

Planning Committee Report

London Thames Gateway Development Corporation Planning Application for Determination by the LTGDC

Report of the Director of Planning

UDC CASE No.: LTGDC-07-171-FUL	DATE MADE VALID: 01/10/2007
APPLICATION No.: 07/01816/LTGDC/LBNM	TARGET DATE: 31/12/2007

APPLICANT:	Brett Aggregates Ltd, Colpy Ltd, Haworth Ltd
AGENT:	Davies Planning Ltd
PROPOSAL:	Tranship and distribute aggregates using sea-going vessels, utilising rear of the wharf for aggregate storage. loading and onward distribution and for cementitious powders import, storage and export. Construction and operation of a ready-mixed concrete batching plant and a dry silo mortar plant using aggregates and cementitious powders landed and handled. The bagging of aggregates.
LOCATION:	Peruvian Wharf (part), North Woolwich Road Silvertown London E16

1. SUMMARY

1.1 The full application, which is accompanied by an Environmental Statement, is for tranship and distribute of aggregates using sea-going vessels. Specifically the safeguarded wharf part of the site will be used for the following:

- Aggregate import, storage and export .
- Cementitious powders import, storage and export.
- Loading and onward distribution of aggregate and cementitious powders.
- Construction and operation of a ready-mixed concrete batching plant using aggregates and cementitious powders landed and handled.
- Construction and operation of a dry silo mortar plant using aggregates and cementitious powders landed and handled.
- The bagging of aggregates.

There will also be a new access road through the remainder of the site to North Woolwich Road (A1020)

1.2 The process involves delivery by river per annum of 500,000 tonnes of aggregates and 75,000 tonnes of Cementitious products. The facility will be operated on similar principles to 'just in time' retail management, with storage of products kept to a minimum. Aggregates and Cementitious products are made up into concrete or dry silo mortar in the two new plant buildings or distributed onwards.

1.3 The principle of an aggregates and concrete batching facility using this safeguarded wharf was accepted by:

- the Planning Committee in June 2006 when a report regarding representations to be submitted to a public inquiry regarding a residential led mixed use scheme on the entire site was considered (the appeal was subsequently dismissed); and
- the Planning committee in June 2007 when an application was approved for the use of half the safeguarded wharf for the importation and handling of aggregate, cement and other powdered products including the construction of a jetty, erection of a concrete batching plant and silos as well as a new access road from North Woolwich Road.

1.4 The current aggregates application which proposes to use the whole of the safeguarded wharf is considered to be acceptable. There were no adverse impacts that were identified as a result of the assessment of the Environmental Statement that could not be satisfactorily covered by condition or legal agreement. In this respect, the use could operate in a satisfactory manner for the whole of the safeguarded wharf subject to conditions and legal agreements. It is recommended that the application be approved subject to conditions and legal agreements and referral to the GLA

2. SITE AND PROPOSAL

2.1 Description of Site & Surroundings

2.1.1 The application site occupies the entire area of the safeguarded part of Peruvian Wharf located adjacent to the Thames in Silvertown, set behind raised river flood defences. The river at this point is over 400m wide with views across to Greenwich and the O2 Arena.

2.1.2 To the northeast is the remainder of Peruvian Wharf, which stretches to North Woolwich Road and the elevated DLR line. There are eight planning permissions on this land for mixed commercial uses (B1 office, 180 bed hotel) and an access road. Beyond this site is Silvertown Way and the Britannia residential village. To the northwest and southeast are industrial premises; being Nuplex Paint, Tate & Lyle golden syrup factory and Knights Animal by products.

2.1.3 The application site and hinterland are flat and featureless having been cleared and undergone decontamination works. The application site is approximately 3.6ha in area.

2.2 Description of Proposal

2.2.1 The full application, which is accompanied by an Environmental Statement, is for tranship and distribute of aggregates using sea-going vessels. The applicants have a facility in Cliffe, North Kent where aggregates are washed, crushed and graded. Therefore the aggregates to be imported to Peruvian Wharf are clean, ready to use, graded aggregate.

2.2.2 Specifically the development is for the following:

- Repairing the jetty to enable ships to berth safely and associated necessary dredging;
- Installation of wharfside receiving hoppers and ship discharge conveyors (approximately 22m high);
- Installation of a travelling tripper conveyor;
- 6 aggregate storage silos approximately 9m in height, adjacent to the jetty and to the centre of the site;
- Loading and onward distribution of aggregates;
- Cementitious powders import, storage and export;
- Construction and operation of a ready-mixed concrete batching plant using aggregates and cementitious powders landed and handled. This plant would be fitted with a water recycling system;
- Construction and operation of a dry silo mortar plant using aggregates and cementitious powders landed and handled. This plant would be fitted with a Biomass heating system;
- Construction and operation of an aggregate bagging plant;
- Construction and operation of a cementitious receipt, storage and distribution building;
- Offices, mess facilities and weighbridge; and
- 2 wind turbines 24m in height to the hub.

2.2.3 The development anticipates the provision of 47 full time job opportunities, plus a few contractor type positions. The applicant has noted that they intend to adopt a policy of local recruitment, which can be captured in a S106 legal agreement.

2.2.4 The process involves delivery by river per annum of 500,000 tonnes of aggregates and 75,000 tonnes of Cementitious products. The facility will be operated on similar principles to 'just in time' retail management, with storage of products kept to a minimum and tailored to anticipated demand. Aggregates and Cementitious products are made up into concrete or dry silo mortar in the two new plant buildings or distributed onwards.

2.2.5 Vehicular access is from North Woolwich Road with a new road and footway crossing the site to the rear. The applicant has not included the access from North Woolwich Road into the site as part of the application boundary, as the road was approved in full under the previous set of applications. The access road allows for pedestrian access to a future new Thames side footpath. Any approval would need to tie the road to the premises by way of a s106 agreement, so that the site would not be able to operate without this access.

2.2.6 Aggregates are to be delivered by river alongside the existing berth which will be restored as part of the proposed application. Unlike the previously approved aggregates application there is no jetty to be constructed. Aggregates would be unloaded by a hydraulic grab, placed in a travelling hopper on the wharfside feeding a series of conveyors and discharged into storage bays behind the wharf. It would be reloaded into tipper lorries or into the concrete plant, dry silo mortar plant or bagging plant.

2.2.7 Cementitious products are piped directly from the ships into a system of pipe work on the wharfside allowing powders to be transferred to the storage building or direct to silos on the concrete batching plant or dry silo mortar plant. The storage building is located on the South East Corner of the site and is 18m in height.

2.2.8 The concrete batching plant is located to the north of the site and has loading bays to feed the mixer trucks. The plant is 22m tall and constructed of steel.

2.2.9 The dry silo mortar plant is located to the south west of the site adjacent to the wharf. The building is 12 tall with the silos being the tallest parts on the site at 25m.

2.2.10 The aggregate bagging takes place in a 8m tall steel framed building adjacent to the wharf to the west of the site, with the storage of bagged aggregated in the open.

2.2.11 Other features on the site are a single storey office and a weighbridge at the end of the access road, plus parking for 35 cars, 12 lorries, 12 bicycles and 6 motorbikes at various locations around the site.

2.2.12 The wind turbines and biomass heating are proposed as part of onsite renewable technologies. It is expected that the energy provided by the wind turbines would equate to approximately 1.13% of the annual energy demand for the development. The biomass heating is primarily for the on site fluidised bed sand dryer. To meet a 10% renewables target on site, a biomass boiler would need to provide 200-300kW. The likely system set out by the applicant would provide 11.63% of the developments total energy demand and 16.33% of the annual heat demand.

2.2.13 The site would operate from 0700 to 1900 Monday to Friday and 0700 to 1600 Saturday. The site would not operate on Sunday or Bank Holidays. During the night the only activity would be the occasional berthing of ships and the continued operation of the wind turbines.

2.3 Traffic

2.3.1 There would be 35 berthings per year of vessels delivering cementitious powders and 235 berthings per year delivering marine aggregates.

Input by river (per year)

- 500,000 tonnes of aggregates.
- 75,000 tonnes of Cementitious powders.

Input by road

- 2-3 lorry loads per week of small quantities of specialist powder.

Output by road (per year)

- 300,000 tonnes of aggregates – approximately half to batching plants in the London region and its environs, half to construction outlets.
- 45,000 tonnes of Cementitious powers dispatched to other batching plants.
- 55,000 tonnes dry silo mortar.
- 75,000cubic metres of ready mix concrete

Output by river

- Proportion of cementitious powders could be exported by water subject to the demand by the market.

2.3.2 Traffic levels on the A1020 have fallen in recent years and this is attributed to the upgrading of the A13 which has taken flows off of the A1020. The Transport Assessment makes allowance for permitted development to the rear and elsewhere. The forecast traffic movements associated with the development are:

- 220 HGV movements per day (110 into the site and 110 out of the site);
- 46 car movements per day for staff travelling to and from the site (23 into the site and 23 out of the site); and

- 12 van movements per day (6 into the site and 6 out of the site).

2.3.3 The Transport Assessment shows that in 2005 there were 90 HGV movements in the AM peak hour and 28 in the pm peak hour on the A1020. The Transport Assessment shows that this development would have traffic movements only between the hours of 6am and 8pm with the peak being at the following times:

- 6-7am = 22 movements per hour (all car and van, no HGV)
- 7-8am = 24 movements per hour (4 car and van, 20 HGV)
- 9-10am = 23 movements per hour (2 car and van, 21 HGV)
- 6-7pm = 24 movements per hour (16 HGV, 8 car and van)
- for the rest of the time movements are around 17-19 per hour in total.

