

PLANNING COMMITTEE MEETING: 10 November 2011

**PLANNING APPLICATION FOR DETERMINATION BY THE LTGDC
REPORT OF THE DIRECTOR OF PLANNING**

UDC CASE NUMBER:	LTGDC-11-048-OUT	DATE MADE VALID:	2011-06-13
APPLICATION NUMBER:	PA/11/00737/LBTH	TARGET DATE:	

APPLICANT:	H Forman and Son
AGENT:	CMA Planning
PROPOSAL:	Temporary building to provide of a corporate hospitality venue associated with the London 2012 Olympic and Paralympic Games.
LOCATION:	Land adjacent to H Forman and Son, Fish Island, London, E3 2NT

1. SUMMARY

- 1.1 The site is located on Fish Island adjacent and to the south of the Formans Salmon Smokery. Access is from Stour Road with more limited access from Dace Road. The eastern boundary of the site is the River Lea Navigation, beyond which is the Olympic Stadium. To the south of the site is the Fish Island Conservation Area.
- 1.2 The application seeks outline planning permission for a corporate hospitality venue for a temporary period from April to September 2012. All detailed matters are reserved with the exception of the use and the scale parameters. This is intended to provide the eventual hospitality operator with flexibility to apply separately for the details of layout, scale, design and access arrangements for the venue once these are known.
- 1.3 The principle of the land use is acceptable, despite being contrary to the SIL designation and the long term aspirations for Fish Island as a mixed use community. The temporary use capitalises on the Olympic Games and the benefits this will bring to the local area. A planning condition has been recommended to ensure the site reverts back to its previous use and condition, thereby allowing a more comprehensive development to come forward.
- 1.4 The scale and massing parameters of the proposal are considered to be acceptable. Of particular consideration is the impact of the development on the Fish Island Conservation Area. A planning condition, endorsed by Tower Hamlets Design and Conservation Officer, is to be imposed to ensure the detailed design of the scheme is brought forward in an appropriate matter.

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- 1.5 A significant consideration for this scheme has been whether the local transport infrastructure can accommodate the number of people envisaged, not only by this development but cumulatively with another hospitality venue approved in the area. To this end, a Section 106 agreement and planning condition have been recommended to ensure this capacity exists. A taxi and shuttle bus services is also proposed to operate from the site with full details captured in the Section 106.
- 1.6 The capacity of the western gateway to the Olympic Park has been examined. The proposal has been found to add numbers that will exceed the reserve capacity of this gateway. However, advice from the ODA confirms that the securing of details of a communication system will overcome this concern. Heads of terms in the recommended Section 106 agreement secures this.
- 1.7 The impact of noise has been raised in Tower Hamlets comments to the Borough. However, the outline nature of the proposal means that full details of the sound systems and noise mitigation will be secured by condition.
- 1.8 The application is recommended for approval, subject to:
1. A Section 106 agreement to secure the following:
 - Travel and Access Management Strategy, to include:
 - the arrangements for agreeing access to and from the venue for each booked party or for each day, and how those arrangements will be agreed with LOCOG, TfL, ODA or LOCOG Transport and other interested parties as well as venue attendees and kept updated on a daily basis if required.
 - an agreed system of information sharing, communication and agreeing access with LOCOG and TfL which would be agreed, installed and operational before the games and then operate right through the Games such that venue users could be redirected to amended routes accordingly using real-time information if required.
 - the arrangements for informing and agreeing the likely numbers and timings of the venue users accessing/egressing the Park via the western entrance/exit with LOCOG and how they will effectively direct venue users to other Park entrance exits on a real time basis if the western entrance is overcrowded/has long queues to enter/exit.
 - Shuttle bus and taxi service arrangements, to include
 - Number, capacity, frequency and routes of shuttle service
 - Off site drop off locations
 - On site taxi, coach and shuttle bus management arrangements
 - Pedestrian Environment Review System audit and wayfinding strategy

2. Referral to the Mayor of London for his Stage 2 determination

3. The conditions listed in section 11 of this report.

2. SITE AND PROPOSAL

Site

- 2.1 The site is a 5,500sqm area of vacant hard standing bounded by Stour Road, Bream Street and the River Lea, Fish Island. Adjacent to the north is the Forman's Smokery, a 12.9 metre industrial building with ancillary restaurant, shop and gallery space. On the south eastern corner of the site are the Old Ford Locks.
- 2.2 The surrounding area is a designated Strategic Industrial Location and is characterised by small scale industrial operations ranging from single storey buildings with attached yards to four storey Victorian brick warehouse buildings. The area also features a number of artist and design studios particularly in the larger warehouse buildings.
- 2.3 To the south of the site is the Fish Island Conservation Area, which is characterised by Victorian and early 20th Century industrial and warehouse structures. The southern site boundary abuts this Conservation Area.
- 2.4 The nearest residential location is the lock keepers cottages located on the eastern side of Old Ford Locks and approximately 30 metres from the site boundary. To the south, a block of 77 live/work and 6 office units known as 'The Ironworks' is located some 50 metres from the southern site boundary. The only other residential development in the area is the Omega Works location 150 metres to the north.
- 2.5 The site's river frontage faces the Olympic Stadium and the eastern grounds of the Olympic Park.
- 2.6 Access to the site is poor by all means of transportation. Although the area has been designated as an Industrial Employment Area since the adoption of the 1998 Tower Hamlets UDP, the street network is narrow, heavily parked and in poor repair. The A12 runs in a north-south direction to the west of the site. However access to this major route is via a convoluted series of back streets. Public transport access to the site is similarly poor, with no underground or mainline train services nearby and relatively infrequent bus services.
- 2.7 In addition to the local road network, pedestrian and cycle access to the scheme is achieved via the Greenway to the south and via a footbridge crossing of the River Lea at the Old Ford Locks located at the end of Dace Road. The Greenway route connects Victoria Park to the west through to Pudding Mill Lane DLR to the south east. During the Olympic Games, the Greenway will form a western access to the Olympic Park.
- 2.8 In the southern part of the site are a cluster of trees which are protected by a Tree Preservation Order (TPO). These trees are intended to be removed and eventually replaced. Separate consent from the Borough under the TPO will be required to remove the trees. An informative to that effect is suggested at paragraph 11 (below)

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Proposal

- 2.9 The application seeks outline temporary planning consent for an entertainment venue with capacity of up to 8,000 patrons per day. The parameters sought under this application are the use and scale. The specific layout, size, design and means of access are intended to follow as reserved matters applications.
- 2.10 The scale parameters occupy a 100 metre length of the River Lea frontage. For 67 metres of this frontage, the height is 5 metres. At the southern end of the site, the height steps up to 16.5 metres for an 18.5 metre length, then steps up again to 28.5 metres high by 11 metres depth. At the northern end of the site adjacent to the Forman's Smokery building is a scale parameter of 31 metres high by 3 metres wide. The western side of the scheme facing into Fish Island has a scale parameter of 32 metres in height and a depth of 17 metres. The maximum floorspace proposed for the development is up to 18,236sqm with the scale parameters having a total volume of 86,000m³.
- 2.11 The main visitor and staff entrance is proposed to be from Dace Road. This entrance has also been identified as a taxi drop off point. Servicing of the venue is shown from the existing Forman Smokery yard off Stour Road. Space is also shown on Bream Street for coach drop off. A pick up/drop off minicab holding area is also proposed on Bream Street.
- 2.12 The specific design proposals are a reserved matter, but a number of indicative proposals have been suggested. These include an arrangement that creates the appearance of a living room, complete with a sofa and television, but on a scale that fills the parameters. Alternatively, more conventional stands and marquees have also been suggested to be workable within the parameters.

3. MAIN ISSUES

- Principle
- Scale and Massing
- Transport and Access
- Noise

4. RELEVANT SITE HISTORY

4.1 The application site has no specific planning history. However, the relevant adjacent planning history is as follows:

1. Stour Wharf, Stour Road, London, E3 2NT (PA/06/833)

Erection of a 2,700sqm, two storey general industrial building (Use Class B2) with ancillary uses including factory shop, a canal side restaurant and a visitors centre with associated servicing and car parking. Approved 06/09/2006.

2. Stour Wharf, Stour Road, London (PA/04/937)

Demolition of existing vehicle repair buildings and redevelopment of site by erection of three buildings (Blocks A, B & C) in part 5 and part 6 storeys to form 64 live-work units with the addition of 1126 sqm of B1 commercial accommodation plus provision of 33

parking spaces. Refused 14/02/2006.

5. CONSULTATIONS/NOTIFICATIONS

London Borough of Tower Hamlets

5.1 Tower Hamlets provided their consultation response on 28th September 2011 formally objecting to the proposal. The basis for their objection was set out as:

- *“The scale of the facility raises concerns in terms of the impact on the amenity [of the] surrounding residents”*
- *“The capacity of the surrounding transport networks to cope with the proposed numbers of the development, given the late night opening proposed, and the lack of details regarding the approval of the water taxi service also makes the scheme questionable on a number of grounds.”*

5.2 The Borough's full objection letter is set out below with LTGDC officer response provided in italics.

Principle of the development.

5.3 The application seeks outline approval for the scale of the proposed temporary hospitality venue for the duration of 10 months prior, during and after the Olympic Games and Paralympics Games. The exact time frames have not been specified as yet.

The exact time frames are secured by condition and are from the beginning of April to the end of September 2012. These dates are intended to capture the construction and decommissioning periods as well as the actual Games period when the use will be in operation.

5.4 The proposed use is contrary to the site's designation as an area of SIL, however as the proposed use is temporary there is no objection to the principle of a hospitality venue of a further reduced scale on this site providing the use is ceased after the period which is applied for and returned to its original use so as not to have a detrimental effect on the long term regeneration of Fish Island and providing the impacts upon amenity and transport can be successfully overcome.

The cessation of the use is secured by condition. This condition will require the site to revert to its previous condition.

5.5 Design

NB: Since the Borough's comments were first drafted, further discussion with the Council's design officer has occurred. The reserved matters condition has been endorsed by the design officer with her amendments on the 14th of October and later by the planning case officer on the 27th of October.

