

Public Pack

Strategic Development Committee



Agenda

Wednesday, 28 August 2024 6.30 p.m.

Council Chamber - Town Hall, Whitechapel

UPDATE REPORT

Contact for further enquiries:

Democratic Services To view the meeting on line: <https://towerhamlets.public-i.tv/core/portal/home>, Justina.Bridgeman@towerhamlets.gov.uk Tel: 020 7364 4854
Town Hall, 160 Whitechapel Road, London, E1 1BJ
<http://www.towerhamlets.gov.uk/committee>



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London Borough of Tower Hamlets

Strategic Development Committee

Wednesday, 28 August 2024

6.30 p.m.

5.3 Update Report (Pages 5 - 10)

Next Meeting of the Strategic Development Committee

Wednesday, 9 October 2024 at 6.30 p.m. to be held in the **Error! Unknown document property name.**



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Town Hall
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STRATEGIC DEVELOPMENT COMMITTEE

UPDATE REPORT OF THE DIRECTOR OF PLANNING AND BUILDING CONTROL

Agenda item no	Reference no	Location	Proposal / Title
4.1	PA/22/00731	3 & 4 Harbour Exchange Square E14 9TQ	Demolition of existing building and erection of a mixed-use residential led building containing 450 residential units (Class C3) and new podium level to accommodate flexible retail, community, creative, and amenity uses (Class E and F2) as well as basement level blue-badge parking, new public realm and landscaping, and all associated works.

1. Members' Site visit

- 1.1 On 22nd August 2024, Councillor Amin Rahman, Councillor Saied Ahmed, Councillor Gulam Kibria Choudhury and Councillor Iqbal Hossain attended the site visit with an Officer to review the construction activity within the surrounding area.
- 1.2 The Officer explained the construction activities and the proposed construction traffic route to the site as outlined in the Environmental Statement which accompanied the application. As reported in the first main report (16th July 2024), the impact of construction traffic would be negligible and, as such, not significant. Furthermore, as reported, there will be planning conditions secured to limit impacts from the construction activity.
- 1.3 The proposed scheme was also discussed further on-site, including housing matters.

2. Recommendation

- 2.1 That, subject to any direction by the Mayor of London, **conditional planning permission is GRANTED** subject to the prior completion of a legal agreement to secure the planning obligations as outlined in the initial report.

Agenda item no	Reference no	Location	Proposal / Title
5.1	PA/23/02375	Former Westferry Printworks, 235 Westferry Road, London E14.	<p>Comprehensive and phased mixed-use redevelopment comprising 1,358 residential units (Class C3), secondary school (Class F), commercial, business and services E(a)-E(g)(i), community uses (Class F), police base (sui generis) car and cycle basement parking, associated landscaping, new public realm and all other necessary enabling works.</p> <p>This application is accompanied by an Environmental Statement.</p>

1. CLARIFICATIONS AND CORRECTIONS

1.1 Para. 7.525 should include the following in the list of public benefits: The delivery of a 1200 capacity secondary school. Thus, Para. 7.525 is amended as follows:

7.525 As detailed above, Officers have identified that the proposed development will result in less than substantial harm to heritage assets. This harm would therefore need to be weighed against the public benefits of the proposals. These are detailed as follows:

- The regeneration and redevelopment of an underutilised site.
- The provision of 1358 new homes.
- The provision of 379 affordable new homes.
- The provision of a new 1200 capacity secondary school.
- The provision of new employment opportunities, during both the construction phase and operational phase of the development.
- The provision of community benefits including a community centre and crèche.
- The provision of new public open space and high-quality public realm and landscaping.
- The improved pedestrian access and connectivity to the wider locality.
- The provision of a new dockside promenade.

1.2 With regards to Para.7.993, it is clarified that in respect of the school, Officers would be seeking to secure via the S106 legal agreement that the applicant enters into an agreement for lease with the DfE prior to the granting of planning permission. A redacted form of the completed agreement for lease will be appended into the S106 legal agreement so that the terms of the lease are transparent. The agreement for lease will trigger the grant of a 125-year lease to the Department for Education (DfE) in the event of both the following conditions being satisfied: a) the grant of planning permission and b) the developer completing the school remediation works. The developer will be obliged to complete the remediation works on the school site prior to

commencement of development of the remainder of the site (i.e. prior to commencement of Phase 1). It should be noted that the DfE will not be party to the S106 legal agreement but will be bound by the terms of the S106 school schedule only, once they have acquired the lease as a successor in title.

