

<b>Committee:</b> Development Committee	<b>Date:</b> 6 <sup>th</sup> June 2012	<b>Classification:</b> Unrestricted	<b>Agenda Item No:</b> 9.1
<b>Report of:</b> Corporate Director Development & Renewal  <b>Case Officer:</b> Mandip Dhillon		<b>Title:</b> Planning Application for Decision  <b>Ref No:</b> PA/12/00799  <b>Ward(s):</b> Bow East	

## 1. APPLICATION DETAILS

**Location:** Victoria Park, near St Marks Gate Entrance, Cadogan Terrace, London  
**Existing Use:** Park  
**Proposal:** Installation of temporary (July 2012 to September 2012) cycle parking facility, associated marquees/gazebos and lighting, in support of the London Olympic and Paralympic Games.

**Drawing Nos:** Drawing Numbers and Documents:  
TCP-DWG-APP-GA-DET-001;  
TCP-DWG-APP-LOC-CON-002;  
TCP-DWG-APP-LOC-CON-001;  
TCP-DWG-APP-GA-DET-001;  
Letter from AECOM dated 11<sup>th</sup> May 2012 (outlining site restoration methodology) and  
Planning Statement

**Applicant:** Olympic Delivery Authority

**Owner:** London Borough of Tower Hamlets

**Historic Building:** Victoria Park is a Listed Park and Garden.  
There are some listed structures within Victoria Park (Grade II listed) however these are not within the vicinity of the application site.

**Conservation Area:** Victoria Park Conservation Area

**Other Designations:** Victoria Park is designated area of Metropolitan Open Land and a Site of Nature Conservation Importance.

## 2. SUMMARY OF MATERIAL PLANNING CONSIDERATIONS

2.1 Officers have considered the particular circumstances of this application against the Council's approved planning policies contained in the London Borough of Tower Hamlets Unitary Development Plan 1998, (Saved policies); associated Supplementary Planning Guidance, the London Borough of Tower Hamlets adopted Core Strategy (2010), Managing Development DPD (Submission Version 2012); Interim Planning Guidance (October 2007), as well as the London Plan (2011) and the National Planning Policy Framework, and has found that:

1. The proposal is only considered to be acceptable because it is a proposal for the temporary installation of cycle parking with the site conditions being reinstated on removal. The temporary facility is considered to be acceptable under exceptional circumstances, as it facilitates the 2012 London Olympic Games, which meets the aims and objectives of Policy 2.4 of the London Plan 2011 and SO2 of the Core

Strategy adopted 2010.

2. Due to the temporary nature of the structures located within the Park, the proposal would not have a long term impact on the character of the Victoria Park Conservation Area, the Listed Park and Garden or this designated Metropolitan Open Land in accordance with policies 7.8, 7.17 and 7.19 of the London Plan (2011); Policy SP04 and SP10 of the Core Strategy (2010), saved policies DEV43 and DEV57 of the Unitary Development Plan 1998, policies OSN1, OSN2 and CON3 of the Interim Planning Guidance 2007 and Policy DM27 of the Managing Development DPD (Submission Version 2012).

### **3. RECOMMENDATION**

3.1 That the committee resolves to **GRANT** planning permission subject to:

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

3.2 That the Corporate Director Development & Renewal is delegated power to impose conditions and informatives on the planning permission to secure the following matters:

#### **Conditions:**

- 1) Temporary consent from July 2012 to September 2012 after which the development shall be deconstructed and removed
- 2) Site to be reinstated upon deconstruction in accordance with details hereby submitted and approved
- 3) Scheme to be built in accordance with the approved plans
- 4) Hours of operation
- 5) Hours of illumination
- 6) Implementation of the Marketing of the facility in accordance with the details submitted and hereby approved
- 7) No loading/unloading on the public highway during construction or operation
- 8) 24 hour security patrols
- 9) No bicycle access along Southern Drive
- 10) Any other planning condition(s) considered necessary by the Corporate Director Development & Renewal.

#### **3.3 Informatives**

- 1) With regard to condition 2 and the Site Restoration, the LBTH Parks department request the implementation of the Yorkshire Green proposal outlined in the letter dated 11<sup>th</sup> May 2012 from AECOM (approved document).
- 2) The applicants are advised to liaise with TfL and inform them of any Barclays Cycle Hire bikes left at the site, to allow TfL to remove them.
- 3) Any facilities for the storage of oil, fuel or chemicals must be provided in accordance with the relevant regulations. Please refer to our Pollution Prevention Guidance for more information.
- 4) Any other informative(s) considered necessary by the Corporate Director Development & Renewal.