5.6 Officers are concerned with the overall scale and bulk of the development. The scale of this building is significantly larger than the surrounding warehouses and does not fit in with the height or grain of existing development that characterises the area.

5.7 Officers are also concerned that the proposal would harm the setting of Fish Island Conservation Area by adversely affecting views into and out of it. Furthermore it would not be appropriate to approve an outline application without understanding and considering full details of layout, appearance and landscaping.

The site's location is not considered to be such that views into or out of the conservation area are likely to be affected, positively or negatively. In terms of the outline nature of the application, the layout, appearance and landscaping are reserved matters and therefore not for consideration at this stage of the application. It should also be noted that the proposal is for six months only.

5.8 The applicant is requesting that layout and appearance will be dealt with as reserved matter application. The proposed supporting plans show that the building would dominate the surroundings in terms of overall height, width and bulk.

The scheme would be larger than the surrounding buildings, however the scale of the development is not considered to have a detrimental impact on the surrounding industrial area by way of scale.

5.9 Scale of a proposal is not purely an architectural enclosure without context. It's a very contextual response. Even in the absence of this information, officers fail to see how this development in the immediate vicinity of a Conservation area would preserve and/or enhance the character of the conservation area. Whilst it is understood that this application is for a temporary use, such an extensive structure with an application for 10 months would result in a significant impact on the immediate and local context.

Officers disagree that this temporary building would have a significant impact on the conservation area or the local context and it is for a six month period, not ten months. The setting is not considered to be harmed, particularly when viewing the development from within the historic core of Dace Road. In any case, the reserved matters condition will ensure that any perceived impacts are adequately mitigated.

5.10 Across the elevation facing the canal and stadium the television screen is proposed as part of this scheme. The digital façade that faces the Olympic Park would over-sail the canal and create a significant visual impact that would be out of character with the surrounding built form.

5.11 Although the digital screen has been reduced in size since the original submission; it is still too large and would have a negative impact on the character and appearance of the Conservation Area.

The digital screen is indicative only and not for approval. Although the original scheme did oversail the canal, this has since been amended. The concern raised by the ODA with regard to the screen and in terms of crowds gathering on the opposite side of the River Lea Navigation has been addressed through condition.

5.12 An application for a scale of this size requires considerable details which this application fails to provide. There is not sufficient information within this application to enable officers to assess how the particular context of Fish Island Conservation Area has been taken into consideration.

As stated previously, the outline form of the application required detailed design to be submitted at a later date.

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- 5.13 As part of the scheme, there are proposals to remove mature trees. I do not support the scale of the proposal and fail to see a reason to support the removal of mature trees in conservation area that make a significant contribution to the character an appearance of Fish Island Conservation Area.

Condition 7 ensures that any tree removal is approval prior to operation.

5.14 Highways

Since the Borough's comments were first drafted, further discussion has occurred with the Borough's Transportation officer. The transportation conditions and Section 106 obligations were endorsed in an email dated 27 October 2011. However, the Transportation Officer still questions the assumptions around trip generation figures.

- 5.15 A primary concern raise[d] throughout the application process [has been] with regard to the number of people the venue seeks to cater for. There are two main issues with a development of this scale. It is important to examine whether there is sufficient transport infrastructure in place to accommodate this large number of people arriving at and leaving the site (particularly after midnight when the majority of public transport will have ceased). [NB: although the Borough's comments refer to 'two main issues', the comments are not clear on the second of these issues]

5.16 Transport infrastructure

- 5.17 The site is located within an area of very poor transport accessibility with one bus serving Fish Island and the nearest station (Hackney Wick [London Overground station]) being a considerable walking distance away. The lack of public transport would lead to a reliance on private hire vehicles and shuttle buses. This would have significant impacts on the ability of Fish Island to continue its function as an industrial location due to an increase in congestion, it would cause noise and disturbance to neighbouring residents, and accessibility to the A12 is questionable at present due to the need for emergency access to the Olympic Park and the requirement for 'Games Lanes'. Any operation which leads to additional traffic congestion in the area would be objected to.

The shuttle bus and taxi services are to be controlled and managed on site. These arrangements are to be secured by a Section 106 agreement and planning conditions.

- 5.18 There is an outstanding appeal to the Secretary of State relating to the mooring of water taxis within the Limehouse Basin so it is not guaranteed that the service would be operational. The details provided for the appeal scheme show moorings for 6 boats whereas the document produced by the water chariots company states they would have 27 boats operational during the Olympic period. According to the "Association of Inland Waterways Guidance" each boat has to have an area on the waterway to moor and no details have been provided with this application to state where each of the 27 boats could moor along the river network.

The proposal does not rely on the water taxi service as a primary means of public transport.

5.19 Other highways matters:

5.20 Car Parking

5.21 Zero provision of car parking is proposed for the corporate hospitality venue and this is considered acceptable, however the location of disabled parking has not been identified within the documents submitted in support of the application.

5.22 Cycle Parking

5.23 It is claimed within the submitted Transport Assessment that only cycle parking for staff is required to be provided as the Applicant anticipates that all hospitality trips will be by guests that are already accessing the Olympic Park. It is therefore proposed that all cycle parking for visitors will be provided within Victoria Park. This is not considered robust, as whilst the guests may have tickets for entry to the Olympic Park, they may choose to cycle directly to the hospitality venue rather than parking their bike in Victoria Park and walking the rest of the way to the hospitality venue.

5.24 The details of the staff cycle parking stands have not been submitted and Highways therefore require a scale plan showing the location and type of cycle parking to be installed within the site for both staff and visitors.

Details of disabled car parking and cycle parking are to be secured by condition.

5.25 Servicing

5.26 It is stated within the submitted Transport Assessment that all servicing would be accommodated in an on-site position, using the existing Forman's service and delivery yard. However no details have been provided which outline the size of vehicle to be used or the frequency of service trips. This information, along with swept paths demonstrating that the vehicle sizes to be used can access and egress from the site in a forward gear are required in order for the application to be fully assessed.

5.27 Information detailing the servicing arrangement for the existing Forman's operation is also required, with reference also being made to how the service area will be managed so that there is no conflict between servicing of the existing operation and that of the proposed corporate hospitality venue.

The application is in outline and does not seek for this information to be approved in detail. However, the size of the cleared site and its linkages to the road network lead officers to conclude that the site can comfortably accommodate on-site servicing for a hospitality use. These details will be secured through the submission of reserved matters.

5.28 If minded to approve, a service management plan should be requested by condition in order to mitigate the impacts upon the local highway network within Fish Island and the wider highway network taking into account all of the restrictions which will be in place over the Olympic Period.

5.29 A Delivery and Servicing Management will be required.

Access is a reserved matter. Details of servicing will be secured by condition – see

suggested condition 11 at section 11 (below).

5.30 Trip Generation

5.31 Whilst the Applicant intends for the hospitality venue to accommodate guests who already have tickets for entry to the Olympic Park, it is acknowledged within the Transport Assessment that it is only to be the case for the majority of guests. The assumption that all trips are linked trips is not considered to be robust and this should be re-examined.

5.32 It should also be noted that even if the trips are linked and associated with travel to/from the Olympic Park, the travel patterns of the individuals may well have changed as a result [of] attending the proposed corporate hospitality venue. Many visitors may travel to the proposed hospitality venue first and then travel on to the Olympic Park and given the type of visitor to be in attendance (corporate sponsors, tiers 1,2,3) then the travel modes to and from the site should also be reassessed. It is difficult to imagine the upper management of the corporate sponsors travelling to the site by any transport mode other than a taxi or private hire vehicle.

5.33 As identified in Section 5.2.6 of the Transport Assessment, the development proposals will result in a redistribution of trips and therefore a localised impact, with guests adopting a different mode of travel to that adopted within the existing ODA Transport Plan that reflects the site specific infrastructure that is available. What is the site specific infrastructure that is available? Reference is made to the river boat service, however it is stated within the Transport Assessment that no agreement between the Applicant and the river boat operator is in place as yet.

5.34 Further clarification is required over the user group assumptions outlined in Section 5.3.7 of the submitted Transport Assessment.

5.35 Section 5.4.6 of the submitted Transport Assessment details that all movements between the Olympic Park and the proposed hospitality venue are assumed to be on foot via the western entrance, Greenway and towpath.

5.36 Given the above comments regarding the likely mode of travel to the hospitality venue, the projected number of taxi and coach trips appears to be low.

A full response to these comments can be found in the main report.

5.37 Access and Dispersion Management Strategy:

5.38 Whilst the proposals for shuttle buses to ferry visitors between the proposed hospitality venue and Bow Road and Stratford (although this may change depending on demand) are welcomed in principle, further work/information is required for this aspect to be fully considered, particularly where the pick-up/drop-off locations are to be located outside of the transport hubs.

5.39 Similarly, have the other taxi and coach pick-up and drop-off points and waiting areas been agreed prior to this application being submitted? Highways again question why this provision has not been accommodated in an on-site location as the Applicant currently appears to be commandeering the surrounding public highway in order to serve their private development, which is not considered to be acceptable. Have these proposals been discussed with the Parking Services team in light of their intentions to introduce a CPZ in the Fish Island area and how will the proposals

impact upon those residents who currently live and work in the surrounding area?

5.40 As identified in the Highway comments relating to the Swan Wharf application, any permission should be subject to significant contributions towards improvements for the surrounding public realm, particularly footway, pedestrian and street lighting upgrades.

5.41 Travel Plan

5.42 It is recommended that a condition requesting a travel plan be included with any permission. This should detail all the proposed transport measures which will be utilised by the applicants and how sustainable means of transport will be encouraged.

5.43 S106 agreement

5.44 Should the application be approved, this should be subject to a s106 agreement to improve the public realm along the length of the site as regards: the carriageway, lighting and footway on the highway next to the site to provide a continuous and safe passage for pedestrians to the site and the adjacent canal bridge, away from turning vehicles. The lighting will benefit cyclists and motorists too when there is such a high use by different modes in this dead-end turning space.

