

**LONDON BOROUGH OF TOWER HAMLETS**

**MINUTES OF THE STRATEGIC DEVELOPMENT COMMITTEE**

**HELD AT 7.30 P.M. ON THURSDAY, 9 OCTOBER 2008**

**COUNCIL CHAMBER, 1ST FLOOR, TOWN HALL, MULBERRY PLACE, 5 CLOVE  
CRESCENT, LONDON, E14 2BG**

**Members Present:**

Councillor Shafiqul Haque (Chair)

Councillor Lutfu Begum  
Councillor Alibor Choudhury  
Councillor Stephanie Eaton  
Councillor Ahmed Adam Omer (Vice-Chair)  
Councillor Joshua Peck  
Councillor Dulal Uddin

**Other Councillors Present:**

Councillor Philip Briscoe  
Councillor Rupert Eckhardt  
Councillor Shirley Houghton

**Officers Present:**

Jerry Bell	– (Applications Manager)
Amy Cooper	– Planning Officer
Megan Crowe	– (Legal Services Team Leader, Planning)
Michael Kiely	– (Service Head, Development Control and Building Control, Development & Renewal)
Jen Pepper	– (Affordable Housing Programme Manager)
Tim Porter	– Major Projects Development Officer
Alison Thomas	– (Private Sector and Affordable Housing Manager, Housing Development, Development & Renewal)
Jason Traves	– Planning Officer
Alan Ingram	– (Democratic Services)

**1. APOLOGIES FOR ABSENCE**

Apologies for absence were received from Councillor M. Shahid Ali.

**2. DECLARATIONS OF INTEREST**

The following declarations of interest were made:

<b>Councillor</b>	<b>Item</b>	<b>Type of Interest</b>	<b>Reason</b>
Ahmed Adam Omer	All items on the agenda	Personal	He had been lobbied by applicants in respect of all the items of business.
Joshua Peck	Item 7.4 – Wood Wharf, Preston’s Road	Personal	He had attended a briefing organised by the applicants.
	Item 8.1 – 33-37 The Oval	Personal	He had previous involvement with the matter as a Lead Member of the Cabinet.
Lutfa Begum	Items 7.1 & 7.2 – St Andrew’s Hospital	Personal	She was an employee of Tower Hamlets Primary Care Trust.
Alibor Choudhury	Item 6.2 – 18-22 Damien Street	Personal	He had used the mosque facility for prayer.
	Item 7.4 – Wood Wharf, Preston’s Road	Personal	He had attended a briefing organised by the applicants.
	Item 8.1 – 33-37 The Oval	Personal	He had previous involvement with the matter as a Lead Member of the Cabinet.
Stephanie Eaton	Item 8.1 – 33-37 The Oval	Personal	Application is within Councillor’s ward.
Shafiqul Haque	Item 6.2 – 18-22 Damien Street	Personal	He had used the mosque facility for prayer.
	All other agenda items	Personal	He had received information on all other items.

**3. UNRESTRICTED MINUTES**

The minutes of the meeting were agreed and approved as a correct record, subject to the addition of the following resolution regarding agenda item 6.2 – St. George's Estate, Cable Street, London, E1 (Section 106 agreement):

“That, if by 28<sup>th</sup> November 2008, being three months from the date of this Committee, the legal agreement has not been completed, the Corporate Director Development & Renewal is delegated power to refuse planning permission.”

#### **4. RECOMMENDATIONS**

The Committee RESOLVED that

- 1) in the event of changes being made to recommendations by the Committee, the task of formalising the wording of those changes is delegated to the Corporate Director Development and Renewal along the broad lines indicated at the meeting; and
- 2) in the event of any changes being needed to the wording of the Committee's decision (such as to delete, vary or add conditions/informatives/planning obligations or reasons for approval/refusal) prior to the decision being issued, the Corporate Director Development and Renewal is delegated authority to do so, provided always that the Corporate Director does not exceed the substantive nature of the Committee's decision.

#### **5. PROCEDURE FOR HEARING OBJECTIONS**

The Committee noted the procedure and those who had registered to speak.

**NOTE:** At the request of the Chair, Mr Alan Ingram, Democratic Services Officer, read out an announcement indicating that changes were to be made to the order of business of the meeting, as follows, to ensure that all representations could be heard: Items 6.1; 6.2; 8.1; 7.4; 7.5; 7.3; 7.1 and 7.2. However, agenda items are set out below in their original order, for ease of reference.

#### **6. DEFERRED ITEMS**

##### **6.1 Newfoundland, Canary Wharf**

Mr Tim Porter, Major Projects Development Officer, presented a detailed update report on the application, which had been considered at the last meeting and deferred. The matter had been deferred pending further information on the proposed level of Section 106 funding having regard to the size and location of the development. Counsel's advice had been obtained

and, as summarised in the report, had confirmed that there was no justification for additional funding to be sought.

In response to queries from Members, Mr Jerry Bell, Applications Manager, commented that a supplementary planning document dealing with Section 106 was in an advanced stage of preparation and would help strengthen the Council's position in dealing with such issues.

The Chair expressed the opinion that the financial contributions should not be applied only to the Canary Wharf Estate or the Isle of Dogs. Mr Michael Kiely, Service Head Development Decisions, confirmed that this would not be the case.

On a vote of 7 for and 0 against, the Committee RESOLVED that planning permission for the erection of a 37 storey tower and a part 4/5 storey podium comprising a 150 bedroom Hotel (Class C1) and 78 serviced apartments (Sui Generis), together with ancillary restaurant facilities and servicing and parking areas including a drop off facility; provision of 1,300sqm of retail units (Class A1 to A4) at ground and basement level, a 1,580 sqm restaurant (Class 3) at first floor level and 2,310 sqm of education and training use (Class D1) at second and part third floor level; construction of basement for retail units (Class A1 to A4) and plant; construction of subterranean pedestrian link to the Jubilee Place retail mall and the Jubilee Line Station; provision of a new publicly accessible open space, dockside walkway and landscaping together with other works incidental to the application be **GRANTED** for the reasons set out in the committee report, subject to:

**A Any direction by The London Mayor**

**B The prior completion of a legal agreement, to the satisfaction of the Chief Legal Officer, to secure the following planning obligations:**

Financial Contributions

- a) a contribution of **£144,449** towards open space improvements. This will fund improvements to the visitor/tourist facilities at Island Gardens for:
  - i. A high quality design cafe/visitor centre/ranger base; and
  - ii. Associated managed public toilets;
- b) a contribution of **£50,000** for public realm improvements within the surrounding area;
- c) a contribution of **£200,000** towards social and community facilities. In line with similar developments elsewhere within the Canary Wharf estate, the projects/improvements are defined under specific headings within the S106 agreement, these being:
  - i. Local community facilities (£150,000); and
  - ii. Tourism projects (£50,000);
- d) a contribution of **£20,000** towards on-site Docklands Light Railway (DLR) daisy boards;
- e) a contribution of **£100,000** towards cycle route improvements within the surrounding area;
- f) a contribution of **£50,000** towards access improvements to the Thames

Path;

- g) a contribution of **£50,000** towards access improvements to the Canary Wharf pier, including improved signage;
- h) provide **£144,000** towards TfL Buses improvements; and
- i) provide **£356,835** towards Employment and Training.

(Total s106 contribution of **£1,115,284**)

#### Non-Financial Contributions

- j) TV Reception - mitigation of any impacts on TV Reception;
- k) Publicly Accessible Open Space and Walkways - Maintenance of new publicly accessible open space within the development together with unrestricted public access;
- l) Code of Construction Practice - To mitigate against environmental impacts of construction;
- m) Access to employment - To promote employment of local people during and post construction; and
- n) Any other planning obligation(s) considered necessary by the Corporate Director Development & Renewal.

**NOTE:** Officers to ensure that the sum of £200,000 itemised in (c) above is not restricted in use to the Canary Wharf Estate area.

C. That the Corporate Director Development & Renewal be delegated authority to negotiate the legal agreement indicated above.

