

LONDON BOROUGH OF TOWER HAMLETS

STRATEGIC DEVELOPMENT COMMITTEE

21st July 2014

UPDATE REPORT OF HEAD OF PLANNING AND BUILDING CONTROL

INDEX

Agenda item no	Reference no	Location	Proposal / Title
8.1	PA/13/03049	100 Whitechapel road and land rear at Fieldgate Street & Vine Court	Demolition of existing vehicle workshop and car showroom; erection of a residential development comprising a total of 221 dwellings (comprising 46 studios; 92 x 1 bed; 52 x 2 bed; 20 x 3 bed; 11 x 4 bed) in an 18 storey building facing Fieldgate Street; and 2 buildings ranging in height from 8-12 storey building facing Whitechapel Road and Vine Court, provision of ground floor retail and restaurant spaces (Class A1 and A3), café (A3); 274.9 sqm extension to the prayer hall at the East London Mosque and provision of pedestrian link between Fieldgate Street and Whitechapel Road, extension to existing basement to provide 20 disabled car parking spaces, motorcycle spaces, 360 bicycle parking spaces and bin storage in basement, associated landscape and public realm works.
8.2	PA/13/02966 & 2967	Wood Wharf, Preston's Road	Comprehensive mixed-use redevelopment of site and works to listed structures.
8.3	PA/13/03068	28 Ensign Street	Demolition of existing building and erection of a new part 4, 6 and 14 storey building (ground plus 13 storeys) to provide 65 residential units (Use Class C3); flexible commercial use of part of the ground floor for either Class A1/A2/B1 use; and other landscaping and highways works incidental to the application.

8.4	PA/14/0074	Telehouse Far East. Oregano Dr	Erection on Site 6 of a new 10 storey data centre building of 66m in height comprising approximately 24,370m ² of floor space including provision of roof top plant and satellite dish; reconfiguration of loading bay area to North building; new first floor bridge link to existing North building; erection on Site 8 of a new 12 storey office development 65m in height comprising approximately 13,283m ² of floor space; provision of car and cycle parking; re-routing of existing cycle path on Sorrel Lane; associated landscaping; provision of security fencing, gates and other associated works.
8.5	PA/13/03053	Former Glaucus Works (also known as Leven Wharf), Leven Road E14 0LP	Demolition of existing buildings and redevelopment of site to provide a part 6/part 9 storey mixed use building with basement parking to provide 291sqm of commercial space (A1/A2/A3/A4, B1(a), D1 Use Classes) together with 126 residential units with associated landscaping, children's play facilities and provision of a public riverside walkway.

Agenda Item number:	8.1
Reference number:	PA/13/03049
Location:	100 Whitechapel road and land rear at Fieldgate Street & Vine Court
Proposal:	Demolition of existing vehicle workshop and car showroom; erection of a residential development comprising a total of 221 dwellings (comprising 46 studios; 92 x 1 bed; 52 x 2 bed; 20 x 3 bed; 11 x 4 bed) in an 18 storey building facing Fieldgate Street; and 2 buildings ranging in height from 8-12 storey building facing Whitechapel Road and Vine Court, provision of ground floor retail and restaurant spaces (Class A1 and A3), café (A3); 274.9 sqm extension to the prayer hall at the East London Mosque and provision of pedestrian link between Fieldgate Street and Whitechapel Road, extension to existing basement to provide 20 disabled car parking spaces, motorcycle spaces, 360 bicycle parking spaces and bin storage in basement, associated landscape and public realm works.

1. CLARIFICATIONS

- 1.1 In paragraph 9.17 of the committee report, the last sentence suggests that a Class A3 use would be unacceptable. To clarify, a restaurant (Class A3 use only) would be considered acceptable in terms of planning policy, subject to an appropriate worded condition relating to hours of operation.
- 1.2 Paragraph 9.105 of the committee report notes that the child playspace at ground floor is located close to an open refuse area which relates to an adjoining retail and hotel development. A non-material amendment to the adjacent scheme has recently been approved to reposition the bin store internally to the rear of the retail units with direct internal refuse access (planning ref: PA/14/1702). The amendment to enclose the refuse area is a positive and welcomed amendment and it would mean the child playspace would not be fronting onto open refuse storage.

2. ADDITIONAL INFORMATION

- 2.1 Following publication of the committee report, the applicant has submitted indicative public realm proposals for the development. The public realm document includes plans illustrating public/private/semi-public spaces, feature walls, child play-space equipment, benches, paving, hard and soft landscaping including trees.
- 2.2 The Council's Urban Design Officer has reviewed the submission and notes that the landscaping details are shown in isolation of the proposed buildings. This makes it difficult to assess the new public spaces as part of the overall scheme.
- 2.3 The Council's Urban Design Officer is also of the view that the proposed tree planting along Fieldgate Street could not be implemented as it would conflict with the overhanging elements of the building above, which are not shown in the visualisations. The suitability of planting trees along the new north-south link is questioned as this is already likely to be a somewhat cramped and overshadowed space. The image shown in the document is misleading as it shows street trees in a much more spacious setting.
- 2.4 The council's Urban Design Officer has raised questions and concerns with regard to boundary treatment, fretwork screens, up-lighting and planting.
- 2.5 Whilst the submission of the Public Realm Proposals is helpful in demonstrating the intent to provide high quality public realm within the scheme, this does not change the

Officer recommendation. If the Committee is minded to grant planning permission, it is recommended that a planning condition is attached requiring details of hard and soft landscaping should all be submitted for approval by the planning authority prior to the commencement of development.

