

Committee: Strategic Development	Date: 16 th November 2006	Classification: Unrestricted	Agenda Item No: 6.4
Report of: Corporate Director of Development and Renewal		Title: Planning Application for Decision	
Case Officer: Laura Webster		Ref No: PA/06/1790	
		Ward(s): Millwall	

1. APPLICATION DETAILS

Location:	Site to the south of Westferry Circus and west of Westferry Road, London, E14.
Existing Use:	Car parking / vacant land
Proposal:	Erection of a Marquee style "temporary" structure (4865sqm) for a maximum of 2 months to cater for corporate entertainment events for the clients of Canary Wharf Plc within a period between 4 th and 20 th December 2006 with a 750-3500 guest capacity and opening hours of 11am to 4.30pm for daytime events and 18.30pm to 00.30am for evening events. (AMENDED DESCRIPTION - PLEASE NOTE CORRECT OPENING HOURS AND TIME PERIOD)
Drawing Nos:	Site plan, dated 6/09/06, drawing no. 001F proposed plans, Drawing no. 003 proposed elevations, aerial photograph titled 'event partners 2006 a', drawing no. 002E proposed site plan.
Applicant:	Dish 2 LTD
Owner:	Canary Wharf LTD
Historic Building:	N/A
Conservation Area:	N/A

2. SUMMARY OF MATERIAL PLANNING CONSIDERATIONS

Reason(s) for Grant:

- 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, associated supplementary planning guidance, the London Plan and Government Planning Policy Guidance and has found that:
- a) In principle, the use of the site for a temporary period up to 2 months for events between 4th and 20th December 2006 is acceptable, subject to appropriate conditions to control the operation of the marquee;
 - b) It is considered that the proposed use would not have an unacceptable impact on the residential amenity of the surrounding properties during the time period. A number of conditions are recommended to control noise, hours of operation and the temporary time period; and
 - c) Given the good accessibility of the site via public transport, it is considered that the temporary use of the site for events would not have a significant impact on traffic congestion and the current parking arrangements. Parking for contractors is available on site and taxi marshals will be available to organise taxi arrangements.

LOCAL GOVERNMENT ACT 2000 (Section 97) LIST OF BACKGROUND PAPERS USED IN THE DRAFTING OF THIS REPORT

Brief Description of background papers:	Tick if copy supplied for register	Name and telephone no. of holder:
Application, plans, adopted UDP. draft LDF and London Plan		Laura Webster 020 7364 2600

3. RECOMMENDATION

- 3.1 That the Committee resolve to **GRANT** planning permission and the Head of Development Decisions is delegated power to impose conditions and informatives on the planning permission to secure the following:

Conditions

- 1) Temporary Time Period (removal of structure by 8th January 2007)
- 2) Hours of Operation (Events held between 11:00am to 00:30am Monday to Fridays between 4th-20th December 2006).
- 3) The noise mitigation measures below shall be implemented at all times:
 - The noise level at the main speakers should be set at 70dB(A) at 10m within the entertainment marquee.
 - The music speakers must face towards the eastern limit of Westferry Circus.
 - 2.4m high Stirling boards or equivalent wooden boards be close jointed to a minimum width of 3.6m (minimum surface density 10kg/m²). These are to be installed centrally behind each main loudspeaker to the south and also to the west of the loudspeakers to minimise noise transfer to adjoining neighbours and to the south side of the River Thames.
 - At least one security guard will be on duty for every 100 guests and a minimum of 12 guards will be on duty for each event to ensure quiet and orderly movements.

Informative

- 1) Sound testing is to be carried out on Tuesday night in accordance with the submitted noise report.
- 2) Any external lighting must be positioned in a way that would not cause a hazard to navigation in the River Thames.
- 3) Taxi marshals must be present at the events to ensure orderly movements and organisation of taxis.

4. PROPOSAL AND LOCATION DETAILS

Proposal

- 4.1 The application proposes a marquee style temporary structure for corporate entertainment for the clients of the Canary Wharf Plc between 4th and 20th December. The application proposes a temporary period of up to 2 months with a 750-3500 guest capacity and opening hours of 11:00am to 16:30pm for daytime events and 18:30pm to 00:30am for evening events.
- 4.2 The proposal has been amended since the application was originally received. The initial description outlined a period of three months. However, this has since been amended to a maximum period of two months. In addition, the events schedule has been confirmed and would be Monday to Fridays only between the 4th-20th December 2006 and the description amended accordingly.
- 4.3 The event timetable has been submitted with the application and outlines only one of the events will finish at 00:30am. Most events are scheduled to finish at 23:45pm and only two of the scheduled events will hold the full 3500 guest capacity, most events will have 1000 or less guests.