D. That the Corporate Director Development & Renewal be delegated authority to issue the planning permission and impose conditions [and informatives] to secure the following matters:

#### **Conditions**

- 1) Time Limit (3 years);
- 2) Particular details of the development:
  - All external materials, including 1:10 scale details for cladding with sample mock-up of the top and ground floor level of the building, glazing, stone cladding, PV's and coloured glass louvered panels;
  - All hard and soft landscaping, including details of brown/green roofs, the installation of bird boxes and bat boxes, and terrestrial habitat creation/enhancements at ground level (including the use of native nectar rich shrubs and trees), planting, finishes, levels, walls, fences, gates and railings, screens/ canopies, entrances, seating and litter bins;
  - External lighting and security measures, including CCTV; and
  - Details of cycle parking location and design.
- 3) Landscape Management Plan;
- 4) Hours of construction
- 5) Hours of operation of A1 - A4 units;
- 6) Details of location and design of extraction fume vents from the A3 uses;
- 7) Noise control limits;

- 8) Vibration limits;
- 9) Environmental Construction Management Plan, including but not limited to, feasibility study and details for use of the river to transport construction material to and waste material from the site during construction, a monitoring protocol for bats and black redstarts, impact on dock wall and mitigation, surface water run-off, construction traffic, air quality, noise etc;
- 10) Land contamination assessment (including water pollution potential);
- 11) Green Travel Plan;
- 12) Serviced Apartments Management Plan, ensuring the apartments are managed as short term accommodation for a period no longer than 90 days;
- 13) Service Management Plan;
- 14) A minimum of 10% of the hotel rooms and serviced apartments shall be designed to be wheelchair accessible.
- 15) Risk Assessment, Method Statement and details of mitigation measures, including structural reports and foundation details, to ensure that the Grade 1 listed dock wall (including the structure concealed in the ground behind the face of wall) is unaffected (in consultation with English Heritage);
- 16) Risk Assessment and Method Statement outlining all works to be carried out adjacent to the water (in consultation with British Waterways);
- 17) Details of storage facilities for oils, fuels and chemicals required to prevent pollution of the water environment;
- 18) No solid matter shall be stored within 10 metres of the banks of the docks;
- 19) Programme of archaeological work required (in consultation with English Heritage);
- 20) Full particulars of the following:
  - Surface/ foul water drainage plans/ works; and
  - Surface water control measures.
- 21) Full particulars of the energy efficiency measures and technologies are required to ensure that the final carbon reductions identified in the Energy Strategy Addendum (July 2008) is achieved (in consultation with the GLA);
- 22) Full particulars of the sustainable design and construction strategy to be submitted;
- 23) Full particulars of the dock side foot path to ensure the levels connect with the adjoining footpath to the north.
- 24) Details of the highway works surrounding the site; and
- 25) Any other planning condition(s) considered necessary by the Corporate Director Development & Renewal.

### **Informatives**

- 1) Section 106 agreement required;
- 2) Section 278 agreement required;
- 3) Contact Thames Water;
- 4) Contact London City Airport regarding cranes and aircraft obstacle lighting;
- 5) Contact LBTH Building Control;
- 6) Contact British Waterways;
- 7) English Heritage advice;
- 8) Environmental Health advice;
- 9) London Underground advice;
- 10) Environment Agency Advice;

- 11) Compliance with Code of Construction Practice;
- 12) Contact London Fire & Emergency Planning Authority; and
- 13) Any other informative(s) considered necessary by the Corporate Director Development & Renewal

E. That, if within 3-months of the date of this committee decision the legal agreement has not been completed, the Corporate Director Development & Renewal be delegated authority to refuse planning permission.

## **6.2 Second Floor, 18-22 Damien Street, London, E1 2HX**

Mr Michael Kiely, Service Head Development Decisions, presented a detailed update report on the application, which had been considered at the last meeting and deferred. Members had raised a number of concerns regarding the benefits of both the expansion of the London Islamic School and associated cultural centre and also the retention of the existing studio complex. Mr Kiely referred to reasons set out in the report indicating why planning permission should be granted and added that, following discussions with the applicant's agent, it was considered that existing conditions 5 and 6 could be removed and replaced by a new condition requiring the applicant to submit a Green Travel Plan.

Mr Kiely responded to further queries from Members on the planning policies relevant to the application.

On a vote of 3 for and 2 against, the Committee RESOLVED that planning permission for the change of use of second floor from music studios (Use Class B1) to educational facilities (Use Class D10 together with internal alterations be GRANTED for the reasons set out in the committee report, subject to:

### **Conditions**

- 1) Time limit – 3 years
- 2) Hours of construction (08.00 – 18.00 hours Mon – Fri and 08.00 – 13.00 on Sat)
- 3) Full details of refuse storage to be submitted and approved
- 4) Full details of proposed ventilation and extraction systems to be submitted and approved
- 5) The applicant to submit a Green Travel Plan.
- 6) Any other planning condition(s) considered necessary by the Corporate Director Development & Renewal

### **Informatives**

- 1) Contact Building Control
- 2) Contact Environmental Health regarding food safety and Health & Safety

- 3) Any other informative(s) considered necessary by the Corporate Director Development & Renewal

## **7. PLANNING APPLICATIONS FOR DECISION**

### **7.1 St. Andrew's Hospital, Devas Street, London, E3 3NT (PA/08/1161)**

The Chair indicated that the application would be considered in conjunction with agenda item 7.2, as both applications related to the same site.

Mr Michael Kiely, Service Head Development Decisions, introduced both reports (PA/08/1161 and PA/08/1162) with regard to proposals for the St Andrew's Hospital site, Devas Street, London, E3 3NT.

In response to queries from Members, Mr Kiely indicated that:

- Section 106 funding had been prioritised mainly towards improving Bromley-By-Bow Station rather than any A12 improvements, as a masterplan for that route was being developed with London Thames Gateway.
- The design of the building had been the subject of much consultation to arrive at the current stage of development.

At 10.20 p.m. Councillor Ahmed Adam Omer moved and the Committee RESOLVED:

That the closing time of the meeting be extended for a maximum of 30 minutes to allow the business on the agenda to be concluded.

Mr Kiely continued to address questions put by Members and stated that:

- There had been wide public consultation concerning the community facilities aspects of both applications.
- 151 car parking spaces had been set as a reserved matter, which complied with current standards, and Section 106 funding was also being sought for a car free scheme.

On a vote of 7 for and 0 against, the Committee RESOLVED that outline application for demolition of the existing hospital buildings and construction of a development up to 27 storeys high building plus basement (Block D), 18 Storeys high building (Block E) and between 4 – 13 storeys high buildings (Blocks A – C) to provide 964 dwellings (97 x studios, 300 x 1bed, 278 x 2 bed, 248 x 3 bed, 27 x 4bed, 14 x 5bed); up to 303sqm of shopping, food and drink or professional services floorspace (Use Classes A1,A2, A3 and A4), up to 897sqm of community, health, education and cultural uses floorspace (Use Class D1) and/or assembly and leisure uses (Class D2); and a 2004sqm Primary Care Trust (PCT) facility (Class D1), together with the provision of open space, landscaping, parking and ancillary works be GRANTED for the reasons set out in the committee report, subject to:



- A. Any **direction** by **The London Mayor**
- B. The prior completion of a **legal agreement** to secure the following planning obligations:
- a) A proportion of **50.1%** based on habitable rooms of the proposed units to be provided as affordable housing with a 69:31 split between social rent and shared ownership tenures;
  - b) Provide **£3,500,000.00** towards the upgrade to Bromley-by-Bow station upgrade and connectivity improvements;
  - c) Provide **£1,715,538.00** towards education to mitigate the demand of the additional population on education facilities;
  - d) Provide **£250,000.00** towards highway improvement works;
  - e) Provide for car club, car-free agreement, Travel Plan, TV reception monitoring and impact mitigation, and employment/training initiatives;
  - f) The option for an agreed healthcare contribution to be paid in the event that the PCT facility is not constructed and occupied for that purpose.
  - g) Secure access for members of the public to the open space.
- C. That the Corporate Director Development & Renewal is delegated power to negotiate the legal agreement indicated above.
- D. 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) Time limit for full planning permission
- 2) Phasing plan to be agreed
- 3) Full details of the appearance of the scheme are required.
- 4) Details of the following are required:
  - Materials board and drawings of scale 1:5
  - Balcony details with typical drawings and sections of scale 1:5
  - Detailed design of pedestrian link through ground floor of Block D with typical drawings and sections of scale 1:5
- 5) A Landscape management plan is required.
- 6) Parking provision for:
  - Maximum 151 car parking spaces;
  - Minimum 10% spaces for people with a disability;
  - Minimum 1 accessible space for the PCT facility;
  - Minimum 716 cycle spaces; and
  - Minimum 40 motorcycle spaces;should be provided
- 7) Final delivery/servicing strategy to be agreed
- 8) Detailed design of undercroft parking is required
- 9) Car free agreement is required
- 10) S278 agreement is required