2.3.4 The conclusions of the TA are that the impact of traffic on nearby roads will be 'neutral' and with a 'positive benefit' with the use of the river to import material by removing potential traffic from the roads.

2.3.5 Further information has been submitted with regard to lorry transport to the site. There will be an intervening period of 2 years where movements of cementitious powders would need to be transported to the site by road and not ship. This will not increase the number of lorry movements per day as the site would not be working to capacity and there would not be any export of powders from the site. There would be up to 840 lorry loads per year, which equates to 3 loads per working day. These lorry movements would take place during normal working hours and supplies would be delivered from sources such as Ridham Dock, Northfleet, Thurrock and Purfleet.

2.4 Environmental Statement

2.4.1 The applicant has prepared an EIA to assess significant environmental effects that are likely to arise from the proposed development. It includes an introductory chapter, and nine topic based chapters. The EIA is considered to include sufficient information in order to make a decision, although it is noted that some (non-Regulation 19) points of clarification have been requested from the applicant in order to understand the development more fully. An update outlining any changes to the application will follow, and be highlighted at the Committee meeting.

	<i>Applicant findings</i>
Townscape & visual impact	<p>Applicant findings/assessment</p> <ul style="list-style-type: none"> • The site is currently clear brown-field land with large scale industrial buildings and uses alongside. The river is 400m wide in this particular location. • The proposed buildings on site would be to a maximum total height of 29.5m (wind turbines). • Views of the development from across the river would be slight adverse, with views from nearby residential properties screened by existing industry, although high rise flats may experience a slight to moderate adverse visual impact. • Visual impacts from the elevated West Silvertown DLR station are considered to be moderate to substantial adverse due to the vacant area of land between the station and the application site and resultant clear views. • Mitigation proposed includes reduction of existing site level by 2.5m, use of appropriate colours and finishes to silos and cladding, planting in appropriate locations. • In conclusion, the area is characterised by industrial operations with neutral townscape and visual impacts on the range of receptors.

	<p>LTGDC Comments</p> <ul style="list-style-type: none"> • The ES outlines the anticipated impacts from the development on a wide range of receptors. As the site is safeguarded for industrial use and is amongst other large scale industrial uses, the visual impact from the development of the site will not cause unreasonable impacts on the surrounding area, subject to conditions. • Recommended conditions: LPA prior approval of colours and finishes for the buildings on site; landscaping plan.
<p>Archaeology & cultural heritage</p>	<p>Applicant findings/assessment</p> <ul style="list-style-type: none"> • The application site contains no listed buildings, nor is it in a Conservation Area, however is located within an Archaeological Priority Zone due to its location along the Thames riverside. • The site contains alluvial deposits which may contain archaeological and palaeo-environmental material. The area immediately adjacent to the river has the highest potential for these remains. • Recommended that archaeology is recorded in order to assess the need for further investigation. <p>LTGDC Comments</p> <ul style="list-style-type: none"> • The site has had an extensive recent history of disturbance through development; however in this location adjacent to the Thames, it is likely that the site contains archaeological remnants. The applicant has set out discussions undertaken with the GLAAS representative at English Heritage for Newham, however, a response has not yet been received from English heritage to confirm these matters. • Recommended condition: in line with that set out by the applicant, a programme of archaeological evaluation be undertaken to investigate the potential survival of archaeological remains. It is noted that upon receipt of comments from English Heritage, conditions may be added or amended. An update may follow.
<p>Hydrology & hydrogeology</p>	<p>Applicant findings/assessment</p> <ul style="list-style-type: none"> • The underlying aquifer is unaffected by any site contamination. Made Ground on site currently exists to an approximate depth of 3m. • The development of the site may increase the chances of contamination of underlying aquifers, or increase sediment load into the groundwater and Thames. • During the operation of the site, there is further potential for contamination, particularly if a breach of flood defences occurs. • The development is considered to result in a low significance or insignificant impact on groundwater. • Mitigation proposed includes appropriate storage (and bunds) for on site chemicals, sediment traps, incidence response plans, water monitoring during construction, care taken during deepening of the berth in terms of sediment disturbance, surface water diverted into appropriate drainage system for recycling on site for the concrete production process, routine maintenance, excess rain to be discharged to surface water sewer on Dock Road. <p>LTGDC Comments</p> <ul style="list-style-type: none"> • If mitigation measures were not put in to place, there would be a high potential for waterways to be contaminated during site development and the proposed operation of the site. Through the undertaking of the mitigation as proposed by the applicant, contamination can be avoided, remedied or mitigated for the most part. The contamination that otherwise may occur (e.g. sediment in the Thames) is considered to have a short term and negligible or insignificant impact. • It is recommended that conditions of consent require that any dredging operations get prior approval from the LPA, and that ongoing operations that affect the ecology of the site are addressed through the implementation of an ecological mitigation report.

Traffic & transport assessment	<p>Applicant findings/assessment</p> <ul style="list-style-type: none"> • Trip generation to the site includes several modes of transport with the majority of deliveries to the site being undertaken by river (including the imports of aggregates, cementitious material, admixtures and fuels for the on-site plant). The majority of these materials would be exported by road, with a proportion of the cementitious material transported onward by river. Additional vehicle trips include staff journeys, visitors, and contractors which are expected to be from a mixture of modes. • The site is to operate on a 5.5day per week/275 days per annum. • The total lorry trips to the site is 220 per day, with approximately 46 vehicle trips arising from staff arriving and departing by private car. • Traffic can be accommodated without the need for highway improvements and without causing delay at the Dock Road/A1020 junction. • Neutral impact on public transport, cycling and pedestrian facilities. <p>LTGDC Comments</p> <ul style="list-style-type: none"> • Comments have been received from the Transportation section requesting that the traffic impact analysis is revisited to include recently consented developments on Dock Road (i.e. Thames Wharf Industrial Estate, Dock Road Industrial Estate as well as the proposed Silvertown Quays development). • As set out by the applicant, subject to further information on the traffic impact analysis, based on the consented aggregate plant consent, the proposed development will be sustainable in terms of transportation effects.
Flood risk assessment	<p>Applicant findings/assessment</p> <ul style="list-style-type: none"> • The application site is within an area which would have a high risk of flooding if flood defences not present. However the site is protected by the Thames Barrier and the river wall. • The proposed development is to be built behind the existing flood defences, and set back by 16m from the defences to ensure that there is no damage and ability for long term maintenance. • The applicant has undertaken a Flood Risk Assessment in accordance with PPS25. • No implications for foreshore encroachment and the site is adequately protected against tidal flooding. • Surface water is being recycled <p>LTGDC Comments</p> <ul style="list-style-type: none"> • Comments are yet to be received from the Environment Agency with regard to confirming the details of the Flood Risk Assessment and information within the application. The applicant has advised that the EA was consulted prior to the submission of the application.
Air quality	<p>Applicant findings/assessment</p> <ul style="list-style-type: none"> • Development not giving rise to significant emissions of dust or air pollution as best practice measures being implemented and therefore no impact on neighbouring sites. The aggregates arriving to site are already washed and screened and will therefore result in very little (if any) dust. The handling of cementitious powder could be localised dust emissions, and are subject to regulations. • The site needs separate authorisation under the terms of Pollution Prevention and Control Act 1999, this will impose restrictions and reduce the impact to neighbours. • No significant impacts on air quality are expected from HGV's. <p>LTGDC Comments</p> <ul style="list-style-type: none"> • Provided that there is satisfactory dust suppression mechanisms utilised on site, there should be no adverse impact from dust emissions on site. This can be addressed through appropriate conditions. Comments are still forthcoming from the Newham's Pollution Control Officer.

