

LONDON BOROUGH OF TOWER HAMLETS

STRATEGIC DEVELOPMENT COMMITTEE

12th March 2015

UPDATE REPORT OF HEAD OF PLANNING AND BUILDING CONTROL

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Agenda item no	Reference no	Location	Proposal / Title
6.1	PA/14/01246	Enterprise Business Park, 2 Millharbour, London	<p>The erection of seven mixed-use buildings—A, B1, B2, B3, C, D and E (a 'link' building situated between block B1 and D)—ranging in height from 8 to 42 storeys.</p> <p>New buildings to comprise: 901 residential units (Class C3); 1,104 sqm (GIA) of ground-floor mixed-use (Use Class B1/ A1/ A2/ A3/ A4/ D1); a 1,049 sqm (GEA) 'leisure box' (Use Class D2); plant and storage accommodation, including a single basement to provide vehicle and cycle parking, servicing and plant areas; new vehicle and pedestrian accesses and new public amenity spaces and landscaping.</p>

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Location:	Enterprise Business Park, 2 Millharbour, London
Proposal:	<p>The erection of seven mixed-use buildings—A, B1, B2, B3, C, D and E (a ‘link’ building situated between block B1 and D)—ranging in height from 8 to 42 storeys.</p> <p>New buildings to comprise: 901 residential units (Class C3); 1,104 sqm (GIA) of ground-floor mixed-use (Use Class B1/ A1/ A2/ A3/ A4/ D1); a 1,049 sqm (GEA) ‘leisure box’ (Use Class D2); plant and storage accommodation, including a single basement to provide vehicle and cycle parking, servicing and plant areas; new vehicle and pedestrian accesses and new public amenity spaces and landscaping.</p>

1.0 ADDITIONAL REPRESENTATIONS

- 1.1 Since the publication of the committee report, a further representation has been received from a local ward councillor. The representation raises concerns over the calculation of the Public Transport Accessibility Level “PTAL” rating of the site.
- 1.2 The PTAL rating of the site influences policies relating to the appropriate quantum of development on a site (policy 3.4 of the London Plan) and the level of car parking (policy DM22 of the Councils Managing Development Document).
- 1.3 PTAL is a series of calculations which effectively measure a combination of how close public transport services are from a given point and the frequency of services (ie walking times plus waiting times). PTAL ratings range from levels 1 to 6 where 6 represents a high level of accessibility and 1 a low level of accessibility.
- 1.4 The PTAL rating of the application site, when generated from the tool found on TfL website generates a PTAL rating of 3. However, this tool does not include the existing South Dock footbridge as a walking route to the Canary Wharf Jubilee Line Station.
- 1.5 With the omission of the South Dock footbridge, the Canary Wharf Jubilee Line Station would be theoretically accessed from Westferry Roundabout which is deemed to be too far from the application site to be considered within the PTAL calculations.
- 1.6 However, officers from the Councils Transportation and Highways Team and Transport for London have confirmed in writing that the footbridge should be taken into account and as such, the PTAL rating should be increased to level 4, as considered within the committee report.
- 1.7 Lastly, it is also noted that PTAL considers the walking times to public transport and frequency of service. It does not consider the destinations that are available from the public transport connections. Officers remain of the view that this part of the borough is extremely well connected to central London to be able to consider the level of development considered within this application.

2.0 POLICY UPDATE

FALP

- 2.1 On 10 March 2015 the Mayor published the Further Alterations to the London Plan (FALP). From this date the FALP are operative as formal alterations to the London Plan (the Mayor's spatial development strategy) and form part of the development plan for London.
- 2.2 Accordingly, the London Plan, 2011 is now referred to as the London Plan consolidated with alterations since 2011 (March 2015).
- 2.3 The relevant policies as set out in section 5 of the original report remain relevant, and due consideration has been given to the further alterations. The conclusions of the report remain as originally set out, and the proposed development is considered to be in general accordance with the London Plan, as consolidated.

Monitoring Contribution

- 2.4 In light of recent case law (Oxfordshire CC v Secretary of State for Communities and Local Government [2015] EWHC 186 (Admin)) which considered the ability of a local planning authority to request a contribution towards the cost of monitoring a s106 agreement, officers have considered the s106 monitoring fee requested for this development. In accordance with the Council's planning obligations SPD the monitoring fee has been calculated as 2% of the total contributions and the Court questioned this approach in the above case and whether this reflected the work that would be required in respect of the s106 agreement that was under consideration in that case.
- 2.5 In considering the planning obligations required to make this development acceptable in planning terms it is noted that this proposed development requires a complex s106 agreement and significant monitoring of the agreement will be necessary, along with officer time to ensure full compliance. For example, there is a need for the submission of an employment and training strategy and meetings will be held to work with the developer to achieve the employment and enterprise obligations. These obligations also require specific monitoring. The agreement also provides for the approval of travel plans. Therefore in this instance, the Council considers that the monitoring contribution is necessary and meets the tests set out in Regulation 122 of the CIL Regulations.

3.0 ADDITIONAL CONDITIONS/S106 OBLIGATIONS

- 3.1 Paragraph 3.6 within part 3 of the main report should include the following additional conditions:

39. Cross-sections showing how a floor to ceiling height of 2.6 is achieved within Block A
- 3.2 Paragraph 3.3 should include a Crossrail contribution of £133,584.00. However it is noted that this would not be currently payable as the CIL contribution is much higher. It is secured in the unlikely event, the CIL contribution falls away.

4.0 RECOMMENDATION

- 4.1 Officers' original recommendation to GRANT planning permission for the proposal as set out in the report to the Development Committee remains unchanged.