

LONDON BOROUGH OF TOWER HAMLETS

STRATEGIC DEVELOPMENT COMMITTEE

16th August 2012

UPDATE REPORT OF HEAD OF PLANNING AND BUILDING CONTROL

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Agenda item no	Reference no	Location	Proposal
7.1	PA/12/00920	Cayley Primary School, Aston Street, E14 7NG	4-storey extension to adjoin southern side of existing primary school to provide new classroom, resource accommodation, kitchen, hall and office space. New single storey extension to front of the existing building to provide teaching accommodation.
7.2	PA/11/03824	Orchard Wharf, Orchard Place, London	<p>Cross-boundary hybrid planning application for erection of a concrete batching plant, cement storage terminal and aggregate storage facilities, together with associated structures and facilities, walkway and landscaping, jetty and ship to shore conveyor.</p> <p>1) Outline Application: All matters reserved Jetty; and Ship to shore conveyor.</p> <p>2) Full details</p> <p>Demolition of all existing buildings; Concrete batching plant; Cement storage terminal; Aggregate storage facilities; Associated structures and facilities; Associated highway works; Walkway; and Landscaping.</p>
7.3	PA/11/3670	ASDA, 151 East Ferry Road	Hybrid planning application for demolition and comprehensive redevelopment

Agenda Item number:	7.1
Reference number:	PA/12/00920
Location:	Cayley Primary School, Aston Street, London, E14 7NG
Proposal:	4-storey extension to adjoin southern side of existing primary school to provide new classroom, resource accommodation, kitchen, hall and office space. New single storey extension to front of the existing building to provide teaching accommodation.

1.0 FURTHER REPRESENTATIONS

- 1.1 Since the writing of the main report, one additional representation has been received from a local resident who has noted that construction works have started on site and often before the standard 8am hours of permitted construction.
- 1.2 *(Officer response: The education department have confirmed that the works on the proposed extension have not commenced and the any construction noise has come from preparing the site for the temporary classrooms. The contractors have been made aware of the requirement to not undertake works before 8am in the morning and the particularly early start referred to by the resident was due to the contractor arriving from outside London and anticipating delays due to the Olympic Road restrictions. There were no delays so the vehicle arrived before the anticipated time.)*
- 1.3 The resident has also reiterated the concern regarding the impact upon traffic and congestion caused by the additional pupils and staff and consideration should be given to all of the Borough's residents rather than just the need to provide additional school places.
- 1.4 *(Officer response: There is a need for new school places within the Borough and this site has been identified by the education as having the potential to be expanded. The second entrance on Repton Street has been opened up as a pupil entrance to alleviate some of the congestion on Aston Street, a pedestrian crossing is also proposed on Aston Street to aid the safety of pupils, staff and local residents. It is considered that these measures sufficiently mitigate the impact the additional pupils and staff would have on the local highway network.)*
- 1.5 Concerns have also been raised about the installation of a pedestrian crossing in front of 29 Aston Street.
- 1.6 *(Officer response: This is considered necessary for the safety of pupils, parents and staff. It is not considered that the installation of the pedestrian crossing would have a significant impact upon the residents of no. 29. The main habitable windows face Matlock Street with only a door facing onto Aston Street.)*

2.0 CLARIFICATION AND CORRECTIONS

- 2.1 The hours of construction are reported incorrectly within the report. Condition 4 should read as follows: Hours of construction 8am – 6pm Monday to Friday and 8am – 1pm Saturday.

3.0 RECOMMENDATION

- 3.1 Officer's recommendation remains Approval.

Agenda Item number:	7.2
Reference number:	PA/11/03824
Location:	Orchard Wharf, Orchard Place, London
Proposal:	<p>Cross-boundary hybrid planning application for erection of a concrete batching plant, cement storage terminal and aggregate storage facilities, together with associated structures and facilities, walkway and landscaping, jetty and ship to shore conveyor.</p> <p>1) Outline Application: All matters reserved Jetty; and Ship to shore conveyor.</p> <p>2) Full details Demolition of all existing buildings; Concrete batching plant; Cement storage terminal; Aggregate storage facilities; Associated structures and facilities; Associated highway works; Walkway; and Landscaping.</p>

1.0 FURTHER REPRESENTATIONS

1.1 Since the writing of the main report, further representations have received from existing objectors to the proposals, principally re-iterating the objections raised within the May and August committee reports. These objections and comments are not therefore repeated as they have been noted in the reports before the Strategic Development Committee. A copy of these comments are available to view.

1.2 New objections raised have been set out below:

1.3 Members should be made aware that the Safeguarded Wharves Review is still under consultation and has not been finalised.

(Officer comment: The committee report highlights that the Safeguarded Wharves Review July 2012 is a further consultation draft to which the GLA are inviting comments on only the changes highlighted within the document. There are no changes proposed to the Orchard Wharf site and therefore it is not considered that the designation of the site will be altered.)

