

LONDON BOROUGH OF TOWER HAMLETS

STRATEGIC DEVELOPMENT COMMITTEE

18th February 2016

UPDATE REPORT OF HEAD OF PLANNING AND BUILDING CONTROL

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Agenda item no	Reference no	Location	Proposal / Title
6.1	PA/15/02674	25-28 Dalgleish Street, London, E14	Construction of a part four storey, part seven storey building to provide 60 flats with refuse and recycling facilities together with laying out of a 'Homezone' in Dalgleish Street.
6.2	PA/15/02675 and PA/15/02748	Hertsmere House, 2 Hertsmere Road, London E14	<p><u>Application for planning permission</u></p> <p>Demolition of remaining buildings and structures and erection of a 67 storey building (240.545m AOD) with two basement levels, comprising 861 residential units (Use Class C3), 942sqm (GIA) flexible commercial floorspace (Use Class A1-A3 and D2), ancillary circulation space and plant, as well as associated infrastructure, public realm and parking.</p> <p><u>Application for listed building consent</u></p> <p>Temporary dismantling of Grade II "Former West Entrance gate to West India Docks with Curved Walling" and re-installment in conjunction with redevelopment proposals.</p>
6.3	PA/15/02671	50 Marsh Wall, 63-69 And 68-70 Manilla Street London, E14 9TP	Application for demolition of all buildings on site at 50 Marsh Wall, 63-69 and 68-70 Manilla Street to enable redevelopment to provide three buildings of 65 (217.5m AOD), 20 (79.63m AOD) and 34 (124.15m AOD) storeys above ground comprising 634 residential units (Class C3), 231 hotel rooms (Class C1), provision of ancillary amenity space, a new health centre (Class D1), a new school (Class D1), ground floor retail uses (Class A3), provision of a new landscaped piazza, public open space and vehicular access, car parking, cycle storage and plant. Retention of 74 Manilla Street as North Pole public house (Class A4).

Agenda Item number: 6.1

Reference number: PA/15/02674

Location: 25-28 Dalgleish Street, London, E14

Proposal: Construction of a part four storey, part seven storey building to provide 60 flats with refuse and recycling facilities together with laying out of a 'Homezone' in Dalgleish Street.

1.0 Drawings

1.1 Drawing DLG-DS-01-GF-DR-A-P100 rev P1 which should read "rev P2".

2.0 Conditions

2.1 The list of recommended conditions in paragraph 3.6 should include a further 'compliance' condition requiring adherence to Lifetime Homes Standards and a 'pre-superstructure' condition requiring submission of details of privacy screens to balconies and private amenity areas.

2.0 RECOMMENDATION

2.1 Officers' original recommendation to GRANT planning permission remains unchanged.

Agenda Item number: 6.2
Reference number: PA/15/02675 and PA/15/02748
Location: Hertsmere House, 2 Hertsmere Road, London E14
Proposal:
<u>Application for planning permission</u>
Demolition of remaining buildings and structures and erection of a 67 storey building (240.545m AOD) with two basement levels, comprising 861 residential units (Use Class C3), 942sqm (GIA) flexible commercial floorspace (Use Class A1-A3 and D2), ancillary circulation space and plant, as well as associated infrastructure, public realm and parking.
<u>Application for listed building consent</u>
Temporary dismantling of Grade II "Former West Entrance gate to West India Docks with Curved Walling" and re-instalment in conjunction with redevelopment proposals.

1.0 Drawings

- 1.1 The list of drawings set out in Section 1 of the Committee Report contained a number of typographical errors. The following is a complete list of drawings:

Application for planning permission

Site plans:

AP1001, AP1002, AP1003 rev 1, and AP1101 rev 3.

Floor Plans:

AP2001 rev 2, AP2002 rev 3, AP2003 rev 3, AP2004 rev 2, AP2005 rev 3, AP2006 rev 4, AP2007 rev 4, AP2008 rev 4, AP2008A rev 3, AP2009 rev 4, AP2010 rev 4, AP2011 rev 4, AP2012 rev 3, AP2013 rev 2, AP2014 rev 2, AP2015 rev 2, AP2016 rev 2, AP2017 rev 2, AP2018 rev 2, AP2019 rev 2, AP2020 rev 2, AP2021 rev 2, AP2022 rev 2, AP2023 rev 2, AP2024 rev 2, AP2025 rev 2, AP2026 rev 2, AP2027 rev 2, AP2028 rev 2, AP2029 rev 1, AP2030 rev 1, AP2031 rev 1, AP2032 rev 1, AP2033 rev 1, AP2034 rev 1, AP2035 rev 1, and AP2036 rev 1.

