

GREATER LONDON AUTHORITY
Development, Enterprise and Environment

Chris Mohtram

Planning – Development Team
Directorate of Regeneration, Enterprise and Skills
Royal Borough of Greenwich
The Woolwich Centre
35 Wellington Street
London SE18 6HQ

Our ref: D&P/4203/JF01

Your ref: 16/3945/F

Date: 31 March 2017

Dear Chris,

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

Studio 338 Bar, Tunnel Avenue

Local planning application reference: 16/3945/F

I refer to your letter received on 18 February consulting the Mayor of London on the above planning application, which is referable under Category 4 of the Schedule to the Order 2008. In this case, the site falls within the Silvertown Crossing Safeguarding Direction 2001. The proposals are for the rebuilding of the fire damaged property to exactly the same design, to reinstate its former use as a night club with residential uses on the second and third floors.

HSE consultation zones

The existing fire damaged building was formerly used as a night club with ancillary residential uses above until a fire in August 2016 ceased the operation. The proposed uses have been established by the premises former use, and therefore, the principle of reinstating the fire damaged building in exactly the same design, style and structure in order to reprovide its former uses does not raise any new strategic issues.

However, the site is within the Health and Safety Executive (HSE) consultation zones for both the East Greenwich Gas Holder Station and Brenntag (UK) Limited. More specifically it is within the inner consultation zones where the risk and hazard is considered the greatest and the suggested restrictions on development are the strictest. While it is understood that the gas holder has been decommissioned, the hazardous substance consent has not been revoked and therefore this remains a material planning consideration, as while this remains in place there is still potential for the gas holder to become operational in the lifetime of the proposed development. Furthermore, even if the consent for the gas holder were to be revoked by the Council, the site would still be located within the inner consultation zone for the nearby Brenntag site.

On the basis of the sites location in close proximity to two major hazards, the HSE has strongly advised the Council against the granting of planning permission on the basis of the level of risk posed by the current hazardous substance consents and the sensitivity of the proposed uses.

Nevertheless, it has advised that should the consent for the gas holder be revoked, the Brenntag consent be substantially modified so that the application site was wholly within the middle consultation zone, and the number of people effectively outdoors at the venue was to be limited to no more than 100 people at any one time, it may remove its advice. However, given the restrictions this would impose on Brenntag's commercial operations which are outside the scope of this planning application, in addition to the restrictions this would place on the operation of the nightclub (as previously operated), it is considered unlikely that these conditions would be acceptable to either party.

Silvertown tunnel safeguarding

As set out above, the application site and building footprint falls within the Silvertown Crossing Safeguarding Direction (2001) and this is the reason it has been referred to the Mayor. Proposals for a river crossing from the Greenwich Peninsula to Silvertown have existed for a long time and a formal safeguarded zone for its construction has been in place since 1997. The current proposals for the Silvertown Tunnel were consulted on and the scheme was designated a Nationally Significant Infrastructure Project in 2012. The Development Consent Order application is currently undergoing an Examination by the Planning Inspectorate on behalf of the Secretary of State for Transport.

Safeguarding is an established part of the planning process, designed to ensure that land which has been identified for major infrastructure projects is protected from conflicting developments. The aim of this measure was to ensure that new developments along this route would not affect the ability to build or operate the Silvertown Tunnel, or lead to excessive additional costs. As a planning application is required to bring the building back into use, Transport for London (TfL) requests that there are amendments made to the scheme design to ensure that no part of the building footprint or access routes conflicts with the latest designs for the Silvertown Tunnel as set out in the drawing (STWTN-ATK-GEN-XXXX-SK-Z-0218) appended to this report.

The current planning application affects the Silvertown Tunnel scheme as the area in front of the night club, which is owned by the GLA, is relied upon for fire escape egress and is on land safeguarded for the Silvertown Tunnel scheme. This would require TfL to seek compulsory acquisition of land from the adjacent landowners on either side of Studio 338 in order to provide a replacement fire escape and both the adjacent landowners are objecting to their land being acquired for this purpose. TfL therefore requires that the current design be amended so that the fire escape provision is managed within the applicant's site ownership and conforms to the current design of the Silvertown Tunnel scheme.

Construction

Due to the site's location on the Transport for London Road Network, a construction management plan (CMP) will be required and should be secured as part of any future planning permission. This will need to identify efficient and sustainable measures that will be undertaken during the construction of the development. This may be through trip consolidation; secure, off-street loading and drop-off facilities; and using operators committed to best practice (members of TfL's Freight Operator Recognition Scheme or similar). The CMP should also set out expected volumes of construction traffic, site access and traffic management arrangements and measures to ensure that there is safe interaction between construction vehicles and cyclists in the area throughout the construction programme.

If your Council resolves to refuse permission it need not consult the Mayor again (pursuant to Article 5(2) of the Order), and your Council may therefore proceed to determine the application without further reference to the GLA. However, you should still send a copy of the decision notice to the Mayor, pursuant to Article 5 (3) of the Order.

If your Council subsequently resolves to grant permission 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. 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, a statement of any conditions the authority proposes to impose and (if applicable) a draft of any planning obligation it proposes to enter into and details of any proposed planning contribution.

