

LONDON THAMES GATEWAY DEVELOPMENT CORPORATION

PLANNING COMMITTEE MEETING: 9th August 2007

Planning Application for LTGDC's Determination

Report of the Director of Planning

CASE NUMBER: LTGDC-07-081 **DATE MADE VALID:** 18/04/2007

APPLICATION NO: PA/07/00464/LBTH **TARGET DATE:** 12/06/2007

APPLICANT: Team Ltd

AGENT: Cunnane Town Planning

PROPOSAL: A temporary change of use until 2011 from storage and distribution (Use Class B8) to offices (Use Class B1), general industry (Use Class B2) and storage and distribution (Use Class B8), including the erection of a concrete batching plant and a number of single storey temporary buildings and barge loading area adjacent the Hertford Union Canal.

LOCATION: Land on North side of Wyke Road including the timber depot, Wyke Road, London, E3

1. SUMMARY

1.1 The application is submitted by Team Limited. Team Limited has a leasehold interest in the site and seeks temporary planning permission to redevelop the site to provide a concrete batching plant and use of the existing buildings for the manufacture and storage of construction materials. The application also proposes a number of temporary single storey buildings, barge loading area and outdoor storage areas.

1.2 The concrete batching plant will be used in the manufacture of concrete wall panels and the existing building will be used for the manufacture of kitchen and bathroom pods and the storage of construction materials. The finished wall panels, kitchen and bathroom pods and construction materials will be transported by canal and road to facilitate the redevelopment of a site in Tower Hamlets but outside the Corporation's

boundary. Suttons Wharf has planning permission for residential led mix use development subject to a condition requiring the transportation of construction material and heavy plant to the site using the canal network.

1.3 The proposed development retains the existing buildings on site and the temporary use of portacabin offices. Given both the existing and temporary nature of these structures this is considered acceptable. The on-site activities will employ between 60-70 staff and operate between the hours of 0800 to 1800 Monday to Friday and 0800 to 1300 on Saturdays. The application proposes 16 on-site car parking spaces.

1.4 The site is located within the Fish Island industrial Area which is characterised by industrial uses with the exception of a live/work development located adjacent to the site. The site is located within an area identified in adopted and emerging planning policies to be safeguarded for the retention and promotion of industrial and employment land uses.

1.5 One letter has been received from a local resident objecting to the ability of the surrounding road network to safely accommodate the number of trips generated by the development; the noise impact and operating hours of the proposed use; the impact on air quality; the impact on the use of adjacent canal paths; the impact of increased barge movements on the amenity of adjacent residents and the impact of the proposed use on the amenity of the canal environment. Two letters of support have been received from the Fish Island Business Association and a local business.

1.6 The principle of redeveloping the site with a concrete batching plant, general industrial and storage and distribution uses is considered to be in accordance with planning policies designed to locate industrial uses within such established areas.

1.7 The proposed development is not considered to result in trip generation levels that will have an adverse impact on the safe and efficient operation of the surrounding local road network. Given the narrow width of roads and junctions surrounding the site highway improvement works are required to enable long wheel base vehicles to safely access the site. Highway improvement works are required at the junctions of Monier Street/Remus Road and Wansbeck/Monier Road and the access arrangements to the site will be controlled by restricting access to and egress from the site to Remus Road.

1.8 The proposed level of car parking is considered appropriate on the basis that a Controlled Parking Zone will be introduced and that the future operator of the site will be prevented from applying for business parking permits. This is considered sufficient to control the demand for on-street parking. The applicant will be required to implement and monitor a Green Travel Plan to improve the site's accessibility by non-car modes of transport.

1.9 The proposed concrete batching plant and manufacturing uses are not considered to generate noise levels that will result in a material deterioration of the amenity of surrounding occupiers or justify grounds for refusal. While the existing and proposed live/work units on Roach Road represent a sensitive noise-receptor, weight must be given to the fact that this development is located within an area safeguarded for industrial activity.