2.6 Councillor Hassell requested clarification regarding the following matters:

2.7 An explanation of the Vertical Sky Component

2.8 *(OFFICER COMMENT: Daylight is normally calculated by three methods - the vertical sky component (VSC), daylight distribution (NSL) and the average daylight factor (ADF). BRE guidance requires an assessment of the amount of visible sky which is achieved by calculating the VSC at the centre of the window. The VSC should exceed 27%, or not exhibit a reduction of 20% on the former value, to ensure sufficient light is still reaching windows. In the event that these figures are not achieved, consideration should be given to other factors including the NSL and ADF. The NSL calculation takes into account the distribution of daylight within the room, and again, figures should not exhibit a reduction beyond 20% of the former value. The ADF calculation takes account of the size and reflectance of a rooms surfaces, the size and transmittance of its window(s) and the level of VSC received by the window(s).*

2.9 *British Standard 8206 recommends ADF values for residential accommodation. The recommended daylight factor level for dwellings are: 2% for kitchens; 1.5% for living rooms; and 1% for bedrooms)*

2.10 Advice as to why the application was able to progress following objection from LBTH Environmental Health for insufficient information

2.11 *(OFFICER COMMENT: LBTH Environmental Health raised objection with relation to noise and vibration, air quality and wind conditions. In the case of the application submitted, the application itself could not be made invalid based on the insufficient information. However, officers consider that the areas of deficiency could be dealt with by way of planning condition to require further details regarding the areas of concern.*

2.12 *For example, details of noise and vibration mitigation measures, including internal noise testing post completion, further air quality information – in particular through a construction management plan which specifies requirements for reducing dust during construction, and further microclimate mitigation measures)*

2.13 Explanation as to why dwelling mix is considered acceptable

2.14 *(OFFICER COMMENT: For the avoidance of doubt, the proposed housing mix is considered unacceptable, as outlined within paragraphs 9.62 to 9.65 of the report (Page 50 of the agenda), as well as the reason for refusal at paragraph 4.2 of the report (Page 26 of the agenda).*

2.15 Query as to whether the impact of the Permit Transfer Scheme (PTS) had been assessed.

2.16 *(OFFICER COMMENT: There are 12 affordable family sized units proposed within the scheme. The permit transfer scheme means that occupants of those*

units who already live within the Borough and have a parking permit can take their permit with them to the new development.

2.17 The PTS is a Council initiative not enshrined in planning policy and whilst it is a material consideration we are unable to give it significant weight in assessing any application.

2.18 Nevertheless, given the small number of family sized units which would actually be eligible for the PTS, it is not considered that the proposal would result in detrimental impact to the safe and freeflow of traffic, or a substantial increase in demand for on-street parking spaces)

3. RECOMMENDATION

3.1 The Officer' recommendation remains as set out in paragraphs 4.1- 4.5 of the Committee report.

Agenda Item number:	8.2
Reference number:	PA/13/02966 & 02967
Location:	Wood Wharf, Preston's Road
Proposal:	Comprehensive mixed-use redevelopment of site and works to listed structures.

2.0 REPRESENTATIONS

2.1 Seven late representations have been received.

2.2 One letter states support for the proposal.

2.3 Two letters are objection letters which makes the same representations as a letter that has already been addressed in the committee report. Accordingly, officers make no further comment.

2.4 Another representation encourages the Council to safeguard land at Wood Wharf for a north-south express railway line sub-surface station. Officers note that neither TfL nor Network Rail has requested any land to be safeguarded for this purpose. The Council is not aware of any evidence to suggest that this would be an appropriate obligation on the land.

2.5 A representation has been received from Councillor A. Wood which makes the following observations and questions:

2.5.1 Question regarding the location and access to facilities for the school along with how its design will be assessed.

(OFFICER COMMENT: The location of the school would be within Development Plot H2 unless otherwise agreed by the LPA. The school would have (non-exclusive) access to the eco-islands and East Park and exclusive access to the sports hall in the Leisure Centre between 9.30-11.30 and 13.30 to 15.30 during term time.

The design of the School will be determined at a later stage through a reserved matters application. The Planning Department and its design officers along with our colleagues in Education will assess the quality of the school's design.)

2.5.2 Observation that the school is needed so no financial contribution fallback requirement is necessary.

(OFFICER COMMENT: The option for the financial contribution rather than physical delivery will solely be in the Council's favour. Whilst it is likely that the Council would choose to exercise its option for physical delivery, to retain the flexibility of a financial contribution is good practice. This is the standard approach on planning applications.)

2.5.3 Observations are provided on the likely demand for school places having regard to Census data and questions are raised whether additional school places are required.

(OFFICER COMMENT: Officers have calculated the likely school place demand based on the formulae set out in the Council's

adopted Planning Obligations SPD, which is based on surveying households in the Borough, including the results of Tower Hamlets' New Housing Development Survey for flats across the tenures. In terms of houses, ONS Census data was used for market units, inner London Core New Data Sales for intermediate units and LBTH Core Letting Data for social rented homes. There is no evidence to suggest that this is not a credible approach to predicting school place demand from a new development.

The Environment Statements calculates the likely demand for primary school places generated by the Indicative Scheme (3104) is 258. For the maximum residential scheme (3,610 units), the predicted demand is for 271 primary school places. The proposed school would have 420 places.