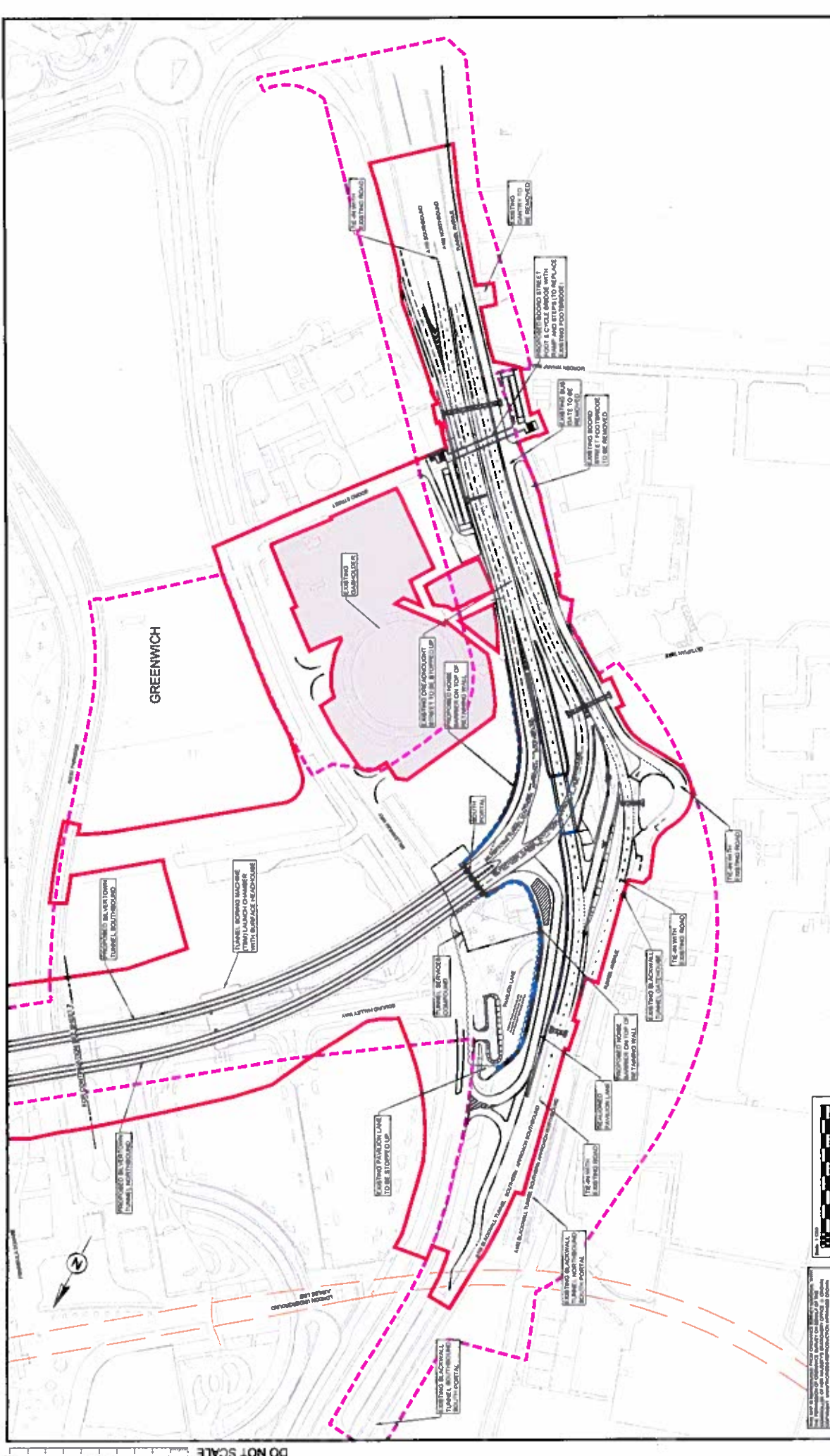
Please note that the Transport for London case officer for this application is Rob Goodall (email robgoodall1@tfl.gov.uk, telephone 020 3054 3680).

Yours sincerely



Colin Wilson
Senior Manager – Planning Decisions

cc Len Duvall, London Assembly Constituency Member
Nicky Gavron, Chair of London Assembly Planning Committee
National Planning Casework Unit, DCLG
Alex Williams, TfL



KEY

- ORDER LIMITS
- RETAINING WALL
- FACE BOUNDARY OF TUNNEL SERVICES COMPARTMENT
- GANTRY STRUCTURES
- ANTI-INFLATION WALL
- TUNNEL PORTAL
- HOSE BARBER
- TUNNEL CUT AND COVER SECTION (BETWEEN TUNNEL PORTAL AND TBM LAUNCH CHAMBER)
- TUNNEL - BORED SECTION (BETWEEN TBM LAUNCH CHAMBER)
- AND SURROUNDING VE HOLLAR BRIDGE STRUCTURE

NOTES:

- AREA ENCLOSED FROM ORDER LIMITS
- EARTHWORKS
- UNDERGROUND DRAINAGE ATTENUATION APPARATUS WITH 800 L/S THROUGH THE TUNNEL
- 800 L/S THROUGH THE TUNNEL
- AND SURROUNDING VE HOLLAR BRIDGE DRAWING FROM MOTT MACDONALD MID-2008-TRM-191-REV P1

DESIGN SHOWN HERE IS FOR ILLUSTRATIVE PURPOSES ONLY

KEY PLAN

Drawn By	Checked	Approved	Date

WORK IN PROGRESS

ATKINS
Transport for London

SILVERTOWN TUNNEL

GENERAL ARRANGEMENT PLANS WITH SAFEGUARDED AREA

SHEET 1 OF 3

Rev	Description	By	Date

STWTN-ATK-GEN-XXXX-SK-2-0218 P01 1

