

# DEVELOPMENT COMMITTEE

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Wednesday, 11 December 2013 at 7.00 p.m.

Council Chamber, 1st Floor, Town Hall, Mulberry Place, 5 Clove  
Crescent, London, E14 2BG

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## UPDATE REPORT

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# Agenda Item 7.2

LONDON BOROUGH OF TOWER HAMLETS

DEVELOPMENT COMMITTEE

11December 2013

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## UPDATE REPORT OF HEAD OF PLANNING AND BUILDING CONTROL

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### INDEX

Agenda item no	Reference no	Location	Proposal
6.1	PA/13/00862 and PA/13/00863	213-217 Bow Road, E3	Demolition of existing warehouse building and erection of three residential blocks of three, four and six storeys to provide 36 dwellings together with ancillary parking and landscaping.
6.2	PA/13/00697	6 Boulcott Street, London, E1 0HR	Demolition of existing building and redevelopment to provide an 8 storey building with a social club (Use Class D2) on the ground and 1st floor with residential (Use Class C3) above, comprising 25 units (9 x 1 bed, 13 x 2 bed and 3 x 3 bed)
6.3	PA/12/02784 and PA/12/02785	Calders Wharf, Saunders Ness Road, London, E14 3EA	The redevelopment of Calders Wharf community Centre comprising the demolition of the existing building (387sq.m GIA) (Use Class D1) and adjacent boundary wall, railings and planters. The construction of a four storey building to provide a new Community Centre and children's play group facility (494 sqm GIA) (Use Class D1) and 25 new residential units (9x1 bedroom; 11x2 bedroom; 5x3 bedroom) with associated disabled parking and cycle parking, landscaped public open space, private amenity space and other associated works.
6.4	PA/13/01606	Cutty Sark House, Undine Road, London	Demolition and redevelopment of Cutty Sark House to provide 36 dwellings in two buildings of four and five storeys, together with landscaping, four disabled parking bays and associated works.

<b>Agenda Item number:</b>	6.1
<b>Reference number:</b>	PA/12/00862 and PA/13/00863
<b>Location:</b>	213-217 Bow Road, E3
<b>Proposal:</b>	Demolition of existing warehouse building and erection of three residential blocks of three, four and six storeys to provide 36 dwellings together with ancillary parking and landscaping.

Since finalising the committee report, the following errors have been noted. This is detailed below under the appropriate headings of the committee report.

## **1. RECOMMENDATION**

1.1 At paragraph 3.2, as part of the S106 contributions, the monitoring fee has been omitted. This paragraph should read as follows:

- £8,174.81 is required towards Idea Stores, Libraries and Archives
- £26,992.24 is required towards Leisure Facilities
- £52,060.52 is required towards Public Open Space
- £1,014.54 is required towards Smarter Travel
- £6,154.87 is required towards Enterprise & Employment
- £152,293.32 is required towards Education
- £51,309.70 is required towards Health

£5960 representing a 2% monitoring fee

Total Financial Contributions: £303,960

1.2 At paragraph 3.8, Condition 30 should read as follows: Code for Sustainable Homes assessment within three months of occupation.

## **2. CONSULTATION RESPONSE**

2.1 LBTH Housing Development and Private Sector

2.2 Paragraph 8.5 should read as follows: “The rent proposed is affordable rent which does not exceed the POD guidelines for the E3 area postcode. The rent breakdowns are detailed at paragraph 10.47 under the Affordable Housing section of this report. These POD rents are inclusive of service charges”.

## **3. DESIGN**

3.1 At paragraph 10.29, in terms of the height of the undercroft, this should read as follows: “The undercroft would be 3.7m high as would be the rest of the ground floor”.

## **4. PLANNING OBLIGATIONS**

4.1 The monitoring fee is also omitted at paragraph 10.120 which should read as detailed above at paragraph 1.1.

## **5. RECOMMENDATION**

5.1 The Officer's recommendation remains as set out in the committee report.

<b>Agenda Item number:</b>	6.2
<b>Reference number:</b>	PA/13/00697
<b>Location:</b>	6 Boulcott Street, London, E1 0HR
<b>Proposal:</b>	Demolition of existing building and redevelopment to provide an 8 storey building with a social club (Use Class D2) on the ground and 1st floor with residential (Use Class C3) above, comprising 25 units (9 x 1 bed, 13 x 2 bed and 3 x 3 bed)

Since finalising the committee report, the following errors have been noted. This is detailed below:

1. Title of the report has been referenced as Town Planning Application, Listed Building and Conservation Area Consent.
2. The title should only state 'Full Planning Application'.

