

Committee: Strategic Development	Date: 16 th March 2010	Classification: Unrestricted	Agenda Item No:
Report of: Director of Development and Renewal		Title: Planning Application for Decision	
Case Officer: Laura Webster		Ref No: PA/09/2099	
		Ward: Limehouse	

1. APPLICATION DETAILS

Location:	Site at 82 West India Dock Road and 15 Salter Street, London E14
Existing Use:	Vacant site (former commercial buildings now demolished)
Proposal:	Erection of a part 3, 14 and 16 storey building to provide a 252 hotel and incorporating meeting/conference rooms, restaurant, cafe and bar as well as formation of a drop-off area and servicing access off Salter Street
Drawing Nos/Documents:	<p>Drawings: 7101-P0-100, 7101-P0-101 REVISION -, 7101-P1-100 REVISION H, 7101-P1-101 REV H, 7101-P1-102 REV H, 7101-P1-103 REV H, 7101-P-1-112 REV H, 7101-P-115 REV H, 7101-P2-100 REV H, 7101-P2-101 REV H, 7101-P3-101 REV H, 7101-P3-102 REV H, 7101-P3-103 REV H, 7101-P3-104 REV H, 7101-P3-105 REV H, 7101-P3-106 REV H, 1125/SK/14, 1125/SK/15 REV A, 1125/SK/13 REV A, 1125/SK/16 REV A</p> <p>Documents: - Design and Access Statement dated October 2009 - Planning Impact Statement dated October 2009 - Construction Methodology Report 15 September 2009 - Construction Environmental Management Plan August 2009 - Daylight and Sunlight Report, GL Hearn 6th October 2009 - Transport Assessment September 2009 - Radio and Television Reception Impact Assessment 8th September 2009 - Flood Risk Assessment October 2009 - Noise and Vibration Assessment 6 October 2009 - Wind Microclimate Study 16th September 2009 - Air Quality Assessment October 2009 - Lighting Technical Report September 2009 - London City Airport Aviation Assessment - Utility Services Requirements October 2009 - Code of Construction Practice August 2009 - Phase I Geotechnical Assessment September 2009 - Sustainable Energy Strategy December 2009 - Sustainability Report 19 December 2009 Rev B</p>
Applicant:	Aitch Group
Ownership:	West India Dock Road Ltd
Historic Building:	No
Conservation Area:	No

2. BACKGROUND

- 2.1 This application for planning permission was reported to Strategic Development Committee on 2nd February 2010 with an Officer recommendation for approval.
- 2.2 Members indicated that they were minded to refuse the proposal for the following reasons:
- The height, bulk and mass of the proposed building and impact upon public realm;
 - The possible inadequacy of the degree of public consultation undertaken;
 - The loss of 6 street car parking spaces;
 - Hotel use being incompatible with the residential nature of the area.

3. CONSIDERATION OF REASONS

Height, bulk and mass of the proposed building

- 3.1 The height, bulk and mass of the proposed building is considerably less than the extant permission on the site. The extant permission is up to 20 storeys in height and up to 7 storeys in height on the Salter Street elevation. This permission was granted on appeal by the Planning Inspectorate, despite the Council's argument that the scheme was too high and bulky. In these circumstances, it is highly unlikely that an argument that the proposal is unacceptable on height, bulk and scale grounds is likely to be successful and there is a possibility that a refusal on these grounds could be seen being unreasonable. Officers therefore recommend that this proposed reason for refusal is not pursued.
- 3.2. All impacts on the surrounding public realm have been assessed and are considered acceptable by officers.
- 3.3 Nevertheless, to address Members concerns about the impact of this scheme on the wider area, Officers have negotiated two new heads of terms to address their concerns about the wider impact of the scheme on the adjacent area:
1. A payment of £125,000 towards leisure and recreation facilities in the local area, including the improvement of Poplar, Bartlett and/or Mile End Park.
 2. A requirement that the applicant participates in the Council's 'Skillsmatch' job brokerage service to ensure local people benefit from the new jobs created by this development.
- 3.4 Officers believe that these additional S106 contributions mitigate Members concerns.
- ### **Car Parking**
- 3.5 The loss of car parking to the north of the site has been considered and is acceptable in highways terms. The loss of car parking only arises as a result of the requirement to implement a comprehensive and successful public realm strategy, which would greatly improve the local area. The applicants have indicated that they are willing to amend the public realm scheme within the S.106 to retain the car parking spaces. However, officers consider this would compromise the success of the public realm improvements.
- ### **Consultation**
- 3.6 Consultation was carried out by the Council in line with statutory requirements. The applicant also carried out their own public consultation exercise to properties within a 250 metre radius of the site (1229 properties in total), prior to submission of the application. The Council's legal officer advised the committee that a reason for refusal on the basis on inadequate consultation could not be sustained on appeal given the statutory consultation requirements had been complied with. Officers therefore do not

recommend that this is considered as a reason for refusal.

Hotel Use

- 3.7 The argument that a hotel use at the site is unacceptable and is contrary to planning policy would be impossible to sustain. The London Plan, the Council's Interim Planning Guidance and Core Strategy (December 2009) all support the principle of a hotel use at this site. The use is therefore considered acceptable within this location.

Costs at appeal

- 3.5 Government Advice Circular 03/2009 states:

'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 authority.'

4.0 CONCLUSION

- 4.1 Planning permission should be APPROVED for the reasons set out in the RECOMMENDATION at the beginning of the report to committee dated 2nd February 2010 which is appended to this report, subject to the addition of the new clauses in the proposed S106 agreement, outlined in paragraph 3.3 of this report.

5.0 APPENDICIES

- 5.1 Appendix One - Committee Report to Members on 2nd February 2010
5.2 Appendix Two – Addendum Report to Members on 2nd February 2010