

Planning Committee Report

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

UDC CASE NUMBER:	LTGDC-07-139-OUT	DATE MADE VALID:	11/06/2007
APPLICATION NUMBER:	07/01141/LTGDC/LBNM	TARGET DATE:	10/09/2007

APPLICANT:	Clearstorm Ltd
AGENT:	Sellwood Planning
PROPOSAL:	Comprehensive mixed use development of Minoco Wharf and Crescent Wharf comprising residential (C3), employment (B1), retail (A1), professional services, food and drink uses (A2-A5), community, health, education, cultural and assembly uses (D1), recreational and leisure uses (D2), vehicular, pedestrian and cycle access form North Woolwich Road, creation of marina and construction of lock access to River Thames and lock control building, access roads and other means of access and circulation within the site, road and foot/cycle bridges over internal water features, covered and open car parking areas, public realm, public open space and private amenity space, landscaping, creation of a network of footways and cycleways including riverside path and other supporting infrastructure works and facilities (maximum areas are set out at paragraph 1.8 below).
LOCATION:	Minoco Wharf, North Woolwich Road, Silvertown

1. SUMMARY

1.1 On 11 June 2007, Clearstorm Ltd., a subsidiary of the Ballymore Group, submitted duplicate planning applications to the Corporation and London Borough of Newham (LBN). The application site falls within the administrative areas of both local planning authorities. The applications are submitted in outline with siting, means of access and public realm landscaping for determination and design and appearance reserved matters.

1.2 The applications were revised on 17 December 2007. On 29 January 2008 Clearstorm Ltd. submitted an appeal to the Secretary of State against the Corporation and LBN's failure to determine application refs: 07/01140/LTGDC and 07/01142/OUT within thirteen weeks. The submission of an appeal prevented the Corporation and LBN from being able to determine the applications. Duplicate application refs: 07/01141/LTGDC and 07/01143/OUT have not been appealed. The duplicate application ref: 07/01141/LTGDC is the subject of this report.

1.3 On 10 April 2008 the Committee agreed that had an appeal not been lodged it would have refused planning permission for application ref: 07/01140/LTGDC for the following reasons:

1. The proposed development, by virtue of its housing density of 276 units per hectare and 688 habitable rooms per hectare, would constitute an overdevelopment of the site and unsustainable form of development given its location, setting, public transport accessibility level, concentration of studios and one bedroom units, lack of amenity space and excessive scale, height and massing, contrary to Policies 3A.3, 3A.5, 3A.6, 3C.1, 4B.1, 4B.2, 4B.3, 4B.5, 4B.9 and 4B.10 of the London Plan, the London Plan Housing SPG, Policies C3, C4 and C5 of the Lower Lea Valley Opportunity Area Planning Framework, Policies EQ4, EQ19, H13, H15 and H17 of the Unitary Development Plan and Newham's Residential Planning Guidelines SPG.
2. The proposed development, by virtue of its excessive scale, height and massing, constitutes an inadequately designed scheme that a) lacks a coherent approach to building form b) establishes an overbearing relationship to Barrier Point c) responds unsuccessfully to the River Thames d) creates a poor quality public realm and e) creates a poor quality environment for future residents and visitors, contrary to Policies 3A.3, 4B.1, 4B.2, 4B.3, 4B.9 and 4B.10 of the London Plan, Policies EQ4, EQ19, H13 and H17 of the Unitary Development Plan and Policy F14 of the Lower Lea Valley Opportunity Area Planning Framework.
3. The proposed development, by providing only 26% affordable housing on a 60:40 split between intermediate and social rented tenures, results in an inadequate amount of affordable housing that fails to meet housing need and achieve a mixed and balanced community, contrary to Policies 3A.9 and 3A.10 of the London Plan, the London Plan Housing SPG and Policy C2 of the Lower Lea Valley Opportunity Area Planning Framework.
4. The proposed development, by virtue of a concentration of studio, one and two bedroom units, results in an unacceptably low provision of family housing that fails to achieve a mixed and balanced community, contrary to Policy 3A.4 of the London Plan, the London Plan Housing SPG, Policy C3 of the Lower Lea Valley Opportunity Area Planning Framework and Policies H14 and H15 of the Unitary Development Plan.
5. The proposed development, by virtue of a deficiency in private and communal amenity space, poor outlook and sunlight and daylight conditions, results in an unacceptable poor living environment for future residents, contrary to Policies 4B.1 and 4B.10 of the London Plan, Policies EQ19, EQ26 and H17 of the Unitary Development Plan and the Residential Planning Guidelines SPG.

6. The proposed development, by virtue of a loss of UK priority mudflat habitat, results in an adverse impact on nature conservation and biodiversity, contrary to Policies 3D.14, 4C.3 and 4C.4 of the London Plan and Policies EQ4, EQ5, EQ9, EQ10 and EQ11 of the Unitary Development Plan.
7. The proposed development provides an inadequate S106 contribution that fails to mitigate its impact on physical and social infrastructure, contrary to the LTGDC's Planning Obligations Community Benefit Strategy and Policies 6A.4 and 6A.5 of the London Plan, the Lower Lea Valley Opportunity Area Planning Framework and Policy S2 Unitary Development Plan.

1.4 On 16 April 2008 LBN resolved that had an appeal had not been lodged it would have refused the application for the same reasons. The reasons for refusal informed both local authorities' Statements of Case submitted to the Planning Inspectorate on 25 April 2008. A Public Inquiry is scheduled for the 7 October 2008.

1.5 On 2 May and 16 June 2008 the applicant revised the duplicate applications to address the putative reasons for refusal adopted for the appealed applications. The amended plans have been the subject of public consultation and assessment. LBN will consider the duplicate application ref: 07/01143/OUT on 2 July 2008. Committee Members will be advised of the decision at the Committee meeting.

1.6 The purpose of this report is to resolve how the Committee will determine the duplicate application based on the revised duplicate application. The applicant has advised that it will withdraw the appeal in the event that the duplicate applications are granted planning permission.

1.7 The application site is located in the Thameside West area of the Royal Docks. The site is bounded by Barrier Point residential development to the east, the North Woolwich Road and Docklands Light Railway to the north, the Kierbeck Industrial Estate to the west and the River Thames to the south. The site is vacant.

1.8 The application proposes redevelopment to provide:

- Residential (C3) (maximum of 222,055m² or 2,598 units)
- Employment (B1) (15,000m²)
- Retail (A1) (2,000m²)
- Professional Services, Food and Drink (A2-A5) (3,000m²)
- Community, Health, Education, Cultural and Assembly (D1) (4,000m²)
- Recreational and Leisure (D2) (2000m²)
- Car parking (maximum 0.5 spaces per dwelling and 1 space per 1000 m² for commercial uses)
- Marina and lock access to River Thames
- Vehicle, pedestrian and cycle access from North Woolwich Road
- Internal access roads and circulation
- Public realm, public open space and private amenity space
- Landscaping
- Road and foot/cycle bridges over internal water features
- A network of footways and cycleways including riverside path and other supporting works and facilities

1.9 The application is accompanied by an Environmental Statement (ES). The ES has

been updated to reflect the scheme amendments.

1.10 The development is focussed around a new marina with development zones set out on an orthogonal grid with diagonal routes between North Woolwich Road, the marina and the River Thames. Development zones comprise typical courtyard blocks that accommodate a mix of housing and commercial uses, active frontages and an internal communal amenity space. Tall buildings are concentrated towards the River Thames and North Woolwich Road with development of a reduced scale surrounding the marina and the eastern and western edges of the site. Vehicular access to the site is achieved via North Woolwich Road.

1.11 While the Unitary Development Plan designates the site a Principal Employment Area, the potential for redeveloping the site with a residential-led mixed use development is identified by the Mayor of London Lower Lea Valley Opportunity Area Planning Framework (LLVOAPF). The LLVOAPF is a material consideration which should be afforded considerable weight. Whilst it should be noted that the document has not been endorsed by Newham, draft documents produced by the Borough as part of its LDF process include an option for redeveloping the site with mixed commercial/residential uses. This approach is supported by the site's proximity to the proposed Silvertown Quays district centre, Pontoon Dock Docklands Light Railway station and Barrier Park. The principle of redeveloping the site to provide a mixed use development is acceptable. Furthermore, the May 2008 and June 2008 revisions address the substantive objections previously considered by the Committee as detailed below.

1.12 The application adopts an appropriate housing density given the site's future public transport accessibility, proximity to a future town centre and the standard of townscape and residential environment.

1.13 The development adopts a coherent approach to development height, scale and massing that responds adequately to local context, forms a comfortable relationship with adjacent development, responds successfully to the River Thames and creates a quality environment for future residents and visitors.

1.14 The application proposes 35% affordable housing on a habitable room basis and 60:40 split between intermediate and social rented housing. While this is below the London Plan target of 50% affordable housing on a 70:30 split between intermediate and social rented housing, the applicant has submitted a toolkit and development appraisal in support of the amount of affordable housing. The Corporation has verified the development appraisal subject to agreeing the cost assumptions associated with the proposed Works in Kind. The level of affordable housing is considered acceptable given the scheme viability and the range of planning benefits secured.

1.15 The application proposes a housing mix skewed towards the provision of studios, one and two bedroom units, particularly within the private sector. The number of family sized units within the affordable housing sector is supported. The applicant cites commercial viability as the determinant of the housing mix. While the mix of housing is below that sought by London Plan policy, it is not considered to justify a defensible reason for refusal given scheme viability, the overall number of family housing units being delivered, the overall standard of residential development proposed and the range of planning benefits secured.

1.16 The application provides sufficient public open space and private and semi

private/communal amenity space given the quantum and density of housing proposed and the site's proximity to existing public open space at Barrier Park and Lyle Park.

1.17 The application will reduce the sunlight and daylight conditions currently enjoyed by some residents of Barrier Point. While the resulting sunlight and daylight conditions fall below the Building Research Establishment (BRE) target, it is not considered to justify a defensible reason for refusal given that only bedrooms, bathrooms and kitchens are affected to flats located at ground, first and second floor of a seven storey block, the affected flats are dual aspect and oriented towards Barrier Park, the proposed development establishes an acceptable height and massing relationship to Barrier Point and the BRE guidelines are intended to be interpreted flexibly.

1.18 The application results in a loss of a UK priority mudflat habitat through the creation and dredging of the lock access with the River Thames. This is compensated through a financial contribution towards mudflat creation at an alternative location within the Thames Estuary.

1.19 The S106 Agreement is being negotiated between the applicant, the Corporation and LBN. The S106 Agreement will include a mechanism for apportioning the total contribution between both planning authorities on a site area basis. The applicant has agreed to contribute the discounted standard charge in accordance with the LTGDC S106 Community Benefit strategy subject to agreement on the items and cost of works in kind. The Corporation and LBN have agreed to ring fence contributions towards Docklands Light Railway and bus service improvements.

1.20 The application is recommended for approval subject to 'call-in' by the Government Office for London, any direction from the Mayor of London, the planning conditions set out in section 12.0 of this report and a Section 106 agreement securing the Heads of Terms set out in section 11.1 of this report.

2. SITE AND PROPOSAL

2.1 Description of Site & Surroundings

2.1.1 The application site is located in the Thameside West area of the Royal Docks (see Appendix 1). The red line application boundary includes half the width of the River Thames and North Woolwich Road and extends to a total area of 15.96 hectares. The site's developable area measures 10.23 hectares.

2.1.2 The site is bounded by Barrier Point residential development to the east, North Woolwich Road and the Docklands Light Railway (DLR) viaduct to the north, the Kierbeck Industrial Estate to the west and the River Thames to the south (see Appendix 2). Barrier Point comprises a seven storey linear block that terminates with an 18 storey cylindrical riverfront tower and forms the western boundary to Barrier Park. Barrier Park is a significant area of open space completed in 2000. The Thames Barrier is located adjacent to Barrier Park and approximately 350m from the south east corner of the site.

2.1.3 Beyond North Woolwich Road and the DLR viaduct is the Silvertown Quays development site. The site benefits from planning permission for a significant mixed use development, including the provision of a new housing, district retail centre and the BIOTA aquarium.

2.1.4 The site was previously subdivided into Minoco Wharf and Crescent Wharf. Minoco Wharf was developed as a chemical works before being used for oil storage and refining. The site is currently vacant. Vanesta Wharf was developed as a chemical works before being redeveloped with warehousing and industrial uses within buildings that exist today. All structures are proposed to be demolished with the exception of a war memorial located at the north west corner of the site.

2.1.5 The site is accessed via a junction with North Woolwich Road. The site is served by the DLR and bus route 474 (Canning Town – Beckton – Manor Park). The elevated DLR follows an alignment along the site's northern boundary and Pontoon Dock station is located at the north east corner of the site. The site has an existing PTAL (Public Transport Accessibility Level) that ranges from a 'low' 2 in the south west corner to a 'high' 2 in the north east corner.

2.2 Description of Proposal

2.2.1 The duplicate applications are submitted in outline with siting, means of access and public realm landscaping for determination and design and appearance being reserved matters.