Site and Surroundings

- 4.3 The application site consists of land used for car parking covering an area of 4865 square metres. The application site is bounded by Westferry Circus to the north and Westferry Road to the east. To the west of the site is the River Thames and to the south are residential apartments. The character of the surrounding area is a mixture of residential, mixed commercial and offices.
- 4.4 The residential uses within the area are situated to the south of the site and are generally modern housing development.

Planning History

- 4.5 None Relevant

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:

Unitary Development Plan

Proposals:	N/A	
Policies:	Policy DEV1	Design Requirements
	Policy DEV2	Environmental Protection
	Policy DEV50	Noise
	Policy DEV55	Development and Waste disposal
	Policy T16	Traffic priorities for new development
	Policy T17	Transport - Planning Standards

Emerging Local Development Framework (Submission Document)

Proposals:	N/A	
Spatial Strategies:	CP2	Equality of opportunity
Schedules:	N/A	
Policies:	Policy DEV1	Amenity
	Policy DEV10	Disturbance from Noise Pollution
	Policy DEV15	Waste and Recyclables Storage
	Policy DEV17	Transport Assessments

Planning Standards

Planning Standard 1:	Noise
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Supplementary Planning Guidance/Documents

N/A

Spatial Development Strategy for Greater London (London Plan)

N/A

Government Planning Policy Guidance/Statements

PPG24 Planning and Noise

Community Plan

The following Community Plan objectives relate to the application:

- A better place for living safely
- A better place for living well
- A better place for creating and sharing prosperity

6. CONSULTATION RESPONSE

6.1 The views of officers within the Directorate of Development and Renewal are expressed in the MATERIAL PLANNING CONSIDERATIONS section below. The following were consulted regarding the application:

LBTH Highways

6.2 No Objections

LBTH Environmental Health

- 6.3
- No objection providing 'the noise level at the main speakers should be set at 70dB(A) at 10m within the entertainment marquee'.
 - The predicted levels at the 3 sensitive facades will be;
 1. Four Seasons (Riverside) – 40dB(A)
 2. Mermaid Court – 33dB(A)
 3. Cascades – 39dB(A)
 - In addition to the above, we still require monitoring of events as stated in 3.6 of the noise report

Port of London Authority

6.4 No objection in principle however, details of any external lighting to be proposed should be required to be submitted by condition to ensure that it does not cause a hazard to navigation. (OFFICER COMMENT: AN INFORMATIVE WOULD BE ATTACHED TO ANY PERMISSION WITH REGARD TO THIS MATTER)

7. LOCAL REPRESENTATION

7.1 A total of 320 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 by way of site notice on the site. The number of representations received from neighbours and local groups in response to notification and publicity of the application were as follows:

No of individual responses: 62 Objecting: 62 Supporting: 0
No of petitions received: 0

7.3 The following issues were raised in representations that are material to the determination of the application, and they are addressed in the next section of this report:

- Noise disturbance
- Amount of people would create noise late at night
- Little sound proofing to a marquee
- Proposal is not suitable in a residential area
- More suitable sites available elsewhere
- 00:30am is too late
- Congestion would be caused by the amount of people
- 3 month 'temporary' period is too long
- Insufficient parking available on site

8. MATERIAL PLANNING CONSIDERATIONS

8.1 The main planning issues raised by the application that the Committee must consider are:

1. Amenity Issues
2. Highways
3. Noise

Land Use

- 8.2 This application for a temporary permission up to 2 months does not raise any land use issues. The site is included in the Central Area Zone in the UDP 1998.

Amenity Issues

8.5 Residential Amenity

Given the nature and location of the proposal, loss of light, loss of privacy and overlooking to neighbouring properties are not considered to be relevant issues within this application. Residents have raised concern over noise disturbance and congestion associated with the events to be held at the site. Noise and any relevant highways issues are discussed in greater detail below under the appropriate headings. Residents also raised concern that the area is a residential area and therefore the proposal is not appropriate in this location. Whilst there is a high residential population in the area, it is considered that the area has a mix of uses and the site has been chosen given its size that is large enough to accommodate such a proposed use.