### **4. PROPOSAL AND LOCATION DETAILS**

#### **Proposal**

4.1 This application proposes the erection of a temporary cycle parking transport hub facility in Victoria Park. The proposed cycle facility will provide approximately 4,000 temporary cycle parking spaces throughout the Olympic and Paralympic period. The cycle facility measures approximately 0.6hectares and is located 60 metres to the west of the park entrance on St

Marks Gate.

- 4.2 The overall cycle facility will be enclosed by Heras fencing around the perimeter to ensure the security of the bikes. The proposal also includes the erection of supporting temporary structures located along the frontage and entrance into the cycle facility, along its southern boundary. The temporary buildings will comprise portacabins and gazebos and provide facilities for users of the cycle facility including WC blocks, Maintenance units and offices for staff. Temporary tents/gazebos are also proposed at the entrance point providing a check point for users of the facility to ensure security.
- 4.3 The site area of the cycle parking facility and associated structures is approximately 0.6 hectares, representing less than 1% of the total area of Victoria Park (being approx 86 hectares).

### Site and Surroundings

- 4.4 The subject site is within the north eastern part of Victoria Park, close to the borough boundary with LB Hackney. Victoria Park measures approximately 86 ha in area. This site as a whole is designated as Metropolitan Open Land, a site of Nature Conservation Importance and a Listed Park and Garden.
- 4.5 There are no Listed buildings or structure on the subject site, although the Park itself is a Listed Park and Garden and contains some listed structures, although these are not within the immediate vicinity of the application site. The site is located within the Victoria Park Conservation Area.
- 4.6 Site Location Plan

Figure 1



### Relevant Planning History

- 4.7 PA/12/1007 – A planning application for Temporary use of southern part of Victoria Park adjacent to Hertford Union Canal for live music performances, live broadcasting of the Olympic Games on large screens, interactive sports zones, cultural and artistic performances and exhibitions, including the erection of temporary structures, pedestrian and vehicular access areas and operation compounds. Setting up, staging events and the removal of all structures and equipment after the events. The proposal is for a temporary period between

18 July 2012 and 17 August 2012 and is currently pending determination.

## 5. POLICY FRAMEWORK

- 5.1 For details of the status of relevant policies see the front sheet for “Planning Applications for Determination” agenda items. The following policies are relevant to this application:

### **Spatial Development Strategy for Greater London (London Plan) (2011)**

<b>Policies:</b>	2.4	The 2012 Games and their Legacy
	5.12	Flood Risk Management
	6.4	Enhancing London’s Transport Connectivity
	6.9	Cycling
	6.11	Smoothing Traffic Flow and tackling congestion
	7.3	Designing out Crime
	7.8	Heritage Assets
	7.9	Heritage-led Regeneration
	7.17	Metropolitan Open Land
	7.19	Biodiversity and Access to Nature
	7.21	Trees and Woodland

### **Unitary Development Plan 1998 (as saved September 2007)**

<b>Policies:</b>	DEV1	Design Requirements
	DEV2	Environmental Requirements
	DEV12	Provision Of Landscaping in Development
	DEV15	Retention/Replacement of Mature Trees
	DEV43	Protection of Archaeological Heritage
	DEV44	Preservation of Archaeological Remains
	DEV57	Development Affecting Nature Conservation Areas
	T16	Traffic Priorities for New Development
	U2	Development in Areas at Risk from Flooding
	U3	Flood Protection Measures

### **Core Strategy Development Plan Document (Adopted September 2010)**

<b>Policies:</b>	S02	Maximising the Olympic Legacy
	SP02	Urban living for everyone
	SP04	Creating a green and blue grid
	SP08	Making connected places
	SP10	Creating distinct and durable places
	SP12	Delivering Placemaking – LAP 5&6 Bow

### **Interim Planning Guidance for the purposes of Development Control**

<b>Policies:</b>	DEV1	Amenity
	DEV2	Character and Design
	DEV4	Safety and Security
	DEV12	Management of Demolition and Construction
	DEV13	Landscaping and Tree Preservation
	DEV16	Walking and Cycling Routes and Facilities
	DEV17	Transport Assessments
	DEV21	Flood Risk Management
	DEV22	Contaminated Land
	OSN1	Metropolitan Open Land
	OSN2	Open Space