<p>Noise & vibration</p>	<p>Applicant findings/assessment</p> <ul style="list-style-type: none"> • The site is remote from existing noise sensitive receptors. • There is limited potential for disturbance during normal operating hours, and only the berthing of ships at night which is unlikely to cause disturbance. • There will be a temporary higher level of noise impact from construction during initial upgrading works to access road. This is only for a limited time and can be controlled by planning conditions and hours of work limits. • There will only be a minor increase in total traffic volumes so change in traffic noise levels below the level that would be noticeable. • Vibration from activity on site would not be noticeable due to the distance between noise sensitive uses. <p>LBN Comments</p> <ul style="list-style-type: none"> • The noise arising from the operation of the site is considered to be in line with what could be reasonably expected from an industrial activity. At the time of drafting this report, the Council's Environmental Health team have not yet provided any input into the consideration of the development. An update is expected to follow at the Committee. • It is likely that conditions controlling hours of operation and modes of operations can mitigate adjacent noise impacts.
<p>Ecology & nature conservation</p>	<p>Applicant findings/assessment</p> <ul style="list-style-type: none"> • A range of species have been identified on site, and within the mudflats at low tide. The development of the site will have a negligible impact on species. • Vegetation (scrub and grassland) clearance would have a significant impact at a local level on the bird breeding season. Clearance should therefore occur outside of March to August period. • Berthing and dredging could disturb birds on the river, but given the busy nature of the Thames this disturbance would be insignificant. <p>LTGDC Comments</p> <ul style="list-style-type: none"> • The site has been cleared of most vegetation in the past, with there being little opportunity for a wide range of species to inhabit the site. Subject to an ecological plan being provided to detail the staging of the construction of the development in line with breeding seasons and other natural stages to minimise impact toward important species, it is considered that there will be only a slight impact on the ecology of the area. This can be secured through inclusion of appropriate conditions.
<p>Energy demand & renewable feasibility</p>	<p>Applicant findings/assessment</p> <ul style="list-style-type: none"> • The applicant has set out the estimates for energy demand for the various processes on site, and undertaken a renewable energy Feasibility Assessment outlining the potential for seven renewable energy technologies to be used on site. Stand alone wind turbines are considered possible, however with limited placement options. One or more turbine would provide approximately 10% of the energy demands on site. • Biomass heating for the fluidise sand dryer (which has the largest energy demand of the site plant) has a medium potential for use on site, with fuel source (such as woodchips) being able to be delivered by water. The Biomass heater would supplement the gas fired fluidised bed sand dryer. • These two renewal technologies are integrated in the proposal in order to meet the 10% target of the energy requirements, with 2 wind turbines and a biomass hot air heating system incorporated into the scheme. <p>LTGDC Comments</p> <ul style="list-style-type: none"> • The development will meet the 10% renewable energy target set out by the GLA in the London Plan, but not the 20% renewable energy target set out in the draft alterations to the London Plan. Further information has been sought regarding this and an update on this will follow. The

	use of the river will result in the avoidance of HGV movements on the local road network and therefore save approve 536 tonnes per annum of Carbon emissions. The renewable energy proposal is therefore considered acceptable.
Waste	<ul style="list-style-type: none"> No waste associated with the processes on site because no proposal to crush or grade aggregates and therefore no need to remove waste to make the aggregates a readily saleable product. Any aggregates spilled when loading would be collected and used as construction fill. Wastes are generated from cementitious produced through washing of truck mixers, the plant mixer unit and. Water management system allows for reuse in the ready mixed concrete production process. Solid waste (cement residues) and the return of small quantities of ready mixed concrete would be periodically removed to a designated area before being transported off sit to licensed disposal facilities. Refuse approximately 1 lorry per week <p>LTGDC Comments</p> <ul style="list-style-type: none"> The development will create minimal waste and will have a neglible impact on the environment or traffic network in this respect.

2.4.2 The Environmental Assessment is considered to provide sufficient information to determine the application, with the applicant demonstrating that the development will have slight impacts on the surrounding area. Any detrimental impact can be mitigated against through the use of appropriate condition or legal agreement.

3. MAIN ISSUES

3.1 The main issues are as follows:

- Need and principle of the use
- Environmental and structural impacts
- Traffic and access
- Impact on permitted development and regeneration
- Impact on nearby properties
- Provision of wind turbines

4. RELEVANT SITE HISTORY

4.1 This site has an industrial history stretching from the early nineteenth century. From 1973 to 1993 the wharf was used for storage of aggregates, since then it has been dormant.

4.2 In the past few years a series of applications have been made for the larger site to the northeast, in 2005 eight applications were given permission (five in outline, three in full) as follows:

- P/00/957/FUL: 7 storey 180 bed hotel, 62 spaces
- P/00/958/OUT: 2 storey 2855sqm B1 office
- P/00/959/FUL: 4 storey 2855sqm B1 office
- P/00/0965/OUT: 4 storey 9800sqm B1 office
- P/00/0966/OUT: 6 storey 21,860sqm B1 office
- P/00/0967/OUT: 6 storey 27,300sqm B1 office
- P/00/0968/OUT: 6 storey 16,500sqm B1 office telecoms building
- P/00/0877/FUL: access road

(Office parking 188 reducing to 132 when DLR open)

4.3 Most recently two applications for a residential led mixed use development on the entire Peruvian Wharf site and associated passenger jetty were refused and dismissed

at appeal by the Secretary of State in January 2007:

- P/04/0570: Outline application for mixed-use development (offices and buildings associated with the wharf for the handling of aggregates, hotel, retail, leisure, residential) with 1,220 parking spaces).
- P/05/1213: Provision of a passenger pier.

4.4 During the appeal noted above two applications were submitted, in order to demonstrate the viability of the Wharf in terms of industrial use. The two applications below were on different halves of the safeguarded wharf:

- LTGDC-06-043 (borough ref 06/00641): Materials recycling facility (MRF) and container handling facility. Refused 13 Aug 2007
- LTGDC-06-046-PP (borough ref 06/00674): Development of land for the importation and handling of aggregate, cement and other powdered products, to include: the construction of a jetty and mooring dolphins; the erection of an aggregate processing plant; the erection of a concrete batching plant with 4No associated cement/powdered products silos; erection of s further 4No silos for cement storage bays; office; ancillary facilities; associated parking; creation of new means of access and other works incidental to the development of the site. Approved 9 Aug subject to S106 agreement (yet to be signed). The proposed access road for this application cuts though 2 of the permitted office blocks on the adjacent site.

5. CONSULTATIONS/NOTIFICATIONS

Note: the end of the consultation period expired on 31st Oct at the time of writing this report. Any additional comments received will be the subject of an update at the 8th November Planning Committee.

External

Dockland Light Railway
Environment Agency
Greater London Authority
Transport for London
Health and Safety Executive via borough liaison officer
London City Airport Ltd
Port of London Authority
Thames Water Authority
National Grid/Transco
English Nature
English Heritage
London Development Agency
London Borough of Greenwich Policy
NATS (NATS En Route plc) Air Traffic control service

LB Newham

Building Control Service
Environmental Health
Forward Planning and Transportation
Property & Design
Canning Town Regeneration Project team

293 nearby residential properties and businesses.

A public meeting was organised by the developers and held at the nearby Britannia village hall on Tuesday 9 October 2007 at 7pm.

6. APPLICATION PUBLICITY

6.1 Site Notice Expiry: 26 Oct 2007

6.2 Press Notice Expiry: 31 Oct 2007

6.3 Neighbour Notification:

328 nearby residential properties and 32 businesses were notified.

7. REPRESENTATIONS

<i>External</i>	
Greater London Authority (GLA)	<p>Proposals welcomed in principle in bringing about the long awaited full reactivation of this safeguarded wharf in accordance with the London Plan. Subject to securing the provision of the access road in perpetuity through a legal agreement.</p> <p>Need to incorporate a suitable route for the riverside continuation of the Thames Path. It is acknowledged that at this stage it may only be possible to secure a route rather than make the route open.</p> <p>Further information required to be submitted before the application is referred back to the Mayor for a stage 2 decision:</p> <ul style="list-style-type: none"> - Demonstration that discharge of any excess water will not go to the drainage network but suitable pollution prevention measures will be in place to allow excess clean rainwater to be discharged to the River Thames; - Information on parking provision, which should not exceed the London plan's maximum standards; - Scheme is deficient in terms of design: <ol style="list-style-type: none"> 1. Need plans showing how this scheme would sit with the existing office consent on the rest of the site; 2. In comparison to the recent aggregates approval there is a less thoughtful approach to landscaping and riverside access with the tree lined route to the river being removed; 3. Scope for use of robust and sustainable materials and to create an appropriate landscape; - Need to explore habitat improvements on structures in the water including the addition of any timber cladding on the campshed. This needs to lead to a net biodiversity gain on the river Thames; - Provision of 'wasteland' features on the site to provide habitat for black redstarts. <p>Suggested additional conditions:</p> <ul style="list-style-type: none"> - Restrictions on the amount of lorry deliveries in order to maximise the use of the wharf; and - Once information is received about habitat improvements on structures in the water these need to be secured by condition.
Port of London Authority (PLA)	<ul style="list-style-type: none"> • The proposed uses on the safeguarded site and associated cargo-handling operations appear to generally comply with the relevant policies within the London Plan. • The Harbour Master (Upper) has confirmed that he is content in principle with the scheme and subject to further discussions with

	<p>the operator prior to the commencement of any marine activities from the site, it will not require a Navigational Safety Risk Assessment.</p> <ul style="list-style-type: none"> • In addition to cementitious materials and marine dredged aggregates, soft sand and crushed rock will also be handled at the wharf for use within the dry mortar plant and for bagging/onward distribution respectively. These materials are not, as far as the PLA is aware, currently handled at Brett's downstream facility at Cliffe. It would therefore be useful to understand where these materials would be sourced from, the vessels in which they would be transported to the site and the likely throughput of these cargoes. • Biomass for any on-site plant on the site should also be supplied across the wharf. <p>2 concerns regarding the application:</p> <ol style="list-style-type: none"> 1. Clarification sought regarding the hours of operation. Concern about the level of throughput and the hours of operation proposed. Recommends that the longer hours approved on the Aggregate Industries scheme be approved. No conditions should constrain the times during which cargoes can be handled at the wharf. 2. No vehicular access from the main highway network to the safeguarded wharf is included within the planning application. Concern that there is therefore no certainty of implementation; will be a relatively heavily trafficked road through a potential development site; future development on the non-safeguarded site could prejudice the current and future viability of the safeguarded wharf. Recommends that the access road is repositioned to the western boundary of the non-safeguarded site and that vehicular access to the application site is secured prior to any construction commencing through the imposition of a Grampian condition and/or through a Section 106 Obligation.
Thames Water	No objection subject to the inclusion of informatives regarding surface water drainage, requirement for a trade effluent consent and design of on site water piping