8.6 Amenity of surrounding commercial uses

Commercial uses in the area are predominantly office uses and subject to appropriate conditions to control the use, it is not considered that the proposal would have an adverse effect on the amenity of these uses given the temporary time period and location of the site.

Highways

- 8.8 The site is located in an area with good public transport accessibility. The proposal would provide corporate entertainment for the clients of the Canary Wharf Plc. It is therefore anticipated that people would walk to the venue from Canary Wharf, however underground parking is available at Canary Wharf. Public transport and taxis would be available to transport people after the events. Taxi marshalls would be on site at the end of the event to control waiting taxis. The main entrance and pedestrian access to the marquee would be to the north of the site off Westferry Circus and it is considered pedestrian movements to and from the site will be between the site, Canary Wharf itself and the tube and DLR stations. Therefore it is considered a large majority of movement associated with people arriving and leaving the event should be to the north of the site away from any residential properties to the south of the site. A bus stop and lay-by are situated on the Westferry circus itself and would provide an area for any coaches to drop off and pick up. It is considered that there is sufficient space for any coaches, taxis or cars to drop people off and turn round.
- 8.9 Policy T17 requires that new development takes into account parking and loading arrangements. The site has a service access to the south of the site and there would be parking on site available for contractors associated with the proposal.

Noise

- 8.10 A noise survey was carried out by the London Office of Bureau Veritas in October 2006. The recommended noise mitigation measures outlined within the report are summarised below:
- At least one security guard will be on duty for every 100 guests and a minimum of 12 guards will be on duty for each event to ensure quiet and orderly movements.
 - To minimise the impact to noise sensitive buildings it is proposed that the speakers all be made to face towards the eastern limit of Westferry Circus.
 - It is proposed that 2.4m high Stirling boards or equivalent wooden boards be close jointed to a minimum width of 3.6m (minimum surface density 10kg/m²). These are to

be installed centrally behind each main loudspeaker to the south and also to the west of the loudspeakers to minimise noise transfer to residential properties such as Cascades to the south side of the River Thames.

- Noise of entertainment 10m from main speakers 70dB(A)

- Predicted façade noise at Four Seasons 40dB(A)
- Predicted façade noise at Mermaid Court 33dB(A)
- Predicted façade noise at Cascades 39dB(A)

(The above are considered appropriate as outlined by LBTH Environmental Health) LBTH Environmental Health consider that 40dB is quieter than street level noise.

- It is proposed to carry out the required sound testing on the evening of Tuesday 5th December 2006. Testing will determine optimum settings that ensure that the noise limits are fully met on the south side of the Thames at Cascades and at the Four Seasons Hotel.

8.11 Policy DEV 50 set out by the UDP 1998 considers noise as a material consideration in the determination of planning applications and outlines that appropriate noise mitigation measures may be secured using conditions. It is recommended that the above noise mitigation measures as set out in the noise report are secured by a condition.

8.12 The noise sensitive area to the south of the site incorporates a large residential development. The residential properties are situated over 100 metres away from the proposed marquee. The schedule of events is between 4th and 20th December with no events taking place on Saturdays or Sundays and would be enforced by way of condition. Whilst it is inevitable that some noise will be audible on the days when events are being held, it is considered that given the predicted level of noise to the sensitive facades as outlined in the noise report, in conjunction with the short timetable of events between Monday and Fridays, any impact would not be significant enough to warrant a refusal in this case.

8.13 LBTH Environmental Health's recommendations outlined in paragraph 6.3 have been placed as conditions on this application to ensure the residential amenity of nearby occupiers is not harmed to an unacceptable degree during the event time period.