### **RECOMMENDATION**

3. Officer's recommendation remains unchanged. All other relevant policies and considerations have been taken into account. Planning permission should be granted.

<b>Agenda Item number:</b>	6.3
<b>Reference number:</b>	PA/12/02784 and PA/12/02785
<b>Location:</b>	Calders Wharf, Saunders Ness Road, London, E14 3EA
<b>Proposal:</b>	The redevelopment of Calders Wharf community Centre comprising the demolition of the existing building (387sq.m GIA) (Use Class D1) and adjacent boundary wall, railings and planters. The construction of a four storey building to provide a new Community Centre and children's play group facility (494 sqm GIA) (Use Class D1) and 25 new residential units (9x1 bedroom; 11x2 bedroom; 5x3 bedroom) with associated disabled parking and cycle parking, landscaped public open space, private amenity space and other associated works.

## 1. LOCAL REPRESENTATION

- 1.1 Since finalising the committee report, additional submissions have been received, along with the final counting of an online petition, bringing the total number of representations received as follows:

Total no. of individual responses: 208

Objecting: 125

Supporting: 82

Petitions: 2 petitions received in objection. 1 petition was received in hard copy containing 490 signatures. 1 online petition was received containing 670 signatures.

The majority of matters raised in the additional submissions were already addressed within the main report. Additional matters raised are summarised below:

- The impacts of construction (equipment, noise, road closings and potentially Greenwich tunnel closings) do not appear to have been taken into account.  
(**Officer comment:** A requirement for a Construction Management Plan has been included as part of the recommended conditions within the committee report)

## 2. CONSULTATION RESPONSE

- 2.1 A consultation response has been received on 10<sup>th</sup> December 2013 from the Royal Borough of Greenwich. The Royal Borough of Greenwich state that they have now formally considered that matter and raise no objections, and that they have no further observations to make.

- 2.2 Since completion of the committee report, a noise and vibration assessment report was submitted by the applicant (document reference Noise and Vibration Assessment Report, prepared by Cass Allen, dated 6th Dec 2013). Council's Environmental Health Officer has reviewed the submitted report and considers that the contents of the report is acceptable, noting the following:

- Table 7 of report meets Vibration Criteria for BS6472 - low probability of adverse comments.
- Table 8 of report meets BS 8233 internal criteria of the 'good' standard.
- Table 9 of report shows the glazing/ventilation performance are ok.
- Table 11 of report shows Ground-Borne Vibration Assessment.
- Table 12 of report meets Ground-Borne Noise Prediction of L<sub>Amax</sub> 35 dB.

Environmental Health Officers consider that all the above are acceptable.

In relation to the use of the ground floor of the community centre, and associated plant facilities, Environmental Health officers have concern over the potential to cause noise nuisance to the amenity of local and future residents particularly during sensitive hours of sleep. It is therefore recommended that all activity associated with the community use are conditioned requiring that Post Completion Testing be undertaken to ensure no noise amenity impacts occur to the nearest sensitive residential facades.

The abovementioned noise and vibration report is required to be updated in the list of documents under Section 1 of the committee report.

3. **S106**

The list of non-financial obligations at sections 3.2 and 8.2.11 of the committee report is required to be updated to include the affordable housing offer of 19.2%.

4. **OVERLOOKING**

Clarification of sections 8.151 and 8.152 of the committee report is provided to clarify the distances between the proposed development and the adjoining residential developments. There is a minimum separation distance of approximately 24.5 metres between the existing south facing windows of the residential development to the north at 70-72 Ferry Street. This confirms the conclusion in the committee report that an appropriate separation distance of greater than 18 metres is achieved and there will be no unreasonable amenity issues by way of overlooking or privacy issues for existing residents to the north.

There is a minimum separation distance of approximately 8.5 metres between the first floor windows of the adjoining rowing club to the west of the site and windows on the western elevation of the proposed building. As discussed within the committee report, it is recommended that obscure glazing for these windows is required to ensure there is no direct overlooking in this location.