5.45 Environmental Health – Noise and disturbance

5.46 Noise & Vibration

5.47 Environmental Health officers noted that there [were] insufficient details submitted on the prevention of noise disturbance to local residents. It was noted that the application should have a noise management plan detailing the operational times both internally and externally and activities likely to take place at the venue. The noise management plan should detail the likely noise impact on sensitive residential receptors and how noise will be effectively controlled and complaints addressed. The applicant hasn't adequately taken into consideration how noise impacts from the proposed use would be managed.

As this is an outline application, the noise details of the proposal are not yet known and therefore an assessment has not been undertaken. However, a Noise Management Plan will be secured by condition – see suggested condition 5 and 6 at section 11 (below).

5.48 The proposed hours of use have not been specified in the submitted application form. Whilst it is acknowledged that this is a temporary use, the impacts upon the residents of Fish Island would be significant and it is considered that the [hours of] use [should be restricted] so the venue closes at 11pm should you be minded to grant planning permission. This would be compatible with other temporary hospitality uses which LBTH have approved at Wood Wharf. A closure at 11pm would reduce the impact upon the neighbouring residents at Ironworks and also the residents who would line the route of the water boat service, including those around the Limehouse basin who stand to also be significantly affected by the proposal. A closure at this hour would also be compatible with the provision of public transport from Limehouse, the majority of which finishes just after midnight.

The application is in outline and therefore the full details of the hospitality venue including speaker equipment and sound insulation have yet to be submitted. Despite

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this, the conclusion appears to be that the impact upon residents would be significant. The closure time of 11pm has been suggested to be consistent with a scheme at Wood Wharf, which is located near Canary Wharf, rather than assessing the development on its own merits and in its own context. Reference is also made to the riverboat service, which will not be used to a significant extent.

Details to be submitted pursuant to suggested conditions 5 and 6 (below) will ensure that noise nuisance is not an issue for nearby residential properties and details of these will be approved in consultation with the Borough's Environmental Health Officers. Suggested condition 9 restricts opening hours such that the venue will close at 2am. This is in line with the opening hours recently approved for the nearby Swan Wharf hospitality proposals.

5.49 If planning permission is granted, it is considered that the condition below be should attached:

5.50 Prior to the first commercial operation of the temporary use hereby permitted, sound levels for the public announcement and music equipment shall be agreed in writing by the Local Planning Authority, in consultation with the relevant London Borough of Tower Hamlets Environmental Health Officers, and shall be based upon external levels taken from appropriate noise sensitive receptor locations. These agreed levels shall be controlled and restricted using an entertainment noise control system and will not be exceeded without the prior written agreement of the Local Planning Authority.

5.51 Reason: : To safeguard the amenity of future residents and the area generally against undue noise disturbance and to meet the requirements of policies SP03 of the adopted Core Strategy; policies DEV50 of the Unitary Development Plan (1998) & DEV1 and DEV10 of the Council's Interim Planning Guidance (2007) which seek to ensure that development does not compromise residential amenity.

This condition is recommended as per Tower Hamlets' advice – see recommended condition 6 (below).

Greater London Authority

5.52 The Mayor acknowledges that the site falls within a Strategic Industrial Location and that strictly speaking the scheme does not deliver employment or industrial uses envisaged by SIL policies. However, it has also been acknowledged that London Plan policies also seek to maximise the benefits of the Olympic Games and that emerging Olympic Legacy Supplementary Planning Guidance and the adopted Tower Hamlets Core Strategy steer away from the SIL designation. Additionally, the employment generation has also been highlighted, particularly as the alternative to this development is a vacant site.

5.53 Concern has been raised that the 8,000 capacity may create a cumulative impact in terms of pedestrian and crowd control measures. In this respect, the Mayor has highlighted the importance of engaging with the ODA and LOCOG particularly in co-ordinating with these authorities in the lead up to the Games.

5.54 Secondary legislation to regulate advertising activity and trading in open public spaces during the Games has also been raised. Although only shown on indicative drawings, the large screen proposed for the scheme has been identified as an element requiring special consideration.

- 5.55 The layout of the development also raises cause for concern. The Mayor considers that the location of the service entrance on Stour Road undermines the potential for the development to provide enclosure and overlooking onto the street and leaves the service yard open to the public realm. It has been suggested that the administration offices would be better placed in this location.
- 5.56 The public entrance to the scheme also raises concerns for the Mayor. It is considered that the entrance is located at the furthest point from Hackney Wick Station. The entrance is not clearly visible from Dace Road and would need to rely heavily on signage to locate the venue. The entrance's location in a cul-de-sac may also create problems for vehicles accessing and leaving the site, particularly as this is designated as a taxi drop off point.
- 5.57 The comments relating to the scale of the development are relevant to the original scale parameters, which were a 30 metre high parameter box occupying the entire length of the canal front. Under these parameters, the Mayor considered that the scale would not fit with the height or grain of the existing surrounding context. There was also concern that the outline nature of the proposal did not provide enough information on which to assess the visual impact of the building on the nearby conservation area and surrounding streets.
- 5.58 In terms of the proposal's transport impact, the Mayor identifies the Borough's initiative to introduce temporary parking controls within Fish Island in time for the Games and the proposals for a permanent CPZ to be in place following the Games. The quality of the walking environment has been raised as an area that requires further information and a Pedestrian Environment Review System (PERS) audit has been recommended. This audit would identify any unsuitable pedestrian environment that may require temporary remedial works that could be reasonably secured.
- 5.59 Pedestrian marshalling is an initiative that is welcomed, as is the applicant's proposal to fund and operate two temporary shuttle bus services between the site, Bow Church and Stratford. It was noted that the holding area off Bream Street for minicabs is still to be finalised and the Mayor's preference in this regard is for the facility to be located off street.
- 5.60 The Mayor acknowledges that there is limited opportunity to apply the London Plan climate change policies to the scheme due to the structure's prefabricated and temporary nature.

Transport for London

- 5.61 TfL first identifies that the nearest part of the Transport for London Road Network (TLRN) is the A12 located some 200 metres from the site and that the area has a very low public transport accessibility level (PTAL) of 1. Given these factors, TfL considers that the development itself is unlikely to have a material impact upon the TLRN or public transport in the area given that most of these trips will be linked to those already made to the Olympic Park.
- 5.62 Given that most of the walking trips to and from the site will rely on off-carriageway routes such as the Greenway or through industrial streets, TfL request further information on the acceptability of the pedestrian environment by way of a PERS audit, as was requested by the GLA.

Olympic Delivery Authority

- 5.63 The ODA have commented on both the original parameters and the subsequently reduced scheme. Overall, the ODA does not object to the principle of the proposal. However a number of concerns have been raised.
- 5.64 Initially, the ODA's transport consultant identified some key concerns in the review of the Transport Assessment and the Access and Dispersion Management Strategy (ADMS). Firstly, concern related to the assumptions around the venue capacity: specifically the assumption that 8,000 guests will attend the venue across the day which assumes that no space is used more than once. The ODA requested further analysis of separate 'sittings' with the expected numbers to be accommodated with each sitting.
- 5.65 The modal split for the corporate hospitality patrons of the venue was also questioned, as it was not considered to be comparable to typical Olympic Park visitors as suggested in the TA and also assumes that patrons will be willing to walk substantial distances to access the site by rail. The ODA consider that guests visiting the venue are more likely to arrive by taxi or private vehicle than the TA has suggested.
- 5.66 The ODA do not consider that the forecast demand for the shuttle bus is met by the frequency of the proposed shuttle bus service, being 2 per hour.
- 5.67 The applicant provided further information in response to these transport comments, however the ODA reported that they continue to have concerns surrounding the analysis and assessment of the traffic and transport impacts of the proposal. Be this as it may, the ODA have suggested four conditions to mitigate the potential transport impact of the proposal but has caveated each condition with the Authority's ongoing concern. These are:
1. The venue capacity is restricted to a maximum of 8000 persons in any one day.
 2. That a Travel and Access Management Plan/Strategy is submitted related to the detailed programme of the daily use of the venue. The ODA continues to have concerns that the proposal's use of Hackney Wick Station is not feasible in large part due to capacity and access concerns. There are also remaining concerns surrounding the western entrance to the Olympic Park. It has been acknowledged that the shuttle bus service may address this capacity concern, there remains a management issue around the most appropriate means of guiding visitors to Olympic Park access points. The ODA have also provided specific detail in what they expect to be included within this condition, being:
 - The arrangements for agreeing access to and from the venue for each booked party or for each day and how those arrangements will be agreed with LOCOG, TfL, ODA and/or LOCOG Transport and other interested parties as well as venue attendees.
 - A system of information sharing, communication and agreeing access with LOCOG and TfL which would be agreed, installed and operational before the games and then operate right through the Games such that venue users could be redirected to amended routes accordingly using real-time information if required.
 - The arrangements for informing and agreeing the likely numbers and timings of the venue users accessing/egressing the park via the western

entrance/exit with LOCOG and how they will effectively direct venue users to other park entrance exits on a real time basis if the western entrance is overcrowded/has long queues to enter/exit.