- 1.3 Para. 7.999 states that the applicant has agreed to meet all of the financial contributions that are sought by the Council's Planning Obligations SPD, as listed in the 'Recommendation' section below. It is clarified that the applicant has requested that a previously paid construction phase employment skills training contribution of £237,925.08 in respect of the extant planning permission (PA/15/02216) is offset against the £651,826.40 (detailed under para. 8.2) towards employment skills training sought under this planning application. This matter is still under consideration.
- 1.4 Para. 7.1017 states that "The housing tenure and mix would depart from Local Plan policies, but the scheme would deliver 46.3% of the Affordable Housing tenure as larger family homes". It is corrected that this should read "...but the scheme would deliver 46.3% of the Affordable Rented tenure as larger family homes".
- 1.5 Para. 8.2 lists the Financial Obligations. It is clarified that f. should state £220,000 towards a cycle hire docking station (provision by TfL). Para 8.2 should therefore read as follows:

8.2 Financial Obligations:

- a. £651,826.40 towards construction phase employment skills training
- b. £99,796.13 towards end-user phase employment skills training
- c. £1,033.722 towards carbon emission off-setting
- d. £152,496.1 towards development co-ordination and integration.
- e. £300,00 towards bus services (provision by TfL)
- f. £220,000 towards cycle hire docking station (provision by TfL)
- g. £1,186.600 DLR contribution (provision by TfL)
- h. Monitoring fee to be calculated once final heads of terms are in agreeing following any permission granted
- i. £20,000 towards feasibility of extending the hours of operation of the local parking zone(s).

- 1.6 Para. 8.6 lists the proposed planning conditions. It is clarified that there have been some amendments to the draft conditions with some conditions being amalgamated. Para.8.6 should therefore read as follows:

8.6 Planning Conditions

Compliance

1. Time Limit (development to begin no later than three years from date of permission)
2. Development in accordance with Approved Plans
3. Quantum of Development (restriction on floor spaces for individual land uses)
4. Maximum Floorspace for Class E Uses (restriction on Class E floorspace)
5. Environmental Statement Mitigation Measures (development to be implemented in accordance with)
6. PD Restriction on Commercial, Business and Services (Class E) to Residential.
7. PD Restriction on Erection of Fences
8. PD Restrictions on Painting of External Brickwork and Masonry
9. No Plant, Water Tanks on Roof.
10. No Pipes on Building Face
11. Smart Meter Installation
12. S61 Restrictions on Demolition and Construction Activities:

- a) All works in accordance with Tower Hamlets Code of Construction Practice;
 - b) Standard hours of construction and demolition;
 - c) Ground-borne vibration limits; and
 - d) Noise pollution limits
13. Nesting Birds
 14. School Operation Hours (to teaching hours to start by 08:30AM and finish by 15:55PM)
 15. No Roller Shutters
 16. Public Routes (public routes to be maintained during construction)
 17. No construction within 5m of Thames Water main.
 18. Hours of Use (Use Class E(b) (f) and F2(b)) (uses restricted to 08:00 to 00:00 Monday to Saturdays and Bank Holidays and 10:00 to 23:00 hours on Sundays)
 19. Control of the use of Courtyard Terraces and Podium Terraces (terraces not to be used after 21:00).
 20. Active Ground Floor Frontages (external glazed surfaces to the ground floor frontages to be maintained wholly transparent).
 21. Home Quality Mark (compliance with a minimum of 4-star rating)

Pre-commencement

22. Phasing Plan (phasing plan to be submitted and development to be implemented sequentially).
23. CIL Phasing (phasing plan for the purposes of CIL charging to be submitted)
24. Code of Construction Practice Checklist (checklist to be submitted together with Construction Management Plan, Site Environmental Management Plan, Dust and Air Quality Management Plan, Site Waste Management Plan and application for S61 consent).
25. No Aerials on Roof
26. Digital Connectivity
27. Basement Impact Assessment
28. Non-Road Mobile Machinery (including proof of registration of all Non-Road Machinery (NRMM))
29. Land Contamination (submission of a remediation scheme, site investigation scheme, risk assessment, verification report and monitoring and maintenance plan)
30. Waterborne Transport Feasibility
31. Archaeology Written Scheme of Investigation
32. Cranes (submission of construction methodology, location, height and operating radius to London City Airport)
33. Bird Hazard Management Plan
34. Circular Economy Statement
35. Construction Phase Ecological Mitigation (submission of Biosecurity Plan, mitigation for impact of piling noise and vibration of fish, Jersey Cudweed Strategy for translocation, root protection of any retained trees and sensitive lighting to avoid spill to Millwall and West India Dock SINC).
36. Community Use (details of a community use condition for the sports block)
37. Sport Hall, MUGA and Artificial Pitch Design (details to be submitted of design and layout of the sports hall, MUGAs and artificial pitch).