CON3 Protection of World Heritage Sites, London Squares, Historic Parks and Gardens

**Managing Development, Development Plan Document (DPD)  
Submission Version May 2012**

Policies: DM10 Delivering Open Space  
DM11 Living Buildings and Biodiversity  
DM20 Supporting a Sustainable Transport Network  
DM22 Parking  
DM24 Place-Sensitive Design  
DM25 Amenity  
DM27 Heritage and the Historic Environment

**Supplementary Planning Guidance/Documents**

**London Borough of Tower Hamlets**

Victoria Park Conservation Area Character Appraisal November 2009

**English Heritage**

Temporary Structures in Historic Palaces

**The National Planning Policy Framework (2012)**

**Community Plan** The following Community Plan objectives relate to the application:

- A better place for living safely
- A better place for living well
- A better place for creating and sharing prosperity

**6. CONSULTATION RESPONSE**

- 6.1 The views of the Directorate of Development and Renewal are expressed in the MATERIAL PLANNING CONSIDERATIONS section below:
- 6.2 The following were consulted regarding the application:

**LBTH Biodiversity**

- 6.3 Victoria Park is considered to be of limited nature conservation value, consisting of amenity grassland with no trees or shrubs. There is a potential impact on biodiversity from the temporary installation from the lighting which could impact on feeding or roosting bats. Impact of light spillage onto the treeline to the east of the development site should be avoided. Further details of light levels have been requested.

*(Officer Comment: The Planning Statement has identified the potential impact of the lighting on the bats to the east of the site. To address this, all lighting towers are proposed to be fitted white light and cowls fixtures to direct light onto the application site only, preventing spill into these areas of sensitive receptors. It is also proposed to restrict the hours of operation for the operation of the lighting towers to be switched off by 1am during the Olympic period and midnight during the Paralympics. The lighting towers will not be operational outside of the event dates.)*

**LBTH Ecology Officer**

- 6.4 No comments received to date.

## **LBTH Parks and Open Spaces**

- 6.5 Parks have requested that the park restoration works to the park are secured by condition.

*(Officer comment: A condition will be imposed on the planning consent.)*

## **LBTH Aboricultural Officer**

- 6.6 No objections subject to the park restoration works being secured by condition.

*(Officer comment: A condition will be imposed on the planning consent.)*

## **Environmental Health**

- 6.7 Contaminated Land

No comments received to date.

## **LBTH Highways and Strategic Transport**

- 6.8 No objection in principle.

The facility will serve Olympic spectators, Olympic workforce and Live Nation spectators. The methodology to assess the capacity is considered to be acceptable by the LBTH Highways team.

The design of the temporary cycle stands is acceptable. Consideration should be given to conditioning a proportion of larger spaces for trikes and recumbent cycles.

*(Officer comment: Provision of 126 larger spaces to facilitate trikes and recumbent cycles is proposed around the perimeter of the site. Implementation of the proposals in accordance with the approved plans is able to ensure delivery of these spaces.)*

Further details have been requested of the signage or directional information provided to guide cyclists around the perimeter route, rather than the North South route of the park.

*(Officer Comment: Further information has been requested and will be provided to Members within an update report.)*

An informative is requested to ensure any Barclays Cycle Hire bikes left at the site to be collected promptly, through effective communications with TfL.

*(Officer Comment: An informative will be imposed on the planning consent.)*

## **LBTH Olympic Team**

- 6.9 No objections.

## **CLC**

- 6.10 No comments received to date.

## **ODA**

- 6.11 No comments received to date.

## **English Heritage**

6.12 No objections.

**English Heritage Archaeology**

6.13 No comments received to date.

**L B Hackney**

6.14 No comments received.

**Greater London Authority – Mayor of London**

6.15 No comments received to date, however, Officers held pre-application discussions with the GLA and it was not considered that the proposal was referable under the Mayors Order.

*(Officer comment: An update report will be presented to Members advising of any further comments received.)*

**Environment Agency**

6.16 No objection subject to the imposition of an informative regarding storage of chemical.

*(Officer comment: An informative will be imposed on the planning consent.)*

**Transport for London**

6.17 No objections raised.

6.18 A full copy of all comments received will be available to view by Members prior to the committee meeting.

**7. LOCAL REPRESENTATION**

7.1 A total of 253 neighbouring properties within the area shown on the map appended to this report were notified about the application and invited to comment. The application has also been publicised in East End Life and on site. The press advert placed in East End Life is due to expire on 4<sup>th</sup> June 2012.