- How the applicant will ensure users are actively discouraged from using Hackney Wick Station
3. Details of the shuttle bus service including the frequency and capacity to minimise the need for visitors to walk excessive distances or to use taxis or private cars and to minimise the pressure on Hackney Wick Station.
 4. Detailed plans for taxi, coach and shuttle bus drop off/pick up points, both at the venue and the origin/destination of the service.
- 5.68 These conditions are considered to be reasonable given the extent of the proposed use and the outline nature of the application. However, the last element of the suggested condition 2, being the discouragement of users from using Hackney Wick Station, will not be imposed upon any permission. Officers do not condition that a public transport option should be discouraged.
- 5.69 Given that some of the detail relates to areas outside the application boundary, condition 2, 3 and 4 will be secured through a S106 agreement.
- 5.70 The ODA's response to the original submission also highlights concerns with regard to public safety and security on the eastern side of the River Lea and within the Olympic Park public realm where people are likely to congregate to view the large screen proposed for the site. The submitted information gives no substantial information on crowd management or modelling in this area. With regard to the Tow Path, the ODA has stated that the various agencies are still in discussions as to whether the path will be open for public use. There is also a degree of uncertainty surrounding the Olympic Path public realm, which is currently the subject of several applications for the discharge of conditions relating to catering facilities, shops, back of house structures and security arrangements. It is understood that undated crowd modelling has been submitted in support of these applications.
- 5.71 The concerns relating to crowd modelling are not without merit, however it should be remembered that the screen element is at this stage a concept rather than a detail for consideration. If the screen were not to come forward as part of the development, it is highly unlikely that any visitors to the park or people using the tow path would have any reason to stop and look at the site for any extended period of time. The consideration of this element of the scheme is made more difficult given the outline nature of the application. It is therefore considered that the crowd modelling is best secured by a condition that secures relevant crowd modelling prior to the installation of any public viewing screen visible from outside the development site.
- 5.72 The ODA has also expressed concerns regarding the scale of the development, stating that *"...even within the context of the significantly scaled Olympic Park venues ... the proposed development could have a potential notable visual impact when viewed from the Olympic Park."* These comments are in relation to the original submission. These concerns were not raised in relation to the revised submission.
- 5.73 The ODA have requested that they be consulted on any condition requiring details of construction activity.

LOCOG

5.74 LOCOG confirms that it has no objection to the scheme in terms of its urban form but wish to comment regarding the operation and management of the proposal.

5.75 Concern is centred on the impact of the proposal upon the Olympic Park's western entrance. This entrance is intended for ticket holders from the immediate area and for those cycling to the venue and leaving their bikes in Victoria Park. Therefore, LOCOG considers that the application needs to examine measures to ensure the western access can accommodate this increased demand and considers alternative travel plans for moving spectators to alternative entrances.

5.76 LOCOG have also identified the large screen shown indicatively in the scheme documentation and considers that the application needs to clearly demonstrate that this will not disrupt spectator flows within the Olympic Park.

Environment Agency

5.77 The Environment Agency have no objection to the scheme and have asked for nine conditions to secure the following:

- Development in accordance with the approved Flood Risk Assessment
- Details of steel supports and cladding in relation to potential flood waters
- Desk based ecological assessment
- Provision and management of a five meter buffer zone along the River Lea Navigation
- A four stage contamination investigation scheme
- A verification report following the contamination investigation scheme
- Remediation strategy for contamination not previously identified
- No piling or other foundation designs without prior approval

5.78 These conditions are considered reasonable and appropriate and are listed in full at section 11 of this report.

British Waterways

5.79 British Waterways has advised that operational access needs to be maintained adjacent to the lock side. In this respect, British Waterways are in discussion with the applicant.

5.80 The applicant has been advised to consider a landing stage alongside the navigation to allow potential access from the water bus service. Again, British Waterways are in discussions with the applicant.

5.81 In general, British Waterways are supportive of the proposal particularly as it will make best use of the site's waterside setting. However, the waterside infrastructure requires improvement to include improvements to the environment of Dace Road, landscape improvements to Old Ford Lock, investment in pontoon infrastructure and management of waterway litter.

5.82 Four conditions have been requested to secure:

- Risk assessment and method statement for works adjacent to the river

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- Details of a riverside landscaping scheme
- Details of any lighting or CCTV
- A feasibility study for movement of construction material by water.

5.83 These conditions have been listed at section 11 of this report.

London Borough of Newham

5.84 The Newham's Mayor, Sir Robin Wales, has written a statement of personal support for the application, setting out the unique visual experience that the proposal seeks to offer to both visitors and the local population.

6. APPLICATION PUBLICITY

6.1 Site Notice Expiry: 30 May 2011

6.2 Neighbour Notification: 9 May 2011

7. REPRESENTATIONS

7.1 The application publicity generated four responses from nearby properties, namely the Lock Keepers Cottage on the opposite side of the River Lea, the Aston Matthews property adjacent to the application site on Dace Road, the Association of Ironworks Residents and a business premises in Monier Road and Wyke Road.

Lock Keepers Cottages

7.2 An email between the applicant and the ODA dated 30 June 2011 has stated that the current occupiers will vacate the property in January 2012 for a period of 12 months. During this time, the property will be under the control of the Olympic Park Legacy Company. However, this has not been confirmed directly by the ODA or by the current occupier.

7.3 The occupiers of the Cottages have commissioned Nathaniel Lichfield & Partners to prepare an objection to the proposal. Two responses have been received; one initially following scheme submission and one following re-consultation on the scheme amendments. The original comments objected on the ground of **a.** insufficient information supporting the application, **b.** transportation impacts, **c.** impact on residential amenity, **d.** design/impact on the conservation area, **e.** lack of a flood risk assessment, **f.** ecological impacts, **g.** Olympic legacy, **h.** lack of energy statement and **i.** the need for advertisement consent.

7.4 The objection highlights the lack of documentation including a flood risk assessment, heritage statement, noise assessment, ecological assessment and energy efficiency statement. A number of other concerns are raised relating to the vague period of construction and operation, certain facilities on site and area under the control of the applicant.

7.5 In terms of the transportation impact, the information was considered inadequate in terms of the assumptions of trip generation, construction and dismantling phases and the arrival and departure of guests.

- 7.6 The application was not considered to adequately address the impact upon residential properties, namely the Lock Keepers Cottages and the live/work units in the area. The number of people arriving to and departing from the venue is considered to impact upon adjoining occupiers, and the hospitality and nightclub activities are considered to be noisy and difficult to control. The large television screen depicted in indicative images is also considered to be detrimental to residential amenity.
- 7.7 The design of the structure was said to be over-dominant, out of scale and detrimental to the character and setting of the conservation area.
- 7.8 Flooding was highlighted as a significant issue, particularly as no sequential test had been undertaken.
- 7.9 The ecological impact of the development was considered to be inadequately addressed given the lack of an ecological impact assessment. This point was considered to be exacerbated by the loss of mature trees on site.
- 7.10 The temporary nature of the development was considered to be a disbenefit to the Olympic legacy, as the development is not permanent and long term.
- 7.11 The lack of an energy statement was again highlighted and in this respect compliance with London Plan energy policies.
- 7.12 Finally, the need for advertisement consent for the indicative television screen was raised.
- 7.13 Following re-consultation, the objector stated that all previous comments remained in place.

Individual Comment	Response to Comment
<p>a. Insufficient information provided with the scheme</p> <p>b. Transportation impacts</p> <p>c. Impact on residential amenity</p>	<p>The submitted information was adequate to allow the application to be validated and for a recommendation to be made to committee. It should be noted that the application has been submitted in outline, therefore much of the detailed assessment will occur with the submission of reserved matters and details pursuant to other conditions. The documents specifically referred to as missing with the application are addressed in the following points.</p> <p>Consultation with both Tower Hamlets and the ODA's transportation officers has led to conditions and legal obligations being imposed should planning permission be granted. This is discussed in greater detail in the main officer report.</p> <p>Recommended conditions require the submission of noise assessments to enable noise controls to be implemented</p>

<p>d. Design and impact on the conservation area</p> <p>e. Flood risk assessment</p> <p>f. Ecological impacts</p> <p>g. Olympic legacy</p> <p>h. Lack of energy statement</p> <p>i. The need for advertisement consent</p>	<p>with the operation of the development. A condition controlling any large screen to be mounted on site has also been recommended. In terms of the disturbance by guests arriving and departing the venue, the access point allocated is at the northern end of the site and the furthest away from residential receptors. These points are discussed in greater detail in the main officer report section.</p> <p>In terms of the design, the application is seeking the outline parameters of the scheme only. The scale and massing of these parameters is considered to be acceptable by officers and a reserved matters condition has been endorsed by the Council's design officer. Further information on temporary impacts to the conservation area is also required by this condition.</p> <p>The Environment Agency has confirmed it is satisfied with the flood risk assessment and has recommended planning conditions be attached to any permission.</p> <p>The Environment Agency has requested conditions to secure a desk based ecological assessment and a five metre buffer zone along the River Lea.</p> <p>Although the application is temporary in nature, the use will capitalise on the Olympics in line with London Plan policy rather than leaving an underutilised site vacant. The applicant is in discussions with the Corporation regarding the permanent redevelopment of the site post-Olympics, however this is not a matter relevant to the determination of the current scheme.</p> <p>The temporary nature of the development does not lend itself to the type of energy considerations as would be applied to permanent developments. This point is acknowledged by the GLA in its Stage 1 response.</p> <p>This point is noted. The applicant will be made aware of the requirements under the Advertisement Regulations by way of an informative.</p>
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Aston Matthews Property

- 7.14 Aston Matthews have, through their solicitors, objected to the proposal on the grounds that the proposal will detrimentally affect their business operations. The scheme proposal has indicated the potential for the main access to and egress from the site as being over an area of land used by Aston Matthews as a loading yard. A Right of Way over this land exists and is used by British Waterways as a staging area to carry out works in relation to the canal and it is understood that this access is limited. On this basis, the objection argues that the limited Right of Way does not allow for the numbers of people and vehicles needed for the hospitality scheme and that a conflict between Aston Matthews operations and the guests visiting the site would occur.
- 7.15 Access to the site is a reserved matter and as such is recommended to be dealt with by a condition. However it should be noted that the applicant has indicated that all service and patron access can be achieved from the north of the site via Stour Road.
- 7.16 The objection has also raised the proposal's impact on the local road network as grounds for objection. In particular, it has been considered that the proposal would rely on taxis, private hire vehicles and shuttle bus services that would cause increased congestion and would limit the area's ability to function as an industrial location. To this end, the applicant has agreed to a condition that will involve all taxi and shuttle bus facilities to operate from within the site. Additionally, the applicant will be made aware of the intended Controlled Parking Zone for Fish Island by way of an informative.
- 7.17 The objection also makes reference to the capacity of the local road network being unable to cope with the increased traffic. The capacity of Fish Island is not necessarily at issue with this scheme, as the roads do not provide a through route and therefore do not suffer capacity problems in the traditional sense. As vehicles can be managed on site, there is greater scope to restrict vehicles to the site if Fish Island were to become congested. These matters are to be secured in the S106 agreement.