1.10 The application is recommended for approval subject to the planning conditions set out at section 11 of this report and a S106 agreement securing the following:

- a £7,500 contribution towards the implementation of a Controlled Parking Zone and the employer and its staff are prevented from applying for business parking permits;
- the applicant to submit a scheme detailing the highway improvement works to

be carried out and entered into under a s.278 agreement with the Local Highway Authority;

- a contribution towards local highway/environmental improvements;
- a £10,000 contribution towards canal tow path improvements;
- the preparation, implementation and monitoring of a Travel Plan.

2. SITE AND PROPOSAL

2.1 Description of Site & Surroundings

2.1.1 The site is rectangular shaped and measures 2.45 hectares and is bounded by the Hertford Union Canal to the north, Wyke Road and Monier Road to the south, Roach Road to the east and Wansbeck Road and the A12 Blackwall Tunnel North Approach to the west.

2.1.2 The site is currently occupied by 9,780sqm of buildings including warehouse units and office accommodation. The last consented use was for a brewery distribution depot.

2.1.3 The site is adjoined to the east by the existing Omega Wharf and proposed Crown Wharf live/work developments. They are mixed use developments comprising of B1 office uses and approx 200 live/work units within buildings ranging from five to eight storeys. To the south of the site are a number of light industrial/commercial uses, generally comprising of one to two storey buildings.

2.1.4 The site is located within the Fish Island Industrial Area which is identified as a Strategic Employment Location (SEL) in planning policy documents.

2.1.5 The application site is poorly served by public transport and has a PTAL (Public Transport Accessibility Level) of 1b and 2 depending on the time of the day.

2.2 Description of Proposal

2.2.1 The application seeks change of use of the existing buildings and land at the site to a concrete batching plant, ancillary storage and office buildings for the production and distribution of construction materials.

2.2.2 The application seeks temporary planning permission to redevelop the site to provide a concrete batching plant and use the existing buildings for the manufacture and storage of construction materials. The application proposes a number of temporary single storey buildings, barge loading area and outdoor storage areas.

2.2.3 The total gross external floor area is 8,175m². The site will retain 16 car parking spaces and the site will employ between 60-70 staff. The concrete batching plant will process an estimated 12,000 cubic metres of concrete per year.

2.2.4 A screening opinion has been issued by LBTH concluding that the application does not constitute "EIA development" and does not require the preparation of an Environmental Statement.

3. MAIN ISSUES

3.1 The main issues relating to this application are considered to be as follows:

- Land use
- Highways and Access
- Car Parking

- Car Parking Management
- Noise
- Air Quality
- Design
- Waterways/Biodiversity/Ecology
- Flood Risk

4. RELEVANT SITE HISTORY

4.1. The site is also the subject of a planning application to secure the demolition of the existing buildings on site and the construction of bus garage with ancillary two storey office building and associated facilities (7,781sqm), hardstanding for bus and car parking and associated landscaping to the Hertford Union Canal which is the subject of a separate report on this agenda.

5. CONSULTATIONS/NOTIFICATIONS

London Borough of Tower Hamlets (LBTH)

5.1 The following provides a summary of the comments received from LBTH officers:

Environmental Health

5.2 Advise assessment is generally satisfactory. The operational plant noise needs to be designed to be 10 dB below the lowest recorded background noise a completion testing to ensure it does not exceed 10 dB is therefore recommended. The applicants should be advised that it is mandatory that they apply for a Part B permit, in accordance with the requirement of the Pollution Prevention and Control Regulation (England and Wales) 2000, before the concrete batching plant becomes operational.

5.3 The dust mitigation measures included in the submitted Air Quality Assessment are acceptable. Recommend the imposition of conditions requiring (1) the submission of an environmental management plan, (2) plant will require permit for emissions.

LBTH Highways

5.4 The parking provision significantly exceeds both LBTH and London Plan parking standards. It is recommended that on-site parking should be reduced to and linked to a robust travel plan.

5.5 Initial concerns over impact on certain road junctions have now been satisfied.

5.6 A CPZ is proposed in Fish Island and expected to be implemented by 2008. A contribution is sought towards the cost of implementing the CPZ. This CPZ will ensure that excessive parking levels will be controlled.