LB Newham	
Environmental Health	<ul style="list-style-type: none"> • Concern re 10% sustainable energy provision. Not enough details regarding the environmental impact of the turbines or biomass heater. Will the turbines be noisy? Will the biomass heater result in more air pollution, what if bio fuel cannot be sourced? • The Transport assessment mentions that vehicle movements could increase by up to 50% (i.e. to 330 movements in and out). The env statement is based on 220 movements in and out. Require a condition limiting the number of lorry movements and requiring details of the site log to monitor vehicle movements in the future.
Transportation	<ul style="list-style-type: none"> • Approval of detailed highway design of the access road will have to be sought from the Council. • Further details of number of parking space, their allocation by use and location within the site. • Concerns regarding the traffic impact analysis as the only committed development taken into account by the applicant was

	<p>the consented development directly adjacent to the north of the proposed development (i.e. the rest of the Peruvian Wharf site). Request that the LINSIG assessment is revisited to include recently consented developments on Dock Road (i.e. Thames Wharf Industrial Estate, Dock Road Industrial Estate as well as the proposed Silvertown Quays development).</p> <ul style="list-style-type: none"> • Concern about current levels of on-street parking on Dock Road and the impact this has on sight lines and turning movements. Therefore seeking a S106 contribution of £50,000 towards parking controls in the form of yellow lining on parts of Dock Road. • Conditions suggested regarding highway reinstatement; access to public footways and bus stops during construction; highway details to be submitted; details of proposed access road to be submitted.
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Residents	
Public meeting	Approximately 20 local residents attended this meeting and expressed concern regarding hours of operation, noise from traffic and the site itself and mud on the roads.
Wards Wharf Approach	This area of Newham is residential in character and the proposed development will therefore be inappropriate. Concerned about the level of noise and dust pollution. Also high volume of heavy vehicles leading to danger on a busy road network, damaged roads and local congestion.
Gatcombe Road	The developer has undertaken pre-application meetings with the neighbouring residents, and as a result has satisfactorily addressed many concerns within the application, particularly with regard to operating hours and general minimisation of detrimental impacts to the surrounding area.

8. RELEVANT PLANNING POLICY

8.1 Planning Policy Guidance

PPS1 (2005) Delivering sustainable development

PPG4 (1992) Industrial and Commercial development and small firms

PPG13 (2001) Sustainable transport

MPS1 (2006) Planning and Minerals

8.2 The London Plan (Feb 2004)

2A4 Area for regeneration

3C2 Matching development to transport capacity

3C16 Tackling congestion and reducing traffic

3C20 Walking

3C21 Cycling

3C24 Freight strategy

4A5 Spatial policies to support better use of aggregates

4A6 Improving air quality

4A9 Renewable energy

4A11 Water supplies

4A14 Reducing noise

4B6 Sustainable design and construction

4C1 Strategic implementation of Blue Ribbon network

4C3 The natural value of the Blue Ribbon Network

4C7 Flood defences
4C8 Sustainable drainage
4C14 Freight uses on the Blue Ribbon Network
4C15 Safeguarded wharves
4C17 Increasing access alongside the Blue Ribbon Network
4C20 High quality of design for waterside development
4C22 Structures over or into the Blue Ribbon Network
4C23 Safety on and near the Blue Ribbon Network)

8.3 LB Newham UDP (June 2001)

EQ1 Waterway improvements
EQ2 Waterside access
EQ3 Waterside commercial development
EQ4 Quality of waterside development
EQ5 Waterway structures
EQ19 Urban design considerations
EQ21 New development landscaping
EQ43 Archaeological area of investigation
EQ45 Pollution
EQ46 Air quality management
EQ47 Noise impact statement
EQ49 Contaminated land assessment
EQ59 Aggregates criteria
EQ63 Surface water disposal
EQ 64 Tidal defences
EMP4 Principal employment areas: preferred uses
T121 Public transport accessibility
T22 Public access to the Thames
T24 Cycle parking
T26 Motorcycle parking
Proposals
PE16 Principle employment areas
122 Safeguarded wharf)

8.4 LB Newham LDF

3.2.1 employment led regeneration
4.6.1 freight by water

8.5 Other Relevant Planning Policies & SPG's

GLA - Safeguarded Wharves on the River Thames, London Implementation Report (2005)

- Peruvian wharf protected by safeguarded wharves direction
- Policy 4C24 – viability assessment

GLA - Consultation Draft Alterations to London Plan (Dec 2006)

- 4A5 Spatial policies to support better use of aggregates

GLA – Lower Lea Valley Opportunity Area Framework SPG (Jan 2007)

- Para 4.247 Peruvian Wharf suitable for aggregates

Sub Regional Development Framework: East London (May 2006)

- Site within Royal Docks Opportunity Area
- Thameside West: Strategic Employment Location

LB Newham - Royal Docks and Thameside West Area Action Plan Draft Preferred Options Stage (draft DPD)

- 2.15 Safeguarding of wharf facilities
- 4.13 Proposals for 40% release of industrial land supply for housing.

LTGDC: Safeguarded Wharves: Development Options Assessment (prepared by URS), Issue no.1c, May 2006.

9. ASSESSMENT OF MAIN ISSUES

9.1 Need and principle of the use

9.1.1 The principle of the use of the site for an aggregate facility has been established through the recent approval of the Aggregate Industries application (despite the outstanding legal agreement) for half of the site. It should be noted that the current application will generate less traffic and will operate for fewer working hours than the Aggregate Industries approval. The Aggregate Industries approval generated 414 vehicular movements per day for use of only half the safeguarded wharf site, and required 36 lorry movements during the night. The current application will generate 220 vehicular movements for the whole of the safeguarded wharf site and does not require lorry movements between 7pm and 7am.

9.1.2 Planning Policy from the GLA and LBN designate the site as being suitable for industrial/employment use. The GLA have recently reasserted that the wharf shall remain safeguarded and is suitable for aggregate processing. This was also confirmed by the Planning Inspectors report for the appealed scheme, where aggregate processing was also considered to be suitable.

9.1.3 It is therefore clear that the use of the safeguarded wharf area is supported by local, regional and national policy, and as the principle of the use for aggregates has been addressed comprehensively and positively in the very recent past, it is considered that the principle of the use of the site is established.

9.2 Environmental and structural impacts

9.2.1 Mitigation proposals by the applicant regarding archaeology, residual ground contamination during construction, water resources, ecology, pollution prevention and air quality are considered to be satisfactory. These are further secured by way of conditions, which include the requirement for an ecological mitigation report, control of surface water, and archaeological evaluation and mitigation strategy.

9.2.2 A flood risk assessment has been carried out within the environmental statement. The site is within flood risk zone 3a, where a less vulnerable land use is acceptable according to PPS25. The applicant appears to have satisfactorily addressed concerns regarding flood risk, the structural integrity of the river defences and adequate access for maintenance, in line with policies 4C7 & 4C22 of the London Plan and EQ5 of the UDP.

9.2.3 Although formal comments have not yet been received from the Environment Agency (EA), the applicant has advised that they have liaised with the EA and have set back all plant and buildings by 16m from the river wall as requested by the EA to provide a sufficient buffer for the maintenance of flood defences. The EA have verbally objected to the application due to ecology and biodiversity issues as the 16m set back area is simply hard landscaped. The previous aggregate application provided a brown habitat on the jetty and "areas allowed to revegetate". The GLA have also raised

similar concerns. Further information is awaited from the applicant regarding this and will be reported to Planning Committee. It is thought that there is sufficient space for more landscaping and suitable habitats to be provided.

9.2.4 The applicant has shown how a 10% reduction in carbon emissions can be achieved in line with policy 4A9 of the London Plan with the provision of two wind turbines and a biomass heating system. The development would achieve a 12.28% reduction in carbon (3.74% from 2 wind turbines and 8.53% from the biomass heating). In addition the use of the river to transport aggregate into London instead of HGV's will reduce carbon emissions overall. The GLA have welcomed the inclusion of wind turbines on the site. A condition will be placed on any consent and a S106 legal agreement requiring further information to be submitted in order to ensure these targets are reached.

The proposed buildings on the site are functional and are derived from standardised approaches to the importation and processing of aggregates and cement production. There is therefore a limitation to any meaningful urban design improvements on site. However the previously approved consent included positive ways to try to improve the appearance of the site including a tree lined route to the river, landscaping along the edges of the site and shrub planting along the face of the aggregate bays. The GLA and environment agency have requested appropriate landscaping and ecology/biodiversity improvements through the provision of different habitats on site. This is currently being discussed with the applicants and will be reported to Planning Committee.

9.3 Traffic and access

9.3.1 The applicants have submitted a transport assessment which shows that there would be a 'neutral' impact on the proposed road network, public transport, cyclists, pedestrians and a 'slightly positive' impact on the use of the River Thames.

9.3.2 The assessment shows that the development would not impact the junction of Dock Road and the A1020 in terms of queue lengths or capacity. The impact on the wider highway network has also been tested and the relatively small volume of traffic from this development would have a 'neutral' impact on the network.