An update report will minute any further representations received at the planning committee meeting.

The number of representations received to date from neighbours and local groups in response to notification and publicity of the application are as follows:

No of individual responses:	1	Objecting:	0	Supporting:	1
No of petitions received:	0				

7.2 The following issues were raised in representations received:

- The Council should consider retention of a permanent cycle parking facility within Victoria Park to facilitate cyclists.

*(Officer comment: There are existing cycle stands in and around Victoria Park. There are no proposals to permanently retain the cycle facility within Victoria Park.)*

7.3 A full copy of all comments received will be available to view by Members prior to the

committee meeting.

## **8. MATERIAL PLANNING CONSIDERATIONS**

8.1 The main planning issues raised by the application that the committee must consider are:

1. Land Use
2. Design
3. Amenity
4. Transport
5. Other

### **Land Use**

- 8.2 The existing site comprises a park, which is designated as Metropolitan Open Land and a Listed Park and Garden. Policies 7.8, 7.17 and 7.19 of the London Plan (2011) seek to protect Metropolitan Open Land and Heritage Assets. Local Planning policies SP04 and SP10 of the Core Strategy (2010), saved policies DEV43 and DEV57 of the Unitary Development Plan 1998, policies OSN1, OSN2 and CON3 of the Interim Planning Guidance 2007 and DM24 and DM27 of the Managing Development DPD (Submission Version 2012) seek to protect and safeguard all existing open space, Listed Parks and Gardens and Sites of Nature Conservation Importance, such that there is no net loss.
- 8.3 The scheme does not propose a permanent change in land use of the site, but a temporary installation to provide a cycle parking facility for during the London Olympic and Paralympic Games for July to September 2012. The cycle parking facility will facilitate 4000 cyclists using either the Olympic Park site or visiting the Live Nation event. The facility will also be available to employees.
- 8.4 Policy 2.4 of London Plan 2011 requires the borough to encourage the promotion of the Olympic Park and venues as an international visitor destination. Strategic Objective SO2 of the Core Strategy 2010 seeks to ensure that Tower Hamlets supports the activities and sporting events and opportunities associated with the London Olympic Games. The provision of this temporary cycle parking facility seeks to promote and support the sporting activities for the duration of the Olympic and Paralympics Games.
- 8.5 As the proposal will not result in the permanent loss of Metropolitan Open Land, and the site will be restored to its former condition, in this case it is considered acceptable in land use terms.

### **Design**

- 8.6 Chapter 7 of the London Plan places an emphasis on robust design in new development. Policy 7.4 specifically seeks high quality urban design having regard to the pattern and grain of the existing spaces and streets. Policy 7.6 seeks highest architectural quality, enhanced public realm, materials that compliment the local character, quality adaptable space, and to optimise the potential of the site.
- 8.7 Saved UDP policies DEV1, DEV2 and DEV3 seek to ensure that all new developments are sensitive to the character of their surroundings in terms of design, bulk, scale and use of materials. Core Strategy Policy SP10 and Policy DM23 and DM24 of the Managing Development DPD (Submission Version 2012) seek to ensure that buildings and neighbourhoods promote good design principles to create buildings, spaces and places that are high-quality, sustainable, accessible, attractive, durable and well-integrated with their surrounds.



- 8.8 As the proposal is temporary, no permanent adverse impacts are envisaged to the Victoria Park Conservation Area or this Listed Park and Garden.

#### Heritage

- 8.9 Policy 7.8 of the London Plan (2011) considered alongside Policies SP10 of the Council's Core Strategy (2010), Policies OSN1 and CON3 of the Interim Planning Guidance 2007 and DM27 of the Managing Development DPD (Submission Version 2012) seek to protect and enhance heritage assets and ensure development affecting heritage assets and their setting will conserve their significance, by being sympathetic to their form, scale, materials and architectural detail.
- 8.10 The site of the temporary cycle park lies within the Island Garden Conservation Area, an area of designated Metropolitan Open Land and Listed Park and Garden. English Heritage and the Council's Design and Conservation officer have considered the proposal, and raised no objection on the grounds of historic importance.
- 8.11 Whilst the design, scale and treatment of the cycle parking facility and the associated structures would not normally be suitable within Victoria Park, due to the temporary nature of the proposal, on balance the development is considered to be acceptable

#### Design Conclusions

- 8.12 In terms of scale and massing, the proposed development is considered acceptable on the basis that it is temporary, for the period of the 2012 Olympics only. A condition will be attached if planning permission is granted to ensure that the park is made good after the facilities are removed.