1.4 Further comments are invited on the Safeguarded Wharves Review July 2012 document until August 28th 2012.

(Officer comment: as stated above, further comments are invited, but only to the changes which have been made to this document and no changes have been proposed to the designation of Orchard wharf.)

1.5 No details of the GLA response to the Grafton Group's representations are provided within the August committee report. The Grafton Group comments stated that the site had the potential to be released if the capacity could be replicated on an alternative site. In summary, the GLA advise there is no in principle objection to consolidation of Orchard Wharf, however the full response reads as follows:

"No in principle objection to consolidation, however there are a number of substantial issues that would have to be resolved before this could be considered as a serious proposition and continued designation is appropriate-particularly as there is operator interest in using the wharf."

(Officer comment: Members are required to assess the application before them.

There has been no information presented with regard to the possibility of consolidation.)

- 1.6 The committee report does not advise that the Safeguarded Wharves Review July 2012 has revised and reduced the demand figures for aggregates.

(Officer comment: The demand figures within the Safeguarded Wharves document have been revised to show a reduction in demand from 0.9 million tonnes of constructions material to 0.8 million tonnes to the period up to 2031. This demand is still proposed to be met through the allocation of Orchard wharf to serve the north east sub region.)

- 1.7 The GLA analysis of economic demand is not considered to be robust and further objections are proposed to be issued to the GLA.

(Officer comment: This is highlighted as a comment only)

- 1.8 The Safeguarded Wharves Review July 2012 is only a material consideration for the members concerns regarding the safeguarding of the Wharf, not the other environmental, transport and visual effects arising from this development.

(Officer comment: This application is being presented afresh to members and is recommended for approval as the application is not considered to cause environmental, transport and visual impacts and Committee Members are asked to consider the application and all issues afresh.)

- 1.9 The applicants have also responded to the above comments raised, a copy of the letter is available to view.

- 1.10 The GLA have also issued further comments which respond to the comments raised above. A copy of this letter is available to view.

2.0 RECOMMENDATION

- 2.1 Officer's recommendation remains Approval.

Agenda Item number:	7.3
Reference number:	PA/11/3670
Location:	ASDA, 151 East Ferry Road
Proposal:	Hybrid planning application for demolition and comprehensive redevelopment

1.0 FURTHER REPRESENTATIONS

1.1 Friars Mead Boundary

1.2 Following the publication of the main report, a resident of Friars Mead contacted the case officer seeking confirmation that the proposal included boundary treatment along the eastern edge, which the developers had designed in response to consultation with residents whose rear gardens adjoin the development site.

1.3 The revised Design Code (Rev B) which is reference on Page 196 of the planning report includes the layout which was worked up with residents, as shown below:



1.4 The purpose of the Design Code is to inform how the reserved matters applications would be designed, and set out principles for development. The Design Code it specifies that the boundary should be developed in conjunction with Friars Mead residents. The indicative plan and accompanying notes are 'Illustrative' - setting out how matters could be addressed, but the final detail would be worked up at a later date.

1.5 Additionally, the Council is statutorily required to carry out public consultation upon the submission of a reserved matters application for this part of the site. Page 203, point 3.10 lists the conditions for Phase 5 of the development, and if planning

permission were approved the first condition under this phase could read:

- 1.6 *"The details of reserved matters of the layout, scale, design and appearance of the buildings, the means of access thereto and the **landscaping as well as details of boundary treatments** and vehicular and cycle parking provisions shall be submitted to an approved in writing by the Local Planning Authority prior to the commencement of Development within Phase 5 **in consultation with residents**"*

Reason: To ensure that the Local Planning Authority has control of those matters that have been reserved from the grant of outline planning permission and in accordance with DEV1 of the UDP, SPO1 of the CS and policies 7.6 and 7.7 of the London Plan.

1.7 Brittania Pharmacy

- 1.8 A further representation has been received on behalf of Brittania Pharmacy, which currently sits within the existing ASDA store. The pharmacy is not satisfied with the officers response to their concern within the planning report (Page 222, point 7.4), and seeks confirmation that the Council would secure either by condition or Legal Agreement that a pharmacy would be secured within the scheme.

- 1.9 It is not appropriate to secure end users within the proposal beyond floorspace for the standard use classes (a pharmacy falls within Use Class A1 - Retail). Nevertheless, the proposal secures a significant amount of retail floorspace which could be used as a pharmacy if interest were shown. ASDA have confirmed that they are currently in discussions with Brittania Pharmacy regarding the renewal of their lease.