9.3.3 It should be noted that the current application will generate less traffic and will operate for fewer working hours than the Aggregate Industries approval. The Aggregate Industries approval generated 414 vehicular movements per day for use of only half the safeguarded wharf site, and required 36 lorry movements during the night. The current application will generate 220 vehicular movements for the whole of the safeguarded wharf site and does not require lorry movements between 7pm and 7am.

9.3.4 Comments have been received from Newham's Transportation team requesting further information on traffic impact analysis with the inclusion of committed developments in the area. Subject to the provision of this information it is not considered that the impact of this development would cause any significant traffic difficulties. A number of conditions have been requested by Newham's Transportation Planner and a S106 contribution of £50,000 towards parking controls in the form of yellow lining on parts of Dock Road. Discussions are ongoing with the applicant regarding this S106 contribution and the outcome will be reported to the Planning Committee.

9.3.5 The PLA have requested further information on where the sand and crushed rock materials are sourced from and how they are to be transported to the site. This is

because these materials are not currently handled at Brett's facility at Cliffe. The applicants EIA states that these materials will be transported to the Peruvian Wharf site by river. The sourcing of material and the method of transport to the facility in Cliffe is therefore not considered to be relevant to this application.

9.3.6 The applicant has not included the access road in the 'red line' application site boundary. The access road that it is intended to use was approved under a previous planning application (LBN ref: P/00/0877) but has not yet been constructed. The GLA and PLA have expressed concern about this too. As the construction of this road is entirely necessary for the development of the safeguarded wharf, it is considered appropriate to require that this road is secured prior to any construction commencing through the imposition of a clause in a S106 agreement.

9.3.7 The Transport Assessment (TA) includes a Travel Plan to encourage use of alternatives to the car such as the nearby DLR and bus routes. It is recommended that the applicants enter into a S106 legal agreement requiring the submission of and compliance with a Green Travel Plan.

9.3.8 Further information has been submitted with regard to lorry transport to the site. There will be an intervening period of 2 years where movements of cementitious powders would need to be transported to the site by road and not ship. This will not increase the number of lorry movements per day as the site would not be working to capacity and there would not be any export of powders from the site. There would be up to 840 lorry loads per year, which equates to 3 loads per working day. These lorry movements would take place during normal working hours and supplies would be delivered from sources such as Ridham Dock, Northfleet, Thurrock and Purfleet. Conditions would be placed on any consent restricting the time period for lorry deliveries to 2 years after commencement of operation of the site, and restricting the number of lorry movements to a maximum of 830 per year (3 per day).

9.3.9 Should the adjacent sites be developed this will enable a continuous riverside walkway can be provided. This is an important part of the regeneration objectives for the area as set out within LBN saved Policy EQ2, and the London Plan aspirations for a continuous Thames Path and is essential that this use does not prejudice the creation of a continuous public walkway along the Thames waterfront in the future. A S106 will be entered into in order to safeguard a public access route to and along the riverside in the future.

9.4 Impact on permitted development and regeneration

9.4.1 The rear of this site adjacent to the DLR station has a series of eight planning permissions for a commercial mixed use development, hotel and vehicle access. The access road from this consented development will be used to access this site. Although the road has yet to be constructed, the permission is still extant, and can also be developed in isolation of any other of the permissions. It is recommended that a legal agreement ensure that this access is developed in conjunction with the proposed aggregate facility. Development of this site for aggregates would not compromise development of the end of the site adjacent to the North Woolwich Road, and the commercial mixed use consents for the adjacent site can still be implemented

9.4.2 The development would result in the reuse of previously developed land and reinstate the use of a safeguarded wharf. The Wharves Report undertaken by URS sets out that the Thameside West area (including Peruvian Wharf) is an ideal location for an aggregates wharf due to the substantial amount of redevelopment taking place in the surrounding area.

9.5 Impact on nearby properties

9.5.1 Concerns have been raised by local residents regarding potential noise disturbance from the use of the site and from increased traffic.

9.5.2 The applicant has provided a night time noise assessment to include factors such as noise barriers and existing buildings. At night the only activity on the site would be the berthing of vessels and the continued operation of the wind turbines. The resultant night time noise would be of marginal significance. Comments have not yet been received from the Council's Environmental Health to confirm the findings within the applicant's EA, an update will follow at Committee. However the GLA Noise Officers have checked the calculations and concluded that at night time there would be a lower noise impact than predicted by the environmental statement.

9.5.3 Even in a worst case scenario with all the activities in progress during the day, levels of noise are below background noise levels or less than 5db above. The resultant day time noise would also be of marginal significance. The GLA have also confirmed that any additional noise will probably prove acceptable in practice given that the character of the noise is similar to that already arising from other nearby wharves.

9.5.4 The applicant has set out within the EA, that the shipping of aggregates and cementitious materials would be in self discharge vessels, which would berth at the wharf frontage any time of the day or night dependant on tides. There would be no loading, unloading or on site plant operations or off site deliveries outside of the proposed normal working hours which are set out as follows:

- 07:00 and 19:00 Monday to Friday
- 07:00 and 16:00 Saturday
- No operation on Sunday or Public Holidays

It is therefore considered that there would be no night time noise impact.

9.5.5 The PLA has requested that the same hours of operation as approved in the Aggregate Industry application are granted again (0600 – 1900 on Monday to Friday and 0700 – 1700 on Saturday) and that no condition is imposed on any permission that constrains, at all, the times during which cargoes can be handled at the wharf. Whilst it is recognised that the hours of operation that were approved as part of the Aggregate Industries application were slightly longer, these were assessed in the context of their EIA. Similarly it is proposed that vessels can berth at the site at all times of the day, however the implications of cargo being handled at the wharf have not been assessed in the EIA. Given the applicant did not apply for the same hours as the Aggregates Industry proposal or for 24 hour cargo handling it is not considered appropriate to consider here. Should the situation change in the future it is entirely appropriate for a further planning application to be submitted. The implications of an extra hour from 0600-0700 Monday to Friday and 1600-1700 on Saturday, and 24 hour cargo handling could then be assessed.

9.5.6 Noise from daytime traffic has been examined in the applicants' environmental statement and shows that during the peak hours there would only be a fraction of a decibel increase in noise that would not be perceptible to local residents. As there would be only minor changes to the traffic figures the increase in noise level from traffic would also be insignificant.

9.5.7 Concern was also raised by residents regarding mud, gravel and dirt on the roads. The development will only be importing clean and ready to use aggregate which

be transported off site in sealed concrete mixer lorries, tipper trucks, lorry mounted silos and road tankers. It is not expected that there will be any dirt or muck on the highways from these vehicles, however conditions will be placed regarding site sweeping facilities and submission of, and compliance with, an Environmental Code.

9.5.8 The site is within a designated employment area and there are a limited number of activities that will occur in such locations. The proposal is on that part of the overall site which is furthest from residential units and the road, and to an extent the DLR acts as an additional barrier. For some years to come there will be a need to balance the amenities of residents north of North Woolwich Road/Silvertown Way with creating reasonable operating conditions for the businesses of the long established industrial zone. On the basis of these conditions it is concluded that permission can be recommended which would not significantly impact on residential amenity.

9.6 Provision of Wind Turbines

9.6.1 In order to meet the 10% reduction in energy target the applicants propose to use small scale standalone wind turbines. The two turbines are located adjacent to the wharveside and aggregate storage bins, they are 24m in height (to the hub), with a diameter of 11m this means that they are 29.5m in height to the tip of the blade at the top of its rotation.

9.6.2 Visually they would be among the taller elements on site (with the dry mortar silos being 25m tall, concrete batching plant 22m and other structures 18m, 12m and 9m) and therefore be prominent structures. It is not thought that they would have a detrimental visual impact on the area as they are slender, elegant structures in a predominantly industrial location, surrounded by buildings of a similar height and appearance (e.g. chimneys and stacks).

9.6.3 The LCA have yet to comment on the height of the structures on site, and an update will follow and be presented at Committee. Comments have also been sought from NATS, as it is understood that there may be concerns arising from the placement of wind turbines on site due to possible interference with navigation.

9.6.4 Further information has been submitted regarding the noise from the wind turbines that was not included in the night time noise assessment. The GLA have checked the calculations and concluded that the combination of ships berthing at night, with the wind turbines also operating, will give a very much lower impact than predicted by the environmental statement. The new value means that it is considered unlikely that the night time operations will give rise to disturbance to local residents.

9.6.5 The turbines would provide 3.94% of the development energy and the biomass heating would provide 8.53% with a total of 12.47%. Whilst the development will exceed the 10% renewable energy target set out by the GLA in the London Plan it will not meet the 20% renewable energy target set out in the draft alterations to the London Plan. The use of the river will result in the avoidance of HGV movements on the local road network and therefore save approximately 536 tonnes per annum of Carbon emissions. The renewable energy proposal is therefore considered acceptable.

9.7 SECTION 106 LEGAL AGREEMENT (Heads of Terms)

9.7.1 The following Heads of Terms have been agreed by the agent on behalf of the applicant and are to be included in the S106 agreement (Discussions will still be required with the applicant to agree the exact terms):

- A new access road to be constructed linking the site with Dock Road. The

access proposal to include a pedestrian/cycle provision. The access road to be constructed as approved under P/00/0877/ful or as otherwise agreed in writing by the Local Planning Authority.