5.7 The applicant will be required to enter into a S106 car free agreement to ensure that employees will not be able to apply for business permits.

Environment Agency (EA)

5.8 The EA raises no objection to the planning application subject to the imposition of conditions requiring the submission of (1) drainage details (2) 10 metre buffer zone (3) storage of fuels/oils.

Transport for London Street Management

5.9 No comments received.

British Waterways (BW)

5.10 BW has advised that they welcome this application for a consolidation centre to supply the Suttons Wharf, and potentially other waterside development. The centre would utilise this key canal side location at the heart of the East London canal network, close to the Olympic Park and legacy redevelopments for the transport of materials by water. It would also capitalise on the water as an asset and enhance the Blue Ribbon Network in accordance with the London Plan Blue Ribbon Network and Freight policies.

5.11 BW advises that the waterway wall should be repaired to the design life of the proposed development to minimise the possibility of any maintenance of the canal wall being required whilst the site is still occupied. The landscaping area up to the waterway wall should be maintained by the development. BW would like to see the incorporation of a vehicular access from the site onto the lockside which would provide a valuable access for BW operations staff managing and maintaining the local canals. A parking space for BW operatives would also be welcomed.

5.12 BW seeks a S106 contribution towards the lighting and resurfacing of the surrounding towpath and recommends conditions requiring the submission of details in relation to (1) a survey of canal walls, (2) a feasibility study into the potential for moving freight by water during construction, (3) lighting, CCTV and landscaping adjacent to the canal.

6. APPLICATION PUBLICITY

6.1 Site Notice Expiry:

22/05/2007

6.2 Neighbour Notification:

6.2.1 Three site notices were placed on the southern and eastern sides of the site and letters were sent to adjoining occupiers on the 24 April 2007.

7. REPRESENTATIONS

7.1 One letter was received objecting to the development on the following grounds:

Comment

Response to Comment

Highways Issues:

1. The development will compromise road safety on surrounding roads at the junction of Wansbeck Road and Monier Road.

Please refer to paragraphs 9.11 to 9.12

Amenity Issues:

2. The development will generate noise levels that will harm the amenity of neighbouring residential occupiers.

Please refer to paragraphs 9.22 to 9.26

3. The development will have an adverse impact on local air quality.

Please refer to paragraphs 9.27 to 9.28

4. Lack of any screening or planting.

Please refer to paragraphs 9.29 to 9.30

Waterways Issues:

5. Loading from warehouse onto barges would necessitate restrictions for public access to potential new towpath.

Please refer to paragraphs 9.31 to .9.33

6. Impact of increased barge traffic to Hertford Union canal between Omega

Please refer to paragraph 10.4

Works and all of the canal side residential properties between the development and Suttons Wharf.

7. The negative environmental impact from regular goods transportation via barges on local fish and waterfowl. Please refer to paragraph 9.32

Other Matters:

8. The site has potential as a “Gateway” scheme being both visible from the A12 road and being situated at the corner of Monier Road which will ultimately become an arrival route, via proposed new bridge over the River Lea, to the Olympic area. There has been no attempt, in the planning application to utilise or enhance any of these attributes. Please refer to paragraphs 9.1 to 9.3

8. RELEVANT PLANNING POLICY

8.1 Planning Policy Guidance

PPS1	Delivering Sustainable Development
PPG4	Industrial, Commercial Development and Small Firms
PPG24	Planning and Noise
PPG25	Development and Flood Risk

8.2 London Plan (Feb 2004)

2A.2	Opportunity Areas
2A.7	Strategic Employment Locations
3B.5	Strategic Employment Locations
3C.1	Integrating Transport and Development
4A.6	Improving Air Quality
4A.7	Energy Efficiency and Renewable Energy
4A.8	Energy Assessment
4A.9	Providing for Renewable Energy
4B.6	Sustainable Design and Construction
4B.14	Archaeology
4C.2	Context for Sustainable Growth
4C.3	The Natural Value of the Blue Ribbon Network
4C.4	Natural Landscape
4C.6	Flood Plains
4C.8	Sustainable Drainage
4C.13	Freight Uses on the Blue Ribbon Network
4C.20	Design – Starting from the Water