#### **Amenity**

##### Temporary Loss of Open Space

- 8.13 The proposed structure will be on site for the duration of the 2012 Olympics.
- 8.14 During this time it will have a detrimental impact upon the enjoyment of the Victoria Park, due to its location.
- 8.15 However, the structure is temporary and will take up less than 1% of the area of the park, allowing for a temporary parking facility to accommodate visitors and tourists to the Olympic Park venues. Accordingly, on balance the proposal is considered to be acceptable given the short-term consent period and benefits to London as a tourist destination.

##### Light and Noise Impacts

- 8.16 Saved policy DEV2 of the UDP (1998), policy DM25 of the Managing Development DPD (Submission Version 2012) and policy DEV1 of the Interim Planning Guidance (2007) seek to preserve residents' amenity in particular and the surrounding area in general.
- 8.17 It is anticipated that the lighting towers will illuminate the cycle parking facility during the operation hours only and only for the period of the Olympics and Paralympics. The lighting towers will produce limited noise, equivalent to that of a normal conversation, and will not therefore be audible at nearby sensitive receptors.
- 8.18 The hours of operation for the lighting towers will be restricted to the following hours by condition:

- 27<sup>th</sup> July 2012- 12<sup>th</sup> August 2012  
07.30am – 01.00am
- 29<sup>th</sup> August 2012- 9<sup>th</sup> September 2012  
08.00am – 00.00 (Midnight)

### Daylight and Sunlight

- 8.19 Policy DEV2 of the UDP seeks to ensure that adjoining buildings are not adversely affected by a material deterioration of their daylighting and sunlighting conditions. Supporting paragraph 4.8 states that policy DEV2 is concerned with the impact of development on the amenity of residents and the environment. This is further carried through to policy DM25 of the Managing Development DPD (Submission Version 2012).
- 8.20 Given the location of the temporary parking facility which is some distance from residential properties, the proposal would not result in an unduly detrimental impact upon the enjoyment of daylight and sunlight for residential occupants, or Victoria Park.

### Conclusion

- 8.21 On balance, it is considered that as the proposal is temporary in nature, it will not result in an unduly detrimental loss of amenity for residents or visitors to the Borough.

### **Transport**

- 8.22 Saved UDP policies T16, T18, T19 and T21, Core Strategy Policy SP08 & SP09 and Policy DM20 of the Managing Development DPD (Submission Version 2012) together seek to deliver accessible, efficient and sustainable transport network, ensuring new development has no adverse impact on the safety and road network capacity, requires the assessment of traffic generation impacts and also seek to prioritise and encourage improvements to the pedestrian environment.
- 8.23 The proposal does not lie within the public highway, nor will it have an impact upon the local highway network.
- 8.24 The proposal seeks to promote sustainable methods of travel to and from the London Olympic and Paralympic Games at a time when London will experience considerable demands on transport and accessibility. The encouragement of visitors to use bicycles during the Games will assist in alleviating pressure on public transport and London's roads.
- 8.25 The proposal has also sought to ensure directional information for users of the facility, both on site at Victoria Park and on the Transport for London website to ensure visitors access the site via the correct routes and minimise disruption to the pedestrian routes within the park.
- 8.26 As the proposal will not have a detrimental impact upon the local highway network, it is considered that the scheme is acceptable in highway terms.

### **Other Planning Issues**

#### Flood Risk

- 8.27 The application site lies within Flood Risk Zone 2. The application is temporary and does not comprise a vulnerable type of development. Accordingly, the application does not raise flood risk issues.

