

<b>Committee:</b> Development	<b>Date:</b> 12 December 2012	<b>Classification:</b> Unrestricted	<b>Agenda Item Number:</b>
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<b>Report of:</b> Director of Development and Renewal	<b>Title:</b> Town Planning Application
<b>Case Officer:</b> Graham Harrington	<b>Ref No:</b> PA/12/02584
	<b>Ward:</b> Millwall

## 1. APPLICATION DETAILS

<b>Location:</b>	Wood Wharf, Preston's Road E14
<b>Existing Use:</b>	Historically mixture Light Industrial, Industrial and Warehousing. The site now includes temporary landscaped areas and a temporary pedestrian bridge across part of the West India and Millwall Docks.
<b>Proposal:</b>	Temporary change of use to Class D1 (non-residential institution) and D2 (assembly and leisure), up to 2400 sq.m. of Class A3 (restaurants and cafès) and A4 (drinking establishments) floorspace and sui generis (theatre, outdoor exhibition uses, falling outside Class D1) and ancillary uses, to comprise no more than 14,999 sq.m. of enclosed floorspace; erection of a temporary bridge; erection of temporary structures; works of hard and soft landscaping, parking and other works incidental to the application for a period of two years.
<b>Drawing Nos:</b>	PP SK-01 Rev B – Plot Outlines PP SK-02 Rev B – Emergency Vehicle Access PP SK-03 Rev B – Step Free Access Routes PP SK-04 Rev B – Key Pedestrian Arrival Points PP SK-05 Rev B – Continuous Pedestrian Routes PP SK-06 Rev B – Dock Edge Pedestrian Route PP SK-07 Rev B – Service Vehicle Access PP SK-08 Rev B – Plot A Landscaping PP SK-09 Rev B – Plot B Indicative Landscaping PP SK-10 – Indicative Servicing and Parking Locations Temporary Pontoon Bridge (Drawing DS0411-01-01) Sheet 1 Temporary Pontoon Bridge (Drawing DS0411-01-01) Sheet 5 Temporary Pontoon Bridge (Drawing DS0411-01-01) Sheet 6 Temporary Pontoon Bridge (Drawing DS0411-01-01) Sheet 7
<b>Documents:</b>	Wood Wharf: Temporary Use Maximum Potential Use of Site (September 2012)  Wood Wharf Temporary Use Parameter Plan Schedule (November 2012)  Design and Access Statement dated September 2012

Wood Wharf (Temporary Use) Impact Statement September 2012 incorporating:

- Planning Policy;
- Acoustic Planning Report (prepared by Sandy Brown and dated 3 September 2012);
- Transport Statement (prepared by Steer Davies Gleave and dated September 2012)
- Flood Risk Assessment FRA/01 Issue 02 (prepared by Arup and dated May 2011);
- Wood Wharf Flood Risk Assessment: Addendum 1 (prepared by Arup dated 7 June 2011);
- Wood Wharf Flood Risk Assessment: Addendum 2 – Detailed Drainage Strategy (prepared by Arup dated 28 June 2011);
- Extended Phase 1 Habitat Survey (prepared by WSP and dated April 2012);
- Consultation Statement; and
- Energy and Sustainability.

Supplementary information:

- Schedule of events 2011-2012;
- Acoustic Planning Report (Sandy Brown, dated 13 November 2012);
- Responses to Transport Comments (Steer Davies Gleave, dated 14 and 20 November 2012); and
- Ecology Information from Phase 1 Habitat Survey undertaken on 13 September 2012 (Ramboll, dated 13 November 2012).

Wood Wharf – Temporary Use Management Plan dated November 2012

<b>Applicant:</b>	Canary Wharf Ltd
<b>Ownership:</b>	Various. Refer to Application Form.
<b>Historic Building:</b>	Dock Wall Grade I Listed
<b>Conservation Area:</b>	Adjacent to Coldharbour Conservation Area

## 2. SUMMARY OF MATERIAL PLANNING CONSIDERATIONS

2.1 The local planning authority has considered the particular circumstances of this application against the Council's approved planning policies contained in the London Borough of Tower Hamlets Unitary Development Plan 1998 (as saved September 2007), the Council's Interim Planning Guidance for the purposes of Development Control (2007), the adopted Core Strategy (2010), post EIP version of the Development Management DPD, associated supplementary planning guidance, the London Plan (July 2011) and the National Planning Policy Framework and has found that:

1. The use of vacant land on a short term basis to provide event, exhibition and corporate hospitality type uses is acceptable given the proximity of the site to Canary Wharf and good transport links. The use will support the role of Canary Wharf as a global centre for economic activity and will provide opportunities for employment and local community use. For a further short-term period of 1 year, the temporary nature of the uses and associated development ensure that the proposal will not prejudice policy aims for the comprehensive mixed use redevelopment of the site. The proposal therefore accords

with the requirements of Core Strategic Objective S015, which seeks to support CanaryWharf as a global economic centre and policy SP06 which seeks to maximise the delivery of investment and job creation in the Borough. It also accords with Site Allocation 16 in the post EiP version of the Development Management DPD which allocates the site for mixed-use development. The proposal also accords with the aims of London Plan policy 2.13 which recognises that the north part of Isle of Dogs is an area of opportunity for intensification of uses.

2. The proposed marquees, pontoon bridge and associated development achieve a very good standard of design in terms of site layout, scale and use of materials. The scheme would enable the continued productive use of the site and maintain its enhanced appearance and would contribute to the creation of an attractive and vibrant waterside environment. The proposal will maintain pedestrian routes and linkages in the area and accords with the requirements of Core Strategy 2010 policy SP10, which seeks to ensure that buildings and neighbourhoods promote good design principles and policies DM24 and DM26 in the post EiP version of the Development Management DPD which require place-sensitive design and appropriate building heights.
3. The proposed temporary bridge and structures would protect the listed dock edge and safeguard the character and appearance of the adjoining Cross harbour Conservation Area in accordance with the requirements of Core Strategy policy SP10, saved policy DEV28 of the Council's Unitary Development Plan (1998) and policy DM27 of the Post EiP version of the Development Management DPD which require development to protect and enhance the borough's heritage assets and their settings. As such the proposal also accords with policy 7.8 in the London Plan.
4. The proposed hours of operation and restrictions on noise levels are considered sufficient to ensure that the proposed development would not have any significant adverse impacts on the amenity of the occupiers of nearby buildings. However, the Council wishes to review the acceptability of the proposals in the light of experience over a 12 months period. The proposed development is therefore acceptable in terms of Core Strategy 2010 Objective SO10, which seeks to deliver healthy and liveable neighbourhoods, Core Strategy Policy SP03(2a), which seeks to address the impact of noise and air pollution in the Borough by minimising and mitigating the impact of noise and Core Strategy Policy SP10(4), which seeks to ensure development protects amenity, Unitary Development Plan 1998 policies DEV2, DEV50, Planning Standard Two (Noise), Interim Planning Guidance policies DEV1, DEV10 and policy DM25 in the post EiP Development Management DPD, which relate to the preservation of residential amenity and protection from excessive noise.
5. The site benefits from good transport links, which in combination with the proposed management arrangements is sufficient to ensure that the development would not have an adverse impact on the local highway network or transport infrastructure. The development is therefore acceptable in terms of policies SP08 and SP09 of the Core Strategy 2010, policies T16 and T18 of the UDP 1998 Policies and policies DM20 and DM23 of the post EiP version of the Development Management DPD which require developments to be integrated with the transport network, be well-connected with the surrounding area, create safe and attractive streets and seek to ensure that the operational requirements of a use are taken into account.