Association of Ironworks Residents

- 7.18 The objection from the residents group raises concerns regarding the noise generated by the proposal both in terms of the operation of the venue and the number of people using the site and surrounding areas. They specifically cite a lack of information relating to noise and unacceptable noise levels generated 24 hours a day. As set out previously, the noise mitigation is to be controlled by condition and is discussed in more detail in the main officer report section.
- 7.19 The objection also cites transportation and crowd dispersion issues as being significant issues for Ironworks residents. The site's distance from public transport connection was considered to impact upon residential amenity. The use of private vehicles was also considered to impact the transport strategy in place for the Olympic Games.
- 7.20 The potential removal of protected trees was also cited as an environmental objection.

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Business Premises, Monier/Wyke Road

7.21 The business owner has expressed concern that the business operations may not be able to function during the Games time, particularly if further large facilities are approved in the area.

8. RELEVANT PLANNING POLICY

(swan wharf)

8.1 Central Government Guidance

PPS1 Delivering Sustainable Development
PPS4 Planning for Sustainable Economic Growth
PPS5 Planning for the Historic Environment
PPG13 Transport
PPS24 Noise

8.2 The London Plan (2011)

2.4 The 2012 Games and their Legacy
2.17 Strategic Industrial Locations
4.6 Support and Enhance the Provision of Arts, Culture and Entertainment
6.3 Assessing Effects of Development on Transport Capacity
6.9 Cycling
6.10 Walking
6.11 Smoothing Traffic Flow and Tackling Congestion
7.4 Local Character
7.6 Architecture
7.8 Heritage Assets and Archaeology
7.15 Reducing Noise and Enhancing Soundscapes
7.25 Increasing the Use of the Blue Ribbon Network for Passengers and Tourism
7.27 Blue Ribbon Network: Supporting Infrastructure and Recreational Use
7.30 London's Canals and Other Rivers and Waterspaces

8.3 The London Borough of Tower Hamlets Unitary Development Plan 1998

DEV12 Provision of Landscaping in Development
DEV13 Design of Landscape Schemes
DEV28 Development Adjacent to Conservation Areas
DEV47 Development Affecting Water Areas
DEV50 Noise
DEV58 Enhancement of Nature Conservation
EMP1 Encouraging New Employment Growth
T15 Location of New Development
T16 Traffic Priorities for New Development
T17 Transport Planning Standards
T21 Pedestrian Needs in New Development
T24 Cyclists' Needs in New Development
T26 Use of the Waterways for Freight
ART1 New Entertainment Facilities
ART3 Use of Vacant/Short Life Property
ART10 Encouraging Visitor Facilities
U3 Flood Protection Measures

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U6 Consultation with the Environment Agency

8.4 The London Borough of Tower Hamlets LDF Core Strategy 2010

SP06 Delivering Investment and Job Creation
SP08 Improvements to Public Transport Offer
SP10 Heritage Assets

8.5 Draft Fish Island Area Action Plan DPD

9. ASSESSMENT OF MAIN ISSUES

Principle of the Development

9.1 Under the adopted regional policy context, the site sits broadly within a Strategic Industrial Location. The London Plan policy 2.17 sets out a plan-led approach to the strategic management of industrial capacity and therefore for a more specific indication of the SIL boundary and industrial capacity, the local policy context provides relevant guidance.

9.2 Tower Hamlets Core Strategy identifies Fish Island as a placemaking area where significant opportunity for regeneration is identified given the substantial investment in the Olympic Park and associated facilities. More specifically, the site is identified as being within 'Fish Island Mid' where conservation and heritage-led renewal promoting a mix of uses including residential, workshops, light industry and enterprise space is envisaged. A draft Fish Island AAP has recently been through the first stage of consultation and supports the Core Strategy's objective of de-designating SIL in favour of mixed use development.

9.3 Although the hospitality uses do not deliver the industrial or employment uses envisaged in London Plan SIL policies, the recently adopted local Core Strategy and emerging AAP policies seek to release this SIL designation in favour of mixed development taking advantage of the benefits delivered with the Olympic and Paralympic Games and their legacy. Furthermore, policy 4.6 of the London Plan refers to provision of cultural and entertainment facilities with paragraph 4.32 confirming that London's cultural offer should extend to the opportunities created beyond central London, for instance at the Olympic Park.

9.4 Given that Tower Hamlets LDF is not at this stage complete, guidance may be found in policy EC.11 of PPS4 which advises on the determination of planning applications for economic development not in accordance with an up to date development plan (though clearly Tower Hamlets Core Strategy is adopted). This states that local authorities should weigh market and other economic considerations against social and environmental information; take into account longer term benefits such as job creation; and consider whether the proposal helps to meet wider objectives in the development plan. Officers consider that these criteria are met given that the use brings a vacant site back into effective use, create jobs and clear the site of redundant buildings while also restoring historic structures, thereby assisting in preparing the site for more permanent development following the period of use.

9.5 In consideration of the area's shifting land use focus, the proposal's capitalisation on the Olympic and paralympic Games and that the land use change is for a defined temporary period, the proposal is considered to be acceptable in principle.

9.6 It is also worth commenting on the applicant's decision to apply for outline consent, rather than seeking a detailed permission. The application seeks to establish the principle of the land use and the scale parameters only. All other matters, including the design of the building, layout and means of access to the site, are reserved and will require a separate reserved matters application if outline consent is granted. While this approach may be considered unusual for a temporary consent, there is nothing to prevent an applicant applying in this way. The applicant has chosen this approach to establish the land use but also allow enough flexibility for an event operator to take on the site and to establish a venue within the outline parameters.

Scale and Massing

9.7 The scale parameters broadly seek a scheme that achieves a multi-level venue that faces the Olympic Stadium. Ultimately, this would allow for a stage area six metres above ground level enclosed by tiers of hospitality suites up to 32 metres in height on the west elevation and 28 metres on the north and south elevation.

9.8 The indicative images have shown that this arrangement could be implemented as a giant lounge room, complete with sofa and a television screen. At this point, these elements are an aspiration only and would need to be secured by reserved matters applications. The parameters also allow for a more conventional venue as seen in such events as Ascot or other such large scale outdoor event. Indicative examples can be seen at Appendix 3.

9.9 The scale of the proposal initially caused concern to Tower Hamlets, the GLA and the ODA. Tower Hamlets' and the GLA's concern was largely based on the development scale in relation to the surrounding area, in particular that the development would not fit in with the surrounding scale of industrial buildings. All three authorities expressed concern regarding the impact of the development on the conservation area. It should be noted that since the scale concerns were first raised, the scheme has been reduced from a parameter 'box' to the more specific scale parameters for approval. Following discussions with the ODA and Tower Hamlets, it is understood that the scale of the development no longer presents a concern to them, subject to specific reserved matters conditions being imposed.

9.10 If the development were to be built out to the maximum parameters sought by this application, the building would be larger than any of the buildings on Fish Island, with the exception of the Omega Works residential building located on the confluence of the Hertford Union Canal and River Lea Navigation. This in itself does not necessarily mean that the scale would be unacceptable in planning terms, as has been demonstrated with the approval of the Omega Works buildings. The principal consideration in the view of officers is whether the scale of the development would lead to a detrimental impact upon the Fish Island Conservation Area.

9.11 PPS5 is the government guidance for planning and the historic environment. Policy HE10 of PPS5 deals with the principles guiding the consideration of applications for development affecting the setting of a heritage asset. The policy states that planning authorities should treat favourably applications that preserve those elements of the setting that contribute to the significance of a heritage asset. When considering application that do not do this, local planning authorities should weigh any harm against the wider benefits of the application. The greater the negative impact on the significance of the heritage asset, the greater the benefits that will be needed to justify approval.

- 9.12 The site is on the edge of the conservation area, rather than being located within it. The conservation area is mainly centred on the historic buildings to the south along Dace Road, but also includes areas around the site that do not contain buildings of historic merit, such as those along Stour Road and Bream Street. This part of the conservation area primarily comprises relatively recent, post-war warehouse buildings with open yard areas. Therefore, in terms of impact, the scheme is more likely to affect the historic buildings and their setting to the south on Dace Road. In this respect, the site will be visible when looking north from Dace Road along Bream Street. However, this view will largely be obscured by the Aston Matthews building on the corner of Dace Road and Bream Street. It is unlikely the proposal could be seen over these buildings, as the building heights in this area are between three and five storeys with relatively close separation distances. Additionally, the scheme does not block any views into the conservation area, unless a long distant view from the Olympic Park to Fish Island is considered. However, at this distance it is unlikely that the view could be considered as part of the conservation area's setting, nor would any of the historic buildings be discernable as being anything apart from the industrial backdrop to the area.
- 9.13 A secondary factor in considering the scale of the development is that approval is sought for a temporary period only. Therefore, whether the scale is considered to be excessive or not, the scheme will revert back to the cleared site as it now stands. The developer will also be made aware by informative that the grant of any scheme should not be interpreted as a scale precedent for any future permanent scheme.
- 9.14 In terms of the scale and massing of the proposals, officers do not consider that the scheme demonstrates material harm to the conservation area or the surrounding area in general. With further design detail to be submitted and considering the temporary nature of the development, the scale of the development is considered to be acceptable.

Transportation and Access

- 9.15 In support of the application, the applicant has submitted a Transport Assessment (TA) including an Access and Dispersion Management Strategy which seeks to demonstrate that the proposed use can operate effectively without detrimentally impacting upon the local transport network, particularly cumulatively with the Games operations and other hospitality uses nearby.
- 9.16 The TA sets out that the aspiration of the operator is to provide hospitality to organisations and group that already have tickets to the Games events. Therefore, the TA has assumed that the trips generated by the use will access the site prior to accessing the Olympic Park and/or access the site after visiting the Olympic Park. This approach places heavy emphasis on the number of trips already generated by the Olympics, as guests of the venue would be accounted for as people already accessing the Games. The TA considers that the real impact of the development will be a kerb side impact, as trips are redistributed across different modes of transport and arrival and departure times to reflect the proposed visitation of the development rather than accessing the Games directly. In this respect, the TA states that this will assist in spreading the peak trips to and from the Olympic Park, thereby reducing pressure on transport infrastructure such as Stratford Station.