8.3 London Borough of Tower Hamlets Unitary Development Plan

DEV1	Design requirements
DEV2	Environmental requirements
DEV4	Planning Obligations
DEV12	Landscaping
DEV43	Protection of Archaeological Heritage
DEV45	Development in areas of Archaeological
DEV46	Protection of Waterway Corridors
DEV47	Development Affecting Water Areas
DEV50	Noise
DEV51	Contaminated Land

DEV57	Development Affecting Nature Conservation Areas
DEV58	Enhancement of Nature Conservation Areas
DEV65	Protection of existing walkways
EMP1	Encouraging New Employment Uses
EMP5	Compatibility with Existing Industrial Uses
EMP11	Location and Purpose Industrial Employment Areas
EMP12	Business Use in Industrial Employment Areas
T11	Controlled Parking Zones
T15	Location of New Development
T16	Traffic Priorities for New Development
T17	Planning Standards
U2 – U3	Flood Defences

8.3 London Borough of Tower Hamlets Local Development Framework: Core Strategy and Development Control Submission Document

CP1	Sustainable Communities
CP3	Sustainable Environment
CP4	Good Design
CP5	Supporting Infrastructure
CP6	A Sustainable Legacy from the 2012 Olympics
CP10	Strategic Industrial Locations and Local Industrial Locations
CP14	Combining Employment and Residential Use
CP31	Biodiversity
CP33	Sites of Importance for Nature Conservation
CP34	Green Chains
CP36	The Water Environment and Waterside Walkways
CP37	Flood Alleviation
CP38	Energy Efficiency and Production of Renewable Energy
CP41	Integrating Development and Transport
CP44	Promoting Sustainable Freight Movement
CP45	The Road Hierarchy
CP46	Accessible and Inclusive Environments
DEV1	Amenity
DEV2	Character and Design
DEV3	Accessibility and Inclusive Design
DEV4	Safety and Security
DEV5	Sustainable Design
DEV6	Energy Efficiency and Renewable Energy
DEV7	Water Quality and Conservation
DEV8	Sustainable Drainage
DEV9	Sustainable Construction Materials
DEV10	Disturbance from Noise Pollution
DEV11	Air Pollution and Air Quality
DEV13	Landscaping and Tree Preservation
DEV16	Walking and Cycling Routes and Facilities
DEV17	Transport Assessments
DEV18	Travel Plan
DEV19	Parking for Motor Vehicles
DEV21	Flood Risk Management
DEV22	Contaminated Land
OSN3	Blue Ribbon Network and the Thames Policy Area
CON4	Archaeology and Ancient Monuments

8.4 Other Relevant Planning Policies & SPG's

- Mayor of London Lower Lea Valley Opportunity Area Planning Framework

- (LLVOAPF).
- LBTH Leaside Area Action Plan Submission Document

9. ASSESSMENT OF MAIN ISSUES

Land Use

9.1 The London Plan identifies the Lower Lea Valley as a Strategic Employment Location (SEL) which is to be promoted and managed as a requirement of Policy 3B.5. The Mayor of London Lower Lea Valley Opportunity Planning Framework (LLV OAPF) reinforces this designation by identifying parts of the Fish Island and Marshgate Lane sub-area as an SEL to be retained for primarily industrial uses. The application site falls within the SEL designation, which is acknowledged as accommodating potential relocation sites for employment activities being displaced from the Olympic site.

9.2 The Unitary Development Plan (UDP) locates the site within an Industrial Employment Area. Policy EMP11 states that within Industrial Employment Areas development should provide for the retention, expansion and growth in employment uses unless development causes serious nuisance by way of traffic generation, noise, vibration or pollution. The LDF Submission Documents consolidate this policy approach by designating Fish Island as a Strategic Industrial Location. Policy CP10 states that Strategic Industrial Locations will be safeguarded for the retention, expansion and intensification of industrial employment and other employment areas supporting industrial premises.

