 61 Agreement (Control of Pollution Act 1974) required;
 - 9) Contact London Fire & Emergency Planning Authority; and
 - 10) Any other informative(s) considered necessary by the Corporate Director Development & Renewal.
3. That the Corporate Director Development & Renewal is 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 is delegated power to refuse planning permission.

7.3 60 Commercial Road, London E1 1LP (PA/10/1481)

Update Report Tabled.

On a vote of 2 for and 4 against, the Committee **RESOLVED**

That the planning permission at 60 Commercial Road, London E1 1LP for Demolition of existing building and erection of a 19 storey building plus basement to provide plant room; 200 sqm retail/commercial /community unit (class A1/A2/A3/A4/B1/D1) at ground floor and student accommodation on upper floors (comprising 383 units) and ancillary uses; associated servicing and landscaping be NOT ACCEPTED.

The Committee indicated that they were minded to refuse the planning application because of serious concerns over:

- Inadequate s106 contributions, particularly with regard to healthcare and community projects
- Daylight and sunlight impacts upon surrounding properties
- Noise disturbance

The committee also resolved that the A4 use should be removed from the scheme.

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 setting out proposed detailed reasons for refusal and the implications of the decision.

8. OTHER PLANNING MATTERS

Nil items.

Kevan Collins
CHIEF EXECUTIVE

(Please note that the wording in this document may not reflect the final wording used in the minutes.)