### 3. RECOMMENDATION

3.1 That the Committee resolve to **GRANT** planning permission subject to:

#### 3.2 Conditions

1. OneYear Temporary Permission up to end of December 2013. Use discontinued and structures removed at end of period.
2. Development in accordance with and adherence to restrictions specified within approved parameter plans and parameter plan schedules.
3. No use of land to take place outside of approved hours.
4. No construction/deconstruction or deliveries associated with construction, to take place outside of approved hours for amenity reasons. No construction deliveries at peak times of network congestion for highway safety reasons.
5. No Servicing to take place outside of approved hours for amenity reasons, or at peak times of network congestion for highway safety reasons.
6. Uses operated in accordance with restrictions given in approved Management Plan dated November 2012.
7. Use Operated in accordance with measures specified in approved:-  
Staff Transport Management Strategy,  
Visitor Transport Management Strategy,  
Delivery Servicing and Site Construction Strategy, as detailed in  
Transport Statement dated September 2012
8. Compliance with approved Drainage Strategy.
9. Plant Noise controlled in accordance with approved Acoustic Planning Report.
10. Details of proposed landscaping on Plot B prior to first use.
11. Temporary Bridge to be open for use by the public between the hours of 8am-8pm during summer months (June-September)and between 10am-6pm (or during daylight hours, whichever is greater) during other times of the year and at all timesprior to, during and after events on the site take place.
12. Pedestrian through-route shown on drawing PP SK-05 Rev B to be retained for duration of consent.
13. Lighting of marquees, pedestrian routes, pontoon bridge and junction areas not to exceed specified limits. No further lighting without permission.
14. Removal of Part 4 (Classes A and B) Permitted Development rights for other temporary events on site during duration of consent.
15. Prior approval (following consultation with London Underground) of all foundations, basement and any other structures that are more than 1m below existing ground level.
16. Liaison with LBTH If any suspected contamination or unusual or odorous

ground conditions are encountered during any ground works.

17. Monitoring of total visitor numbers, total staff numbers/origin of travel, daily numbers of service vehicles/arrival times and origins and incident monitoring (including any queuing at entrance and exist points) for at least one major event every 6 month period
18. Any other condition considered necessary by the Director of Development and Renewal.

### **3.3 Informative**

1. Advise Applicant that grant of Planning Permission does not affect LBTH consideration of individual licensing applications/obligations to prevent statutory noise nuisance
2. No Highway Obstructions during construction etc
3. Thames Water Advice regarding grease traps
4. Environment Agency Advice
5. The applicant/developer should refer to the current Canal and River Trust 'Code of Practice for Works affecting the Canal and River Trust' to ensure that any necessary consents are obtained.

### **3.4 S106 Obligations**

1. Commitment to promote use of Skillsmatch for on-site employment
2. Commitment to promote use of East London Business Place and local suppliers.
3. Commitment to subscribe to London Eastside promotional services
4. Commitment to encourage and facilitate community and school use.
5. Commitment to encourage and facilitate community and public activities on the site.
6. Any other obligation considered necessary by the Director of Development and Renewal.

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

### **Background**

- 4.1 In August 2011, the Council granted a temporary permission until the end of December 2012 (approximately 16 months) to use this site for a range of uses. This was subject to a number of conditions further controlling hours of use and other operational aspect of the proposals and removing permitted development rights. The permission was also subject to planning obligations securing commitments to promote use of Skillsmatch for on-site employment, the use of East London Business Place and local suppliers, to subscribe to London Eastside promotional services, encourage and facilitate community and school use and encourage and facilitate community and public activities on the site.
- 4.2 Following this permission the western part of the site (Plot A) has been landscaped, a temporary pedestrian bridge installed and the site used for a number of events as follows:

- 'Pop-up cinema - 3 and 4 September 2011 (approx. 4,000 people);
- Private music video shoot – 14 October 2011;
- Lunch markets – 31 July, 7 August and 28 August 2012 (between approx. 5,500 and 6,500 people);
- Reebok Boot Camp military-style fitness classes - 8 separate lunchtime and early evening sessions during August 2012 (approx. 20 people per session);
- Private product launch event (8 August 2012);
- 'Dinner in the Sky' private dining event – 17 August 2012 (approx. 50 people); and
- Olympic screens showing Olympic events – throughout the period 30 July to 10 September 2011 (average attendance of approx. 2,800).

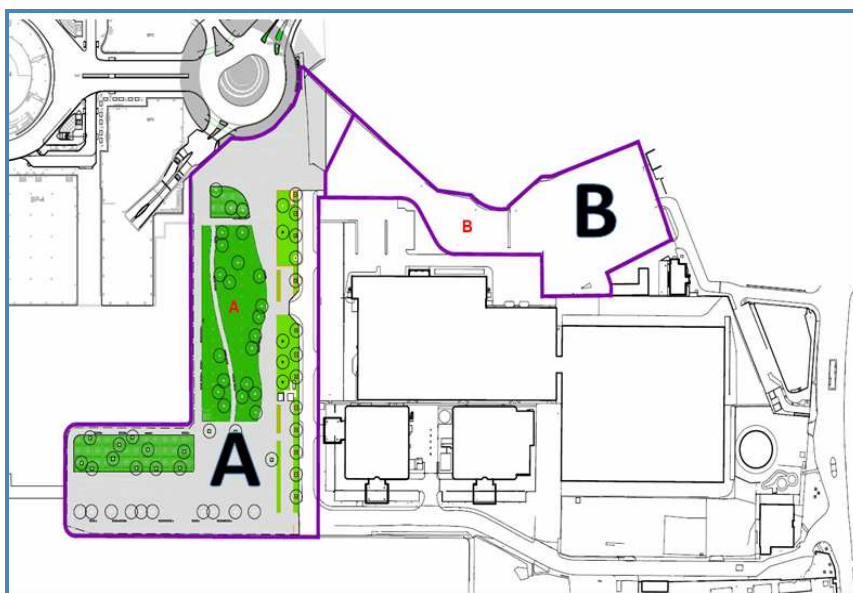
4.3 The 16 months period (which covered the Olympics and Paralympics) expires at the end of December 2012 and the applicant is seeking permission to retain the pedestrian bridge and landscaping and continue the same range of temporary uses for a 2 year period whilst it progresses revised long-term proposals for the site.

4.4 Whilst the proposed uses and management of the site are similar to what was permitted in August 2011, there are a number of notable exceptions and these are highlighted below.

### The Proposal

4.5 The proposals are similar in nature to those that have been permitted, in that they seek a relatively flexible permission to use parts of the site and erect marquee type structures on the land, as and when required. At other times the site would not be used and the marquee structures would be removed. As before, the applicant seeks a permission that would set a maximum amount of floorspace and would specify the size of marquee that could be installed. The Application also sets out maximum noise levels, hours of operation and a management plan for the design of structures and the operation of the site to control potential amenity impacts.

4.6 The application site area is essentially the same as for the permitted scheme (except for a minor change to the boundary near the junction with Preston's Road) and relates to approximately 3.04ha of land. However, whereas the current permission divides the site into 6 plots (A to F) the application proposes the division of the site into just 2 plots (A and B), as shown below.





View of site from Pan Peninsula showing existing temporary bridge and landscaping

4.7 In addition, whereas the current permission only allowed uses to take place along the southern edge of Blackwall Basin during the Olympic and Para-Olympic Games (8 weeks), the current application seeks permission to use this land for two summer periods (48 weeks).

4.8 Included at Appendix 1 (Table 1) are proposed parameters that would establish the following for Plots A and B:

- Maximum useable enclosed floorspace;
- Maximum height of temporary structures;
- Maximum site coverage;
- Minimum open space;
- Duration of use;
- Permitted uses;
- Indoor/outdoor uses;
- Hours of operation
- Maximum car and coach parking; and
- Minimum cycle parking spaces

4.9 Included at Appendix 1 (Table 2) is the proposed maximum amount of use and key restrictions that would apply to each plot on the site. Whereas the current permission establishes the maximum full use of the site during the Olympic and Para-Olympic Games period only, the current application seeks to establish the full use of the site during what can be described as 'the summer high-season' (April to September) and 'low season' (January to March and October to December). It should also be noted that whereas the current permission prohibits live music, the application seeks to remove this restriction.

4.10 The submitted revised Management Plan (November 2012) provides LBTH with clarification on a number of management issues and establishes requirements for prospective tenants. The key requirements of this Plan and how they differ from the Management Plan (August 2011) are set out in the following paragraphs.