2.5.4 Councillor Wood questions whether the health facility is big enough?

(OFFICER COMMENT: Typically a 1,800 patient list per GP is considered a national benchmark that shouldn't be exceeded. Tower Hamlets typically seeks no more than 1,700 residents per GP due to the characteristics of our population. The Indicative Scheme is predicted to generate a population of 5,350. For the maximum residential scenario (3,610 units) the predicted population would be 6,100. 6,100 could be served by 3.6GPs in accordance with Tower Hamlet's standards. The development proposes a facility which could provide for up to 9GP's i.e. providing for 5.4 more GPs over and above the demand created by this development. These five GPs could serve a wider population of 9,180.)

2.5.5 Councillor Wood questions how big the facility is in relation to the Barkantine Surgery?

(OFFICER COMMENT: The Barkantine has 12GPs (FTE). Island House has 8.5GPs (FTE).

2.5.6 Councillor Wood asks if Tower Hamlets Clinical Commissioning Group (TH CCG) is aware of the developments in the area.

(OFFICER COMMENT: TH CCG are typically consulted on strategic applications. TH CCG along with NHS Property Services and NHS England has been involved in the discussions in respect of this application and requested the 9 GP facility. They are supportive of the offer.)

2.5.7 Councillor Wood states that the most important element of the area's history has been the docks and that history is now almost invisible except for the docks themselves, a few cranes, the locks and West India Quay.

(OFFICER COMMENT: The development proposes to repair the docks where they remain in-situ. The development offers £100,000 for the improvement of the three cranes by the Blue Bridge.)

2.5.8 Councillor Wood highlights the importance of boats entering the dock.

(OFFICER COMMENT: The development does not impact upon access/egress at West India Dock Lock).

- 2.5.9 Councillor Wood is concerned that the developments' encroachment in the dock will reduce the number of berthing spaces and access to them and that this may be exacerbated by bridge(s) over South Dock.

(OFFICER COMMENT: Canal and Rivers Trust (CRT) support the berthing opportunities as a result of this development and specifically support the 'improved berthing facilities along South Dock edge'.

CRT has specific objectives in respect of safeguarding operational and navigational standards. They have not objected on the basis that the development (whether or not in conjunction with a South Dock Bridge(s)) would prejudice the operation of the South Dock as a working dock.

Section 3.4d of the Design Guidelines details the guidelines for boat moorings along South Dock. Parameter Plans PP005, PP007, PP010 and PP011 set the various parameters for the ability to building within the water space, for the land reclamation/marine decking over the water, the Montgomery Bridge and surrounding pavilions and maintaining access through to Bellmouth Passage.)

- 2.5.10 Councillor Wood suggests that that the proposed Idea Store will need to be larger than the one on Canary Wharf estate.

(OFFICER COMMENT: The proposed Idea Store is 1,050sqm (NIA) with an option for a further 100sqm (NIA). The Canary Wharf Idea Store is approximately 940sqm (NIA).

- 2.5.11 Councillor Wood suggests that the development need to provide facilities for young children, teenagers and older people along with a Muslim prayer space.

(OFFICER COMMENT: The development will contain a range of child play spaces that will be targeted at both younger and older children along with publicly accessible open space and communal amenity space. The public realm will be designed with a range of potential users in mind.

The development would indicatively provide £2.1m for Leisure facilities which can be used in provide a range of facilities in the wider area.

The scheme provides a number of opportunities for community facilities not least of which in the form of the proposed Idea Store and a new school. The planning application has been structured such that it also provides the opportunity for further community type uses to come forward. In addition, the applicant has committed to the provision of a multi-functional community facility of up to 180sq m (GIA) which will be secured through the s106 agreement. Its uses will also be controlled through the s106.)

- 2.5.12 Councillor Wood asks how noise during construction will be addressed.

(OFFICER COMMENT: Given the size of the site and likely construction timeline, hours of working including the use of noisy

machinery will be controlled on a case-by-case basis by way of condition. In addition, there are further conditions relating to construction noise and vibration as well the requirement to sign up to the Considerate Contractors Scheme and an overall Construction Environmental Management Plan.)

2.5.13 Councillor Wood requests further clarity on a number of issues:

- Phasing of planning permission i.e. what is being decided on the 21st and what will be agreed later.
(OFFICER COMMENT: Paragraphs 4.38 to 4.41 of the committee report explains what is, and is not, being applied for and what is subject to later agreement.)
- Public transport impact.
(OFFICER COMMENT: This is addressed in paragraphs 18.1-18.10 of the committee report.)
- Shadowing from tall buildings and loss of light
(OFFICER COMMENT: This is addressed in chapter 17 of the committee report.)
- Consideration of neighbouring developments i.e. South Quay Masterplan and therefore the impact on the wider public infrastructure
(OFFICER COMMENT: This application is addressing its own infrastructure impacts that arise, and where appropriate, it provides a suitable package of measures to mitigate impacts in a policy compliant manner.)
- Financial obligations
(OFFICER COMMENT: This is addressed in paragraph 3.3 of the committee report.)
- Non-financial obligations
(OFFICER COMMENT: This is addressed in paragraph 3.4 of the committee report.)
- Design issues
(OFFICER COMMENT: 'Appearance' is a reserved matter. Accordingly, the detailed design and appearance will be addressed at a later stage. The Design Guidelines will set and guide the quality at Wood Wharf.)
- Phasing of construction & timelines
(OFFICER COMMENT: Indicative construction timetable below.