Prior to Superstructure/Above Ground Works

38. Materials – submission of details (details of external cladding, brick or other material, details of bond, mortar, pointing, samples, drawings of fenestration, details of entrances, roofings, balconies terraces, balustrades, soffits and drainage, details of external rainwater goods, glues, grilles, louvres and vents, external plant and a Green Procurement Plan)
39. Inclusive Communal Amenity and Play Spaces

40. Fire Strategy
41. Landscaping – submission of details (hard landscaping including public realm materials, planter enclosures, drainage, kerbs, permeable and impermeable paving surfaces, accessibility and inclusivity details including ground levels, gradients, improvements to the Green Grid, soft landscaping including tree species, number and spacing of trees, tree pit details and urban greening, provisions for communal gardening, play equipment details, hard infrastructure including lighting, cctv, security measures, street furniture, boundary treatment, public art locations, and wind mitigation measures)
42. Water Efficiency
43. Secure by Design
44. Sustainable Urban Drainage
45. Flood Warning Evacuation Plan
46. Biodiversity Measures (submission of site wide and per phase Ecology Strategies to include details of biodiverse roofs, landscaping to include good diversity of nectar-rich plants, at least 50% of trees to be native, details to retain viable population of Jersey Cudweed, details of external lighting to minimise light spill onto areas likely to be used by foraging bats, details of minimum areas priority habitats, bat boxes, insect boxes, nest boxes, submission of a Biosecurity Plan to prevent the introduction and/or spread of non-native species and details of maintenance and management provisions)
47. Piling Method Statement
48. Waterway Wall Survey (survey condition of Waterway Wall to ensure its stability)
49. Details of Measures to Protect Millwall Outer Dock (details to be submitted include plans demonstrating proximity of the works, risk assessment and method statement, an assessment of any excess loadings to the dock walls, details of how the basement structure will be lined or waterproofed to prevent water ingress.
50. Barkantine Energy Centre Air Quality Mitigation (submission of a report assessing impact of emissions from the existing energy centre flues on buildings N1, N2 and N3 together with any mitigation and remedial measures).

Prior to Completion/Occupation

51. Inclusive Access (10% of dwellings to be M4(3) and 90% M4(2))
52. Wheelchair Unit Marking (9 months prior to completion of first wheelchair housing unit within a Phase)
53. Energy and Sustainability Standards (compliance with approved Energy Strategy, achieve a minimum of 71% site wide reduction in carbon dioxide emissions, installation of photovoltaic array system, non-residential units to achieve BREEAM 'Very Good' and the school to achieve BREEAM 'Excellent', connection to a future district heating network, compliance with Building Regulations in respect of water consumption, post completion verification report for photovoltaic array system)
54. Whole Life-Cycle Carbon Assessment
55. Shopfronts (submission of details including all materials, finishes and drawings at a scale of no less than 1:20).
56. On-site Car Parking (20% of residential spaces to be EVCP with remaining 80% to have passive provision and submission of a car parking management plan)
57. Cycle Parking (compliance with London Plan standards, cycle management plan and 5% of long stay spaces to be designed to London Cycling Design Standards)
58. Delivery and Servicing Plan (Non-Residential)
59. Delivery and Servicing Plan (Residential)
60. Operational Site Waste Management Plan
61. Noise Insulation Verification Report for New Residential Units (restriction on ambient noise and vibration levels)
62. Noise from Plants
63. Details of Lighting (including a lux plan indicating any light spill over the waterspace)
64. Lifesaving Equipment (details of riparian lifesaving equipment such as grab chains access ladders and life buoys)

- 65. Development and Infrastructure Phasing Plan (confirmation to Thames Water that all water network upgrades have been completed or a development and infrastructure phasing plan has been agreed with Thames Water).
- 66. Kitchen Extract Standards for Commercial Use (details of extract systems for all food and drink uses)
- 67. School Floodlights (details of school floodlighting)
- 68. Wellbeing and Satisfaction Survey (to be distributed to all residents within 6 months of occupation of each Phase).

1.7 Para. 8.7 lists the proposed informatives. It is clarified that an additional informative which defines the meaning of a building, the school phase, superstructure and any phase within the development. Thus Para. 8.7 should read as follows:

8.7 Informatives

- 1. Permission subject to a legal agreement
- 2. Development liable for CIL
- 3. Street naming and numbering
- 4. Definitions
- 5. Cadent Gas asset protection (legal rights of access or restrictive covenants must not be infringed)
- 6. Code of Construction Practice Checklist
- 7. Canal and River Trust (access to CRT land and water during construction must be agreed and developer should refer to the CRT Code of Practice for works affecting the CRT)
- 8. Air Emission Flue (Flues must discharge at least 1 metre above highest part of nearby buildings)
- 9. Biosecurity Plan (in accordance with the Marine Biosecurity Planning Guidance and relevant best practice management principles)
- 10. Contact S106 Officer (evidence compliance with S106 legal obligations)
- 11. Sport England informative - Design and Layout of sports facilities should comply with relevant industry technical guidance.