1.10 One Housing/Island Homes

- 1.11 The Council did not write to Island Homes/One Housing Group specifically as part of the notification exercise. Nevertheless, consultation letters were sent to every property along Glengall Grove (which would include One Housing/Island Homes tenants), addressed to owner/occupier in accordance with the statutory duty to consult and also in accordance with the Statement of Community Involvement which requires notification of neighbouring occupiers. Details of the proposal were also published in East End Life on two occasions within the last 8 months, and displayed site notices around the site on two occasions.

- 1.12 One Housing contacted the case officer raising concern regarding development taking place on land in their ownership, and the fact they had not been consulted.

- 1.13 Case officer confirmed that the proposal is only for development within the red-line site plan, and any development outside of this is indicative only. Accordingly, the scheme does not propose development on land owned by One Housing.

1.14 7 Letters from members of the public requesting the item be deferred

Requests received seeking this item be deferred as insufficient preparation time had been allowed, and the date falls within the holiday period.

- 1.15 The date and time of this meeting have been published, together with the calendar of Council meetings for this municipal year since the Council's Annual General Meeting on the 16th May.

- 1.16 Given the volume of planning applications that need to be considered by either the Development or Strategic Development Committees, the Council has determined that these Committees should continue to meet during the summer months.

- 1.17 Specific agenda items for each meeting are put together some time before the meeting date itself and the final agenda is published and made publicly available a week before the meeting. In this instance the agenda was published and made available on the Council's web site on Wednesday the 8th August. This was in accordance with the Council's normal procedures. When a planning application is included on a Committee agenda, those who have made representations on the application are notified by the Council of the Committee date by letter despatched by 1st class post. In this instance these 236 letters dated the 9th August, were despatched on the morning of Friday 10th August and so should have been received by recipients the following day.
- 1.18 Accordingly, the decision has been taken to maintain the scheduled date and time.
- 1.19 1 additional letter of objection, re-iterating previous reasons for objection
- 1.20 No further comments.
- 1.21 1 additional letter of support
- 1.22 No further comments.

2.0 CLARIFICATION AND CORRECTIONS

- 2.1 Table 1, para 8.143, page 248 is amended as follows:

	Units	% of units	Habitable rooms	% Hab rooms
Affordable Social Rent	30	3.53%	191	7.02% 6.99%
Affordable Rent	108	12.71%	384	14.11% 14.05%
Affordable Intermediate	86	10.12%	273	10.03% 9.99%
Total Affordable	224	26.35%	848	31.17% 31.03%
Market Sale	626	73.65%	4873 1885	68.83% 68.97%
Total	850	100%	2724 2733	100%

- 2.2 The error in the report has minor implications upon the final percentages in this table, however the officers conclusion in para 8.145 remain unchanged.
- 2.3 Paragraph 8.316, page 268 refers to 3 carclub spaces, however this should read 2 car club spaces
- 2.4 Paragraph 8.334, page 271. Reference is made to 'Podium Level and above – Construction of Block G (Residential – up to 34 private units, 50 affordable units). This should be taken as deleted as this element of the scheme could come forward in phase 1 (Paragraph 8.330, page 270).
- 2.5 Paragraph 8.335, page 271.
- First bullet point: The proportion of 7%, 14% and 10% affordable housing by tenure should refer to habitable rooms, not housing units.
- 2.6 Paragraph 8.335, page 271, fourth bullet point and paragraph 3.1 (m), page 200.

- A varied obligation has been agreed for Phase 2, this being: no more than 70% market housing to be completed until 30% affordable housing completed; no more than 80% market housing to be completed until 60% affordable housing completed; no more than 90% market housing to be completed until 100% affordable housing completed.

- 2.7 Paragraph 8.48, page 233 Clarification: The agreed funding would provide 1 year membership and a commitment by the operator to run the scheme for a minimum of 2 years.
- 2.8 Paragraph 8.60, page 234 states £873,903 agreed towards public realm improvements. This should be amended to read £881,275 as quoted elsewhere in the report.
- 2.9 Paragraph 8.173, page 252. The final figure of 1150sqm should be amended to read 1159sqm.
- 2.10 Paragraph 8.175, page 253. This paragraph is amended to read as follows:
- 2.11 The proposed approach to play overall is to deliver facilities for children aged 0 – 11 on site. The GLA's 'Providing for children and young people's play and informal recreation' SPG (2008) sets out targets for proportions of playspace by age group. This proportional approach to the child yield results in the need for 1489sqm of playspace for children aged 0 – 4, and 1413sqm of playspace for children aged 5 – 10. The scheme delivers 1420sqm of playspace for children aged 0 – 4 and 1240sqm of playspace for children aged 5 – 11. Combined, this delivers 2,660sqm of playspace onsite for children aged 0 – 11, thus providing a shortfall of 242sqm for children aged under 12.
- 2.12 Paragraph 8.176, page 253. The shortfall for children aged under 12 should read 1159sqm.

3.0 RECOMMENDATION

- 3.1 Officer's recommendation remains Approval.