4.11 Design Code

- Provision of Marquees - All marquees are subject to the prior approval of Canary

Wharf limited (CWL) (the current Plan requires marquees to be provided by a specific supplier and referenced specific ranges for particular uses). No works are permitted to the dock edges and marquees are required to be set back from the dock wall edge by 1m (new provision);

- Marquee Colour - The requirement in the current Plan (August 2011) for all marquees to be white/cream in colour is omitted.
- Marquee Heights- The specification in the current Plan (August 2011) of maximum heights for 7 specific types of marquees ranging in height from 4.02m to 12.95m would be replaced with a blanket maximum height of 12.95m (which equates to a four storey residential building)
- Marquee Numbers - The scale and number of marquees on a plot must not exceed the parameters set out within the Parameter Plan Schedule (September 2012) (see Appendix 1 Table 1)
- Outdoor Sporting Events - Outdoor sporting events may be held which will require the provision of temporary tennis courts, golf course and a five-a-side football pitch on Plot A (the golf course is a proposed additional event)
- Lighting Strategy - Existing street lighting to be retained and specific maximum lighting levels for different areas of the site
- Signage/wayfinding Strategy -Signage strategy to be implemented which highlights both permanent and temporary routes for pedestrians and vehicles
- Advertising/Branding Strategy for Plots - External advertising will not be permitted where this exceeds 3m x3m and illuminated signage not permitted
- Ventilation for preparation of hot food - Structures to be ventilated based on use and temporary/event requirements will be met

4.12 Operational Management requirements are identified for the following:

- Servicing and refuse;
- Recycling;
- Car parking;
- Coach parking;
- Taxi drop-off;
- Pedestrian access – the temporary footbridge would be open for public use between the hours of 08.00 and 20.00 during summer months (June-September)and between 10.00 and 18.00 (or during daylight hours, whichever is greater) at other times.These proposed opening hours are much longer than those set out in the current Plan (August 2011), which states that the bridge will be closed other than event times;
- Noise – specific requirements for music noise covered by the Noise Council's Code of Practice on Environmental Noise Control and noise from other events;
- Tenant plant;
- Access to the site;
- Uses of the site – this sets out a range of typical events that may be held on the site. Significantly, the proposed Plan would allow live music that was specifically prohibited in the August 2011 Plan;
- Security;
- Maintenance; and
- Sustainability.

4.13 In addition to the above proposed changes to design and operational controls, the applicant has asked that controls on deliveries, construction/de-construction and servicing times (currently controlled by Conditions 4 and 5 attached to the current planning permission) be relaxed to allow deliveries, construction/de-construction and servicing to take place at other times. This is discussed in Section 8 below as part of considering transport and highways



and amenity issues.

4.14 The Application also seeks permission for associated development to facilitate the use of the land for the above purposes. This comprises:-

- The retention of the temporary pontoon bridge over West India Dock to provide access to the site from Montgomery Street;
- A minimum of 2 parking bays for disabled visitors on Plots A and B and a maximum of 8 staff car parking spaces on Plot A and 4 on Plot B. A maximum of 4 coach parking spaces on either of the two plots. A taxi rank would also be provided. The application does not propose any general on-site private car-parking;
- 40 Sheffield style stands (80 cycle spaces) on plot A and 20 stands (40 cycle spaces) on plot B; and
- Works of hard and soft landscaping.

4.15 The potential maximum overall capacity of the site would be approximately 14,000 visitors. In addition to this the applicant estimates that at times of full use approximately 1,750 staff could be employed at the site in security, catering, cleaning, stewarding and administration roles.

### **Site and Surroundings**

4.16 The Application site forms part of the area of land known as Wood Wharf. The application site occupies an area of 3.04ha. Wood Wharf is located to the east of the Canary Wharf complex. The north the site is bounded by the Blackwall Basin and South Dock forms the southern boundary.

4.17 Preston's Road provides vehicle and pedestrian access to the site. Pedestrian access to the site is also possible from a steep flight of stairs leading down from Cartier Circle and from a water-level walkway running around the base of 20 Churchill Place. Cycle access is limited, being confined to Preston's Road only.

4.18 The application currently accommodates the temporary pedestrian bridge and landscaped areas permitted by the current temporary permission. The wider Wood Wharf site remains in use as office accommodation and a sports centre.

4.19 The nearest residential properties to the site are located to the east of the site at Lovegrove Walk and Lancaster Drive. The properties at Lovegrove Walk almost abut the boundary of the proposed Plot B. There are also boat moorings and dwellings located over 100m to the north on the opposite side of Blackwall Basin. There are also properties over 100m away on the opposite side of South Dock.

### **Planning History**

4.20 The following planning decisions are relevant to the application:

PA/08/1215 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.

Approved. 18<sup>th</sup> May 2009.

- PA/11/02174 Hybrid application to replace permission PA/08/01215 (Approved 29 March 2012)
- PA/09/00866 Details of scale, appearance and landscaping of building W01 pursuant to condition C1. (Approved 8<sup>th</sup> July 2009)
- PA/11/01000 Temporary change of use of Class D1 (non-residential institution) and D2 (assembly and leisure), up to 2,400sqm of Class A3 (restaurants and cafes) and A4 (drinking establishments) floorspace and sui generis (theatre, outdoor exhibition uses [falling outside of Class D1]) and ancillary uses to comprise no more than 14,999sqm of enclosed floorspace; erection of temporary bridge; erection of temporary structures; works of hard and soft landscaping, parking and other works incidental to the application for a period of 2 years. (Approved 18<sup>th</sup> August for a limited period up to 31<sup>st</sup> December 2012).
- PA/12/00430 In February 2012, the applicant applied to vary some of the hours of use established by Condition 3 of permission PA/11/01000 to allow events to take place up to 24.00 during the Olympic period. The Development Committee resolved to approve this variation, but the application was subsequently withdrawn in September 2012.

## 5. POLICY FRAMEWORK

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

### Core Strategy 2010 (adopted September 2010)

Policies and Principles	S01	Delivering Tower Hamlets Regional Role
	S02	Maximising the benefits of the Olympic Legacy
	S03	Achieving wide sustainability
	SP01	Town Centre Hierarchy
	SP10	Healthy and Liveable Neighbourhoods
	SP03(2)	Addressing the Impact of Noise and Air Pollution
	S012	High Quality and Well Connected Natural Environment
	S013	Reduce risk and Impact of Flooding

SP04	Delivering a Network of Open Spaces
SO14	Plan and Manage Waste
SP05	Implement Waste Hierarchy
S015	Support thriving and accessible global economic centres
SP06	Seek to Deliver Investment and Job Creation
S016	Support Business Growth
S017	Improve education skills and training
S020	Deliver safe and attractive streets
S021	Creating safe attractive streets and places
SP09	Implementing Street Hierarchy
S022	Creating Distinct and Durable Places
SP10	Implementing Distinct and Durable Places
SP12	Delivering Place making
SP13	Planning Obligations

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

Policies	DEV1	Design
	DEV2	Environmental Requirements
	DEV4	Planning Obligations
	DEV12	Provision of landscaping
	DEV37	Alterations of Listed Buildings
	DEV46	Protection of Waterway Corridors
	DEV47	Development affecting water areas
	DEV48	Waterside Walkways
	DEV50	Noise
	DEV56	Waste recycling
	S7	Special Uses
	T16	Traffic priorities for new development
	T18	Priority given to pedestrians
	ART1	Promoting of Arts and Entertainment Uses
		Planning Standard No. 2 Noise.

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

Policies	DEV1	Amenity
	DEV2	Character and design
	DEV3	Accessibility and Inclusive Design
	DEV4	Safety and Security
	DEV5	Sustainable Design
	DEV8	Sustainable Drainage
	DEV10	Disturbance from Noise
	DEV13	Landscaping
	DEV15	Waste and recyclables storage
	DEV16	Walking and cycling routes and facilities
	DEV17	Transport Assessments
	DEV18	Travel Plans
	DEV19	Parking for Motor Vehicles
	DEV21	Development and Flood Risk
	EE2	Re-Development/Change Use Employment Sites
	RT5	Evening and Late night economy
	CON1	Listed Buildings
	CON2	Conservation Areas

### **Isle of Dogs Area Action Plan**

IOD1	Spatial Strategy
IOD2	Transport and Movement
IOD5	Public Open Space
IOD6	Waterspace
IOD7	Flooding
IDO8	Infrastructure
IOD13	Employment uses in Northern Sub Area
IOD15	Retail and Leisure Uses in Northern Sub Area
IOD16	Design and Built Form in Northern Sub Area
IOD17	Site Allocations

### **Managing development DPD (Post EiPVersion 2012)**

Policies	DM1	Development within the town centre hierarchy
	DM10	Delivering open space
	DM11	Living buildings and biodiversity
	DM12	Water spaces
	DM13	Sustainable drainage
	DM15	Local job creation and investment
	DM20	Supporting a sustainable transport network
	DM22	Parking
	DM23	Streets and public realm
	DM24	Place-sensitive design
	DM25	Amenity
	DM27	Heritage and the historic environment
	Allocation 16 – Wood Wharf	

### **Planning Guidance**

Wood Wharf Masterplan SPG 2003  
 Planning Obligations SPD 2012

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

Policies	1.1	Delivering the strategic objectives for London
	2.13	Opportunity Areas and Intensification Areas
	2.15	Town centres
	3.1	Ensuring equal life chances
	4.1	Developing London's economy
	4.5	London's visitor infrastructure
	4.6	Support for an enhancement of arts, culture, sport and entertainment provision
	4.7	Retail and town centre development
	4.12	Opportunities for all
	5.10	Urban greening
	5.12	Flood risk management
	5.13	Sustainable drainage
	6.1	Strategic approach
	6.3	Assessing effects of development on transport capacity
	6.9	Cycling
	6.10	Walking
	6.12	Road network capacity
	6.13	Parking
	7.2	An inclusive environment

7.8	Heritage assets and archaeology
7.15	Reducing noise and enhancing soundscapes
7.19	Biodiversity and access to nature
7.25	Increasing the use of the Blue Ribbon network for passengers
7.27	Blue Ribbon Network: Supporting infrastructure and recreational use.