2.2.2 The application proposes the following:

- Residential (C3) (maximum of 222,055m² or 2,598 units)
- Employment (B1) (15,000m²)
- Retail (A1) (2,000m²)
- Professional Services, Food and Drink (A2-A5) (3,000m²)
- Community, Health, Education, Cultural and Assembly (D1) (4,000m²)
- Recreational and Leisure (D2) (2000m²)
- Car parking (maximum 0.5 spaces per dwelling and 1 space per 1000 m² for commercial uses)
- Marina and lock access to River Thames
- Vehicle, pedestrian and cycle access from North Woolwich Road
- Internal access roads and circulation
- Public realm, public open space and private amenity space
- Landscaping

2.2.3 The development is focussed around a new marina and lock access with the River Thames (see Appendix 3). Thirteen development blocks are set out across an orthogonal grid layout divided by routes between North Woolwich Road, the marina and the River Thames. Development zones comprise typical courtyard blocks that accommodate a mix of housing and commercial uses, active frontages and an internal communal amenity space. Tall buildings are concentrated towards the River Thames and North Woolwich Road with development of a generally reduced scale surrounding the marina. Vehicular access to the site is achieved via North Woolwich Road. A phasing plan is included within the Environmental Statement (see Appendix 4). A model of the development will be provided at the Committee Meeting.

2.2.4 The marina will have the capacity to accommodate 60 vessels on pontoons. The marina will operate on a commercial basis and the applicant's intention is to provide a range of marina based facilities including boat lifting, storage and maintenance, shore side facilities, a lock control centre, a marina office centre and clubhouse and dedicated parking and set down area.

2.2.5 The applicant has also submitted duplicate applications to construct a riverside walkway and riverboat pier at Vanesta Wharf. The riverside walkway will form an extension of the application site to facilitate pedestrian access from the jetty to the site and beyond, such as BIOTA!. The riverboat pier is proposed to be served by a riverboat passenger service. A report on the application will be presented to Committee Members at the same meeting. While the riverboat pier would enhance the accessibility of the development, it is not required to justify the proposed type and quantum of development at Minoco Wharf.

2.2.6 The application was accompanied by an Environmental Statement (ES). The Environmental Impact Assessment (EIA) has been prepared to assess the significant environmental effects that are likely to arise from the proposed development. The Environmental Statement (ES) comprises of 3 Volumes. Volume 1 relates to 'assessment methodology and significance criteria', 'alternatives and design evolution', 'the proposed development', 'planning policy context', 'sustainability', 'demolition and construction', 'transportation and access', 'socio economics', 'water resources', 'ground conditions', 'aviation', 'wind' 'daylight, sunlight and overshadowing', 'ecology', 'archaeology', 'noise and vibration', 'air quality', 'TV and radio reception', 'cumulative impacts' and 'residual impact assessment and conclusions'. Volume 2 relates to Townscape and Visual Impact Assessment. Volume 3 comprises Technical Appendices. The ES is also accompanied by a Non Technical Summary.

2.2.7 The ES has been assessed to ensure it meets the EIA Regulations 1999 and whether it contains sufficient information to determine whether or not planning permission should be granted and whether planning conditions and/or obligations are required to mitigate the impact of the development.

2.2.8 The application is considered to meet the EIA Regulations and provide a satisfactory level of information to allow a proper assessment of the development proposals. The ES is considered to provide a comprehensive assessment of the environmental impacts of the proposed development. The main issues are addressed within section 9.0 of the report.

3. MAIN ISSUES

3.1 The main planning issues for consideration in relation to this application are:

- Land Use
- Building Scale, Bulk and Massing
- Listed Buildings
- Housing Density
- Housing Mix
- Affordable Housing
- Sunlight and Daylight
- Open Space
- Amenity Space
- Children and Young People's Play Space
- Parking, Transport and Access
- Navigational Risk
- Ecology
- Flood Risk

- Energy
- S106 Community Benefit Strategy

4. RELEVANT SITE HISTORY

4.1 Historically the site was subdivided into two wharves with Minoco Wharf to the east and Crescent Wharf to the west.

4.2 Minoco Wharf (5.99 hectares) was developed as a chemical works at the end of the 19th century and was used for the manufacture of TNT during the First World War. Subsequent to this, the site was used by Shell UK as an oil storage and refining site. The use ceased in the 1990's and the site has since been cleared and remediated. The site is currently vacant.

4.3 Crescent Wharf (4.24 hectares) lies to the west of Minoco Wharf. It was initially developed as a chemical works in the 1890's and was then redeveloped for low intensity warehousing and industry. The buildings are unsuited to modern employment requirements and all units are also vacant.

4.4 The site contains the Grade II Listed Silvertown War Memorial which is located in the north west corner of the site adjacent to North Woolwich Road.

4.5 Relevant previous planning applications for the site are as follows:

4.6 May 2004: An application for outline planning permission was submitted by Minoco Wharf Partnership to LBN proposing redevelopment to provide a mixed use development in a series of buildings ranging from 1 to 20 storeys providing 1537 residential units and 39,389m² of non residential floorspace (office, storage/distribution, retail, food and drink, financial and professional and community space) plus riverside walkway, car parking, landscaping and related infrastructure and site works. The application was withdrawn by the applicant in Oct 2004.

4.7 June 2006: Duplicate applications for outline planning permission were submitted by Clearstorm Ltd to the LTGDC and LBN proposing comprehensive, phased, mixed use development of the site, comprising residential (between 2572 and 3360 residential units), employment (35,000m²), retail (10,000m²), financial and professional, food and drink uses, community, health, education, cultural and assembly uses, recreational and leisure uses, vehicular, pedestrian and cycle access from North Woolwich Road, the creation of a jetty, breakwater and marina, construction of lock access to the River Thames, access roads and other means of access and circulation within the site, road and foot/cycle bridges over internal water features, covered and open car parking areas, public open space and private amenity space, landscaping, creation of a network of footways and cycleways including riverside path and other supporting infrastructure works and facilities. The applications were withdrawn by the applicant in May 2007.

5. CONSULTATIONS/NOTIFICATIONS

5.1 The application was advertised as a departure from the development plan given the site's industrial land use designation in the adopted Unitary Development Plan.

Greater London Authority

5.2 The application is referable under category 1A1, 1B1 and 1C1 of the Town and Country Planning (Mayor of London) Order 2000.

5.3 On 2 April 2008 the Mayor of London issued a Stage 1 report in response to the December 2007 amendments. The Mayor of London concluded that whilst a mixed use development on the site is acceptable in principle, the proposals were unacceptable for a number of strategic planning reasons relating to design, housing density, housing mix and level of affordable housing, sunlight and daylight, children and young person's play space, transport, access, biodiversity and climate change.

5.4 On 23 June 2008 GLA officers issued an informal update to the Stage 1 report. GLA officers note that significant progress has been made to resolve the matters previously identified and that the Environment Agency has now withdrawn its objection. In response to the May 2008 and June 2008 amendments GLA officers welcome (1) the revised massing strategy, (2) the reduced housing density, (3) the slight increase in family sized units and (4) the provision of children's play space. It is recommended that the River Thames should be used to transport bulk materials and opportunities for rainwater harvesting maximised.

5.5 GLA officers consider the energy issues to remain outstanding. The applicant has not yet clarified a number of matters or provided an adequate justification for including 4 energy centres as opposed to a single large energy centre. It is recommended that discussions continue before the Mayor of London considers the application at Stage 2.

London Borough of Newham

5.6 The LBN Planning Committee considered duplicate application ref: 07/01143/OUT in its capacity as local planning authority and statutory consultee on 2 July 2008. The following provides a summary of the comments received from advisory panels and internal consultees:

Design Review Panel

5.7 The following provides a summary of the Design Review Panel's comments following their consideration of the May 2008 amendments:

- The amendments addressed many of the previous concerns and resulted in improvements to the scheme;
- The reduction in density has enabled the designers to reconsider the overall height and massing of the development.
- The concentration of density along the northern edge, adjacent to the DLR station and the southern edge, through varied building heights along the river, is supported.
- The concept of "folding down the edges" along the eastern and western edges of the development, combined with buildings of greater heights positioned around the marina, promotes a coherent massing approach that improves the relationship with the surrounding context.
- The position of the tower in Development Zone 12 appears arbitrary and

undermines the otherwise clear massing strategy. It forms a poor relationship to the height and uniformity established by Barrier Point and will create overshadowing and sense of enclosure impacts. Further consideration should be given to the rationale for its location and form.

The June 2008 amendment responds to this comment by removing this tower element and redistributing the floorspace within Development Zone 3.

- The towers proposed in Development Zones 5, 6 and 11 adopt suitable locations. Nevertheless, more detailed studies should be undertaken to determine their impact on adjacent courtyards and the marina.
- Detailed consideration should be given to the desire line created between the proposed jetty and the scheme's western boundary.
- The centrally located marina at the centre of a grid plan with smaller subspaces disposed in radiating directions from this anchor space is a coherent development concept. The marina is a strong planning gesture that should help to provide a well used public realm enlivening the whole scheme.

Planning Policy

5.8 The UDP designation of the site for industrial land uses was based on its previous safeguarded wharf status. The London Plan, supplemented by the LLVOAPF, promotes the release of a proportion of industrial land within Thameside West to other uses. The site's proximity to substantial existing and proposed residential schemes at Silvertown Quays and Barrier Point, Pontoon Dock DLR station and Barrier Park, demonstrate that this part of Thameside West is in transition. The viability of an industrial use on the site has been compromised by the proximity of residential development adjacent to it. These reasons are material consideration and support the case for industrial land release and redeveloping the site with a residential-led mixed use development. The principle of residential-led mixed use development is considered to be acceptable in terms of strategic policy and site location. A departure from the UDP is consequently considered to be justified.

Housing Partnerships

5.9 The level of affordable housing is below the 50% sought in the London Plan. The viability of the assessment needs to be considered. The dwelling mix within the affordable housing is acceptable. The tenure split between social rent and intermediate should be 70:30 as per the London Plan, rather than 60:40 as proposed.

Refer to paragraphs 9.40-9.41.

Transportation

5.10 Recommend that the trip generation impact of the proposed development can be accommodated on the surrounding road network and car parking levels are adequate based on proposed public transport improvements.

5.11 Recommend that planning conditions are imposed that require the submission of (1) detailed highway design, (2) a Road Safety Audit (Stages 1 and 2) and (3) the preparation and implementation of a Travel Plan.

5.12 Recommend that the applicant enter into a S106 agreement that requires (1) a

£50,000 contribution towards the implementation of a Controlled Parking Zone (CPZ), (2) a £50,000 contribution towards a car free agreement that prevents prospective occupiers from applying for parking permits (3) a £50,000 towards modelling the cumulative impact of development along the A1020 corridor and (4) the completion of S278 and S38 agreements to undertake works to the public highway.

Environmental Health

5.13 Recommend that planning conditions are imposed that require the submission of (1) demolition, site clearance and construction method statements, (2) details of mechanical ventilation and associated ducting, (3) an acoustic assessment of plant operation and activity, (4) details of surface water drainage, (5) a site investigation and remediation report, (6) an air quality assessment, and control of (7) hours of construction, (8) construction noise levels, (9) the burning of waste and prevent (10) impact piling. It is recommended that the applicant be required to enter into a S106 agreement to contribute £2,000 towards air quality monitoring and £4,000 towards noise monitoring.

Tree Officer

5.14 No objection to the removal of three trees at the front of the site. This is more than compensated by the replacement proposals.

Education

5.15 The development would yield 218 pre-school children, 254 primary age children and 133 secondary age children. Based on DCFS figures a contribution of £4,335,000 is necessary to mitigate this impact. It is considered that subject to these contributions, existing primary school provision would be able to cater for Minoco Wharf in the short term but in the medium and long term additional primary provision would need to be provided. Based on future developments in the area, including Minoco Wharf, it is likely that new secondary school provision will be necessary in the borough by 2016/2017 and a suitable site needs to be identified.

Healthy Living & Sport

5.16 The application accords with the Council's strategy to promote sport and physical activity in the borough both in terms of general shortage of sports halls and provision in this part of the borough. A four court, multi-purpose sports hall is supported, but it is emphasised that it will need to meet disability requirements and make adequate provision for changing facilities.

Design and Conservation Officer

5.17 The proposal would enhance the setting of the Grade II Listed Silvertown War Memorial. At the moment the setting of the memorial below the DLR viaduct at the entrance to the former industrial estate means it is somewhat isolated. The memorial will need to be successfully incorporated as a focus of the public realm strategy at reserved matters stage if outline planning permission is granted.

Regeneration

5.18 Regeneration Development Projects team supports reduction in scale, massing and density of the proposal. Support the overall reduction in heights in the section of

the proposal closest to the existing Barrier Point development and, in particular, the removal of the remaining tall element in this area as it would help address overshadowing concern. Welcome more diverse settings being introduced to the tall elements on the riverside. We support proposed marina as a unifying element of the site that would also help to activate the public realm.

5.19 The application is supported subject to Section 106 clauses requested regarding 1) control over the community use end user and management strategy including clarification of the lease as the facility must be given a chance to establish itself following full occupation of the scheme 2) submission of a site wide management strategy, 3) local goods and services, 4) £1,000,000 contribution towards North Woolwich Road landscaping improvements 5) £2,044,800 towards employment training, 6) £500,000 towards supply chain work, 7) £1,500,000 towards supporting service delivery work in school.

5.20 The proposal includes the delivery of the pier to the west of the site. While the idea of connecting this part of the Royals with the riverside is endorsed the pier should not be considered as a community benefit until the arrival of a river passenger service.

Primary Care Trust (PCT)

5.21 The Health Centre proposed in the Silvertown Quays development has sufficient capacity to accommodate the residents of Minoco Wharf. Recommend that a S106 contribution of £8,993,142 is secured towards health care provision based on the Healthy Urban Design Unit (HUDU) model. In addition, suitable contributions should be provided towards the Silvertown Quays Health Centre and the impact on other health services.

Thames Water

5.22 Recommend a condition regarding impact studies of the existing water supply infrastructure to determine the magnitude of any additional capacity required. Advice regarding surface water drainage has also been provided.