TABLE 3.1 INDICATIVE CONSTRUCTION PHASING OF WORKS			
Phase	Total Phase Duration	Work Section	Work Duration
Phase 1	7 Years 2 Months	Enabling works, Utilities diversions and Excavations	3 Years 9 Months
		Piling and Substructures	4 Years
		Superstructure and Envelope	4 Years
		Services and Finishes	4 Years 3 Months
		Completion and Commissioning	2 Years 3 Months
Phase 2	8 Years	Enabling works, Utilities diversions and Excavations	1 Year 2 Months
		Piling and Substructures	2 Years 7 Months
		Superstructure and Envelope	2 Years 6 Months
		Services and Finishes	3 Years 3 Months
		Completion and Commissioning	2 Years 10 Months
Phase 3	5 Years	Enabling works, Utilities diversions and Excavations	1 Year 2 Months
		Piling and Substructures	2 Years
		Superstructure and Envelope	2 Years 3 Months
		Services and Finishes	3 Years
		Completion and Commissioning	3 Years
Phase 4	4 Years 10 Months	Enabling works, Utilities diversions and Excavations	1 Year 2 Months
		Piling and Substructures	1 Year 6 Months
		Superstructure and Envelope	2 Years
		Services and Finishes	3 Years
		Completion and Commissioning	1 Year 6 Months

- Housing mix i.e. number of 3 versus 1 bedroom
(OFFICER COMMENT: This is addressed in committee report paragraphs 13.13 – 13.18.)

2.6 Councillor Dockerill raises the following questions in respect of the applications:

- 2.6.1 Councillor Dockerill questions what is to be decided at Strategic Development Committee on the 21st July.

(OFFICER COMMENT: There are two applications, both recommended for approval. One is for outline planning permission all matters reserved, which may be described as a 'permission in principle'. The matters that are 'reserved' are *access, scale, layout, appearance and landscaping*. The outline application sets out specified parameters such as floorspace limits, building heights and footprints etc. The other application for decision is a Listed Building Consent in relation to works to the Listed dock walls.

- 2.6.2 Councillor Dockerill questions the split between affordable rent and intermediate product units [the split is proposed at an 80:20 ratio] and questions whether it would be desirable to increase the number of 3+bed intermediate units, both in order to achieve a mixed and balanced community.

- 2.6.3 (OFFICER COMMENT: The particular challenges with the affordability of larger intermediate units in high-value areas such as Wood Wharf should be recognised. The qualifying criteria for 3 bed intermediate units, includes a household income cap of circa £80,000. The open market value of such units can make it difficult for

residents to afford them. It is noted, that the Indicative Scheme would provide 160 intermediate units.)

- 2.6.4 Councillor Dockerill questions whether it is appropriate to have a financial fallback option for the school and health facility.

(OFFICER COMMENT: The option for the financial contribution rather than physical delivery will solely be in the Council's favour. Whilst it is likely that the Council would choose to exercise its option for physical delivery, to retain the flexibility of a financial contribution is good practice. This is the standard approach on planning applications.)

- 2.6.5 Councillor Dockerill requests details of how local independent retailers will be encouraged.

(OFFICER COMMENT: The Affordable Retail Strategy for delivering the Affordable Retail Units may include such requirement as:

- Promotion strategy for marketing Affordable Retail Units to potential eligible Local Independent Retailers including open day for potential eligible Local Independent Retailers to pitch for space within the Affordable Retail Units;
- Assistance with business plans for potential eligible Local Independent Retailers;
- Assistance with marketing costs for potential eligible Local Independent Retailers;
- Assistance with shop fit out and shop fronts for potential eligible Local Independent Retailers;
- Flexible leasing strategy for potential eligible Local Independent Retailers.

Given this stage of the development process, it is too early for a detailed Strategy to be agreed, a planning obligation will ensure that a Strategy is in place at an appropriate time.)

- 2.6.6 Councillor Dockerill questions what percentage of proposed green space will be publicly accessible and what rules/conditions will be enforced on that space.

(OFFICER COMMENT: The Development Specification secures, as a minimum, 25,000sqm of publicly accessible open space. A condition is recommended that requires a Public Access Plan to be agreed with the local planning authority that would govern the rules and conditions of this space.)

- 2.6.7 Councillor Dockerill questions what protections will be in place to ensure no additional historic dock fabric is removed or waterways reduced.

(OFFICER COMMENT: The listed dock wall cannot be materially altered or demolished to a greater extent than that specified in the application for Listed Building Consent (without a further application being granted).

The Parameter Plans and Development Specifications of the outline planning applications provide limits to the extent of reclaimed land or build-over of the dock. There can be no greater encroachment into the dock under this application.

- 2.6.8 Councillor Dockerill questions what provisions are in place to ensure there is sufficient community space for all residential groups.

(OFFICER COMMENT: The development allows for a range of community facilities over and above that controlled through the permission (i.e. Idea Store.). In addition, the applicant has committed to a 180sq m multi-use community facility.

- 2.7 Councillor D. Hassell raises the following questions in respect of the applications:

Community Facilities:

- 2.7.1 Will the school be a Tower Hamlets Community School?

(OFFICER COMMENT: The s106 will ensure that the Local Authority appoints an appropriate school operator at the appropriate time).

- 2.7.2 Will the primary school have any hall facility of its own (or will it rely on the Leisure Centre)?