- 11) Full details of waste and recycling facilities
- 12) Full details of green roofs
- 13) Hours of construction limits (0800 – 1800, Mon-Fri: 0800 – 1300 Sat)
- 14) Piling hours of operation limits (10am – 4pm Mon-Fri)
- 15) Wheel cleaning facility during construction
- 16) 20% renewables required.
- 17) Full particulars of renewable and efficiency details
- 18) Full particulars of the fitout of the healthcare facility required
- 19) Final BREEAM healthcare assessment
- 20) Final Code for Sustainable Homes assessment
- 21) Lifetime homes standards and 10% wheelchair accessible housing
- 22) Full land contamination study and remediation measures [as required by the Environment Agency (EA)]
- 23) Full particulars of clean fill
- 24) Full particulars of wind mitigation measures
- 25) Full particulars of noise mitigation measures
- 26) Full particulars of air quality mitigation measures
- 27) Full particulars of mechanical ventilation and ductwork
- 28) Full particulars of BRE and shadow assessment
- 29) Further modelling and full particulars of air pollution mitigation measures
- 30) Full particulars of the surface water drainage system as required by EA
- 31) Details of storage of oils, fuels and chemicals as required by EA
- 32) Program of archaeology as required by English Heritage
- 33) Water impact study as required by Thames Water (TW)
- 34) Drainage strategy as required by TW
- 35) Black Redstart survey required
- 36) Bat study required
- 37) Construction Management plan is required
- 38) All residential C3 flats to have a component of private amenity space
- 39) Any additional conditions as directed by the Corporate Director Development and Renewal

### **Informatives**

- 1) Legal agreement
- 2) Phasing plan to include details of hoardings, security measures
- 3) For landscaping condition consult ecology section and Natural England to ensure nectar rich varieties included in scheme
- 4) For green roof design consult Natural England and ecology section
- 5) Consult Thames water in respect drainage impact study, drainage strategy and connection to the sewer as well as any other issues or approvals that may be required
- 6) Consult Metropolitan Police
- 7) Consult PCT and metropolitan police in respect of the healthcare facility fitout
- 8) Renewable energy systems to be explored in future phases of the scheme
- 9) S278
- 10) Car free grampion
- 11) Consult EA
- 12) EA to be consulted to establish if separate approval is required in respect of the use of clean fill.

- 13) Consult LFEPA in respect of infrastructure for fire fighting purposes
  - 14) Consult EH archaeology
  - 15) Submit info in a detailed project design to address potential damage to remains
  - 16) Consult GLA in respect of waste strategy and acoustic measures
  - 17) Note that undercroft parking is not given full permission and needs to come forward as part of reserved matters
  - 18) Consult GLA and TFL in respect of the deliver/servicing mgt plan
- E. That, if within 3-months of the date of this committee the legal agreement has not been completed, the Corporate Director Development & Renewal is delegated power to refuse planning permission.

## 7.2 St. Andrew's Hospital, Devas Street, London, E3 3NT (PA/08/1162)

For commentary, please refer to the previous minute 7.1 above, as both applications (PA/08/1161 and PA/08/1162) were dealt with simultaneously as both related to the St. Andrew's Hospital site, Devas Street, London, E3 3NT.

On a vote of 5 for and 1 against, with 1 abstention, the Committee RESOLVED that planning permission for development up to 10 storeys in height to provide 194 dwellings (85 x 1bed, 65 x 2bed, 38 x 3bed, 3 x 4bed, 3 x 5bed); 80sqm shopping, drink and professional service uses (Use Classes A1,A2, and A4), 2004sqm of community, health, education and cultural uses (Use Class D1) and/or assembly and leisure uses (Class D2) together with provision of open space and landscaping; cycle ways and pedestrian routes; vehicle , motor cycle and cycle parking; and ancillary works be GRANTED for the reasons set out in the committee report, subject to:

- A. Any **direction** by **The London Mayor**
- B. The prior completion of a **legal agreement** to secure the following planning obligations:
  - a) In the event that the associated outline (hybrid) is approved, the following s106 form the subject application should apply:
    - An addendum agreement to the outline application to secure a proportion of affordable housing of **57%** based on habitable rooms of the proposed units to be provided as affordable housing with a 47:53 split between social rent and shared ownership tenures;
    - Provide for car club, car-free agreement, Travel Plan, TV reception monitoring and impact mitigation, employment/training initiatives.
  - b) In the event that the associated outline (hybrid) is refused, the s106 should take the following form. Namely, an agreement that secures as

pro-rata contribution to mitigate the impact of the 194 units of phase 1:

- A proportion of **57%** based on habitable rooms of the proposed units to be provided as affordable housing with a 47:53 split between social rent and shared ownership tenures;
- Provide **£704,200.00** towards the upgrade to Bromley-by-Bow station upgrade and connectivity improvements;
- Provide **£345,166.25** towards education to mitigate the demand of the additional population on education facilities;
- Provide **£50,300.00** towards highway improvement works;
- Provide for car club, car-free agreement, Travel Plan, TV reception monitoring and impact mitigation, employment/training initiatives and public art opportunity;
- The option for an agreed healthcare contribution to be paid in the event that the PCT facility is not constructed and occupied for that purpose; and
- Secure access for members of the public to the open space.

C. That the Corporate Director Development & Renewal is delegated power to negotiate the legal agreement indicated above.

D. 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) Time limit for full planning permission
- 2) Details of the following are required:
  - Materials board and drawings of scale 1:5
  - Balcony details with typical drawings and sections of scale 1:5
- 3) A Landscape management plan is required.
- 4) Parking provision for:
  - Minimum 3 accessible parking spaces for people with a disability of which, minimum 1 accessible space for the PCT facility;
  - Minimum cycle spaces; should be provided
- 5) Final delivery/servicing strategy to be agreed
- 6) Car free agreement is required
- 7) S278 agreement is required
- 8) Full details of waste and recycling facilities
- 9) Full details of green roofs
- 10) Hours of construction limits (0800 – 1800, Mon-Fri: 0800 – 1300 Sat)
- 11) Piling hours of operation limits (10am – 4pm Mon-Fri)
- 12) Wheel cleaning facility during construction
- 13) 20% renewables required.
- 14) Full particulars of renewable and efficiency details
- 15) Full particulars of the fitout of the healthcare facility required
- 16) Final BREEAM healthcare assessment

- 17) Final Code for Sustainable Homes assessment
- 18) Lifetime homes standards and 10% wheelchair accessible housing
- 19) Full land contamination study and remediation measures [as required by the Environment Agency (EA)]
- 20) Full particulars of clean fill
- 21) Full particulars of wind mitigation measures
- 22) Full particulars of noise mitigation measures
- 23) Full particulars of mechanical ventilation and ductwork
- 24) Further modelling and full particulars of air pollution mitigation measures
- 25) Full particulars of the surface water drainage system as required by EA
- 26) Details of storage of oils, fuels and chemicals as required by EA
- 27) Program of archaeology as required by English Heritage
- 28) Water impact study as required by Thames Water (TW)
- 29) Drainage strategy as required by TW
- 30) Black Redstart survey required
- 31) Bat study required
- 32) Construction Management plan is required
- 33) Any additional conditions as directed by the Corporate Director Development and Renewal

#### **Informatives**

- 19) Legal agreement
  - 20) For landscaping condition consult ecology section and Natural England to ensure nectar rich varieties included in scheme
  - 21) For green roof design consult Natural England and ecology section
  - 22) Consult Thames water in respect drainage impact study, drainage strategy and connection to the sewer as well as any other issues or approvals that may be required
  - 23) Consult Metropolitan Police
  - 24) Consult PCT and metropolitan police in respect of the healthcare facility fitout
  - 25) Renewable energy systems to be explored in future phases of the scheme
  - 26) S278
  - 27) Car free grampion
  - 28) Consult EA
  - 29) EA to be consulted to establish if separate approval is required in respect of the use of clean fill.
  - 30) Consult LFEPA in respect of infrastructure for fire fighting purposes
  - 31) Consult EH archaeology
  - 32) Submit info in a detailed project design to address potential damage to remains
  - 33) Consult GLA in respect of waste strategy and acoustic measures
  - 34) Note that undercroft parking is not given full permission and needs to come forward as part of reserved matters
  - 35) Consult GLA and TFL in respect of the deliver/servicing mgt plan
- E. That, if within 3-months of the date of this committee the legal agreement has not been completed, the Corporate Director Development & Renewal is delegated power to refuse planning permission.