9.3 The principle of redeveloping the site with production, distribution industrial use with a concrete batching plant incorporating parking and office facilities is considered to be in accordance with adopted and emerging planning policy seeking the retention and promotion of industrial and employment land uses in Fish Island.

Trip Generation

9.4 The application site benefits from three existing vehicular accesses at its western end via Remus Road, at the corner junction of Smeed Road and Wyke Road and at the eastern end of Wyke Road.

9.5 The application proposes access arrangements via both Remus and Smeed Roads, with Remus Road to be upgraded and widened to allow for the two way flow of HGV's and the Smeed Road access to be used solely by cars and smaller vans.

9.6 The Fish Island industrial area is linked to the surrounding strategic and local road network via Monier Road and its junction with Wansbeck Road and Wick Lane. Wick Lane extends southwards to provide access to the grade separated Old Ford junction with the A12 Blackwall Tunnel North Approach. Wansbeck Road extends northwards towards Hackney Wick via Rothbury Road. The local road network serves an existing industrial area and is capable of accommodating Heavy Goods Vehicle (HGV) movements.

9.7 The Transport Assessment (TA) concludes that the number of vehicle movements generated by the proposed development can be accommodated on the road network.

9.8 The TA estimates that the total daily two way movements to and from the site will be approximately 160 movements. The peak hour movements will occur between the conventional peaks of 0800-0900 and 1700-1800. The TA predicts 32 in-bound movements between 0800 to 900 and 30 out-bound movements between 1700 to 1800. This level of vehicle movements is not expected to compromise the safe and efficient operation of the surrounding road network.

9.9 The TA predicts a total of 19 daily HGV movements serving both the concrete batching plant and the manufacturing and storage operation.

9.10 The ability of the surrounding road network to accommodate long wheel base vehicles is constrained by the width of the approach road and junctions to the site. There is particular concern about the ability of HGV's to make the left turn from Wansbeck Road into Monier Road and the left turn from Monier Road into Smeed Road.

9.11 At the request of LBTH Highways the applicant submitted additional swept path analysis to inform the mitigation required to facilitate the safe passage of HGV's through these junctions. The applicant has advised that they are prepared to undertake the highway improvement works prior to the occupation of the site. It is recommended that any junction, highway and/or footway improvement works required to accommodate HGV movements within the vicinity of the site are secured by s106 and s278 agreements.

9.12 The objector has expressed concern that the development will compromise road safety on surrounding roads in particular at the junction of Wansbeck and Monier Roads. Following discussions with LBTH Highways the applicant proposes to undertake upgrades to a number of junctions adjacent to the site being the left hand turn at Wansbeck and Monier Road and Remus and Monier Road. It is therefore considered that the development would not compromise the safety or operation of the adjoining local highways.

Car Parking

9.13 The application proposes 16 car parking spaces (including disabled parking) to meet the demand created by staff and visitors to the site. The site would be operated during daytime hours when public transport services are available to access the site.

9.14 The UDP requires car parking to be provided at a ratio of 1 space per 125m² of gross floor area and would support 65 on-site car parking spaces. The LDF Core Strategy and Development Control Submission Document adopts a more restraint based approach to car parking and requires its provision at a maximum ratio of 1 space per 1,250m². This equates to the provision of only 6.5 spaces.

9.15 The London Plan requires non-operational employment car parking to be provided at 1 space per 600-1000m² subject to public transport accessibility but states that the level of car parking can be increased where there is an identified regeneration need. This equates to between 8 and 14 car parking spaces.

9.16 While it is acknowledged that the proposed level of car parking is marginally above London Plan and LDF standards, the proposed level of on-site car parking is considered acceptable given (1) the net reduction in on-site car parking (2) the site's low public transport accessibility and (3) that trip generation levels can be accommodated on the surrounding road network.

9.17 To support the reduced level of car parking and encourage the use of alternative modes of transport, it is recommended that the applicant be required to prepare and implement a Travel Plan. The Travel Plan will be expected to be submitted prior to occupation of the building and includes measures designed to promote, for example car sharing, and the use of alternative modes of transport to the car.

