

Committee: Strategic Development	Date: 15 th December 2009	Classification: Unrestricted	Agenda Item No:
Report of: Director of Development and Renewal	Title: Town Planning Application		
Case Officer: Richard Murrell	Ref No: PA/09/01198		
	Ward: Whitechapel (February 2002 onwards)		

1. APPLICATION DETAILS

Location: Jobcentre Plus, 60 Commercial Road, London E1 1LP
Existing Use: Job Centre Plus (Use Class A2/B1)
Proposal: Demolition of existing building and erection of a 21 storey building plus basement to provide retail/commercial/community unit (Use Class A1/A2/A3/A4/B1/D1) at ground floor and student accommodation and ancillary uses together with associated servicing, landscaping and other incidental works.

Drawing Nos/Documents: Drawing Numbers
596_PL_CR_000, 596_PL_CR_001 REVA, 596_PL_CR_099 REVA, 596_PL_CR_100 REVA, 596_PL_CR_101 REVA, 596_PL_CR_102 REVA, 596_PL_CR_103, 596_PL_CR_104, 596_PL_CR_106, 596_PL_CR_110 REVA, 596_PL_CR_111 REVA, 596_PL_CR_120 REVA, 596_PL_CR_121 REVA, 596_PL_CR_125, 596_PL_CR_131 REVA, 596_PL_CR_132, 596_PL_CR_133 REVA, 596_PL_CR_134 REVA, 596_PL_CR_135 REVA, 596_PL_136, 596_PL_CR_150 and 596_PL_CR_151

Documentation
Design and Access Statement (dated July 2009)
Design and Access Statement: Supplementary Document (dated September 2009)
Impact Statement (dated July 2009)
Impact Statement Addendum (dated September 2009)

Applicant: Palaville Ltd
Ownership: Palaville Ltd
Historic Building: No
Conservation Area: No

2. RECOMMENDATION

2.1 That the Committee resolve to **REFUSE** planning permission:

A. Any direction by the Mayor of London.

For the following reasons:

1. The proposed development, by virtue of its excessive height and bulk, would appear out of character with the surrounding area. The proposal fails to relate to the scale of nearby buildings on Commercial Road and to the rear of the site on Back Church Lane. As a result, it is considered that the proposal would be out of keeping with the existing urban form. The proposal is therefore contrary to policies 4B.1, 4B.8, 4B.9,

and 4B.10 of The London Plan 2008, policies DEV1, DEV2 and DEV3 of the Unitary Development Plan 1998 and policies CP48, DEV1, DEV2 and CON2 of the Council's Interim Planning Guidance 2007 which seek to ensure development is of appropriate design.

2. The proposed development would result in unacceptable loss of daylight and sunlight to nearby residential properties and as such is contrary to saved policies DEV1 and DEV2 of the adopted Tower Hamlets Unitary Development Plan 1998 and policies DEV1 and DEV2 of Council's Interim Planning Guidance (2007): Core Strategy and Development Control, which seek to ensure development does not have an adverse impact on neighbouring amenity.
3. The planning obligations are considered inadequate to mitigate against the impact of the development on community infrastructure and transport. As such, the proposal fails to comply with the requirements of Policy DEV4 of the adopted Tower Hamlets Unitary Development Plan 1998 which seeks to secure appropriate planning obligations which are reasonably related to the scale and nature of the proposed development and are necessary for the development to proceed.

3 BACKGROUND

- 3.1 This application for planning permission was reported to Strategic Development Committee on 10th November 2009 with an Officer recommendation for approval.
- 3.2 Members' indicated that they were minded to refuse the planning application because of serious concerns over:
 - The height and bulk of the proposed development in the context of surrounding buildings.
 - Daylight and sunlight issues.
 - Inappropriate S106 contributions
- 3.3 Members' resolved to defer making a decision to allow Officer's to prepare a supplemental report setting out the reasons for refusal and the implications of the decision. The proposed reasons for refusal are set out at Section 2 of this report.
- 3.4 This planning application is linked to an associated planning application at 122 Back Church Lane (reference PA/09/1199). The proposed office building at Back Church Lane is proposed to re-provide floorspace that would be lost at 60 Commercial Road and at 122 Back Church Lane.
- 3.5 The application at 122 Back Church Lane was withdrawn from the agenda at the Strategic Development Committee on 10th November 2009. This application will now be considered as a standalone scheme as the principle of the proposed office development on this site is not dependent on the development of 60 Commercial Road. Re-consultation will be carried out and the application will be determined in accordance with Council procedure. Given the scale of the proposal, it will not be brought back before the Strategic Development Committee for decision. It is noted that the applicant has advised that this scheme would be 'unviable on a standalone basis'.
- 3.6 Members are made aware of a revised section 106 package put forward by the applicant. The revised offer for the two sites is £940,000. The additional contribution is proposed to raise the 'community benefits package' from £222,230 to £600,000. Officers have not had sufficient time to consider whether this offer meets the tests set out in Circular 05/05 or whether there is a mechanism for this money to be spent. As such, Members are advised to consider the scheme on the basis of the offer put before them on 10th November 2009.

Implications of the decision

- 3.6 Following the refusal of the application there would be a number of possibilities open to the Applicant. These would include (though not be limited to):-
- I. Resubmission of an amended scheme to overcome reasons for refusal;
 - II. Lodge an appeal against the refusal of the scheme. The Council would vigorously defend any appeal against a refusal.

4.0 Conclusions

All other relevant policies and considerations have been taken into account. Planning permission and Conservation Area Consent should be REFUSED for the reasons set out in the RECOMMENDATION at the beginning of this report.

5.0 APPENDICIES

- 5.1 Appendix One - Committee Report to Members on 10th November 2009
5.2 Appendix Two – Addendum Report to Members on 10th November 2009