## **National Planning Policy Framework**

### **6. CONSULTATION RESPONSE**

6.1 The views of the Directorate of Development & Renewal are expressed in the MATERIAL PLANNING CONSIDERATIONS section below.

6.2 The following were consulted regarding the application:

#### **LBTH Environmental Health – Noise**

6.3 Following revisions to the proposed Management Plan, there are no objections to a 1 year temporary permission being granted.

#### **LBTH Environmental Health - Air Quality**

6.4 No comments received.

#### **LBTH Environmental Health - Contamination**

6.5 Request for a condition for a watching brief during works and for the liaison with LBTH if any suspected contamination or unusual or odorous ground conditions are encountered.

*(Officer comment: A suitably worded condition is recommended to be attached to any permission).*

#### **LBTH Employment and Enterprise**

6.6 No comments received.

#### **LBTH Highways**

6.7 The applicant has supplied a detailed Transport Statement which, after much discussion, is considered acceptable. Appropriate servicing and coach parking space has been provided off the public highway. Cycle stands should be condition to be provided for each event. Disabled spaces to a quantity not less than that indicated in the plans shall be provided, and their location and availability should be advertised on the website and other literature. There should be a parking space booking system for disabled patrons and disabled staff (only). Highways strongly recommends a wayfinding strategy, to be conditioned and funded by the applicant (this is to assist cyclists in particular to access from Canary Wharf Estate). The applicant should (by condition) promote and explain the sustainable modes of transport available to and at the site. Highways agree the slight modification to servicing times proposed. Finally, the applicant must undertake travel (mode) surveys at [all] events for the initial year and share them with the LBTH at the end of the year or when another leisure application is submitted, whenever is the sooner. Subject to the above conditions and provisos, Highways has no objections.

*(Officer comment: These issues are discussed in detail in Section 8 under Access, Highways and Servicing. The measures referred to would be secured by way of amendments to the proposed Management Plan and recommended conditions and planning obligations with two exceptions. The requirements of the Management Plan as amended in relation to way finding is considered sufficient and it is recommended that monitoring is restricted to one major event every 6 month period i.e. two in total).*

#### **LBTH Waste Management**

6.8 No comments received.

#### **Canal and River Trust (26-10-12)**

6.9 Supportive of the active use of this part vacant site, which will continue to facilitate animation of the adjacent waterspace. If permission is granted, the following informative should be attached to the decision notice: "The applicant/developer should refer to the current Canal and River Trust 'Code of Practice for Works affecting the Canal and River Trust' to ensure that any necessary consents are obtained."

*(Officer comment: It is recommended that the requested informative is included on any planning permission decision notice).*

#### **Crime Prevention Design Advisor**

6.10 No comments received.

#### **English Heritage (22-10-12)**

6.11 This application should be determined in accordance with national and local policy guidance and on the basis of LBTH's specialist conservation advice.

#### **English Heritage Archaeology (28-11-12)**

6.12 The current proposals are unlikely to have an effect on any significant heritage assets of archaeological interest. There is no need for an archaeological assessment.

#### **Environment Agency (16-11-12)**

6.13 Following submission of two addendums to the 2012 Flood Risk Assessment (first submitted in support of the original application), the EA is satisfied with the drainage proposals, subject to the delivery of the measures outlined in these documents being secured by way of a planning condition.

*(Officer comment: A suitably worded condition is recommended to be attached to any permission).*

#### **Transport for London (24/10/12 and 21/11/12)**

6.14 TfL recommend that the following issues are addressed as part of conditions on any planning permission granted:

- A limit put on the number of activities to be held on the site every year;
- A Monitoring Strategy to be produced to ensure surveys are carried out to cover visitors, employees and deliveries and servicing
- A Wayfinding Strategy to be developed for the site as a whole and for individual events

where practical

- Given the site location, development shall not commence until detailed design and method statements, for all the foundations, basement and ground floor structures or for any other structures that are more than 1m below ground level, including piling (temporary and permanent) having been submitted to and approved in writing by the local planning authority in consultation with London Underground.

*(Officer comment: The first three recommended conditions are discussed in the Access, Highways and Servicing section of this report. The fourth recommended condition is discussed under Design).*

#### **Crossrail Limited (09-10-12)**

6.15 No comment.

#### **Thames Water**

6.16 No comment received.

#### **Port of London Authority (01-11-12)**

6.17 No objection to the proposed development, although surprise at the lack of reference to river bus in the modal share part of the Transport Statement (given London Plan target to increase by 50% passenger and freight transported on the Thames between 2011-2021).

*(Officer comment: The applicant has submitted supplementary transport and the proposed Management Plan now requires the applicant to promote sustainable travel, including use of the Riverbus).*

### **7. LOCAL REPRESENTATION**

7.1 A total of 480 neighbouring properties within the area shown on the map appended to this report were notified about the application and invited to comment. The application has also been publicised in East End Life and on site. The number of representations received in response to notification and publicity of the application were as follows:

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

7.2 The letter of support states:-

- Support for the transformation of a decaying plot of land into a great facility for both local people and visitors on the basis that greater benefits for local people (and residents of Jamestown Harbour in particular) that will have to put up with negatives impacts. These are:
  - The temporary bridge should be open to the public between 8am and 8pm every day to allow easier access to Canary Wharf before and after work for local residents to the east; and
  - All year round access through Plot B (and Canary Wharf beyond) should be provided via Lovegrove Walk for residents of Jamestown Harbour only (access to be controlled with an electronic key fob or similar technology).

*(Officer comment: This issue is addressed in detail in Section 8)*

7.3 The Applicant has submitted a Statement of Community Involvement with the application which details their consultation with the local community prior to the submission of the original application (PA/10/01000). However, there is no evidence of pre-application consultation being undertaken by the applicant before submitting the current application.

## **8 MATERIAL PLANNING CONSIDERATIONS**

8.1 The main issues that Members need to consider are:-

- Land Use
- Access, Highways and Servicing
- Design
- Heritage Assets
- Amenity
- Flood Risk
- Ecology and biodiversity
- Employment Opportunities and Community Benefits

### **Land Use**

8.2 London Plan Policy 2.13 (Opportunity Areas and Intensification Areas) identifies the Isle of Dogs as an Opportunity Area for regeneration and recognises the importance of the Canary Wharf as a focus for commercial activity. London Plan Annex 1 recognises that the northern part of the Isle of Dogs as an Opportunity Area that is at the heart of London's World City offer.

8.3 The Core Strategy Vision for Canary Wharf states that the area will retain and enhance its global role as a competitive financial district. A priority for the area is to enable mixed use redevelopment of Wood Wharf. The Core Strategy designates Canary Wharf as a Major Centre. The Development Management DPD (Post EiP version) allocates the Wood Wharf site (Allocation 16) for a comprehensive mixed-use development opportunity required to provide a strategic housing development, an Idea Store, a health facility and a district heating facility. The development will also include a substantial amount of commercial floorspace and other compatible uses.

8.4 The Council has also produced the Wood Wharf Masterplan (December 2003) and the Isle Of Dogs Area Action Plan (2007) which further develop planning policy for the area.

8.5 Core Strategic Objective S015 seeks to support the thriving and accessible global economic centre at Canary Wharf as it provides benefit to regional and local economies. Policy SP06 seeks to maximise the delivery of investment and job creation in the Borough and recognises the roles that Canary Wharf has in delivering job growth across the region and sub-region.