Transport Options

- 9.17 The guests using the proposal have a number of transport options for accessing

the venue. Pedestrian access to the site is achieved only after covering significant distances from other transport connections. The nearest rail connection is Hackney Wick Station, located roughly 850 metres to the north of the site and accessed via Roach Road, a footbridge crossing of the Hertford Union Canal and then via White Post Lane. Hackney Wick Station provides access through to Stratford to the east and through to north London to the west.

- 9.18 To the south, other rail connections are achieved by following Wick Lane under the A12 and south along Fairfield Street to Bow Road to DLR and Underground stations. This walking distance is in the region of 2km.
- 9.19 Nearer the site is tow path access via Old Ford Lock to the Greenway which eventually links to Stratford High Street and to the Stratford transport interchange with its bus, regional rail, Underground and DLR services. This route, looping south of the Olympic Park, is a distance of 2.2km. Alternatively, pedestrians can continue along the Greenway, rather than using Stratford High Street, which will eventually take them to West Ham Station, some 2.3km from the development site. It should be noted however that the Greenway is likely to be closed to those who don't have tickets for the Games, as this is a designated entry point. Therefore, through access is likely to be unavailable.
- 9.20 Two bus services operate on Fish Island, which during the day run roughly five per hour, reducing to two per hour after 8pm.
- 9.21 Reference has also been made to a river boat service that will operate from Old Ford Locks and provide access to Tottenham Hale to the north and Limehouse Basin to the south.
- 9.22 Private car access to the site is not practical both in terms of the existing parking situation, the restriction to the road access due to the Olympic Route Network and the imposition of a Controlled Parking Zone to Fish Island by the time of the Olympics.
- 9.23 With the above restrictions taken into account, it is clear that guests accessing the venue will have limited public transport options, with Hackney Wick Station being the only feasible point of access to the area. Therefore, considering the lack of alternative transport options in the area, it is likely that a significant proportion of guests using the site will rely on taxis as their means of access and egress to and from the area. This is particularly the case after public transport services will have ceased.

Trip Generation and Impact

- 9.24 The TA has relied on the assumption that most visitors to the venue are Olympic ticket holders and therefore are accounted for in the wider Olympic Park trip generation. This position is not necessarily accepted by Tower Hamlets Transportation officers, however it has been acknowledged that this will be the case for the majority of guests.
- 9.25 The TA has calculated the total numbers of staff and guest accessing the site throughout the day. This has revealed a number of spikes in entry and exit times at various times of day. Specific times of note are:

- 07:30 to 09:00 arrival of 1543 persons (peak of 775 at 08:00)

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- 08:30 to 10:00 departure of 1543 persons (peak of 775 at 09:00)
- 12:00 to 12:30 arrival of 1129 persons
- 13:30 to 15:00 departure of 1550 persons (peak of 1004 at 14:30)
- 16:00 to 17:00 arrival of 1188 persons (peak of 760 at 16:00)
- 17:30 to 19:00 departure of 1472 persons (peak of 771 at 17:30)
- 22:30 to 23:00 arrival of 1336 persons
- 00:30 to 04:00 steady departure of persons with peak of 401 at 02:00.

9.26 The total number of trips has also shown the accumulation of guests and staff throughout the day. The times when the most people are anticipated is between 08:00 and 09:00 when up to 1418 people will be on site, between 11:30 and 14:30 up to 2220 people, 16:00 to 20:00 up to 1980 people and 22:00 and 02:00 up to 2345 people on site. Between these times, there would be less than 1000 people at the venue at any one time.

9.27 In terms of the mode of travel, it has been predicted that the majority of guest will rely on rail as their means of accessing the site. This proportion is 70% before 21:00 and 65% between 21:00 and 02:00. After 02:00, the proportion shift to a reliance on taxi services to transport 80% of guests. While the post 02:00 transport mode proportions are likely to be accurate due to public transport closure at this time of night, the high proportion of rail use has been questioned by both Tower Hamlets Transportation Officers and the ODA's Highway consultants. Hackney Wick Station is the only realistic station in this respect and it has been questioned whether the corporate guests identified for the venue are likely to travel to the event by public transport means, then be required to walk the 850 metre distance from the station to the venue. Additionally, the number of people using Hackney Wick Station to depart the venue is also questioned, given that trains along the Overground line and at the predicted peak periods are highly likely to be at their capacity by the time they reach Hackney Wick due to the Games themselves. Therefore, the assumption that train will be the principle mode of transport for this venue is not accepted. It is considered far more likely that guests will rely on taxi services.

9.28 Additionally, the transport impact of the scheme should not be considered in isolation. As Members will recall, planning permission has also been granted for a hospitality venue at Swan Wharf, located on the southern side of Dace Road. That scheme is smaller than the proposal, having a throughput capacity of 3,750 persons per day. The scheme also relies more heavily on the 'Water Chariots' riverboat service than on other means of transport, going so far as to charter the boat service after midnight. The total trip generation for the Swan Wharf scheme is slightly different to the proposal. The earlier morning peak occurs one hour later than the application proposal and there are two influxes of guests in the evening, one between 18:30 and 19:30 and the other at 20:30. Guests leaving the venue late at night are also slightly different in that there is anticipated to be a large departure between 22:00 and 23:00 then a second large departure from 23:30 to 01:00. When taking the Swan Wharf scheme into account, the cumulative arrival and departure peaks are as follows:

- 07:00 to 09:00 arrival of 2126 persons (peak of 869 at 08:00)
- 08:30 to 10:00 departure of 2008 persons (peak of 861 at 09:00)
- 10:30 to 13:00 steady arrival of 1027 persons
- 12:00 to 12:30 spike of 1706 persons arrive.
- 13:30 to 14:00 departure of 720 persons
- 14:30 to 15:30 departure of 1155 persons

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- 15:30 to 17:30 arrival of 2326 persons (peak of 1069 at 16:00)
- 17:30 to 18:30 departure of 1747 persons (peak of 1203 at 17:30)
- 18:30 to 19:30 arrival of 1347 persons
- 20:00 to 21:00 departure of 1011 persons
- 20:30 to 21:00 spike of 784 persons arrive
- 22:30 to 23:00 spike of 1542 persons arrive
- 00:30 to 04:00 departure of 508 followed by a steady departure of guests.
(NB: Although the TA gives figures up to 4am, both the application premises (if granted permission) and the Swan Wharf facility are conditioned with a 2am closing time)

9.29 The cumulative figures show that the greatest travel demand for arrival times will be in the morning between 07:00 and 09:00 and mid-afternoon between 15:30 and 17:30. The arrival spike mid day of 1706 should also be considered due to the number of people over the short space of time. In terms of departures, the peak is shown as being mid morning between 08:30 and 10:00 and again in the late afternoon between 17:30 and 18:30.

9.30 When considering the implication for these figures, the TA has made the assumption that all trips are linked to Olympic Park visitation. As stated previously, Tower Hamlets transportation officers do not agree with this assumption, but do consider that the majority of guests will be Olympic ticket holders. The TA has provided a daily profile of how guests are expected to access the Olympic Park. This has been expressed as the guests arriving at the venue before the Olympic Park, guests departing the venue to go to the Olympic Park, guests arriving following the Olympic Park and guests departing the venue after the Olympic Park. The analysis assumes that many of those accessing the Olympic Park after they have visited the venue will depart by means of transport close to the Olympic Park, for example from Stratford Station. The significance of this analysis is that the impact of the guest's arrival and departure is expressed in terms of whether the Olympic Park forms part of their journey, rather than assuming that each journey requires a transport choice. The figures therefore indicate the demand for transport is likely to peak during at the following times:

- 07:30 to 09:00 arrival of 1543 persons (peak of 775 at 08:00)
- 14:30 to 15:00 departure of 996 persons
- 16:00 to 17:00 arrival of 1055 persons (peak 627 at 16:00)
- 23:30 to 04:00 consistent departure demand (peak 401 at 02:00)
(NB: As before, although the TA give figures up to 4am, both the application premises (if granted permission) and the Swan Wharf facility will be conditioned with a 2am closing time)

9.31 Therefore, when taking the linked trips into account, the transport demand is highest early mornings, at specific times during the afternoon and then consistently after midnight.

Proposed Mitigation

9.32 As stated earlier in this report, the applicant has assumed that rail will be the primary transport option for guests during the day, with taxis taking over at night. Officers do not agree with this conclusion and consider that it is likely that there will be a much higher reliance on private hire vehicles to move guests to and from the

venue.