- Adoption of a Green Travel Plan, outlining a package of measures developed to manage the traffic transport and environmental impacts of the proposed development.
- The safeguarding of future provision for a riverside walkway and link from the new access road to this riverside walkway for pedestrians and cyclists.
- Local labour clause.
- Local goods and services clause.
- Removal of any redundant crossovers and the renewal of footways fronting or surrounding the development site required due to the damage of the footway during the course of construction works.
- A requirement for Brett to arrange local liaison meetings with local residents and businesses.
- Submission of an energy scheme containing the details and the mechanisms for the use of renewable energy, the scheme shall ensure that at least ??%* of the development's energy requirements are met from renewable energy sources (*question marks at this stage because further information is sought regarding renewable energy and consultation responses are awaited regarding air safeguarding, that will have implications for the provision of wind turbines and therefore the percentage to be provided. This should be clarified by committee date).

10. CONCLUSION AND REASONS FOR APPROVAL

THE PROPOSAL IS CONSIDERED TO BE IN ACCORDANCE WITH THE INTENT OF EXISTING POLICIES, AND WILL RESULT IN THE REUSE OF AN EXISTING VACANT SITE. THE USE OF THE SITE FOR AGGREGATE PROCESSING IS IN ACCORDANCE WITH THE STRATEGIC POLICIES OF THE GLA, THE COUNCIL, AND ACCORDS WITH THE FINDINGS OF THE INSPECTORS REPORT IN THE RECENT PLANNING INQUIRY. AS A RESULT OF MITIGATION AND THROUGH THE INCLUSION OF CONDITIONS, IT IS CONSIDERED THAT THE APPLICATION IS UNLIKELY TO HAVE ANY NEGATIVE IMPACTS IN TERMS OF AMENITY FOR NEARBY RESIDENTIAL OCCUPANTS. IT IS THEREFORE RECOMMENDED THAT PLANNING PERMISSION SHOULD BE GRANTED.

RECOMMENDATION

It is recommended that Members delegate to the Director of Planning authority to approve the application subject to referral to the GLA, additional responses to the points of clarification on the EIA, a S106 agreement (Heads of Terms outlined above) and conditions as set out below.

Conditions and Reasons:

1. The development to which this permission relates must be commenced not later than the expiration of THREE YEARS from the date of this permission.

Reason: To comply with the requirements of Section 91 of the Town & Country Planning Act 1990.

2. The development hereby approved shall only be undertaken in accordance with the Environmental Assessment dated September 2007, drawing number NLO7711/1.2, /101, /1.4A, /1.4B, /1.4C, /1.4D, /1.4E, /10.1 and there shall be no departures from those details unless otherwise agreed by the Local Planning Authority in writing.

Reason: The development is acceptable on the basis of the particulars contained within the application and this condition seeks to ensure the development is undertaken in strict accordance with those details as approved.

3. No development shall take place until there has been submitted and approved in writing by the Local Planning Authority a scheme of landscaping for the hereby permitted development. The scheme shall include details of proposed planting and both soft and hard surfaces, including the details for the planting and protection of all trees proposed, with specific reference to the treatment of the external surface of the bunker walls facing the Thames. The development shall proceed in accordance with the details as approved by the Local Planning Authority.

All planting, seeding or turfing comprised in the details of landscaping shall be carried out in the first planting and seeding seasons following the occupation of the buildings or the completion of the development, whichever is the sooner; and any trees or plants which are removed or become seriously damaged or diseased shall be replaced in the next planting season with others of similar size and species, unless the Local Planning Authority gives written consent of variation.

Reason: To ensure a satisfactory standard of external appearance of the development and surrounding landscape is satisfactory and of a high quality, in accordance with Policies EQ15 and EQ21 of the London Borough of Newham Unitary Development Plan (adopted June 2001) saved from the 27th of September 2007 in accordance with the direction from the Secretary of State, and Policy 4B.1 of the London Plan.

4. Prior to the commencement of works the applicant is to submit an Environmental Code to the Local Planning Authority in respect of such matters likely to cause nuisance to adjoining occupiers during construction. Details should include noise, dust, smoke, road cleaning and any other matters relevant to this particular site. The construction of the development shall then be undertaken in accordance with the provisions of the Environmental Code as approved by the Local Planning Authority.

Reason: In the interest of residential amenity, in accordance with Policies EQ20 and EQ45 of the London Borough of Newham Unitary Development Plan (adopted June 2001) saved from the 27th of September 2007 in accordance with the direction from the Secretary of State, and Policy 4B.6 of the London Plan.

5. A method of construction statement shall be submitted and approved in writing by the Local Planning Authority before development commences.

Reason: In the interests of protecting the users of the adjoining park, in accordance with Policy EQ45 of the London Borough of Newham Unitary Development Plan (adopted June 2001) saved from the 27th of September 2007 in accordance with the direction from the Secretary of State.

6. Prior to the commencement of works on the development hereby permitted, a sample of materials to be used on all external surfaces on the proposed development shall be submitted to and be approved by the Local Planning Authority. The approved materials are to be constructed/installed prior to the occupation of the development to the satisfaction of the Local Planning Authority and shall be permanently maintained thereafter to the satisfaction of the Local Planning Authority.

Reasons: To ensure a satisfactory standard of external appearance and to protect local amenity and with regard to Policy EQ19 of the London Borough of Newham Unitary

Development Plan (adopted June 2001) saved from the 27th of September 2007 in accordance with the direction from the Secretary of State.

7. Prior to the commencement of works the applicant is to submit details of refuse storage and disposal to be approved in writing by the Local Planning Authority. All refuse storage areas are to be provided with adequate means of ventilation to prevent the build up of odours/fumes to the satisfaction of the Local Planning Authority.

Reason: In the interest of visual and neighbours amenity, in accordance with Policies EQ45 and H17 of the London Borough of Newham Unitary Development Plan (adopted June 2001) saved from the 27th of September 2007 in accordance with the direction from the Secretary of State, and Policies 4B.1 and 4B.6 of the London Plan.

8. Prior to the commencement of works details of surface water control measures shall be submitted to and approved in writing by the Local Planning Authority in consultation with the Environment Agency. The scheme shall be implemented in accordance with the approved details prior to the commencement of works.

Reason: To prevent the increased risk of flooding, and contamination of the water supply, in accordance with Policy EQ63 of the London Borough of Newham Unitary Development Plan (adopted June 2001) saved from the 27th of September 2007 in accordance with the direction from the Secretary of State and Policy 4C.8 of the London Plan.

9. No impact piling shall be permitted during the construction of this development without the written permission of the local planning authority.

Reasons: To ensure that the development does not prejudice the enjoyment of neighbouring occupiers of their properties and with regard to policy EQ45 of the London Borough of Newham Unitary Development Plan (adopted June 2001) saved from the 27th of September 2007 in accordance with the direction from the Secretary of State.

10. Operations in relation to construction for which noise is audible at the nearest residential boundary shall be restricted to the hours of 0700 and 1900 on Mondays to Fridays and between 0700 and 1600 on Saturdays and at no time on Sundays or Statutory holidays without the prior written approval of the Local Planning Authority.

Reasons: To ensure that the development does not prejudice the enjoyment of neighbouring occupiers of their properties and with regard to policy EQ45 of the London Borough of Newham Unitary Development Plan (adopted June 2001) saved from the 27th of September 2007 in accordance with the direction from the Secretary of State.

11. The development proposed is on land that has previously been contaminated. The Council believes that this land has been remediated. The proposed development may compromise the remediation. The applicant must investigate the site with a view to confirming the remediation installed and any contamination beneath. The proposed development should be designed either to not compromise the existing remediation scheme, or to install new remediation to ensure that there is no risk to health from underlying contamination. The investigation & design of the development with respect to contamination shall be agreed in advance with the local planning authority. Works are to be carried out in accordance with the agreed design. The applicant will be required to certify in writing that the works have been carried out to the agreed specification.

Reference should be made to BS 10175: Investigation of potentially contaminated sites

– Code of Practice and to the Building Regulations 2000 APPROVED DOCUMENT C
Site preparation and resistance to contaminants and moisture: C1 Site preparation and resistance to contaminants.

Reasons: To safeguard the public, the environment and surface and groundwater as this site is known to have been contaminated with material that is potentially harmful to humans, or the environment and with regard to policy EQ49 of the London Borough of Newham Unitary Development Plan (adopted June 2001) saved from the 27th of September 2007 in accordance with the direction from the Secretary of State.

12. Before commencement of the relevant part of the development hereby approved, details of all boundary treatment and their acoustic properties shall be submitted to and approved by the Local Planning Authority. The site shall not be operated until the approved details have been implemented. The approved details shall thereafter be retained.

Reason: To ensure a satisfactory standard of external appearance and noise attenuation in accordance with Policies EQ19 and EQ45 of the London Borough of Newham Unitary Development Plan (adopted June 2001) saved from the 27th of September 2007 in accordance with the direction from the Secretary of State.

13. The ES states that up to 10% renewable energy could be provided. Before the development is occupied there shall be provided renewable energy amounting to 10% of the total demand on the site. The nature of the provision and its environmental impacts shall be agreed with the local planning authority.

Reason: To ensure consistency with London Plan policies 4A.7- 4A.9.

14. The proposed development has the potential to cause nuisance through dust emission. Before the site commences operation, the developer shall agree dust control measures with the London Borough of Newham and implement the agreed measures.

Reason: To safeguard the amenity of the surrounding area in accordance with Policy EQ45 of the London Borough of Newham Unitary Development Plan (adopted June 2001) saved from the 27th of September 2007 in accordance with the direction from the Secretary of State.