Port of London Authority (PLA)

5.23 The PLA notes that the footprint of the dredged lock channel is 1726.52m² compared to a replacement 201m² of new mudflat within the development site. The PLA has removed its objection to the application on grounds that the proposed dredging of the lock channel will result in the net loss of a UK priority Biodiversity Action Plan (BAP) habitat and impact on the River Thames Protected Site of Nature of Conservation Importance subject to the S106 Agreement securing a financial contribution of £150,000 towards compensatory mudflat creation within the Thames Estuary. The PLA advises that the BAP seeks to maintain the extent of, and regional distribution, of UK mudflats and that the London Plan requires development to protect and enhance biodiversity and result in no net loss of habitat.

5.24 A Navigational Risk Assessment (NRA) has been submitted with the application. The submission of the NRA has followed discussions between the applicant and the PLA and EA. The final version of the NRA was submitted on the 27 February 2008. The PLA raise no objection to the impact of the development on navigation risk subject to the implementation of the agreed mitigation measures. The PLA recommend that a planning condition is imposed that requires the risk control measures identified in

appendix 5 of the NRA to be implemented and maintained at all times.

Environment Agency (EA)

5.25 The EA has removed its objection on grounds that the proposed development will result in the loss of a UK priority BAP habitat subject to the S106 Agreement securing a financial contribution of £150,000 towards compensatory mudflat creation in the Thames Estuary. The EA considers that the proposed dredging operations will cause a significant reduction in the productivity of the mudflat present in the proposed lock channel, with inadequate consideration given to compensating for the loss of habitat within the development site.

Commission for Architecture and the Built Environment (CABE)

5.26 CABE was consulted on the application and the subsequent December 2007, May 2008 and June 2008 amendments. CABE responded on 26 June 2008. The following provides a summary of their comments:

- Express concern that the proposed quantum is too high and is driving an unrelenting urban environment and pattern of building blocks which goes beyond what we feel is reasonable for the site.
- Greater clarity and coherence is required in some aspects of the public realm. The masterplan needs to investigate the hierarchy, scale and function of the different types of streets and spaces being proposed.
- Question the introduction of a boulevard at the eastern edge of the site as it appears to duplicate a road that already exists for Barrier Point. The relationship between the back edge of Barrier Point and the potential front doors to blocks 10, 11, 12 and 1 needs careful consideration.
- The predominant use of a courtyard block means the scheme may lack variety, richness and surprise. There is scope for a more detailed hierarchy of the network of streets by manipulating their width and design.
- There is insufficient analysis to justify the predominant scale of the urban blocks and the composition of taller elements. The impact of these tall buildings on the private courtyards and other parts of the public realm requires further resolution.
- The play space located to the west of block 5 is peripheral to the development and is not well integrated into the site layout.
- Issues of energy efficiency and environmental design should be resolved as an integral part of the architecture and planning.
- The creation of a marina and the straightforward approach to creating a coherent urban form on the site are positive moves. Recommend that the quantum of development proposed be reconsidered and suggest that the team should thoroughly test and refine the approach to the built form. As it stands, we feel that the scheme should be supported with additional material that embeds key aspects of urban design and architecture in the outline application.

Refer to paragraphs 5.3, 5.6 and 9.10-9.26. Please note that the revised massing

strategy and the associated quantum and density of development raises no policy conflicts and is supported by LBN Design Review Panel and the GLA (with input from Design for London).

Transport for London (TfL)

5.27 TfL has provided the following comments to be incorporated within the Mayor of London's Stage 1 update.

5.28 TfL Road Network Development (RND) disagrees with the applicant on the traffic modelling assumptions within the Transport Assessment and the cumulative impact on Gallions Roundabout. TfL RND has requested a financial contribution of £100,000 towards a study to consider the impact of development in the Royal Docks on the operation of Gallions Roundabout and recommend options for its remodelling.

5.29 Docklands Light Railway (DLR) has requested a contribution of £2,200,000 to mitigate the trip generation impact of the development on overcrowding of westbound trains during the AM peak. A contribution of £2,200,000 is sought on the basis that the development will take 20% of line capacity between Woolwich Arsenal and Canning Town. The £2,200,000 will fund new DLR rolling stock.

5.30 DLR has requested that the development be required to incorporate DLR Daisy (Docklands Arrival Information SYstem) technology. This is estimated to cost £20,000.

5.31 TfL London Buses has requested a contribution of £850,000 towards local bus route enhancements. The contribution will increase the frequency of route 474 and fund a new route serving Thameside West. The 474 currently operates along North Woolwich Road and the new route is proposed to operate between Canning Town and Beckton. A contribution of £100,000 is also sought to improve bus stop infrastructure within the vicinity of the site.

5.32 TfL advises that the development should be required to make the fullest use of the River Thames to transport construction materials and waste.

5.33 TfL advises that cycle parking should be provided at ratio of one space per flat and provision of other uses in accordance with the TfL's Cycle Parking Standards.

English Heritage (EH)

5.34 EH Archaeology and Historic Buildings advisors raise no objection to the application. The site is located within an Archaeological Priority Zone as designated in the Unitary Development Plan. The submitted Archaeological Assessment concludes that there is potential for significant archaeological remains on the northern and central areas of the site. It is recommended that planning conditions are imposed that require the submission of (1) a programme of archaeological work to be undertaken in accordance with a written scheme for investigation and carried out by a suitably qualified investigating body and (2) a detailed design and method statement for the foundation design and new ground works prior to commencement of the development.

5.35 It is recommended that the archaeological field evaluation is carried out before development works on the site which should include boreholes in the eastern part of the site and full geo-archaeological assessment of the western half of the site. This work will enable further evaluation in the form of trial trenching in areas of highest

potential.

Natural England (NE)

5.36 Recommend that planning conditions are imposed that require (1) details of demolition include a soft demolition approach to the removal of rubble piles and vegetation and (2) details of the landscape and ecology management plan.

London City Airport (LCA)

5.37 Raise no safeguarding objection to the proposed development subject to the imposition of condition requiring the submission of details of the method of construction, including the use, location and height of cranes and other plant and equipment or temporary structures.

6. APPLICATION PUBLICITY

6.1 Site Notice Expiry: 12/06/2008

6.2 Press Notice Expiry: 12/06/2008

6.3 Neighbour Notification: 715 adjoining occupiers were consulted on the original application and the December 2007 and May 2008 amendments, including residents of Barrier Point and Britannia Village and occupiers of the Kierbeck Business Complex and Greenshield Industrial Estate.

7. REPRESENTATIONS

7.1 13 letters of objection and 1 letter of support were submitted in response to the June 2007 and December 2007 scheme. The following provides a summary of representations received:

Individual Comment

Response to Comment

Objectors

- | | |
|---|--|
| 1. Scale of development is too large and not in keeping with the surrounding area. | 1. Refer to paragraphs 9.11-9.26 |
| 2. Building heights will block sunlight to bedrooms and bathrooms. | 2. Refer to paragraphs 9.46-9.50 |
| 3. Building heights will block views towards Canary Wharf and the O ² Arena. | 3. Refer to paragraphs 9.11-9.26 |
| 4. Increase in traffic will increase noise disturbance. | 4. Refer to paragraphs 5.8, 5.27 and 9.62-9.66 |
| 5. Overdevelopment of the site will place additional demand on local services and public transport. | 5. Refer to paragraphs 5.5-5.26, 9.28-9.32 and 9.80-9.84 |
| 6. Quantum of development – including 30% affordable housing – will compromise public safety and the security of Barrier Point. | 6. There are no security concerns at this outline application stage. Affordable housing provision is supported in line with policy requirements. |

- | | |
|--|--|
| 7. Extended riverside path will increase noise disturbance to Barrier Point. | 7. The riverside path is welcomed. Noise is unlikely to have a significant impact. |
| 8. Scale of development relates poorly to Barrier Point. | 8. Refer to paragraphs 9.11-9.26 |
| 9. Loss of amenity due to construction noise and vibration. | 9. Refer to paragraph 5.11 |
| 10. Loss of natural habitat. | 10. Refer to paragraphs 9.67-9.71 |
| 11. Inadequate parking for residential and commercial uses | 11. Refer to paragraphs 5.8-5.9 and 9.62-9.63 |

Supporters

- | | |
|--|-----------------------------------|
| 12. New development will create an exciting dock area and provide access to the River Thames | 12. Refer to paragraphs 9.11-9.26 |
|--|-----------------------------------|

7.2 An additional 3 letters of objection from residents of Barrier Point were submitted in response to the May 2007 amendments. Those residents have been sent a copy of the June 2008 amendments. The following provides a summary of representations received:

Individual Comment

Response to Comment

- | | |
|--|---|
| 1. The building will block out sunlight and daylight for residents of Barrier Point. This includes impacts on bedrooms on the western façade and a number of living rooms on the upper floors. | 1. refer to paragraphs 9.46-9.50 |
| 2. The development will restrict views over London and Canary Wharf and the sunset. | 2. refer to paragraphs 9.46-9.50 |
| 3. The development will overshadow the gardens and balconies in Barrier Point as well as Barrier Park. | 3. refer to paragraphs 9.46-9.50 |
| 4. Barrier Point is sensitive to vibration and the developer should take precautions to manage impacts. | 4. refer to paragraph 5.11 |
| 5. Overdevelopment of the site will place additional demand on local services and public transport. | 5. refer to paragraphs 5.25-5.26, 9.26-9.30 and 9.77-9.81 |

8. RELEVANT PLANNING POLICY

8.1 Planning Policy Guidance

Planning Policy Statement 1	Delivering Sustainable Development
Planning Policy Statement 3	Housing
Planning Policy Statement 9	Biodiversity and Ecological Preservation
Planning Policy Guide 13	Transport
Planning Policy Guidance 15	Planning and the Historic Environment
Planning Policy Guide 24	Noise
Planning Policy Statement 25	Development and Flood Risk

8.2 The London Plan – Consolidated with Alteration since 2004 (February 2008)

- 2A.1 Sustainability criteria
- 2A.2 The spatial strategy for development
- 2A.5 Opportunity Areas
- 2A.10 Strategic Industrial Locations
- 3A.1 Increasing London's supply of housing
- 3A.2 Borough housing targets
- 3A.3 Maximising the potential of sites
- 3A.5 Housing choice
- 3A.6 Quality of new housing provision
- 3A.7 Large residential developments
- 3A.8 Definition of affordable housing
- 3A.9 Affordable housing targets
- 3A.10 Negotiating affordable housing in individual private residential and mixed-use schemes
- 3B.1 Developing London's economy
- 3B.2 Office demand and supply
- 3B.4 Industrial Locations
- 3B.11 Improving employment opportunities for Londoners
- 3C.1 Integrating transport and development
- 3C.2 Matching development to transport capacity
- 3C.3 Sustainable transport in London
- 3C.9 Increasing the capacity, quality and integration of public transport to meet London's needs.
- 3C.17 Tackling congestion and reducing traffic
- 3C.21 Improving conditions for walking
- 3C.22 Improving conditions for cycling
- 3C.23 Parking strategy
- 3D.1 Supporting town centres
- 3D.3 Maintaining and improving retail facilities
- 3D.8 Realising the value of open space and green infrastructure
- 3D.13 Children and young people's play and informal recreation strategy
- 3D.14 Biodiversity and nature conservation
- 4A.3 Sustainable design and construction
- 4A.5 Provision of heating and cooling networks
- 4A.6 Decentralised Energy: heating, cooling and power
- 4A.7 Renewable energy
- 4A.11 Living Roofs and Walls
- 4A.12 Flooding
- 4A.14 Reducing noise
- 4A.16 Bringing contaminated Land into Beneficial Use
- 4B.1 Design principles for a compact city
- 4B.2 Promoting world-class architecture and design
- 4B.3 Enhancing the quality of the public realm
- 4B.5 Creating an inclusive environment
- 4B.9 Tall buildings – location
- 4B.10 Large-scale buildings – design and impact
- 4B.15 Archaeology

- 4C.1 The strategic importance of the Blue Ribbon Network
- 4C.2 Context for sustainable growth
- 4C.3 The natural value of the Blue Ribbon Network
- 4C.4 Natural landscape
- 4C.11 Increasing access alongside the Blue Ribbon Network
- 4C.14 Structures over and into the Blue Ribbon Network
- 4C.16 Importance of the Thames
- 5C.1 The strategic priorities for North East London
- 5C.3 Opportunity Areas in North East London

8.3 Unitary Development Plan (June 2001)

- S2 Community Benefit/Planning Obligations
- S3 Quality of Development
- S4 Sustainable Development
- S5 Priority Development Nodes
- S6 Mixed Use Development
- S9 Environmental Quality: Design
- S12 Environmental Quality: Environmental Improvements
- S13 Environmental Quality: Rivers and Waterways
- S14 Environmental Quality: Nature Conservation
- S16 Environmental Quality: Thames Policy Area
- S19 Housing: Extending the Range of Housing Choice
- S20 Housing: Inclusion of Affordable Housing in New Housing
- S21 Schemes Housing; Special Needs Housing
- S22 Housing: Mix and Density
- S23 Housing: Improvement of Public and Private Dwellings and Residential Environment
- S24 Employment: Regeneration Objectives
- S25 Employment: Major Industrial and Distributive Development
- S26 Employment: Major Office Development
- S27 Employment: Change of Use
- S28 Employment: Quality of Development
- S30 Shopping and Town Centres
- S35 Transport: Encouragement of Alternatives to the Motor Car
- S37 Transport: Improvement of Facilities for Pedestrians and Cyclists
- S38 Transport: Parking
- S39 Leisure, Recreation and Open Space
- S40 Children's Play Areas
- S47 Community Services
- UR1 Urban Regeneration
- UR7 Royal Victoria Dock (South Side): Land Use Proposals (MOZ10)
- UR8 Royal Victoria Dock (South Side): Land Use Proposals (MOZ10)
- EQ1 Waterway Improvements
- EQ2 Waterside Access
- EQ4 Quality of Waterside Development
- EQ5 Waterway Structures
- EQ9 Protection of Sites of Nature Conservation Importance
- EQ10 Species Protection
- EQ18 Promoting Urban Quality
- EQ19 Urban Design Considerations
- EQ20 Design Considerations: Residential Areas
- EQ21 New Development: Landscaping