Car Parking Management

9.18 The LBTH is proposing a Controlled Parking Zone (CPZ) in the Fish Island

industrial area. Public consultation is about to commence and implementation is scheduled for late 2007.

9.19 The proposed development is anticipated to support 60-70 staff. As the scheme proposes only 16 car parking spaces it follows that without on-street controls the surrounding roads will be put under considerable pressure for car parking.

9.20 To control the demand for on-street parking in surrounding roads created by the development, it is recommended that the applicant is required to enter into a S106 Agreement which will prevent the operator and its staff from applying for business parking permits.

9.21 As the proposed CPZ is considered to be in part a requirement of the proposed manufacturing use and concrete batching plant, it is recommended that the applicant be required to make a financial contribution towards its implementation in order to mitigate its impact of overspill parking.

Noise

9.22 PPG24 acknowledges that development which is necessary for the creation of jobs will often generate noise but that the planning system should not place unjustifiable obstacles in the way of such development. Policy 3A.14 of the London Plan, Policies DEV1 and DEV2 of the UDP and Policy DEV10 of the LDF Development Control Submission Document seek to ensure that the noise impact of new developments does not create an adverse impact on the amenity of adjoining occupiers.

9.23 The application site is surrounded by industrial land uses with the exception of the Omega Wharf live/work development to the east. The Omega Wharf development comprises a three phase live/work development. The first two phases have been constructed and provide 104 live/work units. Crown Wharf forms the third phase and has planning permission to provide an additional 98 live/work units. The planning permissions included an informative advising prospective occupiers that the live/work units were located in an industrial area where employment uses will be encouraged.

9.24 The proposed concrete batching plant and storage area are located at the western end of the site, furthest from Omega Wharf with the remainder of the assembly areas to be undertaken within the existing depot buildings on site.

9.25 LBTH advises that the submitted Noise Assessment provides a satisfactory assessment of the impact of the development on the adjacent live/work development. While adjoining premises may experience an increase in noise levels, this is not considered sufficient to justify a reason for refusal. In establishing the acceptability of the proposed development, it is considered that the existing and proposed live/work units can be afforded less protection than a purely residential use given the industrial character of the area and the presumption in favour of promoting industrial and employment generating land uses within the SEL.

9.26 LBTH officers have recommended a condition be included on the permission to ensure the noise levels of the batching plant is designed to be 10 dB below the lowest recorded background noise with a completion testing to ensure this prior to operation and that the operation of the development is limited to the hours proposed.

Air Quality

9.27 The applicant has submitted an Air Quality Assessment that considers the impact of the concrete batching plant and associated activities on local air quality.

9.28 LBTH Environmental Health raise no objection to the impact of the development on local air quality subject to the imposition of conditions requiring the submission of an environmental management plan and implementation of the dust mitigation measures detailed in the assessment.

Design

9.29 The application proposes use of the existing depot building. There are a number of single storey temporary portacabins to be used as offices, staff welfare and boilers/workshops. Given the character of the surrounding area and the temporary use of these structures, they are not considered to have an adverse visual impact.

9.30 The proposal is therefore considered to be in accordance with planning policies seeking to ensure new development forms an appropriate relationship to its setting in terms of scale, massing, bulk and form given the existing and temporary nature of the structures and the fact that it is a temporary use.

Waterways/Biodiversity/Ecology

9.31 The proposed development does not seek to alter the existing frontage of the site to the canal, apart from the formation of a barge loading area to enable the transfer of goods to barges for delivery.

9.32 British Waterways have advised that they welcome this application for a consolidation centre to supply the Suttons Wharf, and potentially other waterside development. The centre would utilise this key canal side location at the heart of the East London canal network, close to the Olympic Park and legacy redevelopments for the transport of materials by water. It would also capitalise on the water as an asset and enhance the Blue Ribbon Network in accordance with the London Plan, especially policies 4C.12 & 4C.14. Policy 3C.24 of the London Plan.

9.33 British Waterways has requested conditions regarding use of the canal by freight, details of repairs to the wall adjacent barge loading area, CCTV measures and landscaping. In addition, a s106 contribution towards the lighting and resurfacing of the towpath side of the canal has also been requested. The applicant has agreed to this contribution.