8.6 UDP policy S7 details specific criteria for 'Special Uses' including bars and restaurants. Policy ART1 seeks to promote Arts and Entertainment uses in suitable locations.

8.7 Historically the Wood Wharf site has been used for a variety of light industrial, general industrial and warehousing uses. The level of activity on the site has now declined significantly as the redevelopment scheme progresses. The area of Wood Wharf included within this application site has been cleared of all buildings and has been temporarily landscaped.

8.8 The application seeks permission for a temporary change of use of the land. Permission



would be given to use the site for uses falling within D1 (Non- residential Institutions), D2 (Assembly and Leisure) and as a theatre and for outdoor exhibitions. Permission would also be given for A3 (Café and Restaurant) and A4 (Drinking Establishments) uses on each plot – except for D2 use. In the light of experience of noise complaints in relation to events that have taken place on the site to date, discussed under the Amenity heading below, officers have secured an amendment to the proposed Management Plan that would allow sports events but not other Assembly and Leisure uses (such as a cinema) on Plot B.

- 8.9 The Applicant has stated the site would be used for a range of uses including exhibitions, corporate hospitality, sporting and cultural events.
- 8.10 The provision of space for corporate hospitality, exhibition and events plays an important role in supporting the role of Canary Wharf as centre for economic activity. There is limited space within Canary Wharf to provide these types of uses.
- 8.11 The application site benefits from very good public transport links and is adjacent to Canary Wharf, a Major Centre where policy seeks to maximise economic activity. The application proposal is considered to be a good short-term use of land pending its comprehensive redevelopment as it would support the function of Canary Wharf as a business centre.
- 8.12 The Canal River Trust supports the active use of the otherwise vacant site and anecdotal evidence suggests that the temporary open space and lunchtime markets have, in particular, proved popular with workers at Canary Wharf. Whilst some temporary uses that have taken place have given rise to some noise complaints from local people (discussed under the Amenity Section below), the proposed further period of use would accord with the requirements of Core Strategic Objective S015 which seek to support Canary Wharf as a global economic centre and policy SP06 which seeks to maximise the delivery of investment and job creation in the Borough.
- 8.13 As before, it is recommended that a condition be attached to any permission removing the permitted development rights (Part 4, Classes A and B of the General Permitted Development Order) relating to temporary structures and uses.

## **Access, Highways and Servicing**

### Accessibility and Movement

- 8.14 Core Strategy Policy S020 seeks to deliver a safe, attractive, accessible and well-designed network of streets and spaces. Policies DM20 and DM23 of the Post EIP version of the Development Management DPD require developments to be integrated with the transport network, be well-connected with the surrounding area and create safe and attractive streets. Saved policy T16 requires the local planning authority to have regard to the servicing requirements of new development. Policy SO14 seeks to plan and manage the Borough's waste efficiently. Policy SP05 seeks to implement the Borough's Waste Hierarchy.
- 8.15 The site currently has a PTAL rating of 4 (which is categorised as 'Good'). The Transport Statement estimates that a maximum of 14,000 people could attend events on the site. An approximate total of 1,750 staff could be employed on site at any one time (this would include security, catering, cleaning, stewarding and administration).
- 8.16 Based on what officers consider to be reasonable assumptions of maximum number of visitors and staff, modal split and trip generation, the Transport Statement demonstrates that the likely impacts on public transport loadings (Jubilee Line, DLR and buses) would be minimal. It also demonstrates that the pontoon bridge and other proposed pedestrian routes are sized appropriately to cater for expected demand. In response to comments made by the

Port of London Authority, the applicant has submitted supplementary transport information that predicts that approx. 0.9% of people accessing the site would be likely to use the river bus to travel to and from an event. Officers have negotiated an amendment to the proposed Management Plan which requires the applicant to promote sustainable travel, including cycling and the use of the Riverbus.

- 8.17 TfL has asked that a limit be put on the number of events to be held on the site each year. However, TfL has not raised concerns in relation to public transport capacity as a reason to limit the number of events and officers are not aware of any significant transport problems associated with the temporary uses and events that have taken place to date. Given this, officers do not consider there is a transport case for seeking to limit the number of events, although the issue is further discussed below in relation to amenity considerations.
- 8.18 The existing pontoon bridge provides convenient and step-free pedestrian access to the site from Montgomery Street. Whilst the geometry of the bridge (with right-angle bends) makes it difficult for a cyclist to navigate, particularly when pedestrians are also using it, it is possible for cyclists to dismount and walk their bike over. Alternatively, cyclists would be able to park their bike either on site at one of the proposed spaces or at one of the existing bike stands on Montgomery Street. Pedestrian access would also be possible from the existing staircase leading down from Cartier Circle and there is an existing water-level step free path running around the base of the 20 Churchill Place to the site. This and the existing footways on the site that run alongside roads would provide a continuous pedestrian route from Preston's Road to the Canary Wharf Estate. The site layout would also include the provision of a Dock Edge Pedestrian Route around the majority of the dock edge.
- 8.19 The current application proposes that the temporary pontoon bridge is open between 10am-6pm daily (or during daylight hours) as a minimum, and that additionally it will be open during the operating hours of any events being held on site. This would represent a significant increase in the hours the bridge is required to be open under the current planning permission, which requires only that it is open during the holding of events on the site.
- 8.20 As outlined in Section 6, a local resident has written in offering qualified support for the proposal subject to:
- The temporary bridge being open to the public between 8am and 8pm everyday to allow easier access to Canary Wharf before and after work for local residents to the east; and
  - The provision of all year round access through Plot B (and Canary Wharf beyond) via Lovegrove Walk for residents of Jamestown Harbour only.
- 8.21 In response to this local comment, the applicant has stated that it would be willing in principle to ensure that the bridge remains open for use by the public between the hours of 08.00 and 20.00 during summer months (June-September) and between 10.00 and 18.00 (or during daylight hours, whichever is greater) during other times of the year and at all times for an hour prior to, during and an hour after events on the site take place. However, due to safety and security implications, the applicant is unable to commit to the bridge remaining open outside of these hours when an event is not being held on the site. Officers welcome this further increase in opening hours of the bridge and recommend that this is secured by way of condition.
- 8.22 The applicant has stated that for reasons of safety and security, it is not prepared to allow public access across Plot B when events are not being held on the plot or to provide all year round access across this plot. Officers consider that this is reasonable, particularly as a continuous pedestrian access route (albeit with steps) would be provided along the Wood Wharf Estate road up to Cartier Circle.

- 8.23 TfL has asked that a way-finding strategy be developed for the site as a whole and for individual events where practical, something that is supported by LBTH Highways. The proposed Management Plan commits the applicant to implement a signage strategy and this is considered to be sufficient.

#### Car, Cycle and Coach Parking

- 8.24 The application does not propose any significant on-site private car-parking. Car parking would be limited to a maximum of 8 staff and a minimum of 2 disabled wheelchair parking bays on Plot A and a maximum of 4 staff and a minimum of 2 disabled wheelchair parking bays on Plot B. Officers have secured amendments to the Parameter Plan Schedule to ensure that the proposed disabled parking bays are a minimum provision and amendments to the Management Plan that disabled people will be able to book a parking space at the time of buying a ticket to an event on a first come first served basis.
- 8.25 The proposed Parameter Plan Schedule allows for a maximum of four coach parking spaces on the site and the Indicative Servicing and Parking Locations plan identifies an acceptable indicative location.
- 8.26 40 Sheffield style stands (80 cycle spaces) are proposed on plot A and 20 stands (40 cycle spaces) are proposed on plot B. These would serve both visitors and staff are proposed to be located in appropriate parts of the site. This level of provision generally accords with standards in Policy D21 of the Post EIP version of the development Management DPD.

#### Taxi Provision

- 8.27 The Transport Statement predicts that taxis generated by maximum site use are likely to be in the order of 40 two-way movements per hour at peak times, with a maximum arrival frequency of one every 96 seconds. Accordingly, an drop-off and pick-up area for up to 6 taxis is also proposed near the main eastern entrance to Plot A. Officers consider this to be acceptable.