- 9.33 The applicant has committed to providing a shuttle bus service that will link the site with Bow Road and Stratford. There would be two buses in operation, one serving each destination. Each bus is proposed to have a 45 passenger capacity and an anticipated return journey time of 15 minutes. Therefore, this shuttle bus service has the ability to transport 360 people per hour between the two destinations. In principle, such a shuttle service could assist in alleviating the transport demand for the site. However, officers do not consider that this by itself should be relied upon, as the more popular option of Stratford also follows the Olympic Route Network core route that will have heavy traffic management in place. However, the TA acknowledges that the Stratford and Bow Road locations are only suggested locations at this point. It has therefore been accepted that the full details of the shuttle bus service will be secured through a Section 106 legal agreement.
- 9.34 The use of taxis has also been adopted as a transport solution for the site. The developer has committed to entering into an agreement with a licensed minicab company to provide an on demand service for guests. The TA analysis indicates that the peak demand for taxis will be between 02:00 and 02:30 at 107 taxis required. This equates to three taxis per minute. While there are still questions around whether taxi demand will be higher than predicted during the day, the 107 figure in the early morning is likely to be accurate as this was calculated assuming public transport had stopped for the night. Like the shuttle bus operation, the detail of the taxi agreement will be secured as part of a Section 106 agreement.
- 9.35 The applicant has assumed that the shuttle bus and taxi service can be accommodated on the local street network and has provided a plan indicating the parking locations of these services. A commitment to liaising with other land owners in the area to find an off-street solution has also been offered. However, on street parking is not considered to be acceptable. The on-street solution requires areas of the public highway to be dedicated to the venue which is not a workable solution. In addition to this, the impending implementation of a Controlled Parking Zone will make it extremely difficult to use areas of the public highway, particularly if it were at the expense of purchased resident parking bays. Tower Hamlets Transportation advice has been clear in stating that any shuttle bus and taxi service can only be found acceptable if the solution is off-street. In this respect, the applicant has confirmed that such arrangements can be accommodated on site and has agreed to a condition to secure this arrangement.
- 9.36 Other measures proposed by the applicant include providing travel information to guests via a dedicated webpage. Suggested information includes the different modes of transport to be provided, different routes to access the site, pedestrian connectivity with the Olympic Park, public transport timetables and no dedicated car parking for guests. Marketing material is also proposed for the scheme which can may include travel information provided with tickets and a travel information board displayed on site.
- 9.37 The applicant has also offered pedestrian marshalling to ensure guests have adequate travel information before leaving the venue. Local wayfinding signage has also been offered indicating the direction to public transport and other important directional information. The measures offered by the applicant in terms of information and wayfinding broadly align with Transport for London's request for a Pedestrian Environment Review System (PERS) audit. Therefore, a PERS audit and wayfinding strategy will form part of the Section 106 agreement.

Impact on Olympic Park Entrance

9.38 The applicant has also provided information on the cumulative impact of the proposal on the western entrance of the Olympic Park. This information has revealed that had the Swan Wharf scheme been the only venue in the area, the western gateway is likely have a minor excess demand between 08:00 and 09:00. However, with the current proposal in place, the cumulative impact of the two proposals results in capacity being exceeded between 08:00 to 10:00 and 17:00 to 18:00. In addition, the capacity of the western gateway is reached between 15:00 to 16:00.

9.39 The applicant has suggested that the excess demand can be overcome by re-distributing the guests to alternative access points by the shuttle bus service and/or the riverboat service. This would also be accompanied by a communication system whereby the capacity of the western entrance is relayed to guests in the venue.

9.40 The ODA have responded to this suggestion by requesting a condition be imposed to secure, among other matters, the following information:

- an agreed system of information sharing, communication and agreeing access with LOCOG and TfL which would be agreed, installed and operational before the games and then operate right through the Games such that venue users could be redirected to amended routes accordingly using real-time information if required.
- the arrangements for informing and agreeing the likely numbers and timings of the venue users accessing/egressing the Park via the western entrance/exit with LOCOG and how they will effectively direct venue users to other park entrance exits on a real time basis if the western entrance is overcrowded/has long queues to enter/exit.

9.41 This has been accepted with the modification that the details are secured by Section 106 agreement, rather than by condition.

Servicing

9.42 The servicing of the scheme is part of means of access and layout and a reserved matter. As such full details have not been provided. Given the site is cleared of all structures and also shares service yards to the north on Roach Road and to the south on Dace Road (albeit with use limited by a Right of Way), it is considered that servicing options remain available to the applicant. Therefore, the details of the servicing are recommended to be secured by condition and shall include size of vehicles to be used, swept path analysis demonstrating that vehicles can access and egress in forward gear, and demonstrating that servicing can take place with minimal conflict between pedestrians and existing operations on Fish Island. Suggested condition 11 (below) requires full details of servicing to be submitted to and approved by the local planning authority prior to commencement of development.

Noise Disturbance

9.43 The nearest residential properties to the scheme are located approximately 100 metres to the south at the Ironworks live/work development and 200 metres to the north at the Omega Works development. The closer of the two developments is

located behind structures on the Aston Matthews land and at Swan Wharf. The Omega Works development is not as well screened as the Ironworks building but is further away.

9.44 As discussed earlier in this report, the parameters of the scheme are at their highest facing Fish Island and enclose the main stage area of the scheme. Therefore, the opportunity exists for sound management and mitigation to be implemented in this development. However, as the specific detail of the proposal is not yet known, the details of sound mitigation will be secured by way of condition (see suggested conditions 5 and 6 below). This will include a noise management plan detailing the operational times both internally and externally and activities likely to take place at the venue. The plan will detail the likely noise impact on sensitive residential receptors and how noise will be effectively control and complaints addressed. Given these various considerations, it is not considered that the temporary use will create such detriment to residential amenity as to justify refusal.

10. CONCLUSION AND REASONS FOR APPROVAL

10.1 This outline temporary application has been assessed by officers who have found that on the balance of material planning considerations, the proposal is acceptable. While further detailed information remains outstanding, this information will be secured through the imposition of conditions and a Section 106 agreement. As it stands however, those matters that have not been reserved, land use and scale parameters, have been found to be acceptable. Officers are satisfied that the community benefits under the proposed S106 agreement meet the statutory tests prescribed in regulation 122 of the Community Infrastructure Levy Regulations 2010, and can therefore be taken into account as a reason for approval. If members agree with the officer assessment, they may take the proposed obligations into account as material consideration but not otherwise.

RECOMMENDATION

10.2 The application is recommended for approval, subject to:

1. A Section 106 agreement to secure the following:
 - Travel and access Management Strategy, to include:
 - the arrangements for agreeing access to and from the venue for each booked party or for each day, and how those arrangements will be agreed with LOCOG, TfL, ODA or LOCOG Transport and other interested parties as well as venue attendees and kept updated on a daily basis if required.
 - an agreed system of information sharing, communication and agreeing access with LOCOG and TfL which would be agreed, installed and operational before the games and then operate right through the Games such that venue users could be redirected to amended routes accordingly using real-time information if required.
 - the arrangements for informing and agreeing the likely numbers and timings of the venue users accessing/egressing the park via the western entrance/exit with LOCOG and how they will effectively direct venue users to other park entrance exits on a real time basis if the western

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entrance is overcrowded/has long queues to enter/exit.

- Shuttle bus and taxi service arrangements, to include
 - Number, capacity, frequency and routes of shuttle service
 - Off site drop off locations
 - On site taxi, coach and shuttle bus management arrangements
 - Pedestrian Environment Review System audit and wayfinding strategy
2. Referral to the Mayor of London for his Stage 2 determination
 3. The conditions listed in section 11 of this report.

11. CONDITIONS AND REASONS

1. The details of the siting, design and external appearance of the buildings, the means of access thereto and the landscaping of the site (hereafter referred to as “the reserved matters”) shall be submitted to and approved in writing by the Local Planning Authority prior to the commencement of any works on site. The details shall specifically include the following information:
 - Plans identifying the specific building footprint and extent of development on each storey
 - Elevations of each face of the structure indicating the design, height in metres AOD, width and depth
 - Full details of materials, including samples, to be used in the external surfaces of the structure.
 - Full details of hard and soft landscaping, including the removal and replacement of any existing trees, where appropriate
 - Full details of the means of public and service access to the site.
 - Plans illustrating relationship with existing uses and access with buildings in the immediate context if they form integral part of the delivery of uses and services proposed
 - Details of boundary treatment
 - Local Views from within the Fish Island Conservation Area

The details shall be implemented in accordance with the approved plans thereafter.

Reason: To ensure that the Local Planning Authority has control of those matters reserved from the grant of this outline planning permission and in accordance with policies DEV12, DEV13, DEV28, DEV47, 7.4 and 7.6 of the London Plan.

2. The uses hereby permitted shall occur for a limited period from the 1st of April 2012 and shall be discontinued on or before the 16th of September 2012, after which time all temporary structures are to be removed from site.

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Reason: To prevent the retention of a permanent hospitality use where other preferred land uses may be more appropriate, in accordance with SO16, SP02 and SP06 of the London Borough of Tower Hamlets LDF Core Strategy 2010.

3. The development hereby permitted shall be implemented in accordance with the parameters set out in the following plan numbers:

0210001/001a Location plan
0210001/002a Stacking plan
0210001/003a Ground floor plan
0210001/004a First floor plan
0210001/005a Second floor plan
0210001/006a Third floor plan
0210001/007a Fourth floor plan
0210001/008a Fifth floor plan
0210001/009a General view
0210001/010a Elevations

The parameters shall be adhered to unless otherwise agreed in writing by the Local Planning Authority.

Reason: To ensure that the scheme is implemented in accordance with the approved parameter plans in accordance with policies 7.4 and 7.6 of the London Plan.

4. Notwithstanding the indicative drawings numbered 0210001/009a and 0210001/011a submitted with the application, no public viewing screen visible from outside the development site shall be installed or operated within the development until crowd modelling data has been submitted to the local planning authority which demonstrates to the local planning authority's satisfaction that there will be no adverse impact on the free flow of pedestrians in any public area from which the screen is visible.

Reason: In the interest of the free flow of pedestrian within the Olympic Park and on the River Lea Navigation tow path, in accordance with policy 2.4 of the London Plan 2011.

5. Prior to the commencement of the development hereby permitted, full details of sound insulation and noise mitigation to be installed in the approved structure shall be submitted to and approved in writing by the Local Planning Authority. The details shall be implemented in full thereafter.

Reason: In the interests of nearby residential amenity and in accordance with policy DEV50 of the London Borough of Tower Hamlets UDP 1998.

6. Prior to the first commercial operation of the temporary use hereby permitted, sound levels for the public announcement and music equipment shall be agreed in writing by the Local Planning Authority, in consultation with the relevant London Borough of Tower Hamlets Environmental Health Officers, and shall be based upon external and internal noise levels taken from appropriate noise sensitive receptor locations. These agreed levels shall be controlled and restricted using an entertainment noise control system and will not be exceeded without the prior written agreement of the Local Planning Authority.

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Reason: In the interests of nearby residential amenity and in accordance with policy DEV50 of the London Borough of Tower Hamlets UDP 1998.

7. No mature tree shall be removed from the site without the prior approval of the Local Planning Authority. Any proposal for tree removal must first satisfy the standards as set out in the Fish Island Conservation Area Management Guidelines and shall demonstrate that the tree removal shall not result in any adverse impact upon the Conservation Area.