EQ25	Access
EQ26	Safety
EQ27	High Buildings: Control
EQ28	High Buildings: Design Considerations
EQ43	Archaeology
EQ44	Vacant Land: Environmental Improvements
EQ45	Pollution
EQ46	Air Quality Management
EQ47	Noise
EQ48	Noise - Sensitive Development
EQ49	Contaminated Land: Assessment, Remediation and Monitoring
EQ63	Surface Water Disposal
EQ64	Tidal Defences
H13	Promoting Quality in Housing
H14	Promoting Choice in Housing
H15	Housing Mix
H17	Housing Design and Layout
EMP1	Employment Growth
EMP3	Quality of Employment Development
EMP4	Principal Employment Areas
EMP5	Principal Employment Areas
EMP6	Principal Employment Areas
T2	New Development: Public Transport Accessibility and Highway Capacity
T5	Preferred Modes of Transport
T8	River Transport
T19	Improvement of Conditions for Pedestrians
T24	Access by Cycle and Cycle Parking
T26	Motorcycle Parking
OS8	Green Space in New Housing Development
OS12	Children's Play Facilities in New Developments

8.3 Other Relevant Planning Policies & SPG's

- Mayor of London Lower Lea Valley Opportunity Area Planning Framework (January 2007)
- London Plan SPG's 'Housing', and 'Sustainable Design and Construction'
- London Borough of Newham SPG 'Sustainability Checklist'
- London Borough of Newham SPG 'Residential Planning Guidelines'
- London Borough of Newham SPG 'Access'
- Guidance on tall buildings (CABE & English Heritage, July 2007)

9. ASSESSMENT OF MAIN ISSUES

Land Use

9.1 The principle of redeveloping the site with a residential-led mixed use development is determined by the policies adopted in the London Plan (2008) and Unitary Development Plan (2001) (UDP). The Mayor of London Lower Lea Valley Opportunity Area Planning Framework (2007) (LLVOAPF) supplements the London Plan and provides the strategic context for land use change. The LLVOAPF is a material consideration that should be afforded considerable weight in the determination of planning applications.

9.2 The UDP locates the site within a Principal Employment Area (PEA) and adjacent to Major Opportunity Zone 10 (MOZ). Policies EMP4 and EMP6 promote the retention and expansion of industrial and warehouse uses to encourage the strengthening and diversification of the local economy within PEAs.

9.3 MOZ 10 includes land south of Royal Victoria Docks and includes the Thames Barrier lands between North Woolwich Road and the River Thames. Policy UR7 states that Royal Victoria Dock (South Side) forms a Priority Development Node that has the potential to provide a high quality city district and focus for the Royal Docks District that strengthens the existing communities of Silvertown and North Woolwich. The policy also promotes a comprehensive mixed use development around Pontoon Dock and a major riverside park on the Thames Barrier lands. The land around Pontoon Dock benefits from planning permission for the Silvertown Quays mixed use development and Barrier Park was completed in 2000.

9.4 The UDP affords protection to Minoco Wharf as a river based freight handling facility. The London Plan Implementation Report: Safeguarded Wharves on the River Thames (2005) post dates the UDP and recommended that Minoco Wharf is de-designated as a safeguarded wharf on grounds that it is not capable of being made viable for cargo handling uses and cannot be extended to handle substantial draught vessels due to navigational safety issues in the vicinity of the Thames Barrier. The report also concluded that the adjacent Vanesta Wharf should not be identified as a safeguarded wharf. Both recommendations have been adopted.

9.5 The UDP also identifies the site as a suitable mooring point for a potential river boat service and locates the riverfront within the River Thames Protected Site of Nature of Conservation Importance.

9.6 The Council's Core Strategy Issues and Options Report (Feb 2008) identifies three options for the redevelopment of land between Barrier Park and Lyle Park. Option 1 proposes its retention as employment land; Option 2 designates the site for mixed-use development; Option 3 designates the site for housing development. Consultation on this document was completed in March 2008 and will inform the development of the emerging Core Strategy. The application is consistent with Option 2. Option 2 was supported by the majority of representations submitted in response to this policy. It should be noted that the Core Strategy Issues and Options Report should only be afforded limited weight in the determination of this application.

9.7 The London Plan locates the site within the Lower Lea Valley Opportunity Area. Policy 5C.2 requires the preparation of a planning framework to provide the strategic content for land use change within the Opportunity Area. The LLVOAPF was adopted in 2007 and locates the site within the Thameside West sub area. While the sub area is designated a Strategic Employment Location (SEL), the land between Barrier Park and Lyle Park is identified as an area of potential industrial land release. Paragraph 4.248 states that any industrial land release is concentrated to the east of the sub area and suggests that the area east of Lyle Park as appropriate for mixed use development. It is recommended that the precise geography of any SEL release will need to be agreed by the strategic and local authorities. This approach is complemented by the site's de-designation as a safeguarded wharf.

9.8 The principle of the marina is supported in terms of the London Plan and UDP in that it would promote access to, and the use of, the Blue Ribbon Network, maximise leisure and sport potential of the Blue Ribbon Network and encourage river based

passenger and tourist traffic. The proposal would result in a new urban quarter with a defined sense of place focussed around the marina. It is considered that the marina would enhance the quality of the development and help it integrate successfully into the surrounding context of the Thames and the Royal Docks. Subject to navigational risk and ecological impacts being acceptable (as assessed in this report), the marina is considered to be acceptable with regard to London Plan Policies 4C.1, 4C.6, 4C.7, 4C.10, 4C.11, 4C.12 and 4C.13 and UDP EQ1, EQ2, EQ4 and EQ7.

9.9 While it is acknowledged that the UDP seeks to protect the site for industrial land uses, the London Plan, supplemented by the LLVOAPF, advocate the release of industrial land to other uses. The policies contained within the London Plan and LLVOAPF post date the UDP and are considered to take precedence. The emerging Local Development Framework includes promotes options to redevelop the application site with residential and/or mixed use development.

9.10 The site's relationship and proximity to the proposed Silvertown Quays and existing Barrier Point developments, Pontoon Dock DLR station and Barrier Park, support the case for industrial land release and redeveloping the site with a residential-led mixed use development. There is a hierarchy of emerging and adopted planning policy that supports the case for industrial land release and redeveloping the site with a residential led mixed use development. The principle of residential-led mixed use development is considered to be acceptable in terms of strategic policy and site location. A departure from the UDP is consequently considered to be justified. The application will need to be referred to GOL as a departure, if the recommendation is agreed, prior to a decision being issued.

Building Scale, Bulk and Massing

9.11 London Plan Policy 4B.1 seeks to ensure that new developments (1) respect local context, character and communities, (2) are practical and legible, (3) are attractive to look at and, where appropriate, inspire, delight and excite.

9.12 London Plan Policy 4B.9 lends support to tall buildings where they (1) create attractive landmarks enhancing London's character, (2) act as a catalyst for regeneration and (3) are acceptable in terms of design and impact on their surroundings.

9.13 London Plan Policy 4B.10 requires large scale buildings to be of the highest quality and design and in particular (1) be suited to their wider context in terms of proportion and composition and in terms of their relationship to other buildings, streets, public and private open spaces, the waterways or other townscape elements, (2) be attractive city elements as viewed from all angles and where appropriate contribute to an interesting skyline, consolidating clusters within that skyline or providing key foci within views, (3) illustrate exemplary standards of sustainable construction and resource management and potential for renewable energy generating and recycling, (4) be sensitive to their impact on micro-climates in terms of wind, sun, reflection and overshadowing and (5) pay particular attention, in residential environments, to privacy, amenity and overshadowing.

9.14 UDP Policy EQ19 requires all new developments to adopt (1) scale and bulk in relation to the plot size and surrounding and (2) aesthetic quality in terms of the intrinsic design of the proposal and its relationship to its surroundings.

9.15 The CABE/English Heritage Guidance on tall buildings identifies the (1)

relationship to context, (2) effect on the historic environment (3) effect on world heritage sites, (4) relationship to transport infrastructure, (5) architectural quality of the building, (6) sustainable design and construction, (7) credibility of design, (8) contribution to public space and facilities, (9) effect on the local environment, (10) contribution made to permeability and (11) provision of a well designed environment as the criteria against which development should be assessed.

9.16 The application proposes redevelopment of the site to create a residential-led mixed use development oriented around a new marina and lock access to the River Thames (see Appendix 3). The masterplan is based on an orthogonal grid set by the alignments of North Woolwich Road, the River Thames and Barrier Point. The grid is dissected by diagonal routes that provide views and establish pedestrian desire lines between North Woolwich Road, the marina and the River Thames. The grid pattern and intersecting routes create a series of development zones that enclose the marina and relate to either North Woolwich Road, the River Thames, Barrier Point and land to the west.

9.17 The development zones accommodate typical courtyard blocks that provide an active frontage to the public realm and enclose centrally located communal amenity space. Each block is designed to accommodate a mix of commercial uses, a range of housing types and car parking. Retail uses are focussed around the marina and lock access and business and employment units within development blocks adjacent to North Woolwich Road and the eastern and western edges of the site.

9.18 The proposed height and scale of development is established by maximum and minimum height parameter plans (see Appendix 5). While there is a cap on the amount of floorspace proposed, particular consideration needs to be given to the proposed maximum height of each development zone to ensure its height, scale, bulk and massing relates appropriately to adjacent existing and future development, and the scale and character the space it encloses. While the applicant argues that the minimum and maximum will provide flexibility for future designers, recognition should be given to the potential for, and likelihood that, future developers will seek to build to maximum permitted heights on that part of individual plots which they view as most advantageous without necessarily having regard to adjacent plots.

9.19 The overall maximum parameter plan building heights are informed by the Civil Aviation Authority (CAA) height limits imposed by the site's proximity to London City Airport. Notwithstanding this constraint, the application proposes a massing arrangement that concentrates building height along North Woolwich Road and the River Thames to maximise the river views and define the DLR and road corridor. The central part of the site accommodates buildings of reduced height with projecting taller elements.

9.20 The maximum building height parameter plan seeks to establish the acceptability of buildings that vary from 15.10m AOD (4 storeys) and 57.0m AOD (17 storeys) along the riverfront, buildings of between 45.10m AOD (13 storeys) and 48.10 AOD (14 storeys) along North Woolwich and buildings of between 33.10m AOD (7 storeys) and 48.10m AOD (14 storeys) within the site and around the marina. The site's eastern edge will accommodate buildings with a fixed height of 7 storeys in recognition of the adjacent Barrier Point (7 storeys) development. The site's western edge will accommodate buildings with a fixed height of 7 storeys. The datum of 33.10 AOD (9 storeys) is established by building enclosing the marina with three marker buildings adopting heights of 48.10 AOD (14 storeys). The building elements that form the

southern edge to the courtyard blocks have maximum heights that vary from 21.10m AOD (5 storeys) and 33.10 AOD (9 storeys) to enable sunlight to penetrate raised internal courtyards located above car parking.

9.21 It is acknowledged that significant building height can be accommodated along North Woolwich Road and the River Thames. The overall massing approach is coherent and will result in the siting of buildings of appropriate scale, massing and height. A significant proportion of the development now adopts fixed buildings heights to ensure the detailed design of development blocks will contribute to a design concept that responds to the height and scale of surrounding buildings and spaces, creates a comfortable building height to street width ratios and demonstrates a clear rationale for building siting and massing.

9.22 The scheme adopts a scale and bulk that reflects and complements the strong architecture of the existing seven storeys high linear block terminated with an 18 storey tower of Barrier Point. It is considered that the proposed development adequately references the scale and height of Barrier Point. The result is a development form that establishes a comfortable relationship to its context.

9.23 The proposed development is considered to adopt a coherent approach to the siting and massing of taller buildings elements within centrally located development zones. The maximum parameter plan seeks to establish the principle of taller elements projecting from already substantial perimeter blocks.

9.24 The proposed development incorporates four towers along the River Thames and around the marina. The riverfront towers are punctuated by lower building elements, the lock access and intertidal zone to provide relief when the development is viewed from across and along the river. Two towers mark the position of lock access. While there is benefit in maximising river views, this approach is considered appropriate given that this is the least accessible part of the site.

9.25 The height and scale of building blocks relates appropriately to the scale and character of the spaces that they define and enclose. The building height to street width ratios has the potential to create a high quality public realm.

9.26 The application is considered to be in accordance with Policies 3A.6, 3A.7, 3C.1, 4B.1, 4B.2, 4B.3, 4B.5, 4B.9 and 4B.10 of the London Plan, Policy F14 of the LLVOAPF and Policies EQ18, EQ19, EQ20 and EQ28 of the Unitary Development Plan.

Listed Buildings

9.27 A Grade II Listed Silvertown War Memorial is located at the northwest corner of the site and would be retained as part of the proposal. LBN Design and Conservation has advised that the proposal would enhance the setting of the war memorial. At the moment the memorial is located below the DLR viaduct at the entrance to the former industrial estate. No works are envisaged to the war memorial. However, it will need to be successfully incorporated within the public realm strategy at reserved matters stage if outline planning permission is granted. This will be secured within the S106 Agreement.

