



Planning and Transportation Committee Supplementary Agenda

Date: TUESDAY, 6 OCTOBER 2020
Time: 10.30 am
Venue: VIRTUAL TEAMS MEETING

5. SWAN LANE PIER, 1 SWAN LANE LONDON EC4R 3TN

**Addendum to Item 5 - Swan Lane Pier, 1 Swan Lane London EC4R 3TN
application number 19/00116/FULL**

The following background papers were omitted from the officer report.

Background Papers:

Documents

Impact Assessment prepared for Union Investments Real Estate GMBH (Objector),
Bell Cornwall, July 2020

External

External consultation responses can be accessed via the following link:

<https://www.planning2.cityoflondon.gov.uk/online-applications/applicationDetails.do?activeTab=documents&keyVal=PMKFGWFHI8H00>

Letter, Greater London Authority, 1st July 2019

Report, Bell Cornwall on behalf of Union Investments Real Estate GMBH, July 2020

For Decision
(Pages 1 - 10)

John Barradell
Town Clerk and Chief Executive

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GREATER LONDON AUTHORITY

Development, Enterprise and Environment

Kurt Gagen
City of London Corporation
City of London Corporation
Guildhall, PO Box 270
London EC2P 2EJ

Our ref: GLA/5085/01
Your ref: 19/00116/FULL
Date: 1 July 2019

Dear Kurt Gagen

Town & Country Planning Act 1990 (as amended); Greater London Authority Acts 1999 and 2007; Town & Country Planning (Mayor of London) Order 2008

Swan Lane Pier, 1 Swan Lane
LPA reference: 19/00116/FULL

I refer to the copy of the above planning application, which was received from you on 26 April 2019. On 1 July 2019, the Mayor considered a report on this proposal, reference GLA/5085/01. A copy of the report is attached, in full. This letter comprises the statement that the Mayor is required to provide under Article 4(2) of the Order.

The Mayor considers that the application does not comply with the London Plan, for the reasons set out in paragraph 28 of the above-mentioned report.

If your Council subsequently resolves to make a draft decision on the application, it must consult the Mayor again under Article 5 of the Order and allow him fourteen days to decide whether to allow the draft decision to proceed unchanged, or direct the Council under Article 6 to refuse the application, or issue a direction under Article 7 that he is to act as the local planning authority for the purpose of determining the application and any connected application. You should therefore send me a copy of any representations made in respect of the application, and a copy of any officer's report, together with a statement of the decision your authority proposes to make, and (if it proposed to grant permission) a statement of any conditions the authority proposes to impose and a draft of any planning obligation it proposes to enter into and details of any proposed planning contribution.

Please note that the Transport for London case officer for this application is Jordan Cousins, e-mail: JordanCousins@TfL.gov.uk, telephone: 020 3054 9297.

Yours sincerely,



John Finlayson

Head of development management

cc London Assembly Constituency Member
 Andrew Baff, Chair of London Assembly Planning Committee
 National Planning Casework Unit, DCLG
 Alex Williams, TfL
 Daniella Marrocco, DP9 Ltd, 100 Pall Mall, London SW1 Y SNQ

1 July 2019

Swan Lane Pier, 1 Swan Lane

in the City of London

planning application no.19/00116/FULL

Strategic planning application stage 1 referral

Town & Country Planning Act 1990 (as amended); Greater London Authority Acts 1999 and 2007; Town & Country Planning (Mayor of London) Order 2008

The proposal

Erection of a new pier within the River Thames at Swan Lane, to comprise; a refurbished landside access platform; new canting brow and pontoon; dredging and filling of river bed; repair and reinstatement of camphed and riverbank; replacement of mooring pile and installation of additional mooring pile.

The applicant

The applicant is **Thames Leisure Ltd** and the architect is **The Masters Practice**.

Strategic issues

Principle of development: Whilst the proposals for the reinstatement of a pier and mooring at this site is supported in principle, in the absence of a more detailed strategy on its intended operation and management, the proposals raise a number of strategic concerns. In particular it must be demonstrated that the pier structure and birthing pontoon (and any other works) would not adversely impact on navigation, hydrology and biodiversity of the river (paragraphs 10-13).

Urban design: The design responds to the structural and functional requirements of the pier. The Council should secure key details of materials to ensure a high-quality building is delivered (paragraph 14).

Transport: The applicant must assess trip generation, highway impacts, public transport impacts and set out details of cycle parking. Transport matters which must be secured by planning condition include; an Event Management Plan and a Construction Logistics Plan (paragraphs 15-21).