Enlarged Floor Plans:

AP4501 rev 3, AP4502 rev 3, AP4503 rev 3, AP4504 rev 3, AP4511 rev 2, AP4512 rev 3, AP4513 rev 3, AP4514 rev 1, AP4515 rev 2, AP4516 rev 2, AP4517 rev 1, AP4521 rev 1, AP4522 rev 2, AP4523 rev 2, AP4524, AP4525 rev 1, AP4526 rev 2, AP4527 rev 2, AP4528 rev 1, AP4531 rev 1, AP4601 rev 3, AP4602 rev 3, AP4603 rev 3, AP4604 rev 1, and AP4605 rev 1.

Elevations:

AP5001 rev 3, AP5002 rev 2, AP5003 rev 2, AP5004 rev 2, AP5007 rev 3, AP5008 rev 2, AP5009 rev 2, AP5010 rev 2, AP5101 rev 3, AP5102 rev 2, AP5103 rev 2, AP5104 rev 2, AP5105 rev 1, AP5106 rev 1, AP5107 rev 1, and

AP5108 rev 1.

Sections:

AP7011 rev 4, AP7012 rev 2, AP7021 rev 2, AP7201 rev 4, AP7202, AP7203 rev 1, AP7204 rev 1, AP7205 rev 2, and AP7206 rev 2.

CGIs:

AP0101, AP0102 rev 1, AP0103 rev 1, AP0104, AP0105 rev 1, AP0106 rev 1, AP0107 rev 1, AP0108 rev 1, AP0109 rev 1, AP0110, AP0111 rev 1, and AP0112 rev 1.

Application for listed building consent:

AP1101.

2.0 Housing Quality

- 2.1 All of the units within Hertsmere House would be delivered to the Lifetime Homes Standards with 10% of the units provided as wheelchair accessible or wheelchair adaptable. Details of wheelchair unit layouts and delivery as accessible or adaptable are to be controlled through condition (q) as listed in paragraph 3.6. The list of recommended conditions in paragraph 3.6 should include a further 'compliance' condition requiring adherence to Lifetime Homes Standards.

3.0 Daylight

- 3.1 Paragraph 8.7(b) on page 61 should read "Of 30 windows analysed, 6 habitable room windows would experience VSC losses...".
- 3.2 Paragraph 8.7(d) on page 62 should read "Of 66 windows analysed, 22 would experience VSC losses...".

4.0 Sunlight

- 4.1 Paragraph 8.9(c) on page 62 should read "One room in each property would be..."
- 4.2 Paragraph 8.9(d) on page 63 should read "The difference in impact between the proposed and extant schemes in one room in No. 12 Garford Street would be 1% with the cumulative assessment...".
- 4.3 Paragraph 8.9(f) on page 63 should read "There would be a very marginal difference in impact on winter sunlight of 1% between the proposal and the extant permission."

5.0 Planning Obligations

- 5.1 While the S106 Crossrail top-up contribution is estimated at £0.00, for the sake of procedural robustness, the calculation formula should be included as a financial planning obligation.

6.0 RECOMMENDATION

- 6.1 Officers' original recommendation to GRANT planning permission and listed building consent remains unchanged.

Agenda Item number: 6.3
Reference number: PA/15/02671
Location: 50 Marsh Wall, 63-69 And 68-70 Manilla Street London, E14 9TP
Proposal: Application for demolition of all buildings on site at 50 Marsh Wall, 63-69 and 68-70 Manilla Street to enable redevelopment to provide three buildings of 65 (217.5m AOD), 20 (79.63m AOD) and 34 (124.15m AOD) storeys above ground comprising 634 residential units (Class C3), 231 hotel rooms (Class C1), provision of ancillary amenity space, a new health centre (Class D1), a new school (Class D1), ground floor retail uses (Class A3), provision of a new landscaped piazza, public open space and vehicular access, car parking, cycle storage and plant. Retention of 74 Manilla Street as North Pole public house (Class A4).

1.0 Typographical errors

- 1.1 Paragraph 11.28 page 202 Line 3 should state 'would read as a 37 storey high building' not 'would read as a 34 storey high building'

2.0 Clarifications

Child Play space

- 2.1 The child play space provision is reliant on the first floor school play area inclusive of the MUGA to meet the child play space requirements.
- 2.2 The first floor school play area provides 805sqm of play space for children aged between 6-11 and over 12 years old.
- 2.3 The proposed child play space provision for the 0- 5 age groups would be located on 5th floor mezzanine within the west tower and the 1st and 21st floors within the east tower. The operation of the school would therefore not impact on the usability and accessibility of the play space for the 0- 5 age group.

Viability

- 2.4 Paragraph 13.13 page 217 should read 'the proposed development is not viable with the proposed 25% affordable housing offer' and not 'the proposed development is not viable to provide up to 50%.