#### Servicing and Deliveries

- 8.28 The Transport Statement also considers the likely construction and servicing requirements of the development. It is estimated that the construction of marquees would generate a maximum of 8 lorry deliveries per day during the low season and 12 lorry deliveries a day during the high season. During periods of operation, the servicing demands for the site are likely to equate to the arrival of a maximum of 49 trips a day during the low season and up to 53 trips during the high season. These vehicles would access the site via the existing turn off from Preston's Road. The use of this access for construction and service traffic and the proposed volumes of traffic are considered to be acceptable.
- 8.29 Conditions 4 and 5 of the current permission limit the times that deliveries and servicing can take place in the mornings to 08.00 to 18.00 Monday to Friday and 10.00 to 13.00 on Saturday. The applicant has asked that in granting a further temporary permission, the terms of these conditions are relaxed to allow for deliveries and servicing to take place either side of the morning peak period on Mondays to Fridays (i.e. the permitted times would be between 07.00 and 08.00 and from 09.00 to 16.00).
- 8.30 Conditions 4 and 5 currently prohibit deliveries and servicing on Saturdays after 13.00 and do not allow any on Sundays. The applicant has also asked that deliveries and servicing be permitted for an hour on Saturday evening (19.00 to 20.00) and on Sunday mornings between 10.00 and 13.00, to enable a greater variety of community based events to be able to be held.

- 8.31 The applicant has consulted with TfL in relation to proposals to undertake deliveries and servicing either side of the morning peak hour Monday to Fridays. TfL has confirmed that the peak traffic movements around Prestons Road roundabout are between 08.00 and 09.00 (with lighter movements between 07.00 and 08.00) and that it has no objection from a traffic point of view. This and the other proposed extended delivery and service times are considered acceptable from a traffic point of view. However, there are amenity issues to consider and this issue is discussed more fully below.

#### Monitoring

- 8.32 Experience suggests that it would also be helpful if the applicant was responsible for undertaking some basic monitoring of events that take place on the site. This is supported by TfL, which requests monitoring of total visitor numbers, total staff numbers/origin of travel, daily numbers of service vehicles/arrival times and origins and incident monitoring (including any queuing at entrance and exit points). It is recommended, therefore, that any renewal is subject to a condition requiring such monitoring for at least one major event every 6 month period.

#### **Design**

- 8.33 In broad terms, Core Strategy Policy SP10 and UDP 1998 policy DEV1 seek to promote the importance of good design. Planning policies place particular emphasis on the importance of ensuring development has proper regard to adjacent waterways.
- 8.34 The application seeks permission for the retention of the existing temporary landscaping and pontoon bridge and the continued erection of temporary structures (marquees) to facilitate the use of the site for events. The existing temporary landscaping on Plot A and pontoon bridge and associated development achieve a very good standard of design in terms of site layout, scale and use of materials. As with the initial permission, the proposed permission would allow marquees to be erected for the full duration of the proposed two year period. However, in practice the applicant has stated that the structures are only likely to be erected on a short term basis as and when they are required and this is what has happened over the initial 15 months period.
- 8.35 The current Management Plan requires marquees to be provided by a specific provider, sets out specific ranges of marquees for different uses and stipulates that all marquees must be white/cream. The proposed replacement Management Plan would introduce a more flexible regime and would not require these things. Officers consider that the proposed greater flexibility is reasonable and acceptable.
- 8.36 The site is unusual in that it is large, cleared of previous buildings and (for the most part) relatively distant from sensitive residential land-uses/receptors. In this context, there is room for a greater degree of flexibility in terms of site layout, scale and appearance of development than might usually be the case. The nature of the proposed temporary event uses is such that a degree of flexibility in terms of site design is necessary. The current Management Plan establishes maximum heights for 7 specific types of marquees ranging in height from 4.02m to 12.95m. The proposed Management Plan would impose one maximum height of 12.95m. This equates to a 4-storey residential building and temporary structures of this size are considered acceptable on all parts of the site.
- 8.37 The proposed degree of certainty about the scale and appearance of the structures that would be installed on the site is considered acceptable and the parameter plans also clearly demarcate the areas in which the structures could be installed and the extent of the plot coverage.

- 8.38 The Jubilee Line running tunnels are under part of Plot A and TfL has asked that detail of all development below ground level are approved by the Council (following consultation with London Underground). Following discussion with TfL, it is recommended that a condition is attached to any permission relating to development in Plot A that it is greater than 1m below ground level (hence allowing for pegs and other shallow structures associated with marquees).
- 8.39 In overall terms the proposal will deliver a significant improvement in the current appearance and general condition of the site. The scheme would create a vibrant and attractive place which makes good use of the waterside location. The scheme will maintain pedestrian access through the site and accords with the requirements of Core Strategy 2010 Policy SP10, which seeks to ensure that buildings and neighbourhoods promote good design principles.

### **Heritage Assets**

- 8.40 Core Strategy policy SP10 and policy DM27 of the Post EiP version of the Development Management DPD require development to protect and enhance the borough's heritage assets (including conservation areas and listed buildings), their setting and their significance as key elements of developing the sense of place of the borough's distinctive 'Places'. Similar policy objectives are included in London Plan policy 7.8.
- 8.41 The site is adjacent to the Crossharbour Conservation Area. Some of the dock walls within the site are Grade I Listed. The existing temporary pontoon bridge is set approximately 50mm away from the wall and does not adversely affect the historic fabric of the dock wall itself and the temporary impact on its setting is considered acceptable. The proposed Management Plan requires all other structures to be set back 1m from dock walls and temporary structures should safeguard the character and appearance of the conservation area. Given this, the proposals generally comply with the policies referred to above.

### **Amenity**

#### Noise– Policy

- 8.42 Core Strategy 2010 Objective SO10 seeks to deliver healthy and liveable neighbourhoods. Core Strategy Policy SP03 (2a) seeks to address the impact of noise and air pollution in the Borough by minimising and mitigating the impact of noise. Core Strategy Policy SP10 (4) seeks to ensure development protects amenity.
- 8.43 Unitary Development Plan 1998 Policies DEV2, DEV50, Planning Standard Two (Noise), and Interim Planning Guidance Policies DEV1, DEV10 are all also considered relevant in that they relate to the preservation of residential amenity and protection from excessive noise. Policy DM25 in the post EiP Development Management DPD seeks to ensure that proposals do not result in unacceptable levels of noise.
- 8.44 The Application has been accompanied by an Acoustic Planning Report which considers the likely noise impacts from the development in three main areas:-
- a. Noise from any temporary plant;
  - b. Noise during activities during events (internal and external);
  - c. Noise from increased traffic flow and construction.

#### Plant Noise

- 8.45 There are sensitive residential noise receptors that could be affected by the proposed development. These include the houseboats in Blackwall Basin, residential properties in Trafalgar Way, along Preston's Road/Lovegrove Walk and to the south at Marsh Wall. There are also existing office and leisure uses on the Wood Wharf site. The survey has provided the results of noise monitoring to establish the baseline conditions.
- 8.46 The Acoustic Planning Report sets maximum noise output levels that must not be exceeded for plant running on each plot and it is recommended that a condition is placed on any permission to require any plant installed on the site to achieve the noise limits set in this Report.

Event Noise

- 8.47 The Council's Environmental Health service received a number of complaints from residents living in Ability Place, Manchester Road, Boardwalk Place, Landos Close, Churchill Place and the house-boats moored in Blackwall Dock in relation to outdoor cinema events that took place on the site on the 3<sup>rd</sup> and 4<sup>th</sup> September 2012. In addition, the Council received noise complaints about two other events that do not fall under the remit of the current temporary permission (a private boat party on 28/29 July 2011 and a film shoot on 14<sup>th</sup> October 2011). These complaints have highlighted the sensitivity of the site in terms of noise, particularly during the evening/night.
- 8.48 The noise from the events themselves would largely be controlled through the proposed Management Plan. Officers have negotiated changes to the proposed Plan to introduce stricter restrictions on uses, amplified sound and live music, particularly in relation to Plot B, which is closest to existing housing and other measures to give advance notice to residents and deal with any complaints. The tables below set out the proposed restrictions and measures alongside the current ones.

**Table 1 – Plot A**

	Current	Proposed
Duration of use	Life of consent	Life of consent
Uses	All permitted uses allowed	All proposed uses allowed
Hours of Operation	08:00 to 23:00	08:00 to 23:00
Live music	Not allowed	Allowed
Amplified music	Allowed	Allowed
Advance notice	None	Applicant to provide advance notice of any proposed live music event to occupiers of buildings in a defined area and post advance notice on its web site
Hotline	None	Applicant to set up, staff and advertise a hotline during all events involving live music or amplified so that local people can contact a person about any noise disturbance and share with LBTH the details of any complaints and action taken in response.