15. There shall be no goods vehicle movements on and of the site between the hours of 19:00 to 07:00 the following day.

Reason: To support the local economy and safeguard the amenity of the surrounding area in accordance with Policies EMP1 and EMP45 of Newham Unitary Development Plan (adopted June 2001) saved from the 27th of September 2007 in accordance with the direction from the Secretary of State.

16. The importation of cementitious powders (except for admixtures and special cements) by road shall be limited to 2 years after commencement of operation of the development. The importation of aggregates to the site shall be by Ship only (except for special aggregates).

Reason: To safeguard the amenity of the area and to minimise road traffic movements in accordance with UDP policy T5, T8 of Newham Unitary Development Plan (adopted June 2001) saved from the 27th of September 2007 in accordance with the direction from the Secretary of State.

17. The importation of cementitious powders by road in the period stated in condition 16 shall be limited to 830 lorry loads per year (3 lorry loads per day).

Reason: To safeguard the amenity of the area and to minimise road traffic movements in accordance with UDP policy T5, T8 of Newham Unitary Development Plan (adopted June 2001) saved from the 27th of September 2007 in accordance with the direction from the Secretary of State.

18. Total Heavy Goods Vehicle movements into and out of the site shall be up to a maximum of 110 into and 110 out of the site. A site log of such movements should be kept and provided to the Local Planning Authority upon request.

Reason: To safeguard the amenity of the area and to minimise road traffic movements in accordance with UDP policy T5, T8 of Newham Unitary Development Plan (adopted June 2001) saved from the 27th of September 2007 in accordance with the direction from the Secretary of State.

19. Prior to occupation the access road to the site from North Woolwich Road/Dock Road shall be completed in accordance with conditions 20 and 21 and thereafter shall be permanently retained unless otherwise agreed in writing by the Local Planning Authority.

Reason: To agree an acceptable vehicular access to the development to maintain pedestrian and vehicular safety in accordance with UDP policies T14, T19 and London Plan Policy 3C.20.

20. Prior to the commencement of development, the developer shall submit to and seek approval in writing from the Local Highway Authority, detailed designed drawings (including pedestrian and cycle facilities) and safety audits of the proposed access road to the application site as well as a detailed design of the internal layout of the development

Reason: To agree an acceptable vehicular access to the development to maintain pedestrian and vehicular safety in accordance with UDP policies T14, T19 and London Plan Policy 3C.20.

21. Prior to commencement of development, the developer shall submit to and seek approval in writing from the Local Highway Authority finishes/specifications of all highway materials/surfaces.

Reason: To agree an acceptable vehicular access to the development to maintain pedestrian and vehicular safety in accordance with UDP policies T14, T19 and London Plan Policy 3C.20.

22. The site shall not be operated unless site sweeping facilities are made available for use during hours of operation and permanently retained.

Reason: To safeguard the amenity of the surrounding area in accordance with Policy EQ45 of Newham Unitary Development Plan (adopted June 2001) saved from the 27th of September 2007 in accordance with the direction from the Secretary of State.

23. The site shall not be operated unless an effective dust suppression system for the storage bays is installed and made available for use during hours of operations and permanently retained.

Reason: To safeguard the amenity of the surrounding area in accordance with Policy EQ45 of Newham Unitary Development Plan(adopted June 2001) saved from the 27th of September 2007 in accordance with the direction from the Secretary of State.

24. The site shall not be operated until details of enclosures to the silos have been submitted to and approved by the Local Planning Authority. The development shall not be operated until the approved details have been implemented. The use shall only continue in accordance with any approval.

Reason: To safeguard the amenity of the surrounding area in accordance with Policy EQ45 of Newham Unitary Development Plan(adopted June 2001) saved from the 27th of September 2007 in accordance with the direction from the Secretary of State.

25. During construction, the applicant shall ensure that access to the public footways, bus stops and DLR station for local users is maintained.

Reason: To ensure that safe and accessible footways and public transport links are maintained for pedestrians and residents around the construction site in compliance with Policy T19 of Newham Unitary Development Plan(adopted June 2001) saved from the 27th of September 2007 in accordance with the direction from the Secretary of State and London Plan Policy 3C.20.

26. Prior to the operation a Traffic Management Plan (TMP) shall be submitted to and agreed by the Local Planning Authority (LPA). Once agreed the TMP of the site shall be undertaken in strict accordance with the approved details.

Reason: To ensure the impacts of the developments are actively being addressed especially due to the effect on the local highway network.

27. The unloading of aggregate and recycling material and cement vessels and the operation of the handling of aggregates and recycling material shall take place between the hours of 07:00-19:00 Monday to Friday, 07:00-16:00 Saturday and at no time on Sundays & public holidays unless otherwise agreed in writing by the LPA.

Reason: to support the local economy and safeguard the amenity of the surrounding area in accordance with Policies EMP1 and EMP45 of the Newham Unitary Development Plan(adopted June 2001) saved from the 27th of September 2007 in accordance with the direction from the Secretary of State and Policy 4B.6 of the London Plan.

28. Prior to commencement of development, details of car and lorry parking shall be submitted to the Local Planning Authority, to be approved in writing. The development shall be completed in accordance with any approval given.

Reason: To encourage use of sustainable modes of transport to the site in accordance with Policies T24 and T25 of the London Borough of Newham Unitary Development Plan (adopted June 2001) saved from the 27th of September 2007 in accordance with the direction from the Secretary of State, and Policy 3C.21 of the London Plan.

29. Prior to commencement of development, details of cycle and motorcycle parking shall be submitted to the Local Planning Authority, to be approved in writing. The development shall be completed in accordance with any approval given.

Reason: To encourage use of sustainable modes of transport to the site in accordance with Policies T24 and T25 of the London Borough of Newham Unitary Development

Plan (adopted June 2001) saved from the 27th of September 2007 in accordance with the direction from the Secretary of State, and Policy 3C.21 of the London Plan.

30. Prior to commencement of development, the applicant shall provide a Green Travel Plan for the employees of the development, to be submitted to and approved in writing by the Local Planning Authority. The use shall only operate in accordance with any approval.

Reason: To ensure that the promotion of sustainable modes of transport is encouraged in accordance with Policy T5 of the London Borough of Newham Unitary Development Plan (adopted June 2001) saved from the 27th of September 2007 in accordance with the direction from the Secretary of State, and Policy 3C.9 of the London Plan.

31. Prior to commencement of the development hereby approved, the application shall provide an Archaeological evaluation and mitigation strategy to ensure minimal impact from the development. This shall be submitted to, and approved in writing by the LPA.

Reason: : In the interests of minimising any archaeological disturbance with regard to policy EQ42 of the London Borough of Newham Unitary Development Plan (adopted June 2001) saved from the 27th of September 2007 in accordance with the direction from the Secretary of State.

32. At no time shall any waste be burnt on site unless otherwise approved in writing by the Local Planning Authority.

Reasons: To prevent loss of amenity to neighbouring premises, prevent air pollution effecting the wider environment and with consideration to policy EQ45 of the London Borough of Newham Unitary Development Plan (adopted June 2001) saved from the 27th of September 2007 in accordance with the direction from the Secretary of State.

33. Prior to commencement of any development within 16 metres of the river wall a survey of the existing river wall to establish the landward extent, structural integrity and stability of the wall including needed intrusive investigation / testing and movement monitoring shall be submitted to and approved in writing by the local planning authority. The scope and the details of the survey shall be agreed prior to its commencement.

Reason: To establish the condition and extent of the existing river wall to both inform the assessment of needed remedial/ replacement works and the detailed design for the construction close to the tidal river wall in accordance with Policies EQ62, EQ63 and EQ64 of the London Borough of Newham Unitary Development Plan (adopted June 2001) saved from the 27th of September 2007 in accordance with the direction from the Secretary of State.

34. Prior to commencement of any development within 16 metres of the river wall, details of those works with supporting calculations will be submitted to and approved in writing by the local planning authority. The approved scheme will then be implemented in full before the site first comes into operation.

Reason: To ensure that the river wall construction is adequate for purpose and its life expectancy is, or is brought up to, the greater of 60-years or the lifetime of the development in accordance with Policies EQ62, EQ63 and EQ64 of the London Borough of Newham Unitary Development Plan (adopted June 2001) saved from the 27th of September 2007 in accordance with the direction from the Secretary of State.

35. Surface water drainage works shall be carried out in accordance with details which

shall have been submitted to and approved in writing by the Local Planning Authority before development commences.

Reason: To prevent the increased risk of flooding including due to climate change in line with PPS25.

36. Throughout the occupation of the development a flood evacuation / safe refuge plan will be maintained and implemented.

Reason: To minimise the flood risk to people on the site in accordance with Policies EQ62 and EQ64 of the London Borough of Newham Unitary Development Plan (adopted June 2001) saved from the 27th of September 2007 in accordance with the direction from the Secretary of State.

37. No development approved by this permission shall be commenced until a detailed scheme for ecological mitigation and enhancements of the site, has been approved by the Local Planning Authority. Development shall be carried out in accordance with the approved details. This must include the design, method of construction, timings, dimensions, elevations, profile, materials, planting lists. Any planting should be limited to appropriate native species only

Reason: To protect and conserve the natural features of importance within or adjoining the watercourse in accordance with Policies EQ63 of the London Borough of Newham Unitary Development Plan (adopted June 2001) saved from the 27th of September 2007 in accordance with the direction from the Secretary of State.