(OFFICER COMMENT: Indicative designs for the school allow for a 140sq m hall area within the school. The s106 will also secure the use of the Leisure Centre's sports hall between 09.30-11.30 and 13:30-15:30 during term time.)

- 2.7.3 Will the Leisure Centre have discounts for carers?

(OFFICER COMMENT: The proposed Leisure Centre will have the same types of discounts as LBTH facilities. These are limited in respect of carers.)

- 2.7.4 What is the size of the Canary Wharf Idea Store?

(OFFICER COMMENT: 940 sq m (NIA).)

- 2.7.5 Why is the Idea Store located at Canary Wharf?

(OFFICER COMMENT: This was an s106 obligation as part of the Riverside South permission PA/03/00377 dated 15/09/2004.)

S106 Obligations:

- 2.7.6 20% of contracts – is this based on the number or value of contracts?

(OFFICER COMMENT: The s106 will commit the developer to target placing 20% of contracts by value with locally businesses).

- 2.7.7 How will the Public Art Strategy be assessed / approved?

(OFFICER COMMENT: The Public Art Strategy will need to be approved as part of the s106 agreement, it includes an agreed minimum spend of £0.5m. The key objectives include improving the visual quality of the development and encouraging local artist involvement.)

- 2.7.8 Can detail be provided on trigger points and future costs associated with the social infrastructure?

(OFFICER COMMENT: The School will be 'triggered' on the 1501st residential unit and will be at peppercorn rent.

The Idea Store clause will ensure continuous provision (at either Churchill Place – Canary Wharf Estate or Wood Wharf) until 2041 at peppercorn rent.

The Health facility will be 'triggered' at the 1566th residential unit. The Rent will be at the District Valuer's Valuation (Index Linked) less 10% subject to an annual market rent review, or £25 per square foot (Index Linked) subject to an annual market rent review, whichever is the greater.)

Housing

- 2.7.9 Why are POD rents indexed at RPI + 1.5%[sic]?

(OFFICER COMMENT: The Affordable Rent Regime sets the appropriate indexing of affordable rents. The current indexation rate is RPI +0.5%)

- 2.7.10 Would the Intermediate Housing be managed by a Registered Provider?

(OFFICER COMMENT: Yes)

- 2.7.11 Will Wheelchair housing provision be monitored through the phases?

(OFFICER COMMENT: Yes)

- 2.7.12 How would the exact amount of 15% affordable housing by cash-in-lieu be determined and what would the dwelling mix and tenure be? Could this 'up to 15%' be delivered off-site?

(OFFICER COMMENT: 15% affordable housing will be calculated on the basis of a policy compliant dwelling mix and tenure split. Any financial contribution arising from this review mechanism would then be spent on improving the quantity and/or quality of the Borough's affordable housing stock.)

- 2.7.13 What are the reasons for the level of 3+ bedroom units in the intermediate tenure?

(OFFICER COMMENT: Due to the high value nature of Wood Wharf, it presents particular affordability issues for 3-bed intermediate units. The maximum household income threshold for these types of units is £80,000.)

Transport

2.7.14 Legible London signs are recommended by TfL? Will the Wayfinding Strategy be 'Legible London'?

(The principles of 'Legible London' signage will be incorporated into the Wayfinding Strategy).

Construction

2.7.15 What will be the hours of working on a Saturday and Sunday?

Due to the size of the site, works in different locations would have different impacts in terms of noise and disturbance i.e. works in the south-west area of the site are less likely to cause noise issues to neighbours compared in works undertaken in the north-east of the site. Accordingly, it is not appropriate to stipulate hours of working at this stage. It is reserved by condition and will be dealt with on a phase-by-phase basis.)

Daylight

2.7.16 The Report acknowledges 'significant' challenges to ensure appropriate daylight standards are met for some blocks and confirms that officers are 'confident' that adequate levels can be achieved at Reserved Matters stage. What is the basis for this confidence?

(OFFICER COMMENT: The Environmental Statement provides a number of options for improving daylight where it can be challenging, including increasing window sizes, the sensitive location of balconies and stair/lift cores, along with appropriate internal design of habitable rooms.

Moreover, it is important to note that it is the Indicative Scheme that has been tested for the internal daylight standards. The Indicative Scheme is not for approval as such rather it is there to provide comfort that a suitable scheme can come forward in accordance with the parameters, specifications and guidance. These Parameters set maximum rather than minimum footprints and, in relation to the Development Plots in question there is sufficient flexibility in the Parameters to ensure that a building(s) can come forward on these Plot(s) to overcome any daylight challenges.)

3.0 PLANNING CONDITIONS

3.1 Under 3.7: CONDITIONS and INFORMATIVES (PHASING) – delete condition and replace with:

Prior to the first occupation of the 1500th residential unit, no less than 60,000sqm (GEA) of commercial floorspace*, which shall include no less than 40,000sqm (GEA) of Use Class B1(a) floorspace, within Development Plots B3, C2, D1 and D2 shall be made available for occupation.