Housing Density

9.28 The application site measures 15.96 hectares. The developable area measures 10.23 hectares. The balance comprises land within the River Thames and North Woolwich Road. The application proposes redevelopment to provide approximately 2,598 units and 6,520 habitable rooms resulting in a density of 254 units or 637 habitable rooms per hectare.

9.29 London Plan Policy 3A.3 seeks to achieve maximum intensity of use compatible with local context, the design principles in Policy 4B.1 and with public transport capacity. Policy 3A.3 requires the Borough's LDFs to adopt the residential density ranges set out in Table 3A.2. The proposed density of 254 units or 637 habitable rooms per hectare places the site within a density range that assumes the site adopts a central London location with a PTAL (Public Transport Accessibility Level) of between 4 and 6 (where 6 is the highest). The site is located within an urban setting and has a PTAL of 2.

9.30 Site location and public transport accessibility is one of several factors in the determination of an appropriate quantum of development. London Plan Policy 3C.1 seeks to ensure the integration of transport and development to encourage forms of development that reduce the need to travel and ensure people have convenient access to services and facilities they need.

9.31 The site adopts a building height, scale and massing that is compatible with its local context, conforms with the design principles of Policy 4B.1 and will provide financial contributions towards capacity improvements to the Docklands Light Railway and local bus network. The site will be within walking distance of the proposed Silvertown Quays district centre. The site's PTAL is forecast to increase to 4 in the north east corner and 3 in the south west corner of the site on the assumption that the DLR will operate more frequent services, new bus routes will serve Canning Town, Beckton and Canary Wharf and a river boat service will serve the proposed jetty. Apart from the river boat service, there is reasonable certainty that the public transport improvements will occur. The proposed housing density is considered compatible with achieving sustainable residential quality.

9.32 It is clear that more recently adopted planning documents seek to maximise redevelopment potential by encouraging appropriately designed high density housing development in appropriate locations in response to the need to meet the increased demand for housing. The application is considered to be in accordance with Policy 3A.3 and 3C.1 of the London Plan and Policy C4 of the LLVOAPF.

Housing Mix:

9.33 London Plan Policy 3A.5 requires new development to offer a range of housing sizes and types and the corresponding Housing SPG consolidates this policy objective by seeking a preferred housing mix within new development.

9.34 UDP Policy H15 requires development to provide a mix of dwelling sizes having regard to the characteristics of the site, its relationship to the surrounding area, the nature of the development proposed and marketing considerations.

9.35 The Mayor of London LLVOAPF Policy C3 requires new housing development to provide 44% family housing including 2 bed social rented units. The application proposes 21% family housing.

9.36 The application proposes the following housing mix:

Unit Type	Private	Intermediate	Social	Total
Studio	445 (24%)	0	0	445 (17.1%)
1-bed	650 (36%)	219 (60%)	130 (32%)	999 (38.5%)
2-bed	462 (25%)	124 (34%)	119 (29%)	705 (27.1%)
3-bed	255 (14%)	18 (4.9%)	45 (11%)	318 (12.2%)
4-bed	17 (1%)	2 (0.6%)	77 (19%)	96 (3.7 %)
5-bed	0	1 (0.3%)	34 (8%)	35 (1.4%)
Total	1820 (70%)	364 (14%)	405 (16%)	2598

9.37 The table reveals that 82.7% of the development is occupied by studios, one and two bedroom units. The proportion of family sized units is restricted to only 17.3% of the total number of units. The May 2008 housing mix across all tenures results in an increase in family size units.

9.38 The May 2008 amendments result in an increase in family sized units across all tenures but an increase in the proportion of 3+ bedroom units within the social rented sector from 24% to 38%. The range of units provided within the affordable housing sector is considered acceptable. It is acknowledged, however, that the overall housing mix falls short of the London wide targets adopted in the London Plan Housing SPG and the Lower Lea Valley family housing target adopted in the LLV OAPF. It is noted that the GLA and LBN have accepted the revised housing mix.

9.39 The housing mix within the market housing is skewed towards the provision of studios, one and two bedroom units. The applicant states that the mix is commercially motivated and that any reduction in the number of smaller units would significantly harm scheme viability and the contributions made under the S106 required to mitigate the impact of the development. The applicant has submitted a toolkit and open book appraisal in support of the application. This has been verified by the Corporation's consultant subject to agreeing the cost assumptions associated with the proposed Works in Kind.

9.40 While the mix of housing is below that sought by London Plan policy, it is not considered to justify a defensible reason for refusal given the overall number of family housing units being delivered, the overall type and standard of development and the range of planning benefits secured. On balance, the housing mix is considered acceptable.

Affordable Housing

9.41 London Plan Policy 3A.9 seeks 50% affordable housing based on a split between 70% social rented and 30% intermediate provision. In negotiating affordable housing Policy 3A.9 requires Boroughs to seek the maximum reasonable amount of affordable housing having regard to the need to encourage rather than restrain residential development and the individual circumstances of the site. The approach of the Borough and the LTGDC has been to seek at least 35%.

9.42 The application proposes 35% affordable housing on a habitable room basis. This constitutes a significant improvement on the original offer of 26.3% affordable housing. The application proposes a 60:40 split between social rented and intermediate housing on the basis that the surrounding area already accommodates a high proportion of

social rented housing.

9.43 The applicant has submitted a GLA toolkit and development appraisal in support of the affordable housing offer. The Corporation has verified the appraisal.

9.44 The application is considered to be in accordance with Policy 3A.9 of the London Plan and the London Plan Housing SPG and Policy C2 of the LLVOAPF.

Sunlight and Daylight

9.45 London Plan policy 4B.9 requires large scale buildings in residential environments to pay particular attention to privacy, amenity and overshadowing. UDP Policy H17 requires new development to ensure a satisfactory level of amenity, outlook and natural lighting is maintained to existing occupiers. UDP Policy EQ19 identifies the need for new developments to have regard to their surroundings in terms of scale and bulk and refers to the Residential Planning Guidelines SPG as providing supplementary detail on design standards to be incorporated within new development. The SPG adopts the Building Research Establishment (BRE) criteria for assessing the sunlight and daylight impact of new development on existing buildings.

9.46 The height and massing of the development's eastern edge will have an impact on the existing sunlight and daylight conditions experienced by residents of Barrier Point. There will be a separation distance of between 25m and 30m between Barrier Point and the proposed development. It is noted that Barrier Point is primarily oriented towards Barrier Park. The majority of the flats in Barrier Point are double aspect, with their living room windows and balconies facing east, towards Barrier Park and away from the application site (see Appendix 6). The building's western elevation includes windows to bedrooms, bathrooms and kitchens on the first five floors. Living rooms are located on the top floors. The elevation, and its window openings, appear to be designed in response to the assumption that the site would remain in industrial uses. The windows on this elevation currently enjoy maximum sunlight and daylight conditions due to the absence of any adjacent buildings or structures.

9.47 The applicant has undertaken a sunlight and daylight assessment of the impact of the development on Barrier Point. The assessment concludes that windows located at ground, first and second floor will experience sunlight and daylight conditions below the 'good' BRE standards. The impact is described as either negligible or minor adverse on grounds that the BRE standards are a guideline and should be interpreted flexibly, particularly in urban locations where other policy objectives may justify the application of lower standards, and that the affected rooms are bedrooms, bathrooms and kitchens and not living rooms and dining rooms.

9.48 While it is acknowledged that the proposed development will have an impact on the existing sunlight and daylight conditions enjoyed by some residents of Barrier Point, it is not considered to justify a reason for refusal. The BRE guidelines make clear that the standards are not mandatory and should not be seen as an instrument of planning policy. The affected rooms will experience sunlight and daylight conditions that would not be uncommon in a built-up urban environment. The 45 affected flats are dual aspect and their primary habitable rooms, which overlook Barrier Point, will not be impacted upon. The affected rooms - bedrooms, bathrooms and kitchens - are considered by the BRE guidelines to have a lower expectation of sunlight and daylight than primary habitable rooms. The proposed height and siting of the development blocks facing Barrier Point successfully encloses the space and prevents any overlooking or loss of privacy to existing or future residents.

9.49 The applicant has also undertaken a sunlight and daylight assessment of the proposed internal courtyards and surrounding residential units. The sunlight and daylight conditions have been improved by the significant amendments made to development massing, particularly the southern blocks of each development zone. The assessment concludes that the courtyards will experience approximately 70% unobstructed daylighting. At the internal perimeter of the courtyards windows would experience sunlight and daylight conditions comparable to Barrier Point and typical of a built-up urban environment. It is recommended that reserved matters applications ensure that these units are dual aspect.

9.50 The application is considered to be in accordance with Policies 4B.1 and 4B.10 of the London Plan and Policies EQ19 and H17 of the Unitary Development Plan.

Public Open Space

9.51 The Residential Planning Guidelines' SPG requires 0.004h of public open space per dwelling. 2598 dwellings consequently generate a requirement of approx 10.39h of open space, excluding private amenity space. It is acknowledged that this requirement is particularly onerous given that site's developable area is 10.23 hectares.

9.52 The submitted Play Space strategy concludes that the development will provide 11.5 hectares of open space (see Appendix 7). This assumes that children and young people's play space, the public realm, the marina, private amenity and semi-private/communal space, green and brown roofs, vehicular roadway and internal play space are all included within the calculation. When the private amenity space and vehicular roadway is omitted from the calculation, the development provides a total of 5.6ha.

9.53 A significant proportion of the public open space is the marina and the public realm. While it is acknowledged that its play potential is limited, the marina will contribute towards the creation of a unique and high quality environment and the creation of a sense of place. The marina has the potential to provide a type of open space that will complement the existing and proposed open spaces in the area. The site is within close proximity to Barrier Park and Lyle Park which provide 2.0 hectares and 7.5 hectares of public open space respectively.

9.54 On the basis that the application site within close proximity to existing areas of open space and the development proposes a range of types of open space, the amount of type of public open space is considered to be in accordance with Policy OS8 of the UDP.

Private and Communal/Semi Private Amenity Space

9.55 London Plan Policy 4B.1 requires new development to promote high quality inclusive design. UDP Policy H17 requires a satisfactory level of private amenity space as integral to the development. The Residential Planning Guidelines Supplementary Planning Guidance (SPG) recommends that for one bedroom flats 100m² of communal garden is required for up to 4 dwellings and 15m² for each additional dwelling and for 2, 3 and 4 bedroom flats 25m² of communal garden per dwelling is required. The SPG acknowledges that balconies can be included within this requirement. On this basis, the SPG recommends that a total of 50,550m² of private and semi-private/communal amenity space is required.

9.56 The application proposes 39,922m² of private amenity provided in the form of communal courtyards, communal roof gardens and private roof terraces and balconies (see Appendix 7). This equates to approximately 15.4m² of amenity space per unit and represents an increase of 2.0m² per unit on the December 2007 scheme given the reduction in housing density and the increase in amenity space. It is recommended that a condition is imposed on any planning permission requiring applications for reserved matters to achieve a minimum amount of private and communal amenity space.

9.57 While it is acknowledged that the amount of amenity space is below that sought by planning policy, the on-site provision of private and communal/semi private amenity space is considered acceptable given the reduced housing density, the provision of a NEAP and LEAP within the site, the overall building design improvements and the availability of high quality existing open space at Barrier Park and Lyle Park.

9.58 The application is considered to be in accordance with Policies 4B.1 of the London Plan, Policy H17 of the Unitary Development and the Residential Planning Guidelines SPG

Children's Play Space

9.59 The London Plan Providing for Children and Young People's Play and Informal Recreation SPG sets out the policy framework for the provision of appropriate play space. The SPG recommends that new development provides 10m² of play space per child based on an assessment of age and the availability of existing facilities.

9.60 The scheme provides LAPs (Local Area for Play), a LEAPs (Local Area Equipped for Play) and a NEAP (Neighbourhood Area Equipped for Play) (see Appendix 7). LAP's are located within internal communal courtyards and within the LEAP and NEAP. The LEAP is an area of open spaces located between development zones 1 and 2 and adjacent to the River Thames. The NEAP is located at the development's western boundary. The total amount of dedicated play space is 6,953m². When the SPG child yield is applied (with intermediate treated as private housing) this equates to 9m² per child.

9.61 The proposed play space strategy is considered to be appropriate. The play spaces are distributed within the scheme layout and accommodated within the courtyard massing design concept. Although there is a deficiency in relation to the quantum of space provided, it is important to consider the significant amenity offered by both Barrier Park and Lyle Park. The children's play space provision is considered to be in accordance with Policy OS12 of the Unitary Development Plan, Policy 3D.13 of the London Plan and the London Plan Providing for Children and Young People's Play and Informal Recreation SPG.

Parking, Transport and Access

9.62 The application proposes 0.5 spaces per residential unit located within basement and undercroft car parks and 1 space per 1000m² for non-residential uses. Vehicular access is via North Woolwich Road and restricted internal circulation provides access to individual development zones (see Appendix 8). The masterplan makes passive provision for the internal road network to be extended in a westward direction. At a masterplan level, servicing and access arrangements are acceptable and details will be submitted with the relevant phases.

9.63 TfL and LBN advise that the trip generation impact of the development can be accommodated on the surrounding network. To mitigate the impact of the development on public transport, TfL requests S106 contributions towards improvements to the Dockland Light Railway (£2,220,000) and the local bus network (£950,000). The DLR contribution will fund new rolling stock required to implement 3 car capacity improvements. The London Buses contribution will fund either frequency improvements to the existing route 474, which serves North Woolwich Road, or a new service between Beckton and Canning Town which is identified to serve Silvertown Quays. The precise route of the new route is unknown. It is recommended that the S106 Agreement ring fence these financial contributions up to the sum identified. Furthermore, it is recommended that further work is undertaken between the Corporation, LBN, TfL and the applicant to determine the precise level of funding required to implement the public transport improvements identified.