### **7.3 Site at 2 Trafalgar Way, London**

Mr Michael Kiely, Service Head Development Decisions, introduced the report seeking planning permission for redevelopment of the site to provide a residential-led, mixed use scheme comprising 355 units, 48 serviced apartments, re-provision of a drive-through restaurant (Class A5), retail or financial and professional service units (Class A1/A2), crèche, gymnasium, associated amenity space and car parking.

Mr Julian Carter was in attendance for the applicants but did not address the meeting as no objectors were present.

Mr Jason Traves, Planning Officer, presented a detailed explanation of the application, which had been revised with a reduced density of housing units and retention of a MacDonald's outlet, although the current outlet would be demolished, more landscape planting and more noise mitigation.

Following queries by Members, Mr Kiely indicated that:

- The application had been withdrawn after being refused on 2 July 2008.
- With regard to environmental impacts on the residents, an environmental assessment meant that residents would be located higher in the development, above the main air pollution.
- Accessibility was still being addressed for improvement but the site was near a DLR station and underpass. It was not felt that the site was isolated or cut off from the surrounding area.
- Car parking was limited as attempts were being made to reduce car use in favour of public transport.
- Affordable housing was split 70:30 between social rent and shared ownership tenures.

Members expressed strong concerns about the suitability of the site for residential, family accommodation and felt that the site was essentially on a traffic island and the current application would mean that a large volume of people would have to cross a very busy road every day.

On a vote of 4 against and two for, with one abstention, the Committee indicated that it did not support the Officer's recommendation to grant planning permission for redevelopment of the site to provide a residential-led, mixed use scheme comprising 355 units, 48 serviced apartments, re-provision of a drive-through restaurant (Class A5), retail or financial and professional service units (Class A1/A2), crèche, gymnasium, associated amenity space and car parking.

Ms Megan Crowe, Legal Services Team Leader Planning, advised that, given the allocation of the site for housing, the Committee must carefully consider its course of action.

Accordingly, on a vote of 7 for and 0 against, the Committee indicated that it was minded to refuse planning permission, and that final consideration be deferred to enable a further report to be submitted to the next meeting of the Committee to address concerns expressed by Members.

#### **7.4 Wood Wharf, Preston's Road, London**

Mr Michael Kiely, Service Head Development Decisions, introduced the report setting out the proposed Hybrid application (PA/08/1215 & PA/08/1217) for comprehensive mixed-use redevelopment of Wood Wharf; and (PA/08/1218 & PA/08/1238) the partial demolition of a small section of the southern dock wall to Blackwall Basin, for the creation of a new canal between South Dock and Blackwall Basin, and the introduction of piled foundations to anchor structures within the Basin, and other associated works as part of a comprehensive mixed use redevelopment of Wood Wharf.

Mr Michael Osman, Planning Consultant representing Hammersons, spoke in connection with his client's concerns on issues relating to land ownerships, particularly with building W05; the applicant to maximise Section 106 funding towards site development; possible compromising of views from building W05 by building W07; the possible deletion of proposed building W07D; the revision of proposed height guidelines.

Mr Steven Brown, for the applicant, referred to his tabled brochure and pointed out that the developers had been working with the local authority since 2000 and the current design represented the best use of the site. 45% of family accommodation would be affordable housing, including 95 3-bed, 28 4-bed and 20 5-bed homes. The many new facilities would include 100% public access to the dockside and works would start on the western edge of the site, moving eastwards.

Mr Tim Porter, Major Projects Development Officer, made a detailed presentation as set out in the committee report pointing out that historical features would be preserved and outlining the £53.2m of financial benefits that would be provided. There would also be a £100m contribution towards Crossrail. The development period would be 10 years overall. He added that extensive public consultations had been undertaken by the applicant and also by the Borough, with only 18 objections having been received in connection with the application.

Mr Kiely commented that this was a very major and important scheme that was driven by the established policies and masterplan. Affordable housing was well delivered and it was important that Members were satisfied that the right place was being made. The plan comprised a natural extension to the Canary Wharf Estate and would be bringing people much closer to the waterside. The site was very appropriate for a modern mix of commercial/

financial/residential communities and 3,500-4,000 people would live there. The development would bring major benefits to the locality and the Borough.

Mr Kiely replied to Members' queries relating to:

- Continuing access to Canary Wharf during the phased works by residents living on the south east side of the Isle of Dogs.
- The level of connectivity with the canals to ensure they were not a barrier between affordable housing and the rest of the estate.
- Temporary facilities should be fit for purpose and last the duration of the development period.
- Some loss of shape of the current dock-line.
- Changes made to the original scheme following public consultation, which would continue.
- Section 106 funding had been based on the maximum floor areas, therefore, the sums quoted in the report were fixed.
- Affordable housing had been designed to overlook the dock and there was confidence that it would be acceptable, as was its relation to office buildings. Officers had sought to negotiate the best mix of residential units and, after consulting the DLA and District Valuer, it was felt that this had been achieved.
- Monitoring of financial contributions would need to be managed and a suitable mechanism set up, to include the local community, such as the LAP network.
- Public open space would be generous, with 1 hectare of parkland, a range of public realm areas and a number of active play areas.
- Consultation had also been undertaken with neighbouring boroughs and other agencies, and no objections had been forthcoming.

On a vote of 7 for and 0 against, the Committee RESOLVED that planning permission and listed building consent be GRANTED for the reasons set out in the committee report for:

PA/08/1215 and PA/08/1217(Duplicate Application)

Hybrid application for comprehensive mixed-use redevelopment of Wood Wharf comprising:

1) Outline Application (all matters reserved, save for access & layout)

- Demolition of dwellings at Lovegrove Walk;
- Commercial floorspace (B1), up to 1668 residential units (C3), and hotel (C1) contained in fourteen buildings;
- Retail (A1), financial services (A2), restaurants & cafes (A3), drinking establishments (A4) and takeaway establishments (A5);
- Leisure & community uses (D1 & D2);
- Associated infrastructure, including the creation of structures in Blackwall Basin and South Dock;
- Principles of landscaping and public realm;



- Means of access;
- Bridge links;
- Car, motorcycle and bicycle parking spaces, servicing; and
- Electricity substation.

## 2) Full Application

- Creation of canal and other engineering infrastructure and;

### PA/08/1218 and PA/08/1238 (Duplicate Application LBA)

Partial demolition of a small section of the southern dock wall to Blackwall Basin, for the creation of a new canal between South Dock and Blackwall Basin, and the introduction of piled foundations to anchor structures within the Basin, and other associated works as part of a comprehensive mixed use redevelopment of Wood Wharf. The planning permissions to be subject to:

- A. Any **direction** by **The London Mayor**
- B. Any **direction** by the **Secretary of State** pursuant to the Shopping Development Direction
- C. The prior completion of a **legal agreement** to secure the following planning obligations:

### **Financial Contributions**

#### Transport

- 1 A financial contribution of **£5,000,000** towards bus improvements.
- 2 A financial contribution of **£250,000** towards bus Infrastructure works.
- 3 A financial contribution of **£9,000,000** towards DLR improvements.
- 4 A financial contribution of **£100,000,000** towards Crossrail.

#### Local Highway Network

- 5 A financial contribution of **£1,750,000** towards highway junction improvements.

#### Improvements to connectivity and Integration

- 6 A financial contribution of **£2,000,000** towards highway improvement works to deliver the signalisation/at grade pedestrian crossings and public realm works for the Preston's Road roundabout.
- 7 A financial contribution of **£500,000** towards additional public realm works.
- 8 A financial contribution of **£250,000** towards provision of "Velib" cycle station hubs at Blackwall, Canary Wharf, South Quay and Heron Quays DLR stations and within the development itself.

#### Employment and Training

- 9 A financial contribution of **£5,000,000** towards local employment and training including Skillsmatch.
- 10 A financial contribution of **£3,000,000** towards East London Business Place programme.
- 11 The provision of an on-site Construction Training and Recruitment centre (equivalent value being at least **£2,275,000**).

#### Education

- 12 A financial contribution of **£2,221,560** towards mitigating the impact of the increased population on primary education provision.
- 13 A financial contribution of **£1,885,900** towards mitigating the impact of the increased residential population on secondary education provision.

#### Open Space and Leisure

- 14 A financial contribution of **£1,117,319** towards off-site leisure facilities.
- 15 A financial contribution of **£3,435,541** towards off-site open space improvements and / or capacity enhancements in lieu of on-site provision.

#### Community

- 16 On-site provision of 3,000sqm floor space to accommodate an Idea Store or for such other community purposes as the Council may consider appropriate.
- 17 A financial contribution of **£4,000,000** towards social and community services projects, programmes and/or initiatives.