Other Planning Issues

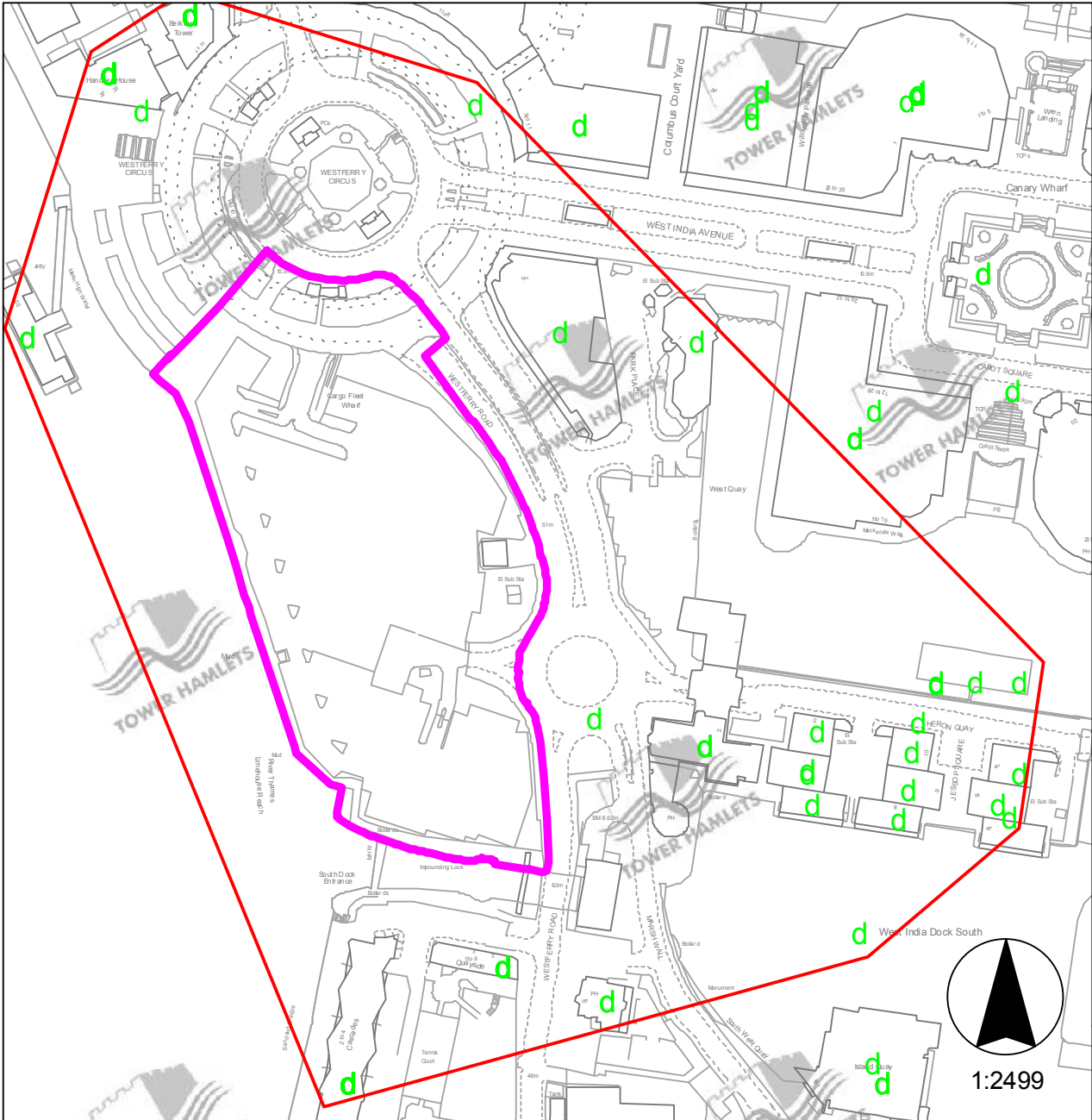
8.14 With regard to refuse collection and litter, it is the responsibility of the applicant to ensure any refuse is disposed of in an appropriate manner and that the site is cleared after the events and removal of the marquee.

8.15 Given the temporary nature of the proposed marquee that will be removed within 2 months following its construction, it is not considered that design and appearance forms a fundamental issue within this application. Nevertheless, it is considered that the scale and design of the proposed marquee within this location would not appear unduly dominant nor would it significantly detract from the character of the area.

Conclusions

8.15 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.

Site Map



Legend

- Planning Application Site Boundary
- Consultation Area
- d Land Parcel Address

This Site Map displays the Planning Application Site Boundary and the neighbouring Occupiers / Owners who were consulted as part of the Planning Application process. The Site Map was reproduced from the Ordnance Survey mapping with the permission of Her Majesty's Stationery Office © Crown Copyright. London Borough of Tower Hamlets LA086568

Site to the south of Westferry Circus and west of Westferry Road, London, E14.