**Commercial floorspace means for the purposes of this condition uses falling within Use Classes A1-A5, B1, C1, D2, a theatre, night-club, casino or any other sui generis use as maybe agreed in writing by the LPA.*

3.2 Under 3.7: CONDITIONS and INFORMATIVES (COMPLIANCE CONDITIONS) – delete condition 2 "Above grade..."

4.0 CLARIFICATIONS AND CORRECTIONS

- 4.1 Typo in respect of Paragraph 13.12 of the committee report. It refers to indexation of affordable rents *up to RPI + 2.5%*. It should read *up to RPI +0.5%*. However, please see paragraph 3.3 which addresses affordable rent indexation.
- 4.2 Insert at start of second sentence to Paragraph 13.12 At the time of writing 'POD' rent levels are as follows:...'
- 4.3 In respect of affordable rents reference is variously made to indexation of rents *up to RPI +0.5%*. This is potentially misleading. Affordable rents will be subject to indexation based on the prevailing policy at the time. Current policy is *up to RPI +0.5%*. However, LBTH understands the Greater London Authority is likely to change the policy to *up to CPI + 1%* in April 2015. The indexation of affordable rents may be subject to further changes in the future.
- 4.4 In light of the revised condition referred to in paragraph 2.1 of this update report. Paragraph 12.30 (a) of the committee report should be read in the context of this revision.
- 4.5 In Paragraph 18.30 of the committee report delete "and may require safeguarding land at Wood Wharf for the landing of the bridge" from penultimate sentence.

5.0 Parking

- 5.1 The applicant confirms that any household eligible for the Permit Transfer Scheme that would move to the Wood Wharf estate, on-site parking provision would be made available for those households.

6.0 RECOMMENDATION

- 6.1 Officers' recommendation remains as set out in Chapter 3 of the committee report.

Agenda Item number:	8.3
Reference number:	PA/13/03068
Location:	28 Ensign Street, London
Proposal:	Demolition of existing building and erection of a new part 4, 6 and 14 storey building (ground plus 13 storeys) to provide 65 residential units (Use Class C3); flexible commercial use of part of the ground floor for either Class A1/A2/B1 use; and other landscaping and highways works incidental to the application.

1.0 REPRESENTATIONS

- 1.1 A representation has been received from Councillor J Dockerill which makes the following observations and questions:
- 1.2 Councillor Dockerill notes that there have been recent concerns expressed about the safety of the crossroads where Dock Street and Vaughan Way meet the Highway. TfL have acknowledged and agreed with those safety concerns that relate to cyclists and lorries, and the narrowness of pathways such that parents taking children to school from Wapping to primaries north of the Highway are insufficiently protected from the volume of traffic on the Highway. What account has the Ensign Street plan taken of pedestrian safety and the need to improve that junction? For instance has an assessment been carried out on pavement width and has any regard been given to s106 monies contributing to improved safety (ideally through provision of a bridge or subway)?
- 1.3 *Officer Comments: The submitted Transport Assessment includes the results of a Pedestrian Environmental Review System (PERS) audit that was carried out in November 2013. The audit assesses the quality of the pedestrian environment in the vicinity of the site, with the score for the routes ranging between 'good' and 'poor' (on a scale from 'very good' to 'very poor') and crossings scored 'average' or 'above average'. The pavement in front of the site has is graded as 'good' and the width of this section of pavement ranges between approximately 3.6m and 4.0m.*
- 1.4 *East Smithfield and The Highway are Transport for London Road Network (TLRN) roads, for which TfL are the relevant Highway Authority. In their consultation response, TfL have not requested a specific contribution to improve the junction, although TfL requested that the developer enter into a S278 agreement to carry out highway improvement works in the vicinity of the site, including renewing the footway along The Highway frontage, which is recommended to be secured by condition. In addition, recommendations from the PERS audit could also be secured through the S278 agreement, including the installation of tactile paving on refuge islands the formation of waiting areas.*
- 1.5 *The S106 agreement includes a financial contribution of £67,650 towards Streetscene and Built Environment, which could be used to carry out improvement works to the public highway in the vicinity of the site.*

- 1.6 Councillor Dockerill queries what analysis has been done on increased pedestrian movements across the Highway from this development once London Dock site, with commensurate shops and public services, is complete, and whether increase in pedestrian movements will increase need for a subway or bridge?
- 1.7 *Officer Comments: The S106 agreement for the London Dock scheme includes an obligation requiring the developer, in conjunction with TfL, to install a new pedestrian crossing across The Highway in advance of the opening of the new secondary school on the site. If a new crossing cannot be provided, then a financial contribution must be paid to TfL in order to carryout improvement works to the existing junction. The proposed crossing is located immediately to the east of the application site at 28 Ensign Street.*
- 1.8 Councillor Dockerill queries what account has this development taken of the London Dock site in terms of construction plan and the need to coordinate HGV access with St George?
- 1.9 *Officer Comments: Limited information on the construction programme and logistics has been provided at application stage, details of which would be provided in a Construction Environmental Management Plan and a Construction Logistics Plan, which would be secured by condition if members resolved to grant planning permission.*
- 1.10 *The applicant has confirmed that the construction programme will last approximately 21 months and would commence in April 2015, requiring approximately 4 vehicle movements per hour or less, depending on the size of vehicle. The applicant has also confirmed that they and their appointed contractor will liaise with other contractors/developers in the area to ensure that major demolition or concrete pours do not take place on the same day as other nearby developments in order to minimise any cumulative impacts on the road network.*
- 1.11 *If planning permission were to be granted, LBTH Transportation & Highways and Environmental Health and Transport for London would be consulted on applications for discharge of condition relating to the Construction Environmental Management Plan and a Construction Logistics Plan and consideration will be given to any cumulative impacts arising from construction works at other development sites within the wider area.*
- 1.12 Councillor Dockerill queries what account has this development has taken of the London Dock site in terms of providing an architecturally cohesive design which complements the new cityscape, does not exacerbate the existing visual divide between Wapping and areas north of the Highway, and provides a suitable gateway to historic Tower of London and City of London?
- 1.13 *Officer Comments: The proposed building includes design queues from the London Dock scheme in terms of the rectilinear form*

of the building and the articulated height of the building, which is comparable to Block A of London Dock, which fronts Vaughan Way. In terms of building heights, the tallest element of the building steps down in height from Block A of London Dock and Thomas More Square, which lie immediately to the south of the site, whilst the proposed building itself steps down to 4 and 6 storeys in height on Ensign Street and Dock Street respectively, so as to provide an appropriate transition into the existing street scenes.