- D. That Officers, in consultation with appropriate Members, consider the establishment of suitable monitoring mechanisms to oversee the proper management of the financial contributions set out above.

#### Health

- 18 On-site provision of 2,000sqm floor space for a new PCT Health and Well Being Centre. Also, provision of a temporary health facility prior to the implementation of the PCT Health and Well Being Centre.

#### Monitoring

- 20 A financial contribution of **£250,000** towards planning obligation monitoring and implementation, development monitoring and planning enforcement activities, development control activities and travel plan monitoring and implementation.

Total Financial Contribution: **£153,120,030** (including the in-kind value of the on-site Construction Training and Recruitment centre, Idea Store and PCT Health Centre)

#### **Other obligations**

- 21 Affordable housing provision of 35% of the proposed habitable rooms with a 70/30 split between rented/ shared ownership.

- 22 Housing units across the site shall be provided in unit sizes of 3 bedrooms or more as follows:
  - 45% (minimum) of the Social Rented Units
  - 11% (minimum) of the Intermediate Units
  - 9% (minimum) of the Market Units (subject to market analysis at each phase)
- 23 Provision of a Residential Amenity Space Strategy
- 24 Delivery of Pedestrian Access Routes (including bridges). This will include public access, management and maintenance and ensure an east-west connection through the site is delivered and maintained.
- 25 Provision of Temporary Access Routes, and public access and management and maintenance during construction (including details and delivery of the shuttle bus service).
- 26 Provision of an Estate Management Strategy
- 27 TV Reception impact surveys and any TV reception mitigation measures
- 28 DLR radio signal impact survey and any DLR radio signal mitigation measures
- 29 Provision of a Shop Mobility Strategy and Management Plan
- 30 Delivery of High Street and Wood Wharf Square, provision of public access and management and maintenance.
- 31 Provision of an Entertainment and Events Strategy (including proposed street markets) and Management Plan
- 32 Delivery of Community Park, provision of public access and management and maintenance.
- 33 Delivery of Temporary Community Park, provision of public access and management and maintenance.
- 34 Play Space Strategy, provision of public access management and maintenance.
- 35 Waterspace Safety, Maintenance and Management Plan
- 36 Provision of Public Art Strategy and Management Plan
- 37 Preparation, implementation and monitoring of Travel Plans.
- 38 Provision of a marketing strategy for retail units
- 39 Provision of a Construction Phase Parking Scheme
- 40 Provision of a Car Parking Management Strategy

- 41 Car free agreement to restrict occupants applying for residential parking permits.
  - 42 Provision of Cycle Tracks, including public access and management and maintenance.
  - 43 On-site Construction Training and Recruitment Centre Strategy and Management Plan
  - 45 Montgomery Street cross-over strategy in association with the pedestrian bridge
  - 46 Safeguarding and bus implementation strategy on the upper Wood Wharf Square level
  - 47 The applicant will use all endeavours to assist in bringing forward the delivery of the Millennium Quarter bridge
  - 48 Funds to cover the cost of monitoring the implementation of the s106 agreement
- E.** Any other planning obligation(s) considered necessary or appropriate by the Corporate Director Development & Renewal
- F. That the Corporate Director Development & Renewal is delegated authority to negotiate the legal agreement indicated above, including taking account of the matters set out in paragraph 11.3 of the report and in the update report.
- G. That the Corporate Director Development & Renewal is delegated authority to issue the planning permission and impose conditions and informatives to secure the following matters:

### **Conditions**

#### **General: Site wide**

1. The development must begin within three [3] years from the date of this permission.
2. The final submission of all reserved matters in respect of each of the phases (being appearance, scale and landscaping) must be made within 10 years from the date of this permission. The development of each phase must begin within 2 years from the date of the last reserved matter(s) approved in respect of the relevant phase.
3. The development shall be carried out in accordance with the approved phasing plan, unless otherwise agreed by the LPA (Append to decision)
4. Submission of a detailed phasing programme
5. The development is to be carried out in accordance with the Details of Scale Parameters document. Quantum of floorspace to be limited to that assessed under the ES.
6. The development of Phases 2, 3 and 4 shall not commence upon until non-secured land has been tied into the s106 agreement.
7. The development shall be carried out in accordance with the following site wide

strategies submitted:

- Design Guidelines;
  - Water Space and Public Realm Strategy;
  - Play Space Strategy;
  - Resource and Waste Management Strategy;
  - Details of Scale Parameters;
  - Accessibility Strategy;
  - Energy Strategy; and
  - Estate Management Strategy.
8. The development shall not be commenced until site wide strategies addressing the following matters are submitted (to include all of the EIA mitigation measures where relevant) and the development shall be carried out in accordance with the approved strategies:
    - Cycle Facilities;
    - Environmental Construction Management incorporating Code of Construction Practice;
    - Way Finding Strategy
    - Surface/ foul water drainage and surface water control measures;
    - Flood risk (including protection of the flood defences);
    - Construction of storage facilities for oils, fuels or chemicals;
    - Water supply infrastructure reinforcements;
    - Ecology and nature conservation (including all of the EIA mitigation measures);
    - Cultural Heritage, including archaeology investigations and a programme of recording and historic analysis;
    - Impact of construction on the listed dock walls;
    - Safety and security, including Secured by Design principles;
    - Noise and vibration;
    - Contamination (including water pollution potential);
    - Wind microclimate;
    - Air quality; and
    - Light pollution
  9. Details of works to be carried out on the dock banks
  10. Submission of details of the floating islands.
  11. Development shall not commence until access from Cartier Circle is secured and details submitted.
  12. All planting within 5 metres of the docks shall be of locally native plant species only.
  13. No building or other obstruction shall be erected over or within 3 metres of any public sewer.
  14. External artificial lighting within 5 metres of the bank top shall be directed away from the docks.
  15. Restriction on storage of solid matter within 10 metres of the banks of the docks, locks and canal
  16. Limit hours of construction to between 8.00 to 18.00, Monday to Friday and 8.00 to 13.00 on Saturdays and no working on Sundays or Public Holidays
  17. Submit improvement details to the northern part of the working South Dock, including access, management/maintenance (including historic cranes) and improvement works (including any alterations/ demolition of structures).

18. Buildings to be equipped with aircraft obstacle lighting
19. Details of the proposed works and foundation arrangements (in consultation with LUL)
20. Restriction on the number of vehicular parking/motorcycle spaces on site as follows:

	Office	Retail/Public	Residential	Hotel	Total
Vehicular Spaces	270	93	443	23	829
Motorcycle Spaces	69	25	60	5	159

21. A minimum number of bicycle parking space are to be provided on-site, as follows:

Office	Retail/Public	Res	Hotel	Total
1326	50	1668	20	3064

22. Submit details of the dock water cooling system

### **Phase 1**

#### Phase Wide

1. Submission of reserved matters (comprising Scale, Appearance and Landscaping) for all development within the phase, excluding building W01)
2. The development shall not be commenced until the following phase wide details are submitted (including all of the EIA mitigation measures where relevant):
  - Resource and Waste Management Plan;
  - Energy Plan;
  - Detailed Access Statement, including Way Finding Plan;
  - Landscape Management Plan;
  - Estate Management Plan;
  - Servicing and Deliveries Management Plan;
  - Details of cycle facilities;
  - Environmental Construction Management Plan, incorporating Code of Construction Practice;
  - Ecology and Nature Conservation Plan (including all of the EIA mitigation measures);
  - Archaeology Investigations;
  - Programme of recording and historic analysis;
  - Impact of construction on the listed dock walls;
  - Safety and security, including Secured by Design principles;
  - Noise and vibration limits;
  - Contamination and remediation plan;
  - Wind microclimate plan;
  - Air quality plan;
  - Surface/ foul water drainage and surface water control measures;
  - Flood risk;
  - Details of the proposed works to achieve access routes for emergency vehicles to the site;

- Details of riparian life saving equipment;
  - Full particulars regarding the feasibility of using the docks and river for the transportation of construction materials for building;
  - Electrical charging points for vehicles, and
  - Details of sustainable design and construction measures.
3. The development shall not be commenced until the details of the associated highway works have been submitted.
  4. The development shall not be occupied until the associated highway works have been carried out.

