

<b>Committee:</b> Strategic Development	<b>Date:</b> 12 <sup>th</sup> April 2012	<b>Classification:</b> Unrestricted	<b>Agenda Item No:</b> 8.1
<b>Report of:</b> Director of Development and Renewal		<b>Title:</b> Application for Planning Permission	
<b>Case Officer:</b> Jane Jin		<b>Ref No:</b> PA/11/3375	
		<b>Ward:</b> Blackwall and Cubitt Town	

## 1. APPLICATION DETAILS

**Location:** Poplar Business Park, 10 Prestons Road, London E14 9RL

**Existing Use:** Three two storey warehouse style building comprising circa 7000sq.m of light industrial, offices and workspace.

**Proposal:** Demolition of existing buildings and redevelopment of the site to provide a mixed use scheme of between 3 and 22 storeys comprising 8,104sq.m of business accommodation (Use Class B1), 392 residential units (Use Class C3), associated parking and landscaping.

This application is accompanied by an Environmental Impact Assessment under the provision of the Town and Country Planning (Environmental Impact Statement) Regulations 1999.

**Drawing Nos:** SCH-302 REV B, SCH-303 REV A, PL-001, PL-002, EL-001, EL-002, EL-003, EL-004, PL-003, PL-004, PL-005, PL-009A, PL-010A, PL-011A, PL-012A, PL-013A, PL-014A, PL-015A, PL-016A, PL-017A, PL-018A, PL-019A, PL-020A, PL-021A, PL-022A, PL-023A, PL-024, PL-025, PL-026, PL-027, PL-028, PL-029, PL-030, PL-031, PL-032, PL-100A, PL-101A, PL-102A, PL-103A, PL-104, PL-105, PL-200, PL-201A, PL-202A, PL-203A, PL-204A, PL-205A, PL-206, PL-300A, PL-301A, PL-302, PL-303, PL-304, PL-305, EL-141, EL-142, EL-143, EL-144, EL-145, EL-146, EL-147, EL-148, SC-151, SC-152, SC-153, SC-154, SC-155, SC-156, SC-157, LS-01, LS-04, LS-05, LS-06, LS-07

**Documents:** Design and Access Statement;  
Planning Statement;  
Environmental Statement;  
Transport Assessment;  
Sustainability Statement;  
Energy Statement;  
Statement of Community Involvement;  
Economic and Employment Study;  
Workspace Travel Plan;  
Residential Travel Plan

**Applicant:** Workspace Group plc c/o GVA

**Owner:** Workspace Group plc.

**Historic Building:** None  
**Conservation Area:** None

## **2. BACKGROUND**

- 2.1 This application for planning permission was reported to Strategic Development Committee on 1<sup>st</sup> March 2012 with an Officer recommendation for approval. A copy of the report and update is attached at Appendix A for ease of reference.
- 2.2 After consideration of the report and the update report, the committee resolved to refuse the application for the following reasons:
1. Lack of sufficient affordable housing
  2. Overdevelopment
  3. Impact on services in terms of limited capacity to accommodate the development
- 2.3 It was noted that Officers will bring further report back to the Committee setting out the detailed reasons for refusal by the Committee.

## **3.0 REASONS FOR REFUSAL**

- 3.1 The following detailed reasons for refusal are recommended.

1. The proposed affordable housing provision is considered to be inadequate and contrary to policies: 3.11, 3.12 and 3.13 of the London Plan 2011; SP02 of the Core Strategy 2010; and DM3 of the Managing Development DPD (proposed submission version 2012).

2. The proposed development, by virtue of its impact to local services and its failure to make adequate contribution towards education and health infrastructure, would result in an overdevelopment contrary to policies: 8.2 of the London Plan 2011; and SP03, SP07, SP13 of the Core Strategy 2010 and the Council's Planning Obligation Supplementary Planning Document 2012.

## **IMPLICATIONS OF THE DECISION**

- 3.2 Following the refusal of the application the following options are open to the Applicant. These would include (though not be limited to):

1. The applicant could appeal the decision and submit an award of costs application against the Council. Planning Inspectorate guidance on appeals sets out in paragraph B20 that:

*"Planning authorities are not bound to accept the recommendations of their officers. However, if officers' professional or technical advice is not followed, authorities will need to show reasonable planning grounds for taking a contrary decision and produce relevant evidence on appeal to support the decision in all respects. If they fail to do so, costs may be awarded against the Council".*

2. There are two financial implications arising from appeals against the Council's decisions. Firstly, whilst parties to a planning appeal are normally expected to bear their own costs, the Planning Inspectorate may award costs against either party on grounds of "unreasonable behaviour". Secondly, the Inspector will be entitled to consider whether proposed planning obligations meet the tests set out in the Secretary of State's Circular 05/2005 and are necessary to enable the development to proceed.

3. The Council would defend any such appeal.

4. The applicant could resubmit the planning application with amendments to the scheme in an attempt to address the concerns raised by Members.

#### **4.0 FURTHER INFORMATION**

4.1 Members should be aware that as of 1st of April, the proposal is liable for a Community Infrastructure Levy (CIL) payment. It was previously reported that the CIL for the subject proposal would be in the region of £850,000. The CIL liability would further implicate the viability of the scheme, should it be resubmitted or appealed, however the applicant has confirmed that the proposed offer of affordable housing together with S106 contributions as initially reported is maintained in relation to the current undetermined application.