Sustainable development: Further revisions and information is required before the proposals can be demonstrated as acceptable in relation to flood risk, air quality and noise (paragraphs 22-24).

Recommendation

That the City of London Corporation be advised that the scheme does not currently comply with the London Plan, for the reasons set out in paragraph 28 of this report.

Context

1 On 26 April 2019 the Mayor of London received documents from the City of London Corporation notifying him of a planning application of potential strategic importance to develop the above site for the above uses. Under the provisions of The Town & Country Planning (Mayor of London) Order 2008 the Mayor must provide the City Corporation with a statement setting out whether he considers that the application complies with the London Plan, and his reasons for taking that view. The Mayor may also provide other comments. This report sets out information for the Mayor's use in deciding what decision to make.

2 The application is referable under the following Category of the Schedule to the Order 2008:

- 2.2C.1(i) *"Development to provide a passenger pier on the River Thames"*.

3 Once the City of London Corporation has resolved to determine the application, it is required to refer it back to the Mayor for his decision as to whether to direct refusal; take it over for his own determination; or allow the Council to determine it itself.

4 The Mayor of London's statement on this case will be made available on the GLA website www.london.gov.uk.

Site description

5 Swan Pier (which is currently disused) is located on the north bank of the River Thames, just upstream from London Bridge. The site is accessed via an area of river walk off Swan Lane. The site fell out of use in 2012 but retains two existing dolphins and a singular mooring pile, bankseat, steps, loading bay and associated services. The site is located within the Central Activities Zone (CAZ). The surrounding area is largely characterised by office developments.

6 The site is located approximately 100 metres from Upper Thames Street, which forms part of the Transport for London Road Network (TLRN). The area is well served by public transport, with recording a Public Transport Accessibility Level (PTAL) of 6b (on a scale of 0-6b where 6b represents the most accessible locations). The nearest station is Monument, located 300 metres to the north east of the site which is served by the Circle, District and Central line (at Bank station). The adjacent area of the Thames River Path is known as Oystergate Walk and varies between 7 and 12 metres in width. There are 11 daytime and 7 night-time bus routes serving London Bridge, with the nearest stops 200 metres east of the site. At weekends, night tube services on the Jubilee line can be accessed at London Bridge station 500 metres south of the site, and Central line services are available at Bank station 650 metres north of the site. The East west cycle superhighway extends along Upper Thames Street.

Details of the proposal

7 Erection of a new pier within the River Thames at Swan Lane, to comprise; a refurbished landside access platform; new canting brow and pontoon; dredging and filling of river bed; repair and reinstatement of camphed and riverbank; replacement of mooring pile and installation of additional mooring pile.

Strategic planning issues and relevant policies and guidance

8 For the purposes of Section 38(6) of the Planning and Compulsory Purchase Act 2004, the development plan in force for the area is the (2015) City of London Local Plan and the 2016 London Plan (Consolidated with Alterations since 2011).

9 The following are relevant material considerations:

- The National Planning Policy Framework and National Planning Practice Guidance.
- Draft London Plan (consultation draft December 2017) and the minor amendments to this draft, which should be taken into account on the basis explained in the NPPF.
- Blue Ribbon Network *London Plan;*
- Tourism/leisure *London Plan;*
- Urban design *London Plan; Shaping Neighbourhoods: Character and Context SPG; Housing SPG; Shaping Neighbourhoods: Play and Informal Recreation SPG;*
- Transport *London Plan; the Mayor's Transport Strategy;*
- Sustainable development *London Plan; Sustainable Design and Construction SPG; Mayor's Environment Strategy;*
- Air quality *London Plan; Mayor's Environment Strategy.*

Principle of development

Blue Ribbon Network

10 London Plan policies 7.24, 7.25 and 7.27 seek to enhance the Blue Ribbon Network and prioritise the use of the waterspace and land alongside it for water related purposes, in particular for passenger and freight transport, through the protection and enhance of existing infrastructure and access points. Policy SI15 of the draft London Plan requires development proposals to protect and enhance existing passenger transport piers and their capacity and supports new piers in line with the Port of London Authority and Transport for London's Pier Strategy. Policy SI16 of the draft London Plan sets out that development proposals should protect and enhance, where possible, water related cultural, educational, and community facilities and events, and new facilities should be supported and promoted. Policy SI17 of the draft London Plan sets out that development proposals into the waterways should generally only be supported for water-related uses. However, uses such as bars and restaurants (for example ancillary to a passenger pier), and improved access to or along waterways and related public realm, can add to the diversity, vibrancy and regeneration of waterways, in particular in basins or docks. Notwithstanding this, the specific siting of such facilities requires careful consideration so that navigation, hydrology, biodiversity and the character and use of waterways are not compromised. This policy also notes that pollution from vessels should be minimised in terms of emissions.