#### Building W01

1. Submission of reserved matters comprising Scale, Appearance and
2. Landscaping.  
Building W01 shall not be occupied until the foot bridge to Montgomery Street is completed.
3. Submission of a detailed access statement.
4. Samples and full particulars of all of the external materials proposed shall be submitted.
5. Details of the cycle facilities
6. Environmental Construction Management Plan
7. **Flood warning system**
8. **Any electrical and mechanical plant must not exceed 10dBA below current ambient noise level.**
9. **Submit details of green/brown roofs**
10. **Submission of a Resource and Waste Management Plan**
11. Submission of a security management scheme, including Secured by Design assessment
12. Details of the means of ventilation for the extraction and dispersal of cooking smells and other fumes.
13. Submit details of renewable energy measures and carbon emissions  
Light pollution assessment
14. Submit details of the CHP plant

#### **Phase 2**

##### Phase Wide

1. Submission of reserved matters (comprising Scale, Appearance and Landscaping) for all development within the phase, excluding buildings W02, W03, W07A, W07A/B, W07B and W08.
2. The development shall not be commenced until the following phase wide details are submitted (including all of the EIA mitigation measures where relevant):
  - Resource and Waste Management Plan;
  - Energy Plan;
  - Detailed Access Statement, including Way Finding Plan;
  - Landscape Management Plan;
  - Estate Management Plan;
  - Servicing and Deliveries Management Plan;

- Details of cycle facilities;
  - Environmental Construction Management Plan, incorporating Code of Construction Practice;
  - Ecology and Nature Conservation Plan (including all of the EIA mitigation measures);
  - Archaeology Investigations;
  - Programme of recording and historic analysis;
  - Impact of construction on the listed dock walls;
  - Safety and security, including Secured by Design principles;
  - Noise and vibration limits;
  - Contamination and remediation plan;
  - Wind microclimate plan;
  - Air quality plan;
  - Surface/ foul water drainage and surface water control measures;
  - Flood risk;
  - Details of the proposed works to achieve access routes for emergency vehicles to the site;
  - Details of riparian life saving equipment;
  - Full particulars regarding the feasibility of using the docks and river for the transportation of construction materials for building;
  - Electrical charging points for vehicles;
  - Details of sustainable design and construction measures; and
  - Details of the A1 – A5 uses (including use, location, shop fronts, operating hours, sizes) within Wood Wharf Square/High Street.
3. Buildings W02 and W03 shall not be occupied until the temporary health facility has been provided.
  4. Details of the hard and soft landscaping of the temporary park(s), including child play space.
  5. Buildings W02 and W03 shall not be occupied until the pedestrian access is provided through the site connecting Preston's Road to Cartier Circle and Montgomery Street.
  6. Restrictions on development until the temporary park has been completed
  7. The development shall not be commenced until the details of the associated highway works have been submitted.
  8. The development shall not be occupied until the associated highway works have been carried out.

#### Buildings W02 and W03

(Commercial Buildings to be conditioned separately, but for this report, have been grouped together)

1. Submission of reserved matters comprising Scale, Appearance and Landscaping.
2. Submission of a detailed access statement.
3. Samples and full particulars of all of the external materials proposed shall be submitted.
4. Details of the cycle facilities
5. Environmental Construction Management Plan
6. **Flood warning system**



7. ***Any electrical and mechanical plant must not exceed 10dBA below current ambient noise level.***
8. ***Submit details of green/brown roofs***
9. ***Submission of a Resource and Waste Management Plan***
7. Submission of a security management scheme, including Secured by Design assessment
11. Details of the means of ventilation for the extraction and dispersal of cooking smells and other fumes.
12. Submit details of renewable energy measures and carbon emissions
13. Submit details of the CHP plant
14. Light pollution assessment

Building W07A and W07A/B  
(Hotel)

1. Submission of reserved matters comprising Scale, Appearance and Landscaping.
2. 10% of new hotel units will be designed to be wheelchair accessible or easily adaptable for residents who are wheelchair users
3. Submission of a detailed access statement.
4. Samples and full particulars of all of the external materials proposed shall be submitted.
5. Details of the cycle facilities
6. Environmental Construction Management Plan
7. ***Flood warning system***
8. ***Any electrical and mechanical plant must not exceed 10dBA below current ambient noise level.***
9. ***Submit details of green/brown roofs***
10. ***Submission of a Resource and Waste Management Plan***
11. Submission of a security management scheme, including Secured by Design assessment
12. Details of the means of ventilation for the extraction and dispersal of cooking smells and other fumes.
13. Submit details of renewable energy measures and carbon emissions
14. Submit details of the CHP plant
15. Light pollution assessment

Building W07B  
(Residential and retail)

1. Submission of reserved matters comprising Scale, Appearance and Landscaping.
2. The residential units shall comply with the minimum space standards;
3. All residential units are to comply with Lifetime Homes standards;
4. No fewer than 10% of the total number of residential units shall be designed to be wheelchair accessible or easily adaptable for residents who are wheelchair users;
5. Submission of a detailed access statement.
6. Samples and full particulars of all of the external materials proposed shall be submitted.

7. Details of the cycle facilities
8. Environmental Construction Management Plan
9. **Flood warning system**
10. **Any electrical and mechanical plant must not exceed 10dBA below current ambient noise level.**
11. **Submit details of green/brown roofs**
12. **Submission of a Resource and Waste Management Plan**
13. Submission of a security management scheme, including Secured by Design assessment
14. Details of the means of ventilation for the extraction and dispersal of cooking smells and other fumes.
15. Submit details of renewable energy measures and carbon emissions
16. Submit details of the sustainable design and constructions measures (a minimum of Code Level 3 is required unless otherwise agreed by the LPA)
17. Details of the A1 – A5 uses where applicable (including use, shop fronts, operating hours, sizes)
18. Light pollution assessment
19. Details of eastern façade treatment to achieve adequate sunlight/daylight levels

*Phase 3*

Phase Wide

1. Submission of reserved matters (comprising Scale, Appearance and Landscaping) for all development within the phase, excluding buildings W06, W07C, W08 and W09.
2. The development shall not be commenced until the following phase wide details are submitted (including all of the EIA mitigation measures where relevant):
  - Resource and Waste Management Plan;
  - Energy Plan;
  - Detailed Access Statement, including Way Finding Plan;
  - Landscape Management Plan;
  - Estate Management Plan;
  - Servicing and Deliveries Management Plan;
  - Details of cycle facilities;
  - Environmental Construction Management Plan, incorporating Code of Construction Practice;
  - Ecology and Nature Conservation Plan (including all of the EIA mitigation measures);
  - Archaeology Investigations;
  - Programme of recording and historic analysis;
  - Impact of construction on the listed dock walls;
  - Safety and security, including Secured by Design principles;
  - Noise and vibration limits;
  - Contamination and remediation plan;
  - Wind microclimate plan;
  - Air quality plan;
  - Surface/ foul water drainage and surface water control measures;

- Flood risk;
  - Details of the proposed works to achieve access routes for emergency vehicles to the site;
  - Details of riparian life saving equipment;
  - Full particulars regarding the feasibility of using the docks and river for the transportation of construction materials for building
  - Electrical charging points for vehicles; and
  - Details of sustainable design and construction measures.
3. Details of the hard and soft landscaping of the temporary park(s), including child play space.
  4. Restrictions on development until the temporary park has been completed
  5. The development shall not be commenced until the details of the associated highway works have been submitted.
  6. The development shall not be occupied until the associated highway works have been carried out.

#### Buildings W06

1. Submission of reserved matters comprising Scale, Appearance and Landscaping.
2. Submission of a detailed access statement.
3. Samples and full particulars of all of the external materials proposed shall be submitted.
4. Details of the cycle facilities
5. Environmental Construction Management Plan
6. **Flood warning system**
7. **Any electrical and mechanical plant must not exceed 10dBA below current ambient noise level.**
8. **Submit details of green/brown roofs**
9. **Submission of a Resource and Waste Management Plan**
10. Submission of a security management scheme, including Secured by Design assessment
11. Details of the means of ventilation for the extraction and dispersal of cooking smells and other fumes.
12. Submit details of renewable energy measures and carbon emissions
13. Submit details of the CHP plant
14. Light pollution assessment
15. Details of the A1 – A5 uses where applicable (including use, shop fronts, operating hours, sizes)

#### Building W07C, W08 and W09

(Residential Buildings to be conditioned separately, but for this report, have been grouped together)

1. Submission of reserved matters comprising Scale, Appearance and Landscaping.
2. The residential units shall comply with the minimum space standards;
3. All residential units are to comply with Lifetime Homes standards;
4. No fewer than 10% of the total number of residential units shall be designed to be wheelchair accessible or easily adaptable for residents who are wheelchair

