

LONDON BOROUGH OF TOWER HAMLETS

STRATEGIC DEVELOPMENT COMMITTEE

12 May 2016

UPDATE REPORT OF HEAD OF PLANNING AND BUILDING CONTROL

INDEX

Agenda item no	Reference no	Location	Proposal / Title
6.1	PA/15/03073	South Quay Plaza 4, Marsh Wall, London, E14	Erection of a 56 storey building comprising up to 400 residential (Class C3) Units, Retail (Class A1-A4) Space, together with basement, ancillary residential facilities, access servicing, car parking, cycle storage, plant, open space and landscaping and other associated works. The application is accompanied by an Environmental Impact Assessment.
6.2	PA/16/00437	Docklands Sailing Centre, 235A Westferry Road, London, E14 3QS	Demolition of 3. no existing modular units and siting of 6 no. modular units for use as a primary school (Class D1) temporarily for 1 academic year, until 31 August 2017. Retention of 3 no. modular units after 31 August 2017 for use by Docklands Sailing and Watersports Centre (D1/D2) for a period of 5 years from the date of permission.
7.1	N/A	N/A	S106 Planning Obligations – Use of Health Contributions for Preventive Health Projects.

Agenda Item number:	6.1
Reference number:	PA/15/03073
Location:	South Quay Plaza 4, Marsh Wall, London, E14
Proposal:	<p>Erection of a 56 storey building comprising up to 400 residential (Class C3) Units, Retail (Class A1-A4) Space, together with basement, ancillary residential facilities, access servicing, car parking, cycle storage, plant, open space and landscaping and other associated works.</p> <p>The application is accompanied by an Environmental Impact Assessment.</p>

1.0 TYPOGRAPHICAL ERRORS

- 1.1 Para 3.3 [Recommendation] states *'Total Contribution financial contributions £487,012'* and should read as *'Total Contribution financial contributions £479,512'*.
- 1.2 Para 4.39 [Consented / Implemented but not fully built out] – should read as *'Demolition of all existing buildings and structures on the site (except for the building known as South Quay Plaza 3) and erection of two residential-led mixed use buildings of up to 68 storeys and up to 36 storeys comprising up to 888 residential (Class C3) units in total, retail (Class A1-A4) space and crèche (Class D1) space together with basement, ancillary residential facilities, access, servicing, car parking, cycle storage, plant, open space and landscaping, plus alterations to the retained office building (South Quay Plaza 3) to provide retail (Class A1-A4) space at ground floor level, an altered ramp to basement level and a building of up to 6 storeys to the north of South Quay Plaza 3 to provide retail (Class A1-A4) space and office (Class B1) space. [Revised Description]'*
- 1.3 Para 6.25 [Planning Obligations] – The financial obligations secured table states a *'Total: £487,012'* and should read as *'Total: £479,512'*.
- 1.4 Para 6.65 [GLA Consultation Response] – states *'35 per cent affordable housing'* should read as *'25 per cent affordable housing'*.
- 1.5 Para 8.54 [Density and level of development] states *'The proposed density of 2483 hr/ha however would be greater than the London Plan density range of 300 to 650 hr/ha stated within the density matrix'* and should read as *'The proposed density of 2483 hr/ha however would be greater than the London Plan density range of 650 to 1100 hr/ha stated within the density matrix'*.
- 1.6 [Supplementary planning documents] - states *'Draft Planning Obligations SPD (2015)'* and should read as *'Revised Planning Obligations SPD (2016)'*
- 1.7 [Spatial policy designations] – should also state *'The site is within the South Quay Masterplan Area'*.

2.0 CLARIFICATIONS

Public Transport Accessibility Level

- 2.1 The site records a moderate Public Transport Accessibility Level (PTAL) of 3 (out of a range of 1 to 6). However Transport for London (TfL) advise that if the assessment methodology takes account of the South Quay footbridge in the calculation, the PTAL increases to 4.
- 2.3 The PTAL for the site is 4 and as a consequence the site has a London Plan density range of 650 – 1100 hr/ha and not 300-650 as previously stated.

South Plaza 1 - 3

- 2.4 The planning permission (PA/14/00944) for the 68 and 36 storey developments on South Quay Plaza 1- 3 has already been implemented.