5. **OWNERSHIP**

Reference to the ownership of the site by EastEnd Homes was omitted from the committee report. Therefore, in accordance with the submitted documentation, the ownership details are: EastEnd Homes, London Borough of Tower Hamlets, Docklands Light Railway.

6. **RECOMMENDATION**

Officers consider that the noise and vibration assessment should be included in the schedule of approved documents and that a condition is added requiring post-completion testing of activities pertaining to the community use. Subject to these amendments, the officers recommendation remains as set out in the committee report.

<b>Agenda Item number:</b>	6.4
<b>Reference number:</b>	PA/13/01606
<b>Location:</b>	Cutty Sark House, Undine Road, London
<b>Proposal:</b>	Demolition and redevelopment of Cutty Sark House to provide 36 dwellings in two buildings of four and five storeys, together with landscaping, four disabled parking bays and associated works.

## 1. LOCAL REPRESENTATION

1.1 Since finalising the committee report, two additional objections have been received raising the following issues:

- Loss of existing trees and the lack of mention in the application form. The Trees are mature and should be covered with a Tree Preservation Order.

*(Officer comment: Whilst the existing trees were not mentioned within the application form, they are considered in the ecology report, design and access statement, architectural plans, planning statement and Code for Sustainable Homes pre-assessment. As such, officers consider the submission clearly acknowledges the presence of trees on the site, even if there has been an omission on the application form.*

*(With regards to making a Tree Preservation Order on the trees, this was not the conclusion made by specialist consultants within the submitted Ecological Report. In addition, the trees are not considered to be of any special merit to warrant a Tree Preservation Order and subject to the implementation of a condition, the proposal will result in a net increase in Trees within the site)*

1.2 - Protected species may be present on site and an ecological survey should be carried out before a decision is made.

*(Officer comment: An Ecological Survey was carried out within this application and a Bat Assessment was carried out as part of the discharge of condition process for the previous application. The findings revealed that there was no evidence of Bat Roosting was found on site. The findings have been considered acceptable by the Councils Biodiversity officer who has recommended a precautionary Bat Survey should demolition not take place before April 2014)*

1.3 - Reference to parliamentary undertaking is misleading as the undertaking also covers the land in perpetuity.

*(Officer comment: The issue of the parliamentary undertaking has been considered at depth within the earlier applications and this application and is not considered to inhibit the grant of planning permission)*

1.4 - Shortcomings within the application.

*(Officer comment: This is made in reference to the case officers report with the objector considering the proposal fails to accord with Council policy. This is noted.)*

1.5 - A S106 contribution to monitor parking on Undine Road



*(Officer comment: There is not considered any justification for the imposition of a s106 financial obligation to monitor parking on a private road and this is not considered necessary to make the application acceptable in planning terms)*

- 1.6 - If planning permission is granted the s106 should restrict construction traffic using Undine Road

*(Officer comment: Conditions have been recommended relating to construction hours and impact piling. These are considered sufficient to protect residential amenity. To unduly restrict construction traffic from Undine Road is not considered necessary to make the application acceptable in planning terms)*

- 1.7 - Future plans to undertake landscaping works on Undine Road which will restrict access to the application site.

*(Officer comment: This is noted, the applicant has advised that they have a legal right to access the land and as such, should this occur it will be a private civil matter)*

## 2.0 Clarifications

- 2.1 Section 4 'Relevant Planning History' of the committee report states the previous permission on site (PA/10/01486) as granted 26 residential units. Whilst the application was submitted proposing 26 units, the application was amended and approved with 25 units.

- 2.2 Paragraph 8.44 states that 8 of the 2bed units within the market tenure fall short of the requirement by 1sqm. However, this is incorrect. All units exceed the standards,

- The smallest 2 bed 3p unit measures 65m<sup>2</sup> which is 4m<sup>2</sup> greater than the London Plan standard which is 61m<sup>2</sup>
- The smallest 2 bed 4 person is 72.5m<sup>2</sup> this is 2.5m<sup>2</sup> greater than the London Plan requirement of 70 m<sup>2</sup>.

## 3.0 OTHER

- 3.1 The following drawings need to be added to the list of drawings for consideration of the application: SK200 Rev B and SK201 Rev B.

## 4.0 RECOMMENDATION

The Officers recommendation remains as set out in the committee report.

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