- users;
5. Submission of a detailed access statement.
  6. Samples and full particulars of all of the external materials proposed shall be submitted.
  7. Details of the cycle facilities
  8. Environmental Construction Management Plan
  9. **Flood warning system**
  10. **Any electrical and mechanical plant must not exceed 10dBA below current ambient noise level.**
  11. **Submit details of green/brown roofs**
  12. **Submission of a Resource and Waste Management Plan**
  13. Submission of a security management scheme, including Secured by Design assessment
  14. Details of the means of ventilation for the extraction and dispersal of cooking smells and other fumes.
  15. Submit details of renewable energy measures and carbon emissions
  16. Submit details of the sustainable design and constructions measures (a minimum of Code Level 3 is required unless otherwise agreed by the LPA)
  17. Details of the A1 – A5 and/or D1 uses where applicable (including use, shop fronts, operating hours, sizes)
  18. Details of northern façade treatment to W07C to achieve adequate sunlight/daylight levels

*Phase 4*

Phase Wide

1. Submission of reserved matters (comprising Scale, Appearance and Landscaping) for all development within the phase, excluding buildings W04, W05, W07D and W13
2. The development shall not be commenced until the following phase wide details are submitted (including all of the EIA mitigation measures where relevant):
  - Resource and Waste Management Plan;
  - Energy Plan;
  - Detailed Access Statement, including Way Finding Plan;
  - Landscape Management Plan;
  - Estate Management Plan;
  - Servicing and Deliveries Management Plan;
  - Details of cycle facilities;
  - Environmental Construction Management Plan, incorporating Code of Construction Practice;
  - Ecology and Nature Conservation Plan (including all of the EIA mitigation measures);
  - Archaeology Investigations;
  - Programme of recording and historic analysis;
  - Impact of construction on the listed dock walls;
  - Safety and security, including Secured by Design principles;
  - Noise and vibration limits;

- Contamination and remediation plan;
  - Wind microclimate plan;
  - Air quality plan;
  - Surface/ foul water drainage and surface water control measures;
  - Flood risk
  - Details of the proposed works to achieve access routes for emergency vehicles to the site;
  - Details of riparian life saving equipment;
  - Full particulars regarding the feasibility of using the docks and river for the transportation of construction materials for building;
  - Electrical charging points for vehicles; and
  - Details of sustainable design and construction measures.
3. Details of the hard and soft landscaping of the Community Park, including child play space.
  4. Restrictions on the commencement of development until the Community Park has been delivered.
  5. Submit details of the pavilion building within the Community Park.
  6. The development shall not be commenced until the details of the associated highway works have been submitted.
  7. The development shall not be occupied until the associated highway works have been carried out.

#### Buildings W04 and W05

(Commercial buildings to be conditioned separately, but for this report, have been grouped together)

1. Submission of reserved matters comprising Scale, Appearance and Landscaping.
2. Submission of a detailed access statement.
3. Samples and full particulars of all of the external materials proposed shall be submitted.
4. Details of the cycle facilities
5. Environmental Construction Management Plan
6. **Flood warning system**
7. **Any electrical and mechanical plant must not exceed 10dBA below current ambient noise level.**
8. **Submit details of green/brown roofs**
9. **Submission of a Resource and Waste Management Plan**
10. Submission of a security management scheme, including Secured by Design assessment
11. Details of the means of ventilation for the extraction and dispersal of cooking smells and other fumes.
12. Submit details of renewable energy measures and carbon emissions
13. Submit details of the CHP plant
14. Light pollution assessment
15. Details of the A1 – A5 and/or D1 uses (including use, location, shop fronts, operating hours, sizes).

#### Building W07D and W13

(Residential buildings to be conditioned separately, but for this report, have

been grouped together)

1. Submission of reserved matters comprising Scale, Appearance and Landscaping.
2. The residential units shall comply with the minimum space standards;
3. All residential units are to comply with Lifetime Homes standards;
4. No fewer than 10% of the total number of residential units shall be designed to be wheelchair accessible or easily adaptable for residents who are wheelchair users;
5. Submission of a detailed access statement.
6. Samples and full particulars of all of the external materials proposed shall be submitted.
7. Details of the cycle facilities
8. Environmental Construction Management Plan
9. **Flood warning system**
10. **Any electrical and mechanical plant must not exceed 10dBA below current ambient noise level.**
11. **Submit details of green/brown roofs**
12. **Submission of a Resource and Waste Management Plan**
13. Submission of a security management scheme, including Secured by Design assessment
14. Details of the means of ventilation for the extraction and dispersal of cooking smells and other fumes.
15. Submit details of renewable energy measures and carbon emissions
16. Submit details of the sustainable design and constructions measures (a minimum of Code Level 3 is required unless otherwise agreed by the LPA)
17. Details of the A1 – A5 uses where applicable (including use, shop fronts, operating hours, sizes)
18. Light pollution assessment
19. Details of northern façade treatment to W07D to achieve adequate sunlight/daylight levels

Any other planning condition(s) considered necessary by the Corporate Director Development & Renewal.

### **Informatives**

- 14) Section 106 agreement required;
- 15) Section 278 agreement required;
- 16) Contact Thames Water;
- 17) Contact London City Airport regarding cranes and aircraft obstacle lighting;
- 18) Contact LBTH Building Control;
- 19) LBTH Ecology Department advice;
- 20) English Heritage advice;
- 21) This permission does not include consent for the indicative moored vessel locations and a separate planning application is required where proposed.
- 22) Environmental Health advice;
- 23) London Underground advice;
- 24) London City Airport advice
- 25) London Underground Limited advice

- 26) Environment Agency Advice;
- 27) Compliance with Code of Construction Practice;
- 28) Reference to relevant Supplementary Planning Guidance
- 29) Contact London Fire & Emergency Planning Authority; and

Any other informative(s) considered necessary by the Corporate Director Development & Renewal.

- H. That the Committee confirms that it has taken the environmental information into account as required by Regulation 3(20) of the Town and Country Planning (Environmental Impact) Regulations 1999 (as amended).
- I. That the Committee agrees that following issue of the decision the Corporate Director Development and Renewal should place a statement on the statutory register pursuant to Regulation 21 of the 1999 Regulations (as amended) containing the information required by regulation 21 and that for the purposes of Regulation 21 (1)(c) the main reasons and considerations on which the Committee's decision was based shall be as set out in this report in the summary of reasons for granting permission.
- J. That, if the legal agreement has not been completed within the time scale set out in the Planning Performance Agreement, the Corporate Director Development & Renewal is delegated power to refuse planning permission.
- K. That the Committee **delegate authority** to the Corporate Director Development & Renewal to **GRANT** listed building consent for PA/08/1218 and PA/08/1238 (Duplicate Application) subject to:
  - 1. Consideration of any **views** expressed as a result of the outstanding consultation with the **Statutory Amenity Societies**
  - 2. The prior completion of a **legal agreement** as detailed above.
  - 3. **Conditions** to secure the following matters:

#### **Conditions**

- 1. Full particulars of the Listed Building Works.
- 2. Any other planning condition(s) considered necessary by the Corporate Director Development & Renewal.

### **7.5 Mooring in Millwall Cutting and South Dock, Thames Quay, Marsh Wall, London, E14.**

Mr Jerry Bell, Applications Manager, introduced the report on the application for planning permission for the permanent mooring of a vessel for a hotel with ancillary mixed uses including a business function room, restaurants, bars,

health spa and retail units, new pontoons and new vehicular access from Marsh Wall and a new pedestrian swing bridge across Millwall Cutting.

Dr Richard Wheal spoke against the application due to the proximity of the proposed mooring to Meridian Place and the likelihood of residents being disturbed by parties at night. Pedestrian access near the flats also meant that they would be overlooked. It was likely there would be noise and air pollution and there was insufficient provision for sewage disposal. A 170 metre length of dock would be lost, comprising a hectare of open space. The proposal was likely to result in a decrease in living standards and was not a sustainable proposition.

Rebecca Stockley, for the applicant, stated that the proposal had an extensive history. There had been three previous approvals for moorings at the dock and extensive public consultation had been carried out, so residents' concerns were known and would be addressed. The main access to the site would be 170 metres from the nearest residential unit. The rear decks of the ship would be 23 metres from the nearest residence and they would be used as private decks and managed appropriately. Water quality and renewables had been discussed with the GLA and the Borough, who were satisfied in this respect.