Flood Risk

9.34 The site is located within Flood Zone 3 which represents a high flood risk zone. The Environment Agency raises no objection to the application subject to the imposition of conditions requiring the submission of drainage details, a 10m buffer zone for the storage of materials and storage of fuels/ oils.

10. CONCLUSION AND REASON FOR PERMISSION

10.1 The principle of redeveloping the site with the temporary use of a concrete batching plant and the existing buildings for the manufacture and storage of construction materials is considered to be in accordance with planning policies designed to locate such uses in established industrial areas.

10.2 The proposal is not considered to generate traffic levels that will cause an adverse impact on the safe and efficient operation of the surrounding local and strategic road network. Given the narrow width of roads surrounding the site, the applicant has proposed a number of junction upgrades to ensure HGVs can negotiate the road

network to access and egress the site without compromising road capacity and safety.

10.3 The proposed level of car parking is considered appropriate on the basis that a Controlled Parking Zone is introduced and the future operator of the site is prevented from applying for business parking permits. This is considered sufficient to control the demand for on-street parking. The applicant will be required to prepare and implement a Green Travel Plan to improve the site's accessibility by non-car modes of transport.

10.4 The distribution and production activity with the concrete batching plant is not considered to generate noise levels that will result in a material deterioration of the amenity of surrounding occupiers or justify grounds for refusal. The proposed development will operate during controlled daytime hours.

11. RECOMMENDATION

11.1 The Committee is recommended that the application be delegated to the Director of Planning to approve for the reasons set out in section 10 of this report subject to:

1. the planning conditions set out below
2. a Section 106 agreement requiring:
 - a £7,500 contribution towards the implementation of a Controlled Parking Zone and the employer and its staff are prevented from applying for business parking permits;
 - the applicant to submit a scheme detailing the highway improvement works to be carried out and entered into under a s.278 agreement with the Local Highway Authority;
 - a contribution towards local highway/environmental improvements;
 - a £10,000 contribution towards canal tow path improvements;
 - the preparation, implementation and monitoring of a Travel Plan.

Conditions and Reasons:

- (1) The development allowed by this permission must begin within three years from the date of this decision.

Reason: To ensure planning applications are carried out within a reasonable time period in accordance with Section 91 of the Town and Country Planning Act 1990.

- (2) Prior to the commencement of development, full details regarding the use of the canal network for transporting freight by water during the occupation of the development hereby permitted shall be submitted to and approved in writing by the Local Planning Authority in consultation with British Waterways.

Reason: To encourage the use of the canal for transporting waste and bulk materials in accordance with Policies 3C.24 and 4C.14 of the London Plan and the Draft Further Alterations to the London Plan.

- (3) Prior to the commencement of the development hereby approved a survey of the condition of the waterway wall, and a method statement and schedule of the repairs identified shall be submitted to and approved in writing by the Local Planning Authority, in consultation with British Waterways. Any heritage features and materials identified by the survey shall be made available for inspection by British Waterways and where appropriate, preserved in-situ or reclaimed and re-used elsewhere on site or on a nearby waterway wall. The repair works

identified shall be carried out in accordance with the method statement and repairs schedule by a date to be agreed in the repairs schedule.

Reason: In the interest of the structural integrity of the waterway wall, waterway heritage, navigational safety and visual amenity in accordance with Policies DEV1, U3 and U5 of the Unitary Development Plan.

- (4) Prior to the commencement of the development hereby permitted, full details of the proposed lighting and CCTV scheme shall be submitted to and approved in writing by the Local Planning Authority in consultation with British Waterways. The approved lighting and CCTV should be implemented prior to first occupation of the development.

Reason: In the interest of crime prevention, ecology, visual amenity and the canal setting in accordance with Policies ST5 and ST6 of the Unitary Development Plan.

- (5) Full particulars and detailed drawings showing the means of access and egress for people with disabilities shall be submitted to and approved by the local planning authority prior to any work being commenced on the site. The approved scheme must be implemented before the development is brought into use.