N.B. the northern part of Plot A adjoining Blackwall Basin is currently in Plot E which was restricted to use only during the Olympic and Paralympic period (see below)

**Table 2 – Plot B**

	Current	Proposed
Duration of use	Only during Olympic/Paralympic	Only April to September

	period(8 weeks)	(24 weeks for 1 year)
Uses	All permitted uses allowed	Leisure and Assembly (D2) uses not allowed
Hours of Operation	08:00 to 23:00	08:00 to 23:00
Live music	Not allowed	Not allowed
Amplified music	Allowed	Not allowed

- 8.49 To control live music noise, the Management Plan confirms that the applicant will ensure that all events held on the site comply with the Noise Council's Code of Practice on Environmental Noise Control at Concerts.
- 8.50 The Code of Practice sets maximum noise levels when measured at the nearest noise sensitive façade. The code sets different noise levels, depending on the duration of the event. The Code allows up to 12 days of events where music noise levels exceed the background noise level by 15dB(A) and up to 30 days where noise levels are 5db(A) above background.
- 8.51 Other activities associated with the use of the site could also cause amenity impacts. These could simply be the noise and activity caused by a very large number of people on the site, or from more specific noise sources, such as a PA system.
- 8.52 The site is within the Major Centre at Canary Wharf, and is in an opportunity area where higher levels of activity are encouraged. With the exception of its northern tip, Plot A is relatively remote from residential properties. There is some office, warehousing and leisure accommodation nearby, but these are not considered to be so noise sensitive.
- 8.53 The location of these plots is such that the focus of activity would be towards Canary Wharf. Canary Wharf is a busy commercial centre and the proposed level of use would be compatible with this context. The use of these plots would stop at 23.00 hours which would give event visitors the opportunity to make their way home via public transport. Officers have also secured additional measures in the proposed Management Plan relating to advance notice of live music events and a hotline, as set out in Table 1.
- 8.54 Plot B is more sensitive, as it is closer to residential properties. However, the applicant is proposing that this Plot is only used during the high summer season of April to September. As with Plot A, the hours of operation would be limited to 08.00 to 23.00. However, officers have secured additional restrictions in the proposed Management Plan that would prohibit live music, the use of amplification or assembly and leisure uses, as set out in Table 2. These controls would limit the likely impact of general activity noise and disturbance.
- 8.55 The Council would continue to be able to exercise control over specific events that come forward through the licensing regime or through legislation to prevent statutory noise nuisance.
- 8.56 Subject to the proposed restrictions and measures as outlined above, it is recommended that a further temporary permission be limited to one year. This would enable the Council to monitor noise impacts and any complaints from local people and to consider again the acceptability of the proposed range of uses and controls in the light of experience over a 12 months period.

#### Traffic and Construction Noise

- 8.57 Vehicle noise associated with events would be limited as the majority of visitors to the site are likely to make use of public transport. As discussed under the Access, Highways and Servicing Section above, the application makes very limited provision for car and coach parking and some provision for taxi drop-off and pick-up. The likely level of traffic noise is considered to be acceptable.
- 8.58 The construction/deconstruction of temporary marquees and delivery and servicing times are controlled by Conditions 4 and 5 of the current permission. The applicant has asked for some relaxation of controls as set out below.

Table 3

	Current	Proposed
Construction/ de-construction	08:00 to 18:00 Monday to Friday, 10:00 to 13:00 Saturday only	07:00 to 18:00 Monday to Friday, 10:00 to 13:00 Saturday only
Deliveries	10:00 to 16:00 Monday to Friday, 10:00 to 13:00 Saturday only	07:00 to 08:00, 09:00 to 16:00 Mondays to Fridays, 10:00 to 13:00 and 19.00 to 20.00 Saturday only  10.00 to 13.00 Sundays only
Servicing	10:00 to 16:00 and 19:00 to 20:00 Monday to Friday, 10:00 to 13:00 Saturday only	07:00 to 08:00, 09:00 to 16:00 and 19:00 to 20:00 Mondays to Fridays, 10:00 to 13:00 and 19.00 to 20.00 Saturday only  10.00 to 13.00 Sundays only

- 8.59 Construction/de-construction. The Council's Code of Construction Practice does not allow construction activities before 08.00 Monday to Fridays and an earlier start is not considered acceptable. It is recommended that a condition be attached to any permission that prohibits work of construction/deconstruction before 08.00.
- 8.60 The implications of allowing deliveries and servicing for an hour either side of the morning peak traffic hour Monday to Friday is discussed under the Access, Highways and Servicing heading above and officers consider this is acceptable in traffic terms. Vehicular access to the Plots would be via the existing private estate road off of Prestons Road, which is some way a way from existing homes and this is also considered acceptable from an amenity point of view and it is therefore supported by officers
- 8.61 The applicant has also asked that deliveries and servicing be permitted for an hour on Saturday evening (19.00 to 20.00) and on Sunday mornings between 10.00 and 13.00, to enable a greater variety of community based events to be able to be held. For the same reasons given above, this is also considered acceptable from an amenity perspective.

#### Lighting

- 8.62 The proposed Management Plan sets out maximum lighting levels for both plots and following amendment to provide additional controls in relation to Plot B these are considered acceptable.

#### Landscaping

- 8.63 Plot B has yet to be landscaped and it is recommended that the details of landscaping of this



Plot are reserved by condition. This would enable officers to secure some screening along the eastern boundary, which would further help to preserve the amenity of residents of Lovegrove Walk. With these restrictions officers consider that, in planning terms, the likely impact on residential amenity would be acceptable.

### **Flood Risk**

- 8.64 Core Strategy Policy SP04 seeks to ensure development reduces the impact and risk of flooding. The application has been accompanied by a Flood Risk Assessment (FRA) (2012) and two Addendums submitted in support of the original application (from 2011). The FRA notes that any additional surface water run-off will be drained into the docks to avoid any additional flow into the sewerage system. This accords with policy aims to promote sustainable drainage. The FRA and Addendums have been reviewed by the Environment Agency, who is satisfied with the proposal, subject to a planning condition securing the delivery of specified measures.
- 8.65 The Environment Agency has raised the issue of evacuation in the unlikely event of a tidal breach. The applicant has confirmed that in the event of serious weather warnings (or presumably flood warnings) temporary events simply would not proceed. Officers consider that the nature of the proposals and the ability to not hold events in times of heightened flood risk means that a formal evacuation plan is not needed.

### **Ecology and Biodiversity**

- 8.66 Core Strategy policy SP04 seeks to protect and promote biodiversity in the Borough. The submission has been accompanied by an Extended Phase 1 Habitat Survey prepared by WSP. The report concludes that a few parts of the site have limited ecological value, with other areas having negligible value. The report contains recommendations in terms of monitoring the site for any protected species during any proposed works. Compliance with these recommendations would be secured by condition.
- 8.67 Part of the application site adjacent to Blackwall Basin (Plot B) comprises a series of old building foundations and areas of HGV parking and construction materials storage. The open mosaic ("wasteland") habitats support notable invertebrates such as the UK priority species Brown-banded Carder-bee and as the only area of wild habitat adjacent to the basin; this area is considered to add to the ecological value and is within a Site of Borough Grade I Importance for Nature Conservation. The applicant has submitted a summary of a Phase 1 Habitat Survey carried out in September 2012 that confirms the continued existence of these mosaic habitats.
- 8.68 The permitted long-term redevelopment of the site would result in the loss of this habitat, although this would be mitigated by incorporating biodiverse living roofs and other features to provide habitats. The temporary landscaping and use of Plot B would potentially damage these habitats with, unlike the proposed long-term redevelopment, little or no immediate opportunity to mitigate or compensate the loss of wildlife interest. However, the proposed landscaping of this area could provide some opportunity to safeguard/incorporate some biodiverse planting and, as before, the loss of this area is considered acceptable subject to reserving details of landscaping by way of condition.

### **Contamination**

- 6.69 Saved UDP policy DEV51 and policy DM30 in the post EiP Development Management DPD seek to ensure that contaminated land is properly treated and made safe before development, to protect public health.

8.70 The site and surrounding area have been subjected to former industrial uses, which have the potential to contaminate the area. In the absence of any proposed significant intrusive ground works, Environmental Health has requested that a condition be attached to any permission requiring a watching brief when works are underway and that if any contamination is found, the developer will liaise with the Council about appropriate action to be taken. It is recommended that such a condition be attached to any permission.