Councillor Philip Briscoe, speaking against the application, queried the demand for additional hotel accommodation as there were several thousand rooms already on the Isle of Dogs, with more to be provided in Wood Wharf. He felt there would be a direct impact on and loss of amenity to local residents with a direct visual impact also. He queried the impact on the local environment of a potential 500 extra taxis to the mooring and valet parking. In addition, the future use of the structure needed consideration and how it would arrive/if it would have an engine. He felt that consideration should be given to deferring the application to address these issues.

Ms Amy Cooper, Planning Officer, made a detailed presentation and indicated that the ship was not engine-powered. It would be built off-site, towed in and attached to a pontoon. The vessel would be five star accommodation and the GLA supported its contemporary design. To the eastern end of the vessel the first five decks would be accessible to the public. With regard to the relationship with Meridian Place, the closest deck was about 22 metres and the design meant that it raked away and was higher to the bar area. The top bar was about 80 metres away from housing.

Mr Michael Kiely replied to queries from Members regarding:

- The size of the vessel and the main entry/egress points for vehicular access: this would be mainly from the west along Marsh Wall or by water taxi and there would be a 24-hour security office with a phone help line.
- Restrictions were applied on the use of public decks by conditions set out in the report.



- A permanent mooring could have detrimental effects on other water usage such as disabled people's sailing lessons.
- Waste/sewage removal practices: this would be handled on board and transferred by a compacted container system.
- Restrictions should be considered to prevent parties and ensure appropriate use of rooms and enforcement action would be available if needed.

On a vote of 3 for and 3 against, with the Chair's casting vote in favour of the application, the Committee RESOLVED that planning permission for the permanent mooring of a vessel for a hotel with ancillary mixed uses including a business function room, restaurants, bars, health spa and retail units, new pontoons and new vehicular access from Marsh Wall and a new pedestrian swing bridge across Millwall Cutting be GRANTED for the reasons set out in the committee report, subject to:

- A. Any **direction** by **The London Mayor**
- B. The prior completion of a **legal agreement**, to the satisfaction of the Chief Legal Officer, to secure the following planning obligations:

Financial Contributions

- b) A financial contribution of **£100,000** towards education and training initiatives within the Borough;
- c) A financial contribution of **£50,000** towards a new pedestrian crossing on Marsh Wall;
- d) A financial contribution of **£30,000** towards bus stops on Marsh Wall, together with the implementation of the DAISY system.
- e) A financial contribution of **£20,000** towards the provision of cyclist and pedestrian facilities on the Isle of Dogs;
- f) A financial contribution of **£9,000** to the London Docklands Angling Consortium

(These amounts are the same as the PA/05/1227 application [refer to history section], with a total s106 contribution of **£209,000**, to be index-linked to date of previous committee meeting, being 30 November 2005).

Non-Financial Contributions

- g) The completion of a Management Plan to incorporate the following details:
  1. Details of the day to day servicing arrangements of the vessel;
  2. Details of the proposed parking arrangements;
  3. Details of community liaison officer and a 24-hour liaison telephone number for local residents;
  4. Security details, including patrolling security staff to ensure visitors to the vessel do not disturb local residences and 24 hour manned security entrance;
  5. Security, signage and other measures to be taken to

- endeavour to ensure visitors and staff respect the boundaries of local residences and properties, in particular those within Meridian Place;
6. Details of the training and development of staff, together with access to employment initiatives.
- h) The applicant agrees to revoke the planning consent (PA/00/1439 – Permanent mooring of a vessel for hotel use at the western end of South Dock) when the current application PA/08/1359 is consented;
- i) Additional parking be made available to London Docklands Angling Consortium, of a maximum of 5 spaces during the week and a maximum of 10 spaces at weekends;
- j) Additional 6 access gates in Millwall Cutting (total of 10) for London Docklands Angling Consortium to gain access to the dock;
- k) British Waterways to exchange the permitted angling area on the western side of Millwall Inner Dock, once the vessel's use is implemented. The exchange relates to an area to the southwest, to be exchanged with an area to the northwest.
- C. That the Corporate Director Development & Renewal is delegated authority to negotiate the legal agreement indicated above.
- D. That the Corporate Director Development & Renewal is delegated authority to issue the planning permission and impose conditions [and informatives] to secure the following matters:

### **Conditions**

- 1) Time Limit (3 years);
- 2) Construction Hours;
- 3) Details of 6 metre level standing for coaches existing to Marsh Wall;
- 4) Detailed Landscape Plan prior to commencement of works;
- 5) Environment Agency conditions requiring ecological mitigation plan; further details of biodiversity provisions;
- 6) BW condition submission details of moorings and pontoons;
- 7) EA condition – UK native planting;
- 8) EA condition – lighting away from dock;
- 9) EA condition – no storage of materials within 5 metres of dock edge;
- 10) Servicing from waterside;
- 11) Details of 20 cycle spaces;
- 12) Disabled/cycle/taxi parking to be permanently retained;
- 13) Restriction of use for external public decks (for restaurant/bar areas) – 0700 to 2400 Monday to Saturday, and 0700 to 2100 Sundays or Bank Holidays;
- 14) Use class restrictions (C1 hotel and ancillary uses);
- 15) Details of plant and associated equipment noise;
- 16) Extract duct fumes restrictions;
- 17) Refuse and recycling facilities in accordance with plans;
- 18) Crossrail Safeguarding;
- 19) Materials;
- 20) Accessible rooms;

- 21) Energy (CO2 reduction of 20%);
- 22) Hammer driven piling restrictions (1000 – 1600; Monday to Friday);
- 23) EA – protection of dock walls;
- 24) Controlling the use of the staterooms and associated decks to accommodation only; and
- 25) Any other condition(s) considered necessary by the Corporate Director of Development & Renewal.

### **Informatives**

- 30) Section 106 agreement required;
- 31) Building Control;
- 32) Need for quietness;
- 33) Contact Crossrail;
- 34) Contact British Waterways;
- 35) Contact British Waterways London Estates Team;
- 36) Importance for Nature Conservation;
- 37) Wheel washing;
- 38) Section 278 Agreement;
- 39) Contact London Fire & Emergency Planning Authority;
- 40) Environment Agency;
- 41) Environmental Health – health club;
- 42) Environmental Health – food handling; and
- 43) Any other informative(s) considered necessary by the Corporate Director of Development & Renewal.

- E. That, if within 3-months of the date of this committee decision the legal agreement has not been completed, the Corporate Director Development & Renewal is delegated authority to refuse planning permission.
- F. That the management plan addresses the potential for customers leaving events at the vessel causing a nuisance and that the detailed landscaping of the site ensures that vehicles cannot gain access eastwards along the dock.

At 9.45 p.m. the Chair indicated that the meeting would **adjourn** for a short period. The meeting **reconvened** at 9.55 p.m.

## **8. OTHER PLANNING MATTERS**

### **8.1 33-37 The Oval, London, E2 9DT**

Councillor Eaton declared a personal, prejudicial interest in the item as she had spoken on behalf of the residents of Bethnal Green North Ward concerning the issue at a previous meeting of the Committee. She withdrew from the Chamber and took no part in the debate regarding the business nor voted thereon.

Mr Michael Kiely, Service Head Development Decisions, introduced the report seeking a decision as to whether or not planning permission number PA/05/00421 should be revoked.

He made a detailed presentation on past decisions made with regard to the site of 33-37 The Oval, London, E2 which had been granted planning permission on 15 December 2005. However, proper consultation with the Health and Safety Executive, which was required as the site was near the Bethnal Green Gas Holder Station, had not been undertaken. The HSE had subsequently objected strongly to the development, which meant that the planning permission was unsafe and vulnerable to challenge. On 8 November 2007, the Committee had considered the situation further and had been minded to revoke the planning permission. The matter had then been deferred to enable the preparation of a report outlining the options available to the Council, with the relevant legal implications. The developer had since suspended the development because of the uncertainty over the position of the HSE and the site had effectively been blighted.

Mr Kiely referred to the comparative risk assessments of the HSE and Atkins Oil and Gas Assessment, as included in the report, and answered questions put by Members on the acceptability of risk levels.

On a vote of 4 for and 1 against, the Committee RESOLVED that, pursuant to its powers under Section 97 of the Town and Country Planning Act 1990 (as amended), the planning permission be REVOKED on the grounds that:

The development would be in close proximity to a major hazard (the Bethnal Green Gas Holder Station) and the nature and extent of the uses proposed would represent an unacceptable level of risk for future residents and is contrary to the advice of the HSE and to Saved Unitary Development Plan policy DEV 54.

The meeting ended at 10.33 p.m.

Chair, Councillor Shafiqul Haque  
Strategic Development Committee