Reason: To ensure safe and convenient access for disabled people in accordance with Policy DEV1 of the Unitary Development Plan (1998), and Policies CP2, CP4, CP46 and Policy DEV3 of the Local Development Framework Core Strategy and Development Control Submission Document November 2006.

- (6) Development shall not begin until drainage details, incorporating sustainable drainage principles and an assessment of the hydrological and hydrogeological context of the development, have been submitted to and approved by the local planning authority. The scheme shall subsequently be implemented in accordance with the approved details before the development is completed.

Reason: To prevent the increased risk of surface water flooding and improve water quality. In accordance with U2 and U3 of the Unitary Development Plan (1998), and Policies CP37, DEV8 and DEV21 of the Local Development Framework Core Strategy and Development Control Submission Document November 2006.

- (7) Prior to the completion of works a travel plan has to be submitted to and approved by the local planning authority. The occupation of the development shall not take place until the details approved are implemented in accordance with the travel plan approved and the details approved shall be monitored and reviewed every 3 years.

Reason: To promote sustainable development in accordance with Policies ST3, ST19, ST32 and Policy T15 and T16 of London Borough of Tower Hamlet's Unitary Development Plan and Planning Standard No.5 as well as Policies CP1, CP41, CP42, DEV18 & Parking Standard No.3 of the Core Strategy and Development Plan (Submission Document, November 2006).

- (8) There shall be no light spill from external artificial lighting into the watercourse or adjacent habitat. To achieve this, the specifications, location and direction of external artificial lights should be such that the lighting levels within 8 metres of the top of bank of the watercourse are maintained at background levels.

Reason: To minimise light spill from the new development into the watercourse

and adjacent habitat. Artificial lighting disrupts the natural diurnal rhythms of a range of wildlife using and inhabiting the river and its corridor habitat.

- (9) During construction no solid matter shall be stored within 10 metres of the banks of the Hertford Union Canal and thereafter no storage of materials shall be permitted in this area.

Reason: To prevent solid materials from entering the Hertford Union Canal and causing pollution.

- (10) The bicycle and car parking accommodation is to be provided and retained permanently for:
- i. A minimum of 60 bicycle spaces.
 - ii. A maximum of 16 parking spaces.

Reason: To ensure the permanent retention of car parking/bicycle spaces for the occupiers/users of this development in accordance with T16 and T17 of the London Borough of Tower Hamlets Unitary Development Plan (adopted 1998) and policy CP40, DEV16 and DEV19 of the London Borough of Tower Hamlets Local Development Framework (2006).

- (11) Planning permission shall be for a limited period only until 31st August 2011, after which date the use shall cease and temporary structures removed and the site reinstated to its previous condition.

Reason: As requested by the applicant and to enable the local planning authority to review the appropriateness of the uses on the site.

Informatives:

- (1) You are advised to contact the Council's Head of Building Control at Mulberry Place, 5 Clove Crescent, London, E14 1BY on 020 7364 5009 to ensure all building works are in compliance with the Building Regulations.
- (2) The applicant/developer is advised to take into consideration the Council's 'Code of Construction Practice' and current Best Practice guidance.
- (3) Pursuant to Condition 2, you should consult the Environment Agency, Apollo Court, 2 Bishops Square Business Park, St Albans Road West, Hatfield, Herts, AL10 9EX (Environment Agency Correspondence Reference No. NE/2006/014004-4/1).
- (4) The applicant is advised that any discharge of surface water into the waterways requires British Waterway's written permission before development commences.
- (5) The applicant/developer is advised to contact British Waterways third party works engineer, Richard Baker, (020 7985 7268) in order to ensure that any necessary consents are obtained and the works are compliant with the current British Waterways' "Code of Practice for Works affecting British Waterways.
- (6) Prior consent may be required under the Town & Country Planning (Control of Advertisements) Regulations 1992 for the erection of any advertising signs and/or hoardings on the site.

CASE OFFICER: Will Steadman

Appendix 1: Site Location Plan
Appendix 2: Proposed Site Layout Plan
Appendix 3: Proposed Elevations