Reason: To ensure that any tree of ecological and aesthetic value is retained where possible and in accordance with policy SP10 of the London Borough of Tower Hamlets LDF Core Strategy 2010 and policies DEV15 and DEV29 of the London Borough of Tower Hamlets UDP 1998.

8. The total number of guests visiting the development shall not exceed 8000 persons in any one day.

Reason: To ensure the development does not detrimentally impact upon the surrounding area, in accordance with policy SP08 of the London Borough of Tower Hamlets LDF Core Strategy 2010 and policy DEV50 of the London Borough of Tower Hamlets UDP 1998.

9. The use hereby permitted shall not operate between the hours of 0200 and 0800 on any given day unless otherwise agreed in writing by the Local Planning Authority.

Reason: In the interests of residential amenity and in accordance with policy DEV50 of the London Borough of Tower Hamlets UDP 1998.

10. Prior to the commencement of the development, full details of all coach and taxi facilities shall be submitted to and approved in writing by the local planning authority. The details shall include:

- Holding areas for all vehicles demonstrating that no queuing will occur onto the public highway
- Swept path analysis demonstrating free flow of taxi and coach vehicles can be achieved
- Pick up and drop off points for all patrons visiting the site

The approved details shall be implemented in full thereafter.

Reason: To ensure no taxi or shuttle bus service relies upon the public highway for parking, standing or marshalling, in accordance with policies T15, T16 and T17 of the London Borough of Tower Hamlets Unitary Development Plan 1998.

11. Prior to the commencement of the development hereby permitted, a full Delivery and Servicing Plan shall be submitted to and approved in writing by the Local Planning Authority. The approved details shall include size of vehicles to be used, swept path analysis demonstrating that vehicles can access and egress in forward gear and further analysis demonstrating that servicing can take place with minimal conflict between pedestrians and existing operations on Fish Island. The approved details shall be implemented in full thereafter.

Reason: To ensure that deliveries to and servicing of the development does not inhibit the free flow of the local highway network, in accordance with policies T15,

T16 and T17 of the London Borough of Tower Hamlets Unitary Development Plan 1998.

12. Prior to the commencement of the development, a Risk Assessment and Method Statement outlining all works to be carried out adjacent to the waterway shall be submitted to and approved in writing by the local planning authority. The risk assessment shall also include details of any proposed safety equipment along the canal frontage, which shall be installed prior to first occupation of the development hereby permitted.

Reason: In the interests of the structural integrity of the waterway wall, waterway heritage, navigational safety and visual amenity, and in accordance with policy DEV47 of the London Borough of Tower Hamlets UDP 1998.

13. Prior to the commencement of the development hereby permitted, full details of any proposed lighting and/or CCTV scheme shall be submitted to and approved in writing by the Local Planning Authority. The approved lighting and/or CCTV scheme shall be implemented prior to first occupation of the development.

Reason: In the interest of crime prevention, ecology, visual amenity and the canal setting.

14. Prior to the commencement of the development hereby permitted, a feasibility study shall be carried out to assess the potential for moving freight by water during the construction cycle (waste and bulk materials) and following occupation of the development (waste and recyclables). The use of waterborne transport shall be maximised during both the construction and occupation of the development unless the above assessment demonstrates that such use of the canal is not physically or economically feasible.

Reason: To encourage the use of the canal for transporting waste and bulk materials in accordance policy T26 of the London Borough of Tower Hamlets UDP 1998 with policies 7.27 and 7.30 of the London Plan 2011.

15. The development shall be carried out in full accordance with the approved Flood Risk Assessment, including the following specific details:

- First floor finished level must be set no lower than 6.74m AOD
- Flood storage volume will not be compromised for the whole lifetime of the development
- The development shall be entirely removed at the end of the permitted period.

Reason: To ensure the risk of flooding is reduced to the site and surrounding area, in accordance with policy U3 of the London Borough of Tower Hamlets Unitary Development Plan 1998 and PPS25.

16. The development hereby permitted shall not be commenced until the physical form and position of the steel supports and cladding have submitted to and approved in writing by the Local Planning Authority. The details shall demonstrate that the free flow of flood water will not be impeded. The approved details shall be implemented in full thereafter.

Reason: To ensure no increase in flood risk to the site or surrounding area, in

accordance with policy U3 of the London Borough of Tower Hamlets Unitary Development Plan 1998 and PPS25.

17. Prior to the commencement of the development hereby permitted, a desk based ecological assessment shall be submitted to and approved in writing by the Local Planning Authority. The assessment shall demonstrate how the development will affect the river and associated wildlife habitat and any mitigation proposed.

Reason: To ensure any impact on the river ecology can be adequately avoided, mitigated or compensated, in accordance with DEV58 of the London Borough of Tower Hamlets Unitary Development Plan 1998.

18. Prior to the commencement of the development hereby permitted, a scheme for the provision and management of a five metre buffer zone alongside the River Lea Navigation (as shown hatched on ground floor plan 0210001/003a) shall be submitted to and approved in writing by the Local Planning Authority. The details shall include any artificial lighting from the new development onto the River Lea Navigation and details of all planting. The approved details shall be implemented in full thereafter.

Reason: To ensure light spill from the development is to avoid disruption to the nocturnal wildlife in the area, in accordance with DEV58 of the London Borough of Tower Hamlets Unitary Development Plan 1998.

19. Prior to the commencement of any below ground works on site, the following components of a scheme to deal with the risks associated with contamination of the site shall each be submitted to and approved in writing by the Local Planning Authority:

(a) A preliminary risk assessment which has identified:

- i) All previous uses
- ii) Potential contaminants associated with those uses
- iii) A conceptual model of the site indicating sources, pathways and receptors
- iv) Potentially unacceptable risks arising from contamination at the site

(b) A site investigation scheme, based on (a) to provide information for a details assessment of the risk to all receptors that may be affected, including those off site.

(c) The results of the site investigation and detailed risk assessment referred to in (b) and, based on these, an options appraisal and remediation strategy giving full details of the remediation measures required and how they are to be undertaken.

(d) A verification plan providing details of the data that will be collected in order to demonstrate that the works set out in the remediation strategy (c) are complete and identifying any requirements for longer term monitoring of pollutant linkages, maintenance and arrangements for contingency action.

Any changes to these components require the express consent of the Local Planning Authority. The scheme shall be implemented in full thereafter.

Reason: To protect the quality of controlled waterways and in accordance with

policies DEV22 and DEV51 of the London Borough of Tower Hamlets Unitary Development Plan and policy 5.21 of the London Plan.

20. Prior to the occupation of any part of the permitted development, a verification report demonstrating completion of the works set out in the approved remediation strategy and the effectiveness of the remediation shall be submitted to, and approved in writing by, the Local Planning Authority. The report shall include results of sampling and monitoring carried out in accordance with the approved verification plan to demonstrate that the site remediation criteria have been met. It shall also include any plan (a long term monitoring and maintenance plan) for longer term monitoring of pollutant linkages, maintenance and arrangements for contingency action, as identified in the verification plan, and for the reporting of this to the Local Planning Authority.

Reason: To protect the quality of controlled waterways and in accordance with policies DEV22 and DEV51 of the London Borough of Tower Hamlets Unitary Development Plan and policy 5.21 of the London Plan

21. If, during development, contamination not previously identified is found to be present at the site then no further development (unless otherwise agreed in writing by the Local Planning Authority) shall be carried out until the developer has submitted, and obtained written approval from the Local Planning Authority for, a remediation strategy detailing how the unsuspected contamination shall be dealt with. The remediation strategy shall be implemented as approved thereafter.

Reason: To protect the quality of controlled waterways and in accordance with policies DEV22 and DEV51 of the London Borough of Tower Hamlets Unitary Development Plan and policy 5.21 of the London Plan

22. No infiltration of surface water drainage into the ground is permitted other than with the express written consent of the Local Planning Authority, which may be given for those parts of the site where it has been demonstrated that there is no resultant unacceptable risk to controlled waters. The development shall be carried out in accordance with the approved details thereafter.

Reason: To protect the quality of controlled waterways and in accordance with policies DEV22 and DEV51 of the London Borough of Tower Hamlets Unitary Development Plan and policy 5.21 of the London Plan

23. Piling or any other foundation designs using penetrative methods shall not be permitted other than with the express written consent of the Local Planning Authority, which may be given for those parts of the site where it has been demonstrated that there is no resultant unacceptable risk to groundwater. The development shall be carried out in accordance with the approved details.

Reason: To ensure the design of any foundations does not cause unacceptable risks to controlled water by creating pathways to the underlying geology.

12. INFORMATIVES

1. The applicant is advised that any encroachment into, or oversail of the waterspace, or new accesses, require British Waterway's written permission before development commences. Please contact Brian Casey on 0207 985 7200 for further information.

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2. The applicant/developer should refer to the current British Waterways' "Code of Practice for Works affecting British Waterways 2010" to ensure that any necessary consents are obtained (www.britishwaterways.co.uk/media/documents/Code_of_Practice_2010.pdf) and should contact London's Third Party Works Engineer for further information"
3. The applicant is advised that the Fish Island Controlled Parking Zone will be in place during the lifetime of the development. No on street parking or vehicle standing areas will be available in the vicinity of the development.
4. Consent should not be interpreted as a precedent of scale or land use. Any future development will be assessed on its own merits.
5. The applicant is advised to contact Tower Hamlets Licensing Team with respect to the sale and supply of alcohol, the provision of regulated entertainment, and the provision of late night refreshment.
6. The applicant is advised that the cutting down, lopping or uprooting of any of the protected trees on the site will require separate consent from LB Tower Hamlets pursuant to the Tree Preservation Order covering these trees.
7. The applicant is advised that separate advertisement consent will be required for any large screen on site such as that shown on indicative drawing 0210001/009a and 0210001/011a.

CASE OFFICER: Stephen Allen

Appendix 1: Site Location Plan

Appendix 2: Proposed Site Parameters

Appendix 3: Indicative Design Concepts