Bus Contributions

- 2.5 The developer questioned the principle of providing a bus network contribution as a planning obligation. The Council has in the past maintained that improvements to the bus network should be funded by Community Infrastructure Levy (CIL). Subsequent Legal advice has confirmed that contributions towards the revenue support of the bus network would be lawful under S106 and would not represent “double counting” with the Council’s CIL. In brief this is because the CIL Regulations do not prevent revenue contributions from being sought via S106 and/or CIL, irrespective of whether the infrastructure type is included on the Council’s Regulation 123 List (the list of infrastructure to be supported by CIL).
- 2.6 Revenue contributions are not classed as infrastructure and therefore are not subject to the pooling restrictions for planning obligations.

Jemstock Buildings

- 2.5 The proposed access route via a ramp would facilitate vehicle access to the basements of SQP4, SQP1-3 and Discovery Dock East, where car parking and servicing (e.g. deliveries) would take place.
- 2.6 The existing north/south access route would be retained at ground level to provide a secondary access to proposed serviced apartments at Jemstock 2 and residential dwellings in Discovery Dock West. However the main service access for both of these buildings would continue to take place predominantly on Admirals Way.

3.0 ADDITIONAL CONSULTATION RESPONSES

Environment Agency

- 3.1 The further environmental information dated 15 April 2016 and submitted to the LPA in relation to the EIA does not alter the EA’s previous response dated 22 December 2016

Canal River Trust

- 3.2 No additional comments following submission of further environmental information dated 15 April 2016

4.0 ADDITIONAL REPRESENTATIONS

- 4.1 An objector provided further comments on the application since the publication of the committee report which are summarised below:

- Capacity to cope with growth in deliveries;
- Capacity to cope with extra deliveries in December;
- Proximity of the vehicle access point into the site to the traffic lights on Marsh Wall;
- Transport implications on Discovery Dock East;
- Priority given to vehicles leaving the site would not work;
- The trip generation of Discovery Dock East will increase;
- Submitted traffic flows are not accurate;
- The development would result in congestion on Marsh Wall.

Applicant's response:

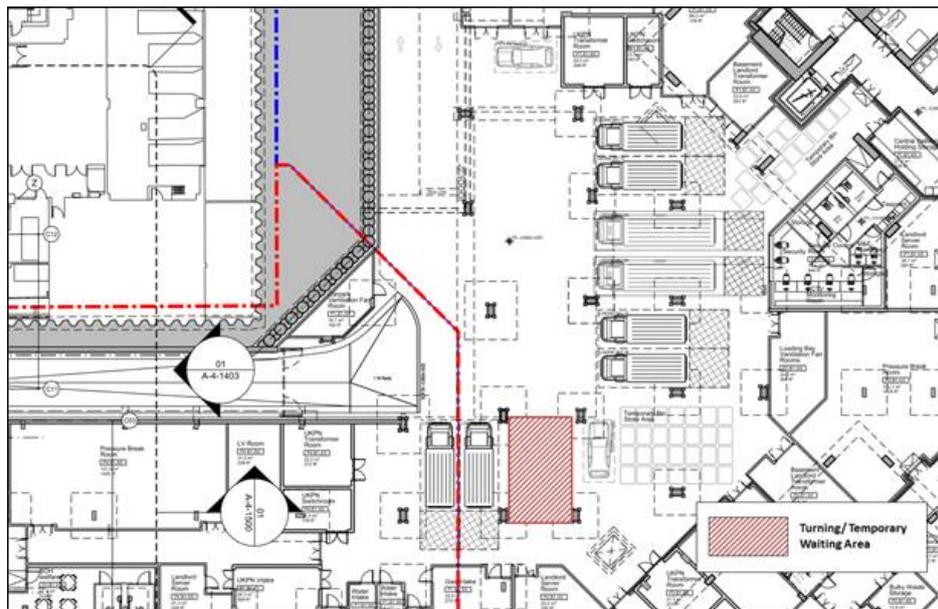
- 4.2 The applicant commissioned WSP to provide a response to the above objections and also clarification on the basement access controls and servicing management. The comments of WSP are summarised below:

