

LONDON BOROUGH OF TOWER HAMLETS

Agenda Item number:	6.1
Reference number:	PA/10/1481
Location:	60 Commercial Road, London E1 1LP
Proposal:	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.

1.0 Section S106 clarification

1.1 With reference to the financial contributions outlined in section 2a (b) of the committee report dated 28th October 2010, the contributions towards leisure, library/idea stores, open space and health care facilities should be allocated to both the Whitechapel ward and/or Shadwell ward areas due to their proximity and the indicated demand for such contributions. As such, the recommend financial contributions to be secured in the Section 106 Agreement are as follows:

- £545,508 towards cultural, recreational and community projects in the Whitechapel ward area and/or Shadwell ward area to be allocated as follows:
 - £168,533 towards leisure and community facilities in the Whitechapel ward area and/or the Shadwell ward area
 - £333,607 towards open space in Whitechapel ward area and or the Shadwell ward area
 - £43,368 towards library/idea store facilities in the Whitechapel ward area and/or the Shadwell ward area
- £166,622 towards health care facilities in the Whitechapel ward area and/or the Shadwell ward area
- £60,000 towards highway improvement works
- £100,000 towards pedestrian improvement works
- £109,000 towards bus capacity improvements

Total S106 financial contribution. = **£981,130**

1.2 Please find attached a copy of the Shadwell and Whitechapel ward maps.

1.3 The last sentence in section 4.1 of the committee report dated 28th October 2010 should read 'as follows: " The breakdown of the financial contributions is set out in section 2.1 of the report"'.

2.0 Representation received

Harry Primary School

2.1 The following comments were made by Harry Gosling Primary School, Fairclough Street, E1 INT

2.2

- Should planning be approved, hours of construction should be controlled.

(Officers comment: The hours of building, engineering, demolition would be carried

out only between the hours of 8am and 6pm Mondays to Fridays and between the hours of 8am and 5pm Saturdays and shall not be carried out at any time on Sundays or Public Holidays. This would be secured by way of condition).

- 2.3
- Heavy plant and vehicular access on the roads surrounding the school should be controlled to ensure pedestrian safety.

(Officers comment: The applicant would be required to submit a Construction, Delivery and Service Management Plans to ensure that the resulting construction, delivery and servicing arrangements are satisfactory in terms of their impact on the free flow of traffic and highways safety. This would be secured by way of condition).

- 2.4
- A development of this scale should provide housing for the local area.

(Officers comment: The proposed application presented to Members is not for a residential development. As such, the provision of housing on this site is not relevant to the assessment of the application).

Additional comments

- 2.4
- A concern was raised relating to the processing of this application as a deferred item the following was questioned:

- The whereabouts of the draft reasons for refusal in the report.
- The purpose of taking this item back to the Strategic Development Committee.
- Speaking rights at committee.

(Officers comment: The precise drafting of the reasons for refusal are on page 27 at Paragraph 5.2 of the report. The minutes of the meeting indicated that on a vote of 2 for and 4 against, the Committee resolved not to accept the officers recommendation and indicated that they were minded to refuse the planning application because of concerns over s.106 contributions, daylight and sunlight and noise disturbance. The committee also resolved that the A4 use should be removed from the scheme.

In accordance with Development Committee Procedure Rules, the application was deferred to enable officers to prepare a supplementary report to a setting out proposed detailed reasons for refusal (found at paragraph 5.2 of the supplementary report) and the implications of the decision as set out in paragraph 5.3 of the supplementary report. In order for the implications to be fully understood it is necessary for any further information and points of clarification to be explained in the report and this takes place at paragraph 4.

It was confirmed that no speakers will be allowed on the night as this matter is a deferred item which does not trigger public speaking rights. In addition representations have already been heard and there has been no other material changes to the application in relation to the matters raised by speakers at the previous committee).

- 2.5
- The additional representations received are available to view at the meeting.

3.0 RECOMMENDATION

- 3.1 The recommendation remains unchanged apart from the inclusion of the Shadwell ward area for the allocation of financial contributions towards leisure, library, open space and health care facilities in the Section 106 Agreement as identified in Section 1.1 of this report.