11 In light of the above policy framework, the proposal to refurbish and enhance the existing infrastructure to deliver an enhanced mooring to accommodate a multi-use pier for use by all river traffic including a mooring which would predominantly used for larger events charter vessels on a non-static basis, is supported in principle by London Plan and draft London Plan policy. However, in the absence of a more detailed strategy on its intended operation and management, the proposals raise a number of strategic concerns. The applicant must therefore provide a full rationale for the pier, with comprehensive detail on its proposed operation and management. The applicant must also provide a robust assessment demonstrating that: the pier structure and birthing pontoon (and any other works) would not adversely impact on navigation, hydrology and biodiversity of the river; and, that any other associated environmental issues (such as noise and air quality) would be appropriately mitigated.

Central Activities Zone

12 London Plan Policies 2.10 and 2.11 and draft London Plan Policies SD4 and SD5 seek to enhance the CAZ's internationally significant strategic functions which the draft Policy SD4 specifically recognises the use and enjoyment of the River Thames. These policies require that proposals support the nationally significant strategic functions of the CAZ by responding to local conditions, also recognising the strength of both the cultural and leisure offers of the area. Proposals in the CAZ should promote and enhance the unique concentration and diversity of cultural, arts, entertainment, night-time economy and tourism functions. Accordingly, the proposed use of the pier for all river traffic and a mooring to be predominantly used for a charter vessel for private events could be supported in strategic planning terms subject to further detail and clarifications sought on the matters outlined in paragraph 11.

Principle of development conclusion

13 Whilst the proposals for the reinstatement of a pier and mooring at this site is supported in principle, in the absence of a more detailed strategy on its intended operation and management, the proposals raise a number of strategic concerns. In particular, it must be demonstrated that the pier structure and birthing pontoon (and any other works) would not adversely impact on navigation, hydrology and biodiversity of the river.

Urban design

14 The design responds to the structural and functional requirements of the pier. The Council should secure key details of materials to ensure a high-quality building is delivered.

Transport

Design and operation

15 The design of the pier must be in accordance with Transport for London's (TfL) Pier Design Guidance; the applicant must provide detailed commentary on how it has applied the requirements of this document to the design of the scheme. More details regarding the usage and the proposed services to be operated must be provided.

Trip generation

16 Predicted trip numbers and mode share for arrival and departures from larger event charter vehicles for employees, customers defined by expected arrival and departure times should be set out in a transport assessment. It should also clarify whether there are expected to be overlaps between organised events. There are strategic transport concerns regarding the potential impact of coaches, taxis, and private hire vehicles on the Transport for London Road Network, and possible overcrowding on the public transport network as a result of these proposals.

17 An Event Management Plan must therefore be provided. This should consider crowd management and safety on the Thames Path; and pick-up/drop-off arrangements for coaches, taxis, and private hire vehicles as well as measures to disperse arrivals/ departures across a greater time period. The applicant should manage passenger vehicles through a booking system. The plan should include robust measures to discourage Private Hire vehicles from picking up/dropping off on Upper Thames Street.

Wayfinding

18 The applicant should consider the need to provide Legible London signage for pedestrians and cyclists in line with London Plan Policy 6.10 and Policy T2 of the draft London Plan.

Cycle parking

19 The applicant must ensure that cycle parking is provided for staff and pier users, in accordance with the standards set out in London Plan Policy 6.9 and Policy T2 of the draft London Plan. The application documents confirm a maximum of 110 staff to service the Ocean Diva, 14 cycle parking spaces should be provided in a secure and accessible location complying with London Cycle Design Standards. Cycle parking provision for visitors to the site should be considered within 100 metres of the pontoon. The applicant should assess the current quantum of cycle parking locally; and if necessary, provide more cycle parking spaces, within view of the site. Alternatively, funding could be sought to extend a local cycle hire docking station.

Servicing and construction

20 The proposals to service and maintain the Ocean Diva by river are welcomed, given the reduced impact on the surrounding road network. The Council must secure a Construction Logistics Plan as part of any future planning permission, in order to prevent adverse impacts to the road network during the construction of the pier.