Basement Access Control

- 4.3 The one-way ramp which provides access to the service yard is controlled by traffic signals, with signal heads located at ground and basement levels.
- 4.4 Security gates are also placed at the top of the access ramp to secure the car park and service yard outside of the typical hours of operation (i.e. 7am to 7pm, Monday to Friday).
- 4.5 In order to ensure that queues on our access road do not exceed two (2) vehicles, the security gates will remain open during the daytime operation of the service yard, between 7am and 7pm, with all security checks taking place within the basement – which will be manned at all times during the daytime hours of operation.
- 4.6 Outside of the daytime hours of operation, the gates located at the top of the access to the basement servicing area and car park will be closed. The barriers would therefore only be in operation when traffic levels are considerably lower.
- 4.7 The access proposals described above would be incorporated into a Service Management Strategy which be secured by condition for agreement with LBTH prior to occupation. The setting out of the intercom, the access road, signal heads, and security gates will also be subject to agreement with LBTH through the detailed design process.

Servicing Management

- 4.8 In terms of the management of service vehicles within the basement servicing area, routine deliveries (such as refuse collection/ maintenance deliveries) will be closely managed to avoid arrivals during peak hours of servicing activity. Staff within the service yard will also ensure that dwell times are kept to an absolute minimum generally not to exceed 15 minutes. During the peak period (between 11:00 and 12:00) the May 2016 WSP report identifies that a total of 36 two-way servicing trips would be expected, equating to 18 deliveries each generating one inbound and one outbound movement. On average each servicing bay would therefore accommodate 2.25 deliveries during this peak period. Given that the average dwell time is expected to be significantly less than 15 minutes, it is clear that the service yard provides ample capacity for the expected demand.
- 4.9 Notwithstanding the above, in the unlikely event that a service vehicle does arrive when all eight (8) bays are occupied, sufficient turning space is provided within the basement to allow a vehicle to be turned away, or temporarily wait for very short periods of time. The location of this area is illustrated by the red hatch below:



- 4.10 The servicing management strategy will be set out within a Delivery and Servicing Management Plan which will be secured by condition for agreement with LBTH.

Officer response:

- 4.11 The Highways Department raised concerns at pre-application stage that implementation of a one-way ramp for vehicle access to SQP could result in frequent queuing back onto Marsh Wall. We thus requested that the applicant produce a traffic model to demonstrate that this would not happen. The applicant produced this using the LINSIG traffic modelling software. The results showed at peak times (for traffic flows on Marsh Wall) that the mean

maximum queue length from the stop line for access into the site (back toward Marsh Wall) would be no more than two vehicles.

- 4.12 The objector raises the possibility of delivery vehicles wishing to access the basement when all eight service bays in the basement are occupied. It is considered that the risk of this happening is unlikely, although plausible.
- 4.13 The Delivery and Service Plan secured by condition would therefore include a requirement to set out how the eight spaces used for deliveries would be managed to minimise this occurrence and also state what contingencies would be in place should the above scenario take place.
- 4.14 The requirement to phase people moving into the development would be also secured within the Delivery and Service Plan.
- 4.15 The Council's Highways Team have reviewed the additional information in the context of the concerns raised by the local resident and raise no objection to the proposed development.

5.0 Additional planning conditions and obligations

- 5.1 Following concerns raised by an adjoining occupier about noise arising from vehicles using the basement access ramp, the applicant has suggested the detailed wording of a planning condition to secure noise monitoring prior to first use and then two months following first. If the noise arising from use of the ramp exceeds specific thresholds, a scheme of further noise attenuation would be developed and implemented.
- 5.2 Officers have reviewed the detailed wording and consider that such a condition would meet the NPPF tests and would be lawful. An additional condition is recommended.
- 5.3 An additional "Grampian" condition is also recommended to secure the arrangements for the off-site child play space at SQP1-3.
- 5.4 An additional clause in the S106 agreement is also recommended to link occupation of the dwellings proposed in SQP4 to the delivery of child play space within both sites.

6.0 Visual material in the report

- 6.1 Para 8.238 [Strategic views] - The image should be replaced with the following visual.



6.2 Para 8.238 [Strategic views] – The text *‘The development is shown in the yellow wire line as shown in the following image’* should be deleted.

7.0 RECOMMENDATION

7.1 Officers’ original recommendation to **GRANT** planning permission remains unchanged, subject to the two additional planning conditions and planning obligation set out in paragraphs 5.1 - 5.4 above.