- 1.14 *The Highway is a strategic arterial road within London and the western end of the road lies within the Central Activities Zone, which adopted policy DM26 identifies as a suitable location for taller buildings. It is considered that the proposed building is of high quality in terms of its design and materials, including the use of brick and pre-cast reconstituted Portland stone horizontal bands, with fenestration set within deep reveals which will provide visual interest to the façade. The masonry character and appearance also reflect that of nearby heritage assets, most notably the Grade II listed St Paul's Church and Vicarage on Dock Street.*
- 1.15 *As such, it is considered that the proposed provides a suitable transition between the taller and contemporarily designed buildings within London Dock and the surrounding built form to the north, which includes older building stock that typically range between 4 and 8 storeys in height.*
- 1.16 *Historic Royal Palaces were consulted on the application and confirm that the proposed building will not be visible in views of and from the Tower of London and raise no objections. In addition, English Heritage also raise no objections and advice the Council that the application should be determined in line with its adopted policies.*
- 1.17 A representation has been received from Councillor Hassel which makes the following observations and questions:
- 1.18 Councillor Hassel notes that the report states the impact of daylight amenity and sunlight amenity to the playground is acceptable and queries what is the level of the impact and how is this acceptable?
- 1.19 *Officer Comments: The BRE guidelines for transient overshadowing advise that at least half of a garden or amenity area should receive at least two hours of sunlight on 21st March. If as a result of new development an existing garden or amenity space does not meet this criteria and the area which can receive two hours of sun on 21st March is less than 0.8 times its former value, then the loss of sunlight is likely to be noticeable.*
- 1.20 *The submitted Daylight & Sunlight Report includes a transient overshadowing assessment of the school playground, which demonstrates that 90.7% of the playground area will receive at least 2 hours sunlight on March 21st, reduced from an existing condition of 98.7% (a reduction of 7.9%). As such, it is considered that the*

overshadowing impacts on the school playground accord with BRE guidelines and are thus acceptable.

- 1.21 Councillor Hassel queries whether properties can be considered to be wheelchair accessible if the halls fall short of a full turning circle and there are no designated charging spaces in the hallways?
- 1.22 *Officer Comments: Each of the proposed wheelchair adaptable units include a charging space (1,100 x 1,700mm) within the open plan living/kitchen/dining rooms, which can be directly access from the entrance. Whilst such layouts are not ideal, the LBTH Access Officer advises that they are becoming increasingly common.*
- 1.23 *With regard to the LBTH Access Officers comments that the hallway falls slightly short of a full turning circle, this comment relates to one unit (2b3p, Type B – WA). The LBTH Access Officer has reviewed the layout of the unit and confirms that the space would be usable and raises no objection.*
- 1.24 *Notwithstanding the above, it is recommended that the final, detailed layout of the wheelchair adaptable units be secured by condition if members were to resolve to grant planning permission.*
- 1.25 Councillor Hassel notes that 65 units are proposed and that 10% wheelchair accessible seems to have been incorrectly rounded down to 6, rather than rounded up to 7.
- 1.26 *Officer Comments: Noted. It is recommended that the condition requiring the submission of the details layout of the wheelchair adaptable units (see response to Question 2 above) specify that details and layouts for 7 wheelchair adaptable units must be provided.*
- 1.27 Councillor Hassel notes that there is a large difference in the cycle contribution sought and proposed and queries whether an independent viability assessment that confirms this position?
- 1.28 *Officer Comments: The applicant has submitted a viability appraisal, which has been independently reviewed by the Council's appointed viability consultant, BNP Paribas Real Estate. The independent assessment confirms that the current scheme (including 35% affordable housing) is not viable at today's costs and sales values and therefore relies on growth in the market to ensure scheme viability and/or the developer accepting a reduced level of profit in this instance. On this basis, BNPP confirm the current position with regard to the acceptability of a reduced financial contribution towards cycle hire facilities on viability grounds.*

2.0 CLARIFICATIONS AND CORRECTIONS

- 2.1 Typo in respect of the building heights stated in the description of the proposal at Section 1 of the report, which should read "a new part 4, 6 and 14 storey building (ground plus 13 storeys)".

2.2 Correction to the list of submitted documents, as the stated Archaeological Assessment has been superseded by 'Archaeological Assessment (Issue 3), prepared by Museum of London Archaeology, dated 14 March 2014', which should be included in the list of documents.