Transport conclusion

21 The applicant must assess trip generation, highway impacts, public transport impacts and set out details of cycle parking. Transport matters which must be secured by planning condition include; an Event Management Plan and a Construction Logistics Plan.

Sustainable development

Flood risk and drainage

22 A Flood Risk Assessment must be provided for the proposed development which complies with London Plan policy 5.12 and draft London Plan policy SI.12. The FRA should give appropriate regard to residual flood risks, and the need for resilience and emergency planning measures. A full review of flood risk (including residual risks) from all sources of flooding must be provided, and flood resilience and emergency planning measures should be included to manage these risks.

Air quality

23 A core priority of the Mayor's London Environment Strategy (2018) is to improve London's air quality and protect public health by reducing exposure to poor air quality, particularly for the most disadvantaged and those in priority locations such as Air Quality Focus Areas, and outlines a range of initiatives which seek to improve the capital's air quality over time, including the Ultra Low Emission Zone (ULEZ). London Plan Policy 7.14 and Policy SI1 of the draft London Plan state that London's air quality should be significantly improved and exposure to poor air quality should be reduced, especially for vulnerable people. Policy SI1 states that development proposals should not create unacceptable risk of high levels of exposure to poor air quality and should ensure design solutions are incorporated to prevent or minimise increased exposure to existing air pollution. The whole of the City of London is within an Air Quality Management Area, the nearest Air Quality Focus Area is at Monument/Gracechurch Street/Bishopsgate to Houndsditch. Accordingly, the applicant should investigate and report the existing and proposed air quality conditions associated

with the pier and its intended function and, where appropriate, outline any necessary mitigation that would need to be secured as part of any future planning permission.

Agent of Change

24 The applicant is reminded that 'Agent of Change' principles would apply, as set out in draft London Plan policy D12. The Agent of Change places the responsibility for mitigating the impact of noise and other nuisances firmly on the new development. This means that where a new noise-generating use is proposed close to existing noise-sensitive uses, such as residential development or businesses, the onus is on the new use to ensure its building or activity is designed to protect existing users or residents from noise impacts. The applicant and Council must ensure that there are sufficient mitigation measures in place to ensure that any potential future operators or users would not adversely affect the continued operation of existing sensitive uses in the vicinity.

Local planning authority's position

25 The City of London Corporation planning officers are currently assessing the proposals and have not yet targeted a committee date. GLA officers understand that the Corporation are working with the applicant to resolve a range of issues, particularly with regards to air quality, noise and operational management of the pier.

Legal considerations

26 Under the arrangements set out in Article 4 of the Town and Country Planning (Mayor of London) Order 2008 the Mayor is required to provide the local planning authority with a statement setting out whether he considers that the application complies with the London Plan, and his reasons for taking that view. Unless notified otherwise by the Mayor, the Corporation must consult the Mayor again under Article 5 of the Order if it subsequently resolves to make a draft decision on the application, in order that the Mayor may decide whether to allow the draft decision to proceed unchanged, or direct the Corporation under Article 6 of the Order to refuse the application, or issue a direction under Article 7 of the Order that he is to act as the local planning authority for the purpose of determining the application and any connected application. There is no obligation at this present stage for the Mayor to indicate his intentions regarding a possible direction, and no such decision should be inferred from the Mayor's statement and comments.

Financial considerations

27 There are no financial considerations at this stage.

Conclusion

28 London Plan and draft London Plan policies on; the Blue Ribbon Network, the Central Activities Zone, agent of change, urban design, transport and sustainable development are relevant to this application. The application does not fully comply with the London Plan and draft London Plan for the reasons set out below:

- **Principle of development:** Whilst the proposals for the reinstatement of a pier and mooring at this site is supported in principle, in the absence of a more detailed strategy on its intended operation and management, the proposals raise a number of strategic concerns. In particular, it must be demonstrated that the pier structure and birthing pontoon (and any other works) would not adversely impact on navigation, hydrology and biodiversity of the river.

- **Urban design:** The design responds to the structural and functional requirements of the pier. The Council should secure key details of materials to ensure a high-quality building is delivered.
- **Sustainable development:** Further revisions and information is required before the proposals can be demonstrated as acceptable in relation to flood risk, air quality and noise.
- **Transport:** The applicant must assess trip generation, highway impacts, public transport impacts and set out details of cycle parking. Transport matters which must be secured by planning condition include; an Event Management Plan and a Construction Logistics Plan.

for further information, contact GLA Planning Unit (Development Management Team):

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