South Quay Bridge

- 2.5 Paragraphs 16.29 – 16.31 of page 240 and 241 to be read in conjunction with the following text 'For the avoidance of doubt, future funding of the South Quay Bridge would in part be drawn from existing pooled s106 contributions and the opportunity exists to utilise CIL contributions in the future'.

Bus contributions

- 2.6 Paragraphs 16.32 – 16.33 page 241 to be deleted and replaced with the following text 'A request for a s106 is required by the CIL regulations to be justified so that it is

necessary, directly related to the development, and fairly and reasonably related in scale and kind. There is no basis for TfLs calculated request for a contribution towards the bus network and therefore a payment of £200k cannot be substantiated. This means inclusion of this contribution would not meet the Regulation 123 test'.

Financial Contributions

2.7 Had the application been recommended for approval the development would be subject to the following s106 contributions.

- Carbon off set £ 113,040.00
- Construction Phase Skills and Training £ 329,792.00
- End User Phase Skills Training £ 81,044.14

2.8 An additional cost of £500 per Head of Term in the S106.

3.0 Update on Environmental Impact Assessment

3.1 The response to the Interim Review Report (IRR) submitted by the applicant has been reviewed by the Council's EIA officer and consultants. It is considered that this does not suitably address all the issues raised.

3.2 The response to the IRR does not include the requested cumulative wind assessment (outstanding since our first request on 8th January 2016) incorporating the Cuba Street planning application (PA/15/2528). Given the very close proximity of the sites, the heights of the buildings and the narrow passage between the two plots, this information is essential. Cuba Street is a live planning application submitted prior to Alpha Square, and so development at Cuba Street is therefore considered to be 'reasonably foreseeable'.

3.3 Importantly, there is no information on the likely significant effects, nor what mitigation measures are envisaged in the ES. The ES therefore does not meet the requirements of Schedule 4 of the EIA Regulations, and therefore additional information is required. LBTH is of the opinion that the statement should contain additional information in order to be a comprehensive ES.

3.4 In accordance with Regulation 22(1) of The Town and Country Planning (Environmental Impact Assessment) Regulations 2011 (as amended) ('the EIA Regulations') LBTH has written to notify the applicant that additional information is required.

3.5 Without this additional information the ES is not considered to be complete, and the only option available to the Council is to refuse the application. This is in accordance with Regulation 3(4) of the EIA Regulations which states that a local authority cannot grant permission for a project covered by the EIA Regulations unless it takes the 'environmental information' into consideration. Environmental information is defined in Regulation 2(1) and includes the ES. This is defined as a statement including information required by Schedule 4 of the EIA Regulations.

3.6 Should Members be minded to approve the application, because information is outstanding, the decision would need to be deferred to allow that information to be taken into account.

4.0 Additional Consultation responses

LBTH Public Health Strategist

- 4.1 The original offer of a medical facility was considered by the NHS Tower Hamlets - Capital and Estates Strategic Development Meeting, which concluded that the configuration and layout of the proposed facility (over several floors) was considered to be so unsuitable that it would not be a viable healthcare facility and as such would be extremely unlikely to ever have a business case approved by NHS England (London). In capacity terms there is already a proposal to increase clinical capacity in the short term (details below) and in the longer term there is a recognition by the NHS that with the development of South Quay there will be a future need for additional facilities and they are currently engaging with your colleagues in strategic planning about the new local plan to ensure suitable sites are safeguarded.
- 4.2 In the short term, a project run by NHS Tower Hamlets is underway, supported by s106 funding, to convert non-clinical space to clinical space in 11 practices in Tower Hamlets. One of these practices is The Barkantine which is the closest existing practice to Marsh Wall where it is proposed to provide an additional 5 consultation/treatment rooms.

LBTH Technical Waste Officer

- 4.3 I can confirm the proposals for a contingency plan where the lift is out of action is acceptable.
- 4.4 However, this doesn't address the fact they have proposed to use a smaller vehicle than our largest and most efficient vehicles (should be 11m vehicle tracking / lift accommodation, rather the 8m).

5.0 Additional Reason for refusal

Reason for refusal 3

- 5.1 The ES does not meet the requirements of Schedule 4 of the EIA Regulations. Without this additional information the ES is not considered to be complete and therefore the only option available to the Council is to refuse the application.
- 5.2 This is in accordance with Regulation 3(4) of the EIA Regulations which states that a local authority cannot grant permission for a project covered by the EIA Regulations unless it takes 'environmental information' into consideration. Environmental information is defined in Regulation 2(1) and includes the ES. This is defined as a statement including information required by Schedule 4 of the EIA Regulations.

6.0 RECOMMENDATION

- 6.1 Officers' original recommendation to REFUSE planning permission remains unchanged.