### **Planning Obligations**

8.71 Core Strategy Policy SP13 states that the Council will negotiate planning obligations in relation to proposed development. The current temporary permission is subject to a number of planning obligations. These obligations and progress made in implementing them are set out as follows:-

1. Commitment to promote use of Skillsmatch for on-site employment.  
The applicant has stated that the level of activity at the Wood Wharf site over the past 15 months has regrettably meant the use of Skillsmatch was not feasible for any of the events held on the site. It has confirmed, however, that as the Canary Wharf's Arts and Events team programme events for 2013/14 they would promote Skillsmatch at the Wood Wharf site.
2. Commitment to promote use of East London Business Place And local suppliers.  
The applicant has confirmed that it has written into the third party hiring agreement encouraging all event organisers to use East London Business Place where appropriate.
3. Commitment to subscribe to London Eastside promotional services.  
The applicant has confirmed that it pays an annual subscription to have Wood Wharf listed on the London Eastside website.
4. Commitment to encourage and facilitate community and school use.  
The applicant has confirmed that a number of local schools have been invited to the Wood Wharf site to visit the ship SA Agulhas which is to be used by Sir Randolph Fiennes on the world's first ever attempt to cross the Antarctic this winter (an expedition known as 'The Coldest Journey'). The schools taking part are as follows: Halley School; Cubitt Town; Holly Family Gate House (Private School); Bow School (Secondary School) and George Green (Secondary School).
5. Commitment to encourage and facilitate community and public activities on the site.  
The applicant has confirmed that two of the largest events (screening of the Olympics and three separate lunch markets) were provided free of charge and open to the local community to attend.

8.72 The applicant has confirmed that it is willing for these obligations to be rolled forward as part of any renewed temporary permission and officers recommend that any renewal is subject to a s.106 agreement that does this.

### **Conclusions**

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

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**APPENDIX 1**

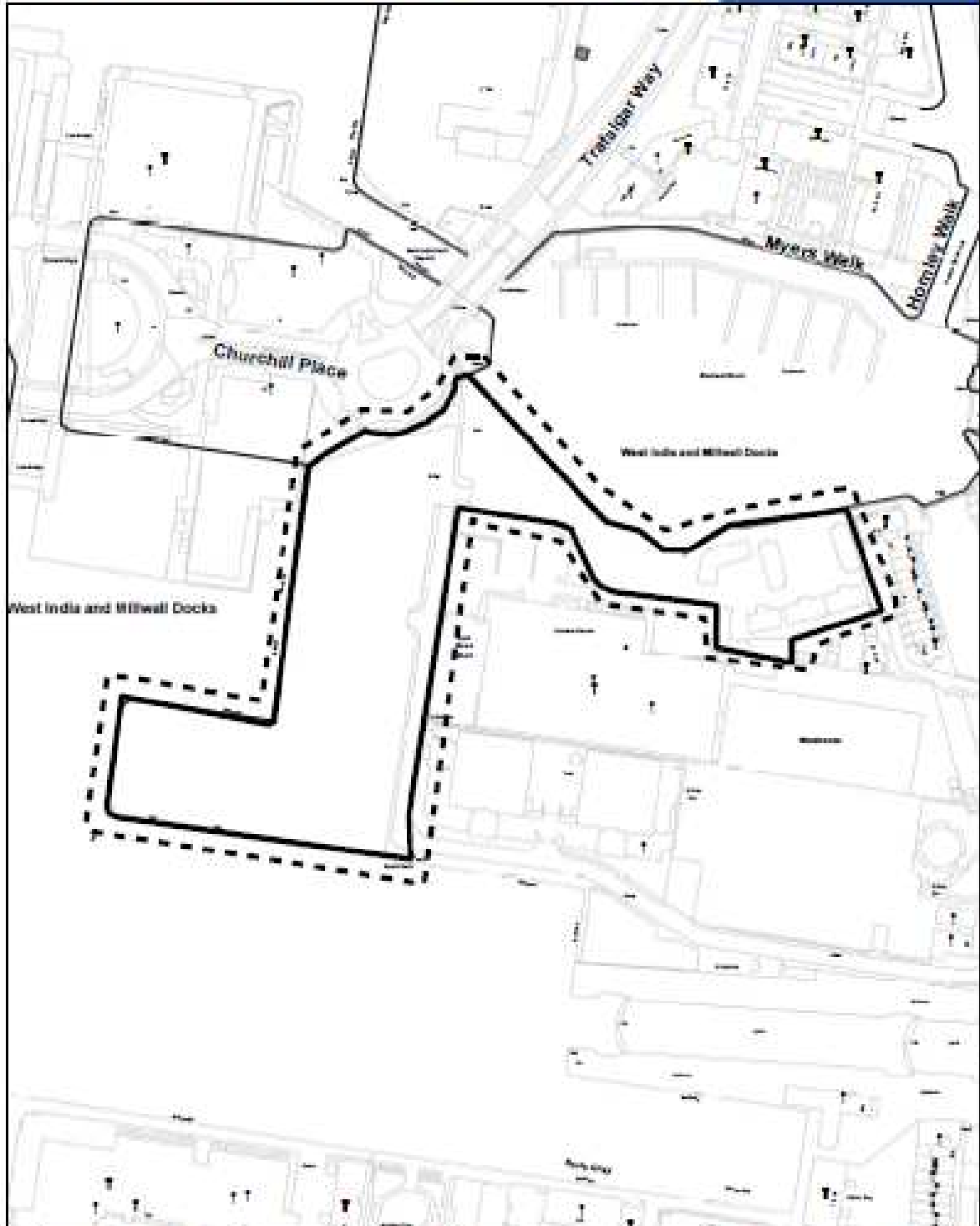
<b>Table 1: Parameter Plan Schedule</b>	<b>Plots</b>	
	<b>A</b>	<b>B</b>
<b>Plot Size</b>	16,139 m <sup>2</sup>	9,319 m <sup>2</sup>
<b>Maximum Useable Enclosed Floorspace (GEA)</b>	14,000 m <sup>2</sup>	8,700 m <sup>2</sup>
<b>Maximum Height of Temporary Structure</b>	12.95 m <sup>2</sup>	12.95 m <sup>2</sup>
<b>Maximum Site Coverage with temporary structure (%)</b>	62%	47%
<b>Minimum Open Space</b>	6,839 m <sup>2</sup>	4292 m <sup>2</sup>
<b>Duration of use</b>	Life of consent	April - September for life of consent
<b>Uses</b>	D1/D2/A3/A4/SG	D1/D2 (sports uses only)/A3/A4/SG
<b>Indoor/ Outdoor</b>	Both	Both
<b>Hours</b>	0800 - 2300	0800 - 2300
<b>Max. Car/Coach Parking</b>	Coach – 4* Staff - 8	Coach – 0* Staff - 4
<b>Min. Disabled car parking</b>	2	2
<b>Min. Cycle Parking Spaces</b>	80	40

Notes – (1) site to be used for no more than 14,999 sq.m of enclosed floorspace at any one time; (ii) Note – site to be used for no more than 2,400 sq m Class A3/A4 uses; (iii) SG- Sui generis ((theatre, outdoor exhibition/sporting uses (falling outside of Class D1); and (iv) \* A maximum of 4 coach parking spaces will be provided on site which will be located on either plot A and/or B

**Table 2: Maximum Potential Use of Sites.**

	<b>January to March/October to December</b>	<b>April to September</b>
<b>Total enclosed floorspace</b>	14,000 sq.m	14,999sq.m
<b>Maximum size of Class A3/A4 unit per plot</b>	600 sq.m	600 sq.m
<b>Total Class A3/A4 floorspace</b>	2,400 sq.m	2,400 sq.m
<b>Plots in Use</b>	Plot A	Plots A and B
<b>Operating</b>	Up to 7 days a week	Up to 7 days a week
<b>Operating Hours</b>	0800 -2300	0800- 2300

- Note – site to be used for no more than 14,999 sq.m of enclosed floorspace at any one time.
- Note – site to be used for no more than 2,400 sq m Class A3/A4 uses.
- SG- Sui generis ((theatre, outdoor exhibition uses (falling outside of Class D1))



 Planning Application Site Boundary

 Locally Listed Buildings

 Land Parcel Address

 Consultation Area

 Statutory Listed Buildings

0 15 m  
LLL



1:2,500

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

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