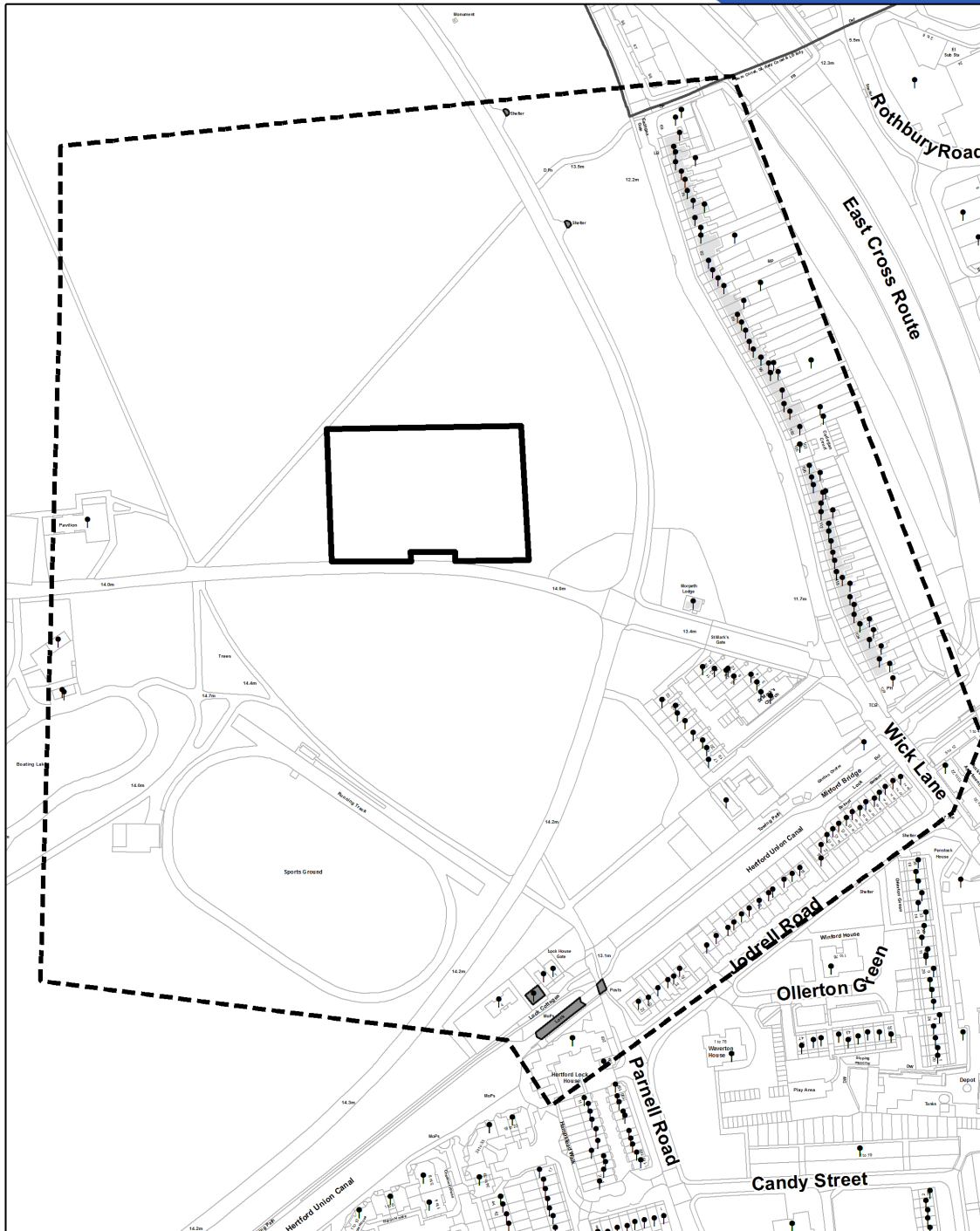
## Biodiversity

- 8.28 The application site lies within a Site of Nature Conservation Importance. The Councils Biodiversity Officer has advised that the site itself is of limited nature conservation value. The application proposes the implementation of illumination which has been designed with directional cowls to ensure light spills only into the application site and does not impact upon any bats, found to the east of the site. Accordingly, the application is not considered to raise any biodiversity issues.

## **Conclusions**

- 9.0 All other relevant policies and considerations have been taken into account. Planning permission should be approved for the reasons set out in the SUMMARY OF MATERIAL PLANNING CONSIDERATIONS and the details of the decision are set out in the RECOMMENDATION at the beginning of this report.

# Planning Application Site Map



Planning Application Site Boundary

Locally Listed Buildings

Land Parcel Address

Consultation Area

Statutory Listed Buildings

0 30 m



1:2,750

This Site Map displays the Planning Application Site Boundary and the neighbouring Occupiers / Owners who were consulted as part of the Planning Application process.

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