38. Artificial lighting disrupts the natural diurnal rhythms of a range of wildlife using/inhabiting the river and its corridor habitat. There shall be no light spill into the watercourse or adjacent river corridor habitat. To achieve this, and to comply with sustainability, artificial lighting should be directional where focused along the river corridor.

Reason: to protect and conserve the natural features and character of the area in accordance with Policies EQ1 and EQ3 of the London Borough of Newham Unitary Development Plan (adopted June 2001) saved from the 27th of September 2007 in accordance with the direction from the Secretary of State.

39. An ecological management plan, including long term design objectives, management responsibilities and maintenance schedules for all landscape and ecological areas shall be submitted to and approved in writing by the Local Planning Authority before the development commences. The landscape management plan shall be carried out as approved.

Reason: To protect and conserve the natural features and character of the area in accordance with Policies EQ1 and EQ3 of the London Borough of Newham Unitary Development Plan (adopted June 2001) saved from the 27th of September 2007 in accordance with the direction from the Secretary of State.

40. Prior to development, the applicant shall provide details to the Local Planning Authority of external lighting proposed on site, to be approved in writing.

Reason: In the interest of public safety and visual amenity and with regard to Policy EQ1 of the London Borough of Newham Unitary Development Plan (adopted June 2001) saved from the 27th of September 2007 in accordance with the direction from the Secretary of State.

41. Prior to development, the applicant shall provide details to the Local Planning Authority of any dredging to be carried out to be approved in writing.

Reason: To protect and conserve the natural features of importance within or adjoining the watercourse in accordance with Policies EQ1 and EQ3 of the London Borough of Newham Unitary Development Plan (adopted June 2001) saved from the 27th of September 2007 in accordance with the direction from the Secretary of State.

INFORMATIVES

Land Contamination

1. For advice and information upon contaminated land site investigation, risk assessment and implementing a remediation strategy it is recommended that the developer contacts the Environmental Health Pollution Control Unit, Alice Billings House, 2-12 West Ham Lane, Stratford, London E15 4SF Tel: 020 430 3820. The Unit has produced a leaflet 'The development of contaminated sites' which can be downloaded free from www.newham.gov.uk. The developer shall notify the Council's Development Control and the Environmental Health Pollution Control Unit of the start dates and programme of site investigations and any subsequent remediation works.

2. For the site investigation, risk assessment and remediation strategy reference should be made to:

- Model Procedures for the Management of Land Contamination, Environment Agency Contaminated Land Report 11. This document can be downloaded free from www.environment-agency.gov.uk
- BS 10175: Investigation of potentially contaminated sites – Code of Practice
- Building Regulations 2000 APPROVED DOCUMENT C Site preparation and resistance to contaminants and moisture: C1 Site preparation and resistance to contaminants.

If the site investigation reveals land contamination the associated report must include the results of a source-pathway-receptor environmental risk assessment with regard to the current use and proposed development.

If the site investigation discovers organic containing natural soils or made ground then monitoring of potential ground gases, over a suitable period of time, will be required in order to determine the requirement for gas mitigation measures in the development.

If the site is located in a groundwater protection zone or if groundwater is encountered during the site investigation then the groundwater should also be tested for contamination. The Local Planning Authority may require more detailed groundwater monitoring to be undertaken on the advice of the Environment Agency.

A remediation scheme should include, where necessary, a long-term commitment to maintenance of any works and measures required by the Local Planning Authority or the Environment Agency.

Remediation capping layers based upon 'Cover systems for land regeneration' BR 465 by the Building Research Establishment will not be accepted, as this is not approved by the Environment Agency.

3. No soils, or infill materials should be imported onto the site unless they have been satisfactorily proven to be uncontaminated and present no risks to human health, planting and the environment. A declaration to this effect, together with acceptable documentary evidence to confirm the origin of all imported soils and infill materials,

supported by appropriate chemical analysis test results, should be obtained and copies may be requested by the Local Planning Authority.

4. Anyone procuring analytical services must ensure that the data supplied to the Local Planning Authority meets the requirements in the Monitoring Certification Scheme (MCERTS). Laboratories undertaking the chemical testing of soil must be accredited, the analytical methods should be appropriate and fit for the purpose of the parameter being investigated and the sampling procedures and the audit trail should also conform.

5. Supporting reports should be prepared by appropriately qualified professionals. All reports should be sent directly to the planning case officer in the Development Control Unit. For each application at least two copies of each report should be submitted in hard copy format plus a further copy in electronic format. The planning case officer will forward the reports on to the appropriate consultees for comment. Applicants are advised against entering into direct negotiation with either the Pollution Control Unit, Environment Agency or any other Council department consultees without notifying the planning case officer.

Pollution Prevention and Control Regulations 2000

6. The proposed activities associated with the application will be subject to the requirements of the Pollution Prevention and Control Regulations 2000. The Regulations require the operator (i.e. the person/company who wishes to carry out the prescribed activity) to apply to the relevant regulating authority for an operating permit.

7. For the purpose of the regulations, the Local Authority or Environment Agency (EA) regulates such installations. Carrying out a prescribed activity without an operating permit is an offence under the above regulations. The applicant is advised to contact the EA and the LBN Environmental Health on 020 8430 2000 (extension 25224), for information and advice. See also www.defra.gov.uk.

8. Explosive Ordnance

The property lies within an area of the borough that has been identified as being at potential risk from buried explosive ordnance due to wartime bombing. It is recommended that professional advice is obtained and a risk assessment undertaken to identify and analyse any threat posed by ordnance before works commence. Particular care must be taken when assessing the risk of UXBs in the River Thames.

The proposed plant is likely to require a permit to operate under the Pollution Prevention & Control Regulations. Reference should be made to the London Borough of Newham Pollution Control Unit in order to obtain such a permit before the site commences operation.

Environment Agency

9. Under the terms of the Thames River (Prevention of Floods) Acts 1879-1962, the statutory tidal flood defence level, which is 5.18 metres above O.D.(N) at this site, must be maintained at all times, with temporary works if necessary.

10. Under the terms of the Water Resources Act 1991 and the Land Drainage Byelaws 1981, the prior written consent of the Environment Agency is required for any proposed works or structures either affecting or within 16 metres of the tidal flood defence structure. Contact Robert Williams on 020 8305 4016 for further details.

11. Under the terms of the Water Resources Act 1991, the prior written consent of the Environment Agency is required for any discharge of sewage or trade effluent into controlled waters (e.g. watercourses and underground waters), and may be required for

any discharge of surface water to such controlled waters or for any discharge of sewage or trade effluent from buildings or fixed plant into or onto ground or into waters which are not controlled waters. Such consent may be withheld. Contact Andrew Grant on 01707 632450 for further details.

12. Under the terms of the Water Resources Act 1991, the prior written consent of the Environment Agency is required for dewatering from any excavation or development to a surface watercourse. Contact Andrew Grant on 01707 632450 for further details.

DLR

13. The applicant is advised that the Docklands Light Railway Ltd owns a protection zone around its railway infrastructure, which extends out from the furthest edge by 5 metres and in which the use of the land is fully controlled by DLRL. Therefore, any activity within this protection zone will need to be approved by DLRL; this includes vehicle movements below the viaduct and viaduct impact prevention methods.

Thames Water Waste

14. Surface Water Drainage - With regard to surface water drainage it is the responsibility of a developer to make proper provision for drainage to ground, water courses or a suitable sewer. In respect of surface water it is recommended that the applicant should ensure that storm flows are attenuated or regulated into the receiving public network through on or off site storage. When it is proposed to connect to a combined public sewer, the site drainage should be separate and combined at the final manhole nearest the boundary. Connections are not permitted for the removal of Ground Water. Where the developer proposes to discharge to a public sewer, prior approval from Thames Water Developer Services will be required. They can be contact on 0845 850 2777. Reason - To ensure that the surface water discharge from the site shall not be detrimental to the existing sewerage system.

15. A Trade Effluent Consent will be required for any Effluent discharge other than a 'Domestic Discharge'. Any discharge without this consent is illegal and may result in prosecution. (Domestic usage for example includes - toilets, showers, washbasins, baths and canteens). Typical Trade Effluent processes include: - Laundrette/Laundry, PCB manufacture, photographic/printing, food preparation, abattoir, farm wastes, vehicle washing, metal plating/finishing, cattle market wash down, chemical manufacture, treated cooling water and any other process which produces contaminated water. Pre-treatment, separate metering, sampling access etc, may be required before the Company can give its consent. Applications should be made to Waste Water Quality, Crossness STW, Belvedere Road, Abbeywood, London. SE2 9AQ. Telephone: 020 8507 4321.

16. Thames Water will aim to provide customers with a minimum pressure of 10m head (approx 1 bar) and a flow rate of 9 litres/minute at the point where it leaves Thames Waters pipes. The developer should take account of this minimum pressure in the design of the proposed development.

17. If possible surface water should pass direct to the River by private agreement or surface water attenuation will be necessary. Not clear what trade / foul discharges are proposed.

CASE OFFICER: Amanda Peck

Appendix 1: Site Location Plan

Appendix 2: Proposed Site Layout Plan

Appendix 3: Proposed Elevations