

From: [Aleksandra Milentijevic](#)
To: [Duncan Parr](#)
Cc: [Michael Birch](#)
Subject: RE: Panda House Appeal Case (APP/E5900/W/20/3250665)
Date: 16 November 2020 10:44:09

Hi Duncan,

Thank you for your response.

As mentioned in my email last week, the Council would like to proactively work with the appellant to resolve some of the issues before the inquiry in January so that both parties and the Inspector can just focus on the main areas of dispute. This is predominantly in relation to highways, waste and environmental implications of the appeal proposal. I have set out these below.

As you might be aware, a number of issues have been identified in highways terms, most of each could be resolved with the provision of further information to ensure that the development does not have an adverse impact to the surrounding highways network. The Council considers it is essential for these to be resolved during this stage of considering the appeal proposal, rather than at a condition stage in order to ensure that any mitigation measures would have the opportunity to be successfully incorporated into the proposed development. If the Council and the appellant can come to an agreement on the following matters, it would help the Inspector and both parties can use the time efficiently at the Public Inquiry and round the table discussions (Hearing).

Firstly, Cycle access remains a concern. The proposed platform access on Island Row is not considered to be safe, and it leaves the cycle access point exposed to elements and is also a safety concern as it allows for tailgating onto the platform. An alternative access arrangement should be considered in order to provide a fully enclosed and secure entrance for cyclists. You might want to explore the option of providing the access directly into the building on Island Row where the current access lift is proposed which is likely to require some internal layout changes, or potentially reuse the main entrance on Commercial Road and rearrange the lobby space to ensure there is sufficient space for cycle access.

In addition, the Council's fundamental disagreement regarding the number of cycle spaces remains. It is considered that the number of long-term cycle spaces should be provided in accordance with the draft London Plan policy which requires one space per each HMO room. Whilst we appreciate the efforts for a potential provision of up to 80 cycle spaces in two tier racks as indicated in the appellant's response to the Council's Statement of Case, we would like to explore the option of an internal layout reconfiguration to ensure the provision of cycle spaces which meets the minimum requirements. In addition, 5% of the cycle spaces will be required as Sheffield stands to accommodate larger/adapted cycles.

The Council has also reviewed the location of the short-term cycle parking spaces on Commercial Road. Whilst the proposed spaces would overrun onto the public footway, this is likely to be minimal in terms of impact and given that it would encourage sustainable means of transport, we are minded to accept it.

In terms of deliveries and servicing, whilst the Council appreciates that a similar arrangement is taking place at present, we would like to secure an arrangement which would seek to minimise any adverse impact. The provided tracking shows that the vehicles are encroaching onto the public footway, which is a safety issue. This is of particular concern in relation to the waste collection as the Council's waste collection vehicles are 11.15m in length, and the provided tracking shows an even smaller vehicle. The Council has an obligation to collect waste classified as household. We would need to understand the waste management that would occur in the building and an arrangement to bring the bins up for collection and to ensure the Council's waste vehicle and crew are not waiting for bins given that any waiting could obstruct the public highway. Details and plan of bringing the bins to the street level are required to understand these issues, as well as ensuring that the vehicles are able to stop at the designated servicing bay. A suitable drop kerb should be provided given that access is required across a public highway. The collection point should be entirely within the appeal proposal's red line boundary to ensure that there is no obstruction to the public footway.

In terms of waste capacity, the appeal proposal needs to demonstrate that there would be sufficient space to cater for the future occupiers of the building. In order to overcome the lack of waste capacity guidelines, the Council's waste team has suggested to use a guideline of at least 100l per room for the HMO rooms (60 rubbish, 40 recycling) given that a one bedroom flat is 130l (70 rubbish, 60 recycling). For the hostel element of the scheme, given that this would be temporary accommodation, this is likely to be less.

With regards to trip generation numbers, we would need to ensure that the most up-to-date has been provided. The methodology used should be consistent across different documents to ensure that more up-to-date and relevant surveys are provided. These should be revisited in order to provide the relevant information to understand if any additional mitigation measures would be required.

The safe use of the proposed accessible car parking space is required and be demonstrated. A Stage 1 Road Safety Audit should be provided to demonstrate that suitable visibility is available and that there are no inherent safety issues with the proposal. Should this find the proposed space to be appropriate for use, the Council would be satisfied. However, should this show that the provided space is not suitable for use and that the designers cannot find a way of addressing any concerns, we are willing to explore and agree on alternative options with yourselves as we would have sufficient information to acknowledge the site's constraints when it comes to this element of the proposal.

In relation to the proposed energy strategy, we would encourage you to revisit the submitted energy strategy and explore alternative mechanical solution given that CHPs are no longer sustainable given their high carbon emissions. We have seen a number of cases where developers are proposing replacements of an approved CHP solution post consent in order to provide a more sustainable option for the proposed development. The provision of a CHP also creates additional air quality issues, which is another identified issue within the appeal scheme.

Finally, the air quality remains a concern given that the appeal proposal is situated in an area of substandard air quality where levels of nitrogen dioxide and particulates exceed World Health Organisation guideline limits. An air quality assessment would be required in order to outline and secure any mitigation measures during construction or operation. This is also of particular

importance for future occupants of the site given that the appeal proposal includes the provision of balconies.

If the above points raised could be addressed and the Council is satisfied with the details submitted, these will address reasons for refusal No. 4, 5 and 6 and therefore will no longer be areas of dispute. Otherwise, if no details are forthcoming, or no satisfactory details are provided then we will have to spend time at the Inquiry defending the reasons as set out in the Council's decision notice.

Any queries on the above, please do let me know.

Kind regards,

Aleks

Aleksandra Milentijevic

Senior Planning Officer (East Area Team)

Development Management

Place Directorate

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From: Duncan Parr <Duncan.Parr@rapleys.com>

Sent: 13 November 2020 17:57

To: Aleksandra Milentijevic <Aleksandra.Milentijevic@towerhamlets.gov.uk>

Cc: Michael Birch <Michael.Birch@rapleys.com>

Subject: Re: Panda House Appeal Case (APP/E5900/W/20/3250665)

Aleks

Thanks - we will take instructions and come back to you ASAP.

Regards

Duncan

Sent from iPhone

Duncan Parr

Planning Partner

Rapleys LLP

07795175853

On 13 Nov 2020, at 17:43, Aleksandra Milentijevic
<Aleksandra.Milentijevic@towerhamlets.gov.uk> wrote:

Hi Michael,

I hope you are well.

I thought it would be useful to get in touch prior to the Case Management Conference next week.

Could I please ask you to let me know who has the appellant appointed as their Counsel? It would be useful to know this. The Council has appointed Sarah Sackman from Francis Taylor Building.

Having discussed the viability and the provision of affordable housing with the Council's viability witness, I wanted to ask for contact details of your viability witness so the consultants can explore which matters could be agreed before the inquiry. The Council's viability witness is Dr Anthony Lee from BNP Paribas.

Also in relation to the viability issue, given that the build costs are one of the disputed matters, could you please let me know if the appellant will have a cost consultant attending the inquiry. I understand that the Council's cost consultants (RLF) have been in touch with the appellant's cost consultants, however, it would be good to get an update on this and ensure that the dialogue between them is ongoing.

With regards to other matters, the Council would like to work with yourselves regarding the highways and waste issues as we believe that we can reach certain common ground on these matters with the provision of additional information. We would also like to explore the air quality and energy issues with yourselves as well. I will send details on these matters next week.

I look forward to hearing from you.

Kind regards,
Aleks

Aleksandra Milentijevic

Senior Planning Officer (East Area Team)

Development Management

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