Agenda Item number:	8.4
Reference number:	PA/14/0074
Location:	Telehouse Far East, Sites 6 & 8, Oregano Drive, E14 2AA
Proposal:	Erection on Site 6 of a new 10 storey data centre building of 66m in height comprising approximately 24,370m ² of floor space including provision of roof top plant and satellite dish; reconfiguration of loading bay area to North building; new first floor bridge link to existing North building; erection on Site 8 of a new 12 storey office development 65m in height comprising approximately 13,283m ² of floor space; provision of car and cycle parking; re-routing of existing cycle path on Sorrel Lane; associated landscaping; provision of security fencing, gates and other associated works.

1. CLARIFICATIONS

1.1 Councillor Hassell has raised two points of clarification:

1.2 Firstly, a query regarding the re-location of the cycle superhighway

1.3 *(OFFICER COMMENT: At present it is foreseen that the cycle superhighway will be diverted during construction around the southern boundary of the site. A more permanent solution is to be agreed with TfL. A condition will be written in 'grampian' style, meaning no development can commence until the re-routing of the cycle superhighway is resolved)*

1.4 Secondly, concern was raised regarding the safety of the cycle parking, which is at the centre of the roundabout in the carpark.

1.5 *(OFFICER COMMENT: The roundabout is within the site, and will be a space for both commuting cyclists and car users to park. Given the low use, it's positioning within the site, and the one way nature of the vehicles, it does not raise concerns regarding safety)*

2. ADDITIONAL INFORMATION

2.1 TfL requested confirmation regarding three conditions, as set out in Paragraph 3.7 (Page 290 agenda pack) of the report, which are outlined below:

2.2 Condition No. 10 for 'Construction Methodology and Management Plan'. This relates to infrastructure protection for East India Dock tunnel, which will need to be agreed in consultation with TfL.

2.3 Necessary work to the Leamouth Road/Sorrel Lane junction will be dealt with via s278 highways agreement, which is to be added to the conditions.

2.4 Condition 20, Cycle Superhighway diversion routes will be explicitly worded to achieve the following:

- temporary diversion to be agreed and implemented prior to commencement of development
- permanent diversion to be agreed and implemented prior to occupation of development.

2.5 Again this condition will require consultation with TfL in order for it to be discharged.

3. CORRECTION

3.1 Paragraph 8.45 on page 306 of the printed agenda should read:

The conservation area is defined to the north by the perimeter wall of the East India Docks. Officers consider that the development would potentially introduce a degree of change to the setting of the conservation area, as it would be partially visible along the eastern view, at the eastern end of the site. Moreover, the development would also further reduce the links between the south-western and eastern sections of the docks perimeter wall. However, given the changing character of the area in general which is increasingly characterised by large scale commercial and residential developments, it is not considered that the proposal would not have an adverse impact on the setting of Naval Row Conservation Area, and therefore the proposal would not result in harm to the Conservation Area. Unless harm has been identified, there is no apparent need to apply the Barnwell Manor case.

4. RECOMMENDATION

4.1 The Officer' recommendation remains as set out in the Committee report.

Agenda Item number:	8.5
Reference number:	PA/13/03053
Location:	Former Glaucus Works (also known as Leven Wharf), Leven Road E14 0LP
Proposal:	Demolition of existing buildings and redevelopment of site to provide a part 6/part 9 storey mixed use building with basement parking to provide 291sqm of commercial space (A1/A2/A3/A4, B1(a), D1 Use Classes) together with 126 residential units with associated landscaping, children's play facilities and provision of a public riverside walkway.

1.0 Drawing Numbers - Correction

T(10) POO Rev P1 replaces T10POO,
T20EO3-Rev P8 replaces T20EO3-Rev P7,
T20P06-Rev P6 replaces T20P06-Rev P4,
T20P-1-Rev 11 replaces T20P-Rev 11
T70D10 replaces T70DO10,
T70D11 replaces T70DO11,
T70D12 replaces T70DO12,
T70D13 replaces T70DO13,
T70D14 replaces T70DO14,
T70D15 replaces T70DO15,
T70D16 replaces T70DO16,
T70D17 replaces T70DO17,
T70D18 replaces T70DO18,
T70D19 replaces T70DO19,
T70D20 replaces T70DO20,
T70D21 replaces T70DO21,
T70D22 replaces T70DO22

Officer Comment: The above drawing number changes result from typographical errors as opposed to late changes in the drawings on either the electronic or hard copy case file

2.0 Conditions - Corrections

Under paragraph 3.5, agenda page number 322, the following conditions are amended:

- **Achieving Lifetime Homes Standard** – delete from set of *Compliance Conditions* and add to set of *Prior to Works Commencing Above Ground Level*
- **Code for Sustainable Home**
- **BREEAM Excellent Rating**
Delete both conditions from set of *Prior to Occupation* and place under new heading of conditions titled *Within 3 Months of Occupation of 1st Residential Unit*

Landscape Maintenance – delete condition altogether. Intention covered by the general landscape condition

Cycle Parking – delete from set of *Compliance* conditions and added to *Prior to Occupation*, also amended to cover electric car charging points and electric wheelchair scooter spaces

Energy Strategy deleted and replaced with details of Combined Heat and Power (CHP), a
Prior to Works Commencing Above Ground Level condition

Add to set of *Compliance* conditions:

- **Play and Outdoor Amenity Space** (retain for the life of the development)
- **No doors or gates open over adjoining footways**

Add to *Prior to Commencement*
Details of Cranes

Secure By Design condition – to also cover details of CCTV and external lighting.

3. RECOMMENDATION

3.1 The Officer' recommendation remains as set out in the Committee report.