9.64 TfL has requested an additional £100,000 towards a study to consider the impact of development in the Royal Docks on the operation of Gallions Roundabout and recommend options for its remodelling. It is recommended that TfL seek funding from the LTGDC Lower Lea Valley and/or London Riverside Management Boards, or other sources, in order complete this study within a shorter timescale than the development is expected to be implemented.

9.65 It is recommended that the S106 Agreement include a clause requiring construction of the Vanesta Wharf pier and jetty prior to 75% occupation of the development. The applicant will not be responsible for providing a river bus service. In the event that the pier and jetty is not served by river bus within an agreed timescale following construction, it is recommended that the 50% Works in Kind cost of constructing the pier and jetty is returned to form part of the discounted standard charge payment.

9.66 The application is considered to be in accordance with Policies T1, T2, T3, T4, T5, T10 and T14 of the Unitary Development Plan and Policies 3C.1, 3C.2, 3C.3, 3C.17 and 3C.23 of the London Plan.

Ecology

9.67 London Plan Policies 3D.14, 4C.3 and 4C.4 seek to ensure development does not impact adversely on natural landscapes and biodiversity. Policy 3D.14 requires the planning of new development and regeneration to have regard to nature conservation and biodiversity, and opportunities should be taken to achieve positive gains for conservation through the form and design of development. The policy states that priority for habitat creation should be given to sites which assist in achieving the targets in Biodiversity Action Plans (BAPs). The policy recommends that development should be resisted where it would have a significant adverse impact on the population or conservation status of protected species or priority species identified in BAPs.

9.68 UDP Policy EQ9 states that development which has an adverse impact on designated sites of nature conservation importance will not be permitted. The River Thames is designated a Protected Site of Nature Conservation Importance.

9.69 The River Thames forms part of a UK priority BAP mudflat habitat. Mudflats are sedimentary intertidal habitats created by deposition in low energy coastal environments, particularly estuaries and other sheltered areas and are characterised by

high biological productivity and abundance of organisms.

9.70 The mudflat is located along the site's boundary with the River Thames and will be disturbed by the creation and dredging of the proposed lock access. The area of disturbed mudflat extends to 1726.52m². The proposed development includes an area of 201m² replacement mudflat. The PLA and EA have removed their objections to the application on the basis that a financial contribution of £150,000 will be made towards a mudflat creation project in the Thames Estuary.

9.71 The application is considered to be in accordance with Policies 3D.14, 4C.3, 4C.4 and 4C.14 of the London Plan and Policy EQ9 of the Unitary Development Plan.

Navigational Risk

9.72 Policy 4C.14 of the London Plan requires the navigational impact of development adjoining the Blue Ribbon Network to be assessed. Policy 4A.12 of the London Plan requires boroughs to protect the integrity of existing flood defences, whilst Policy EQ64 of the UDP states that the Council will oppose development which would adversely affect the stability and continuity of tidal defences.

9.73 The applicant has submitted a Navigational Risk Assessment (NRA) in support of the proposed marina and lock access. The NRA has been prepared in consultation with the Port of London Authority (PLA) and Environment Agency (EA). The PLA and EA are particularly concerned about the proximity of the lock access to the Thames Barrier and the increased risk of a vessel striking the barrier.

9.74 The PLA advises that through the implementation of control measures the risk will be as low as reasonably practicable and within the limit of acceptability in terms of navigational safety.

9.75 In the event that planning permission is granted, the PLA recommends that the marina is operated in strict accordance with the assumed traffic type and levels and risk control measures contained in the NRA. It is recommended that this is secured in the S106 agreement.

9.76 The application is considered to be in accordance with Policy EQ64 of the UDP and Policies 4A.12 and 4C.14 of the London Plan.

Flood Risk

9.77 The site is located within Flood Risk Zone 3. The application proposes raising ground levels across the site. The Environment Agency raises no objection to the impact of the development on flood risk.

Energy

9.78 The London Plan and Mayor's Energy Strategy seeks a reduction in carbon emissions through the use of energy efficient technologies and a 10% reduction through the use of renewable energy. The EIP Panel report into the Further Alterations to the London Plan endorses the policy requirement for a 20% reduction in carbon emissions to be met from on-site renewable energy generation.

9.79 The GLA's Energy Unit have advised that the Energy Strategy remains

unacceptable. The GLA and the applicant are in discussions to resolve the matter. It is recommended that the S106 Agreement includes a clause that requires the applicant to submit, implement and monitor a site wide Energy Strategy.

Section 106 Community Benefit Strategy

9.80 The Corporation and LBN have agreed that the application will be subject to a single S106 Agreement based on the Corporation's Community Benefit Strategy and will include a mechanism for apportioning the total contribution between both planning authorities on a site area basis.

9.81 The applicant has agreed to contribute a discount standard charge of £10,000 in accordance with Community Benefit Strategy subject to agreement on the items and cost of Works in Kind and ring fenced DLR (£2,220,000) and London Buses (£950,000) contributions. The Works in Kind identified by the applicant include 50% of the cost of providing the Vanesta Wharf pier and jetty (£1,750,000) and the community facilities building (£5,200,000).

9.82 In the event that the pier and jetty is not served by river bus within an agreed timescale following construction, it is recommended that the Works in Kind cost which the applicant proposes to offset against the discounted standard charge are instead paid by the applicant as part of that charge. Similarly, in the event that the total floorspace of the community facilities building is not occupied by a community facility within an agreed timescale, it is recommended that the relevant proportion of the Works in Kind cost forms part of the discounted standard charge. The Corporation and LBN are seeking advice on the reliability of the Works in Kind costs estimate. The applicant has submitted a toolkit appraisal, development appraisal and cost breakdown in support of the application.

9.83 On the basis that the Works in Kind costs estimates are verified, the application is considered to provide an adequate S106 contribution that mitigates its impact on physical and social infrastructure in accordance with the Corporation's Planning Obligations Community Benefit Strategy, Policies 6A.4 and 6A.5 of the London Plan, the Lower Lea Valley Opportunity Area Planning Framework and Policy S2 Unitary Development Plan.

9.84 It is recommended that delegated authority is given to the Director of Planning to finalise negotiations with the applicant and completion of the S106 Agreement based on the heads of terms identified in paragraph 11.1.

10. CONCLUSION AND REASONS FOR PERMISSION

10.1 While the Unitary Development Plan designates the site a Principal Employment Area, the potential for redeveloping the site with a residential-led mixed use development is identified by the Mayor of London Lower Lea Valley Opportunity Area Planning Framework (LLVOAPF). The LLVOAPF is a material consideration which should be afforded considerable weight. Whilst it should be noted that the document has not been endorsed by Newham, draft documents produced by the Borough as part of its LDF process do support the move from industrial to mixed commercial/residential uses. This approach is supported by the site's proximity to the proposed Silvertown Quays district centre, Pontoon Dock Docklands Light Railway station and Barrier Park. The principle of redeveloping the site to provide a mixed use development is considered to be in accordance with the London Plan, the LLVOAPF and the emerging

Local Development Framework.

10.2 The application adopts an appropriate housing density given the site's future public transport accessibility, proximity to a future town centre and the standard of townscape and residential environment. The application is considered to be in accordance with Policy 3A.3 and 3C.1 of the London Plan and Policy C4 of the LLVOAPF. The revised housing density, and the associated design and residential environment improvements, is considered to address the first reason for refusal identified in paragraph 1.3.

10.3 The development adopts a coherent approach to development height, scale and massing that result in a scheme that responds adequately to local context, forms a comfortable relationship with adjacent development, responds successfully to the River Thames and creates a quality environment for future residents and visitors. The application is considered to be in accordance with Policies 3A.6, 3A.7, 3C.1, 4B.1, 4B.2, 4B.3, 4B.5, 4B.9 and 4B.10 of the London Plan, Policy F14 of the LLVOAPF and Policies EQ18, EQ19, EQ20 and EQ28 of the Unitary Development Plan. The revised massing strategy is considered to address the second reason for refusal identified in paragraph 1.3.

10.4 The application proposes 35% affordable housing on a habitable room basis and 60:40 split between intermediate and social rented housing. While this is below the London Plan target of 50% affordable housing on a 70:30 split between intermediate and social rented housing, the applicant has submitted a toolkit and development appraisal in support of the amount of affordable housing. The Corporation has verified the development appraisal subject to agreeing the cost assumptions associated with the proposed Works in Kind. The level of affordable housing is considered acceptable given the scheme viability and the range of planning benefits secured. The application is considered to be in accordance with Policy 3A.9 of the London Plan and the London Plan Housing SPG and Policy C2 of the LLVOAPF. The increase in affordable housing is considered to address the third reason for refusal identified in paragraph 1.3.

10.5 The application proposes a housing mix that includes 82.7% studios, one and two bedroom units and 17.3% three, four and five bedroom units. While the number of three bedroom or larger units (38%) within the social rented sector is supported, the mix of units within the market and intermediate sectors remains skewed towards the provision of smaller units. The applicant cites commercial viability as the determinant of the housing mix. While the mix of housing is below that sought by London Plan policy, it is not considered to justify a defensible reason for refusal given the overall number of family housing units being delivered and the range of planning benefits secured. The revised housing mix is considered to address the fourth reason for refusal identified in paragraph 1.3 when taking into account the overall number of family housing units being delivered, the overall type and standard of development and the range of planning benefits secured.

10.6 The application provides sufficient public open space and private and semi private/communal amenity space given the quantum and density of housing proposed and the site's proximity to existing public open space at Barrier Park and Lyle Park. The application is considered to be in accordance with Policy OS8 of the UDP. The increase in private and semi private/communal amenity space, in combination with the open space proposed within the site and provide by existing facilities, is considered to address the fifth reason for refusal identified in paragraph 1.3.

10.7 The application will reduce the sunlight and daylight conditions currently enjoyed by some residents of Barrier Point. While the resulting sunlight and daylight conditions fall below the Building Research Establishment (BRE) target, it is not considered to justify a defensible reason for refusal given that only bedrooms, bathrooms and kitchens are affected to flats located at ground, first and second floor of a seven storey block, the affected flats are dual aspect and oriented towards Barrier Park, the proposed development establishes an acceptable height and massing relationship to Barrier Point and the BRE guidelines are intended to be interpreted flexibly. The revised massing is considered to result in sunlight and daylight improvements to neighbouring and prospective residents and address the reason for refusal identified in paragraph 1.3.

10.8 The application results in a loss of a UK priority mudflat habitat through the creation and dredging of the lock access with the River Thames. This is compensated through a financial contribution towards mudflat creation at an alternative location within the Thames Estuary. The application is considered to be in accordance with Policies 3D.14, 4C.3, 4C.4 and 4C.14 of the London Plan and Policy EQ9 of the Unitary Development Plan. The agreed financial contribution is considered to address the sixth reason for refusal identified at paragraph 1.3

10.9 The S106 Agreement is at a very advanced stage of negotiation between the application, the Corporation and LBN. The S106 Agreement will include a mechanism for apportioning the total contribution between both planning authorities on a site area basis. The applicant has agreed to contribute the discounted standard charge in accordance with the LTGDC S106 Community Benefit Strategy subject to agreement on the items and cost of works in kind. The Corporation and LBN have agreed to ring fence contributions towards Docklands Light Railway and bus service improvements. The application is considered to be in accordance with Corporation's Planning Obligations Community Benefit Strategy, Policies 6A.4 and 6A.5 of the London Plan, the Lower Lea Valley Opportunity Area Planning Framework and Policy S2 Unitary Development Plan. The agreement to pay the discounted standard charge, subject to verification of the costs associated with the agreed Works in Kind, is considered to address the seventh reason for refusal identified in paragraph 1.3.

With regard to the other bids for funding detailed in this report the allocation of funds for the Corporation's part of the site will be considered by the Lower Lea Valley Management Board and then the Corporation's Board in accordance with the Strategy. In this particular instance those decision will be informed by LBN's decisions as to how they allocate their proportion of the funds.

11. RECOMMENDATION

11.1 It is recommended that Members give delegated authority to the Director of Planning to GRANT PLANNING PERMISSION subject to:

- A. any 'call in' direction following referral of the application to the Government Office for London (GOL) as a departure from the adopted Unitary Development Plan;
- B. any direction from the Mayor of London to refuse planning permission;
- C. the planning conditions set out at section 12. of the report;
- D. the completion of S106 agreement securing the following heads of terms:
 - 1. A commitment to pay the discount standard charge of £10,000 per unit (index linked) subject to (1) the Works in Kind being off-set and (2) DLR and

- London Buses contributions ring fenced;
2. Payment of the deferred standard charge (“recapture the discount”) in accordance with the S106 Community Benefit Strategy and subject to agreement on the realised average sales values.
 3. A commitment to construct the River Thames Pier and Jetty prior to 75% occupation of the development and to use reasonable endeavours to operate a river bus service for an agreed minimum period of time. In the event that the Pier and Jetty is not served for the minimum period of time, the agreed offset to be paid as part of the discounted standard charge;
 4. A commitment to construct the Community Facilities Building within 50% occupation of the development. In the event that the total floorspace is not occupied by a community facility within an agreed minimum period of time, the agreed offset to be paid as part of the discounted standard charge;
 5. A commitment to implement a Community Facilities management scheme which shall include subsidy for the user of the Community Facilities Building for a specified period;
 6. A contribution of up to £2,200,000 towards implementing Docklands Light Railway 3-car capacity improvements ring fenced within the total discount standard charge payment;
 7. A contribution of up to £20,000 towards providing DLR Daisy technology within the development ring fenced within the total discount standard charge payment;
 8. A contribution of up to £850,000 towards bus route improvements serving the site ring fenced within the total discount standard charge payment;
 9. A contribution of up to £100,000 towards bus stop improvements along the site’s North Woolwich Road boundary ring fenced within the total discount standard charge payment;
 10. A commitment to implement an agreed Phasing Plan;
 11. A commitment to implement an agreed Design Development Strategy to ensure design quality and variety. This should include commitment to LBN/LTGDC design review panel process, commitment to design competitions for agreed key elements and commitment to a design appointment strategy;
 12. A commitment to implement an agreed Site Wide Housing Strategy;
 13. Provision of 10% of residential accommodation to be at Wheelchair Standards. All units to be built to Lifetime Homes standards;
 14. The provision of 35% affordable housing based on a 60:40 split between social rented and intermediate housing subject to verification of the development appraisal;
 15. A contribution of £150,000 towards an Environment Agency nominated mudflat creation project in the Thames Estuary;
 16. A commitment to implement the risk control measures identified in the Navigational Risk Assessment;
 17. A commitment to a local labour, goods and training scheme, which shall include an education and schools liaison plan;
 18. A commitment to enter into a S278 agreement to undertake highway works to within the site;
 19. A contribution of £125,000 towards public art within the development site;
 20. A commitment to prepare and implement a site wide management strategy, including the long term management and maintenance of the marina public realm and riverside walkway;
 21. A commitment to submit details of the public realm and make the public realm within the site accessible to the public, including the riverside

- walkway;
22. A commitment to incorporate the Grade II Listed Silvertown War Memorial into the public realm and to obtain any necessary approvals;
 23. A commitment to prepare, implement and monitor an approved Travel Plan for the site, which shall include car, cycle and scooter clubs and appropriate management schemes;
 24. A commitment to implement the Energy Strategy (to be agreed with the GLA).

12. CONDITIONS

A. Time Limits, approved drawings / documents and content of development

A1. Unless otherwise agreed in writing by the Local Planning Authority the development shall be implemented in accordance with the Phasing Plan identified in Chapter A07 of the Environmental Statement (Dec 2007 Addendum), which shall comprise:

- Phase 1: Demolition of all existing buildings across the site, development of the marina and lock access (including waiting pontoons), construction of all circulation routes, public realm including river front works, installation of all utilities and development of zones 2 and 3;
- Phase 2: Development of zones 1, 12 and 14;
- Phase 3: Development of zone 5, 6 and 13;
- Phase 4: Development of zone 7, 8 and 9; and
- Phase 5: Development of zone 10 and 11 as well as the open space associated with the former zone 4.

Reason: To ensure that the development is constructed in accordance with the proposed Phasing Plan and in the interest of the amenities of future occupiers of the development, in accordance with Policies EQ18, EQ19 and EQ45 of the London Borough of Newham Unitary Development Plan (adopted June 2001, saved from 27th September 2007 by direction from the Secretary of State) and Policies 4A.3, 4B.1, 4B.2 and 4B.3 of the London Plan (Feb 2008, Consolidated with Alterations Since 2004).

A2. All applications for the approval of Reserved Matters shall be made to the Local Planning Authority in accordance with the following time periods:

- a. Phase 1 before the expiration of 3 years from the date of this permission;
- b. Phase 2 before the expiration of 5 years from the date of this permission;
- c. Phase 3 before the expiration of 7 years from the date of this permission;
- d. Phase 4 before the expiration of 9 years from the date of this permission;
- e. Phase 5 before the expiration of 11 years from the date of this permission;

Reason: To comply with Section 92 of the Town and Country Planning Act 1990 and to avoid the accumulation of unexercised planning permissions.

A3. The development hereby permitted shall commence in accordance with the following time periods:

- a. Phase 1 either before the expiration of 3 years from the date of this permission, or before the expiration of 2 years from the date of approval of the last Reserved Matters to be approved for that Phase, whichever is the later.

- b. Phase 2 either before the expiration of 5 years from the date of this permission, or before the expiration of 2 years from the date of approval of the last Reserved Matters to be approved for that Phase, whichever is the later.
- c. Phase 3 either before the expiration of 7 years from the date of this permission, or before the expiration of 2 years from the date of approval of the last Reserved Matters to be approved for that Phase, whichever is the later.
- d. Phase 4 either before the expiration of 9 years from the date of this permission, or before the expiration of 2 years from the date of approval of the last Reserved Matters to be approved for that Phase, whichever is the later.
- e. Phase 5 either before the expiration of 11 years from the date of this permission, or before the expiration of 2 years from the date of approval of the last Reserved Matters to be approved for that Phase, whichever is the later.

Reason: To comply with Section 92 of the Town and Country Planning Act 1990 and because of the scale and timescale of the development.

A4. This planning permission applies only to the following documents and drawings and to no other, unless agreed in writing by the Local Planning Authority:

- a. the Development Specification (June 2008, amendment);
- b. the Environmental Statement (June 2007, December 2007, May 2008, as amended);
- c. the Design Guidelines (May 2008, amendment);
- d. Parameter Plans numbered 041121-A-P-Si-D001B, 041121-A-P-Si-D002B, 041121-A-P-Si-D003B, 041121-A-P-Si-D004B, 041121-A-P-Si-D005B, 041121-A-P-Si-D006B, 041121-A-P-Si-D007B, 041121-A-P-00-D008B, 041121-A-P-01-D009B, 041121-A-P-01-D010D, 041121-A-P-01-D011D, 041121-A-P-B1-D012B, 041121-A-P-00-D013B and 041121-A-P-01-D038B, prepared by Clearstorm Ltd;
- e. Future Junction Layout Plan numbered 041121-A-P-Si-D014A prepared by Clearstorm Ltd;
- f. Public Realm Plans numbered 041121-A-P-Si-D015B, 041121-A-P-Si-D016B, 041121-A-P-Si-D017B, 041121-A-P-Si-D018B, 041121-A-P-Si-D019B, 041121-A-P-Si-D020B, 041121-A-P-Si-D021B, 041121-A-P-Si-D022B, 041121-A-P-Si-D023B, 041121-A-P-Si-D024B, 041121-A-P-Si-D025B, 041121-A-P-Si-D026B, 041121-A-P-Si-D027B, 041121-A-P-Si-D028B, 041121-A-P-Si-D029B, 041121-A-P-Si-D030B, 041121-A-P-Si-D031B, 041121-A-P-Si-D032B, 041121-A-P-Si-D033B, 041121-A-P-Si-D034B, 041121-A-P-Si-D035B, 041121-A-P-Si-D036B and 041121-A-P-Si-D037B, prepared by Clearstorm Ltd.

Reason: To ensure that the development is constructed in accordance with the approved plans and other details submitted, in accordance with Policies EQ18 and EQ19 of the London Borough of Newham Unitary Development Plan (adopted June 2001, saved from 27th September 2007 by direction from the Secretary of State) and Policies 4A.3, 4B.1, 4B.2 and 4B.3 of the London Plan (Feb 2008, Consolidated with Alterations Since 2004).

A5. Unless otherwise agreed in writing by the Local Planning Authority all Phase Design Codes and Reserved Matters applications shall comply with the principles and parameters set out in the Design Guidelines and other drawings and documents approved pursuant to Condition A3.

Reason: To ensure that the development is constructed in accordance with the Design Guidelines on which this decision is based and to be consistent with the principles of good masterplanning, in accordance with Policies EQ18 and EQ19 of the London Borough of Newham Unitary Development Plan (adopted June 2001, saved from 27th September 2007 by direction from the Secretary of State) and Policies 4A.3, 4B.1, 4B.2 and 4B.3 of the London Plan (Feb 2008, Consolidated with Alterations Since 2004).

A6. Unless otherwise agreed in writing by the Local Planning Authority the quantum of built floorspace across the development shall not exceed a total of 248,055 square metres gross floorspace (m² GEA) comprising:

- Residential (C3) (222,055m² GEA or 2,598 units, which ever is the lowest)
- Employment (B1) (15,000m² GEA)
- Retail (A1) (2,000m² GEA)
- Professional Services, Food and Drink (A2-A5) (3,000m² GEA)
- Community, Health, Education, Cultural and Assembly (D1) (4,000m² GEA)
- Recreational and Leisure (D2) (2000m² GEA)

In the event of there being any discrepancy between the floorspaces specified above and the documents submitted in support of the application the floorspace figures specified above shall apply.

Reason: To ensure that the development is carried out in accordance with the approved plans and other submitted details and to ensure that the quantum of floorspace keeps within the parameters assessed pursuant to the environmental impact assessment of the development, in accordance with Policies S6, H13, EMP3, SH14, LR2, EQ18 and EQ19 of the London Borough of Newham Unitary Development Plan (adopted June 2001, saved from 27th September 2007 by direction from the Secretary of State) and Policies 3A.1, 3A.2, 3A.3, 3B.1, 3B.2, 3B.3, 3D.3, 4B.1, 4B.2 and 4B.3 of the London Plan (Feb 2008, Consolidated with Alterations Since 2004).

A7. Unless otherwise agreed in writing by the Local Planning Authority, the ground and first floor land uses along the frontages of each development zone shall be in accordance with the ground and first floor land uses identified on Drawing No 041121.A.P.00.D008B. The statement on the drawing that “uses specified would comprise 50% or more of the defined frontage” does not apply.

Reason: In the interest of achieving a mixed and balanced development, in accordance with Policies S6, H13, EMP3, SH14, LR2, EQ18 and EQ19 of the London Borough of Newham Unitary Development Plan (adopted June 2001, saved from 27th September 2007 by direction from the Secretary of State) and Policies 3A.1, 3A.2, 3A.3, 3B.1, 3B.2, 3B.3, 4B.1, 4B.2 and 4B.3 of the London Plan (Feb 2008, Consolidated with Alterations Since 2004).

A8. Unless otherwise agreed in writing by the Local Planning Authority, the upper floor land uses (excluding the ground and first floors) along the frontages of each development zone shall be in accordance with the upper floor land uses identified on Drawing No 041121.A.P.00.D009B. The statement on the drawing that “uses specified would comprise 50% or more of the defined frontage” does not apply.

Reason: In the interest of achieving a mixed and balanced development, in accordance with Policies S6, H13, EMP3, SH14, LR2, EQ18 and EQ19 of the London Borough of

Newham Unitary Development Plan (adopted June 2001, saved from 27th September 2007 by direction from the Secretary of State) and Policies 3A.1, 3A.2, 3A.3, 3B.1, 3B.2, 3B.3, 4B.1, 4B.2 and 4B.3 of the London Plan (Feb 2008, Consolidated with Alterations Since 2004).

A9. Unless otherwise agreed in writing by the Local Planning Authority, the quantum of built floorspace across the development for Hot Food Takeaway (Class A5) shall not exceed 1,000 m² GEA.

Reason: In the interest of residential amenity and achieving a mixed and balanced development, in accordance with Policies S6, H13, SH14, SH20, EQ18, EQ19 and EQ45 of the London Borough of Newham Unitary Development Plan (adopted June 2001, saved from 27th September 2007 by direction from the Secretary of State) and Policies 3B.1, 3B.3 and 4B.1 of the London Plan (Feb 2008, Consolidated with Alterations Since 2004).

A10. Unless otherwise agreed in writing by the Local Planning Authority, no individual retail unit shall exceed 500m² GEA.

Reason: In the interest of residential amenity and achieving a mixed and balanced development, in accordance with Policies S6, H13, SH14, EQ18, EQ19 and EQ45 of the London Borough of Newham Unitary Development Plan (adopted June 2001, saved from 27th September 2007 by direction from the Secretary of State) and Policies 3B.1, 3B.3 and 4B.1 of the London Plan (Feb 2008, Consolidated with Alterations Since 2004).

A11. Unless otherwise agreed in writing by the Local Planning Authority, the maximum floorspace in each development zone shall not exceed:

- Development Zone 1 – 24,419m² GEA
- Development Zone 2 – 29,040m² GEA
- Development Zone 3 – 26,765m² GEA
- Development Zone 5 – 21,082m² GEA
- Development Zone 6 – 21,437m² GEA
- Development Zone 7 – 28,925m² GEA
- Development Zone 8 – 37,141m² GEA
- Development Zone 9 – 1,391m² GEA
- Development Zone 10 – 15,995m² GEA
- Development Zone 11 – 20,159m² GEA
- Development Zone 12 – 20,264m² GEA
- Development Zone 13 - 1,437m² GEA

Reason: To ensure that the development complies with the approved drawings and other documents and in the interests of providing a good living environment for future residents, in accordance with Policies S6, H13, H17, EQ18 and EQ19 of the London Borough of Newham Unitary Development Plan (adopted June 2001, saved from 27th September 2007 by direction from the Secretary of State) and Policies 3B.3, 4B.1 and 4B.2 of the London Plan (Feb 2008, Consolidated with Alterations Since 2004).

B. Phase Design Codes and Reserved Matters

B1. Unless otherwise agreed in writing by the Local Planning Authority, no applications for Reserved Matters approval shall be submitted in respect of any Phase of the

development until a Phase Design Code for that Phase has been prepared in accordance with this permission and has been submitted to and approved in writing by the Local Planning Authority.

All Phase Design Codes submitted pursuant to this condition shall contain the information set out in the Phase Design Code Specification, as defined in Schedule 1.

All Reserved Matters applications submitted in respect of each Phase shall be in accordance with the Phase Design Code as approved for that Phase, unless otherwise agreed in writing by the Local Planning Authority.

Reason: In the interest of achieving design quality and to be consistent with the principles of good masterplanning, in accordance with Policies EQ18, EQ19 and EQ28 of the London Borough of Newham Unitary Development Plan (adopted June 2001, saved from 27th September 2007 by direction from the Secretary of State) and Policies 4A.3, 4B.1, 4B.2, 4B.3, 4B.9 and 4B.10 of the London Plan (Feb 2008, Consolidated with Alterations Since 2004).

B2. Works to the relevant Phase of the development hereby approved shall not commence until detailed plans / sections and elevations showing the following Reserved Matters have been submitted to and approved in writing by the Local Planning Authority for that part of the development:

- a. layout;
- b. appearance;
- c. scale;
- d. access;
- e. landscaping

Reason: To ensure that the Local Planning Authority is satisfied as to the details of the development, in accordance with Policies EQ18 and EQ19 of the London Borough of Newham Unitary Development Plan (adopted June 2001, saved from 27th September 2007 by direction from the Secretary of State) and Policies 4A.3, 4B.1, 4B.2, 4B.3, 4B.9 and 4B.10 of the London Plan (Feb 2008, Consolidated with Alterations Since 2004).

B3. Works to the relevant Phase of the development hereby approved shall not commence until full details, including samples, specifications and annotated plans where appropriate, of the materials to be used on all external surfaces (which for the avoidance of doubt shall also include hard landscaping) for that phase of the Development have been submitted to and approved in writing by the Local Planning Authority. The relevant Phase shall only be implemented in accordance with the approved details, to the satisfaction of the Local Planning Authority. .

Reason: To ensure a satisfactory standard of external appearance, in accordance with Policies EQ18, EQ19, H17, and EQ28 of the London Borough of Newham Unitary Development Plan (adopted June 2001, saved from 27th September 2007 by direction from the Secretary of State) and Policies 4A.3, 4B.1, 4B.2, 4B.3, 4B.9 and 4B.10 of the London Plan (Feb 2008, Consolidated with Alterations Since 2004).

C. Access

C1. Works to the relevant Phase of the development hereby approved shall not commence until full particulars and detailed drawings showing a) means of access and

egress of buildings suitable for people of disabilities and b) measures to ensure ability to move freely within the development, including details of the location, number and size of external lifts and provision for long term maintenance of them, have been submitted to and approved in writing by the Local Planning Authority before any work is commenced on that Phase. The approved scheme shall be implemented prior to the first occupation of the relevant Phase and thereafter permanently maintained to the satisfaction of the Local Planning Authority.

Reason: To ensure that the development is fully accessible to all, in accordance with Policies EQ18, EQ19, EQ25, H14 and H17 of the London Borough of Newham Unitary Development Plan (adopted June 2001, saved from 27th September 2007 by direction from the Secretary of State) and Policies 3A.5, 4B.1, 4B.2 and 4B.3 of the London Plan (Feb 2008, Consolidated with Alterations Since 2004).

C2. All residential units within the development shall be constructed in accordance with Lifetime Homes standards, as defined in the Joseph Roundtree Foundation publication "Achieving Part M and Lifetime Homes standards" and the joint collaboration of JRF, Major of London, GML Architects and Habinteg HA in the publication 'Lifetime Homes' and as referred to in the GLA Accessible London SPG (Appendix 4).

The application for Reserved Matters for each Phase shall be accompanied by adequate information to demonstrate that all residential units will be constructed to Lifetime Homes standards.

The development shall be implemented in accordance with the Lifetime Homes standards prior to the first occupation of the relevant Phase and retained permanently, to the satisfaction of the Local Planning Authority.

Reason: To ensure that accessible housing is providing, in accordance with Policies EQ18, EQ19, EQ25, H14 and H17 of the London Borough of Newham Unitary Development Plan (adopted June 2001, saved from 27th September 2007 by direction from the Secretary of State) and Policies 3A.5, 4B.1, 4B.2 and 4B.3 of the London Plan (Feb 2008, Consolidated with Alterations Since 2004).

C3. Unless otherwise agreed in writing by the Local Planning Authority, no fewer than 10% of the total number of residential units within the development shall be constructed to be easily adapted for residents who are wheelchair users in accordance with the publication "Wheelchair Housing Guide Second Edition" by Stephen Thorpe and Habinteg HA.

Reason: To ensure that accessible housing is providing, in accordance with Policies EQ18, EQ19, EQ25, H14 and H17 of the London Borough of Newham Unitary Development Plan (adopted June 2001, saved from 27th September 2007 by direction from the Secretary of State) and Policies 3A.5, 4B.1, 4B.2 and 4B.3 of the London Plan (Feb 2008, Consolidated with Alterations Since 2004).

D. Open Space Provision

D1. Unless otherwise agreed in writing by the Local Planning Authority, the completed development shall provide the following minimum amounts of floorspace of a) formal play space, b) private/communal amenity space and c) green and brown roofs, in accordance with the submitted Play Space Strategy (May 2008):

- a) formal play space – 6,953m²
- b) private/communal amenity space – 39,922m²
- c) green and brown roofs – 11,822m²

The Reserved Matters application for each Phase shall be accompanied by adequate information to demonstrate that formal play space, private/communal amenity space and green and brown roofs are provided in accordance with the Play Space Strategy (May 2008, amendment). Each residential unit shall have access to private amenity space, to the satisfaction of the Local Planning Authority.

Reason: To ensure that appropriate play space, amenity space and green and brown roofs are provided, in accordance with Policies EQ18, EQ19, EQ25, H13, H17, OS1 and OS12 of the London Borough of Newham Unitary Development Plan (adopted June 2001, saved from 27th September 2007 by direction from the Secretary of State) and Policies 3D.13, 3D.14, 4A.11, 4B.1 and 4B.2 of the London Plan (Feb 2008, Consolidated with Alterations Since 2004).

D2. Works to the relevant Phase of the development hereby approved shall not commence until details of proposed communal courtyards and roof gardens, including details of access within such phase, have been submitted to and approved in writing by the Local Planning Authority. The communal courtyards and roof gardens shall be provided in accordance with the approved details and shall be available for use prior to the occupation of the building to which they relate. The communal courtyards and roof gardens shall be maintained as such and shall not be used for any other purpose.

Reason: To ensure residents have access to adequate amenity space and to safeguard the appearance of the development, in accordance with Policies EQ18, EQ19, EQ25, H13 and H17 of the London Borough of Newham Unitary Development Plan (adopted June 2001, saved from 27th September 2007 by direction from the Secretary of State) and Policies 3D.14, 4A.11, 4B.1 and 4B.2 of the London Plan (Feb 2008, Consolidated with Alterations Since 2004).

D3. Works to the relevant Phase of the development hereby approved shall not commence until details of the relevant Local Areas for Play (LAP), Local Equipped Areas of Play (LEAP) and Neighbourhood Equipped Areas of Play (NEAP) have been submitted to and approved in writing by the Local Planning Authority. The LAPs, LEAPs and NEAP shall be provided in accordance with the approved details and made available for use prior to the occupation of the relevant development phase or block within which they are located and thereafter permanently retained.

Reason: To ensure residents have access to adequate amenity space and to safeguard the appearance of the development, in accordance with Policies EQ18, EQ19, EQ25, H13, H17 and OS12 of the London Borough of Newham Unitary Development Plan (adopted June 2001, saved from 27th September 2007 by direction from the Secretary of State) and Policies 3D.13, 4B.1 and 4B.2 of the London Plan (Feb 2008, Consolidated with Alterations Since 2004).

D4. Works to the relevant Phase of the development hereby approved shall not commence until details of proposed brown and green roofs within such phase, including details of location, design, dimensions, materials and a maintenance scheme, shall be submitted to and approved in writing by the Local Planning Authority. The brown and green roofs shall be provided in accordance with the approved details and prior to the occupation of the building to which they relate. The brown and green roofs

shall be maintained as such and shall not be used for any other purpose.

Reason: To promote biodiversity and safeguard the appearance of the building, in accordance with Policies EQ18 and EQ19 of the London Borough of Newham Unitary Development Plan (adopted June 2001, saved from 27th September 2007 by direction from the Secretary of State) and Policies 3D.14, 4A.11, 4B.1 and 4B.2 of the London Plan (Feb 2008, Consolidated with Alterations Since 2004).

E. Construction

E1. Works to the relevant Phase of the development hereby approved shall not commence until a Construction Management Plan for that Phase has been submitted to and approved in writing by the Local Planning Authority. The Construction Management Plan shall detail all methods of site preparation and construction of the development, including traffic management, use of the river to transport materials, demolition, clearance, site remediation, ground works, waste management, sourcing of materials, smoke and odour control, avoidance of fires, wheel washing, noise and vibration and hours of operation, implementation and monitoring. The Construction Management Plan shall be implemented for the entire period of the works at the site, to the satisfaction of the Local Planning Authority.

Reason: In the interest of pollution and residential amenity, in accordance with Policies EQ45, EQ46 and EQ47 of the London Borough of Newham Unitary Development Plan (adopted June 2001, saved from 27th September 2007 by direction from the Secretary of State) and Policies 4A.3, 4A.19, 4A.20 and 4B.1 of the London Plan (Feb 2008, Consolidated with Alterations Since 2004).

E2. All construction compounds for the development hereby permitted shall be erected within the site, unless otherwise agreed in writing by the Local Planning Authority.

Reason: In order to minimise noise and disturbance, in the interest of residential amenity, in accordance with Policies EQ45, EQ46 and EQ47 of the London Borough of Newham Unitary Development Plan (adopted June 2001, saved from 27th September 2007 by direction from the Secretary of State) and Policies 4A.3, 4A.19, 4A.20 and 4B.1 of the London Plan (Feb 2008, Consolidated with Alterations Since 2004).

E3. No demolition, construction or building works shall be carried out except between the hours of 08.00 to 18.00 Monday to Friday and 08.00 to 13.00 Saturday or at any time on bank or public holidays without the prior written approval of the Local Planning Authority, unless the works have been approved in advance under section 61 of the Control of Pollution Act 1974.

Deliveries of construction and demolition materials to and from the Site by road shall take place between 08:00 - 18:00 Monday to Friday & 08:00 - 13:00 on Saturday and at no other time except with the prior written approval of the Local Planning Authority.

Reason: In order to minimise noise and disturbance, in the interest of residential amenity, in accordance with Policies EQ45, EQ46 and EQ47 of the London Borough of Newham Unitary Development Plan (adopted June 2001, saved from 27th September 2007 by direction from the Secretary of State) and Policies 4A.3, 4A.19, 4A.20 and 4B.1 of the London Plan (Feb 2008, Consolidated with Alterations Since 2004).

E4. No impact piling shall take place without the prior written approval of the Local

Planning Authority and shall only take place in accordance with the terms of any such approval.

Reason: In order to minimise noise and disturbance, in the interest of residential amenity, in accordance with Policies EQ45, EQ46 and EQ47 of the London Borough of Newham Unitary Development Plan (adopted June 2001, saved from 27th September 2007 by direction from the Secretary of State) and Policies 4A.3, 4A.19, 4A.20 and 4B.1 of the London Plan (Feb 2008, Consolidated with Alterations Since 2004).

E5. Notwithstanding the provisions of Parts 4 and 5 of Schedule 2 to the Town and Country Planning (General Permitted Development) Order 1995, no part of the Site shall be used for the stationing of caravans or mobile homes or any other form of temporary residential accommodation, unless otherwise agreed in writing by the Local Planning Authority.

Reason: To maintain planning control and in the interest of residential amenity, in accordance with Policies EQ45, EQ46 and EQ47 of the London Borough of Newham Unitary Development Plan (adopted June 2001, saved from 27th September 2007 by direction from the Secretary of State) and Policies 4A.3, 4A.19, 4A.20 and 4B.1 of the London Plan (Feb 2008, Consolidated with Alterations Since 2004).

E6. Works to the relevant Phase of the development hereby approved shall not commence until detailed drawings showing the following have been submitted to and approved in writing by the Local Planning Authority:

- (a) access through the site during works and upon completion of works in relation to the relevant Phase, including the connections with any completed Phases and connections to the surrounding area and its networks of cyclepaths and footpaths;
- (b) any temporary works, including any boundary treatment around later Phases.

Provisions for pedestrians shall be fully accessible to all including people with disabilities.

The development shall be implemented in accordance with the approved details, to the satisfaction of the Local Planning Authority.

Reason: In the interest of accessibility, in accordance with Policies EQ18, EQ19, EQ25 and EQ45, T19, T22, T23 and T24 of the London Borough of Newham Unitary Development Plan (adopted June 2001, saved from 27th September 2007 by direction from the Secretary of State) and Policies 3C.21, 3C.22, 4B.1 and 4C.11 of the London Plan (Feb 2008, Consolidated with Alterations Since 2004).

E7. Prior to the commencement of works on Phase 1, details of a strategy to maximise the use of the River Thames for the transport of construction and waste materials to and from the site shall be submitted to and approved by the Local Planning Authority. The approved strategy shall be implemented for the entire period of the works at the site, to the satisfaction of the Local Planning Authority.

Reason: To maximise the use of the river and to promote sustainable transport, in accordance with Policies EQ4 and EQ18 of the London Borough of Newham Unitary Development Plan (adopted June 2001, saved from 27th September 2007 by direction from the Secretary of State) and Policies 4A.3, 4B.1 and 4C.8 of the London Plan (Feb

2008, Consolidated with Alterations Since 2004).

G. Biodiversity

G1. Works to the relevant Phase of the development hereby approved shall not commence until an Ecological Management Plan for the relevant Phase of development has been submitted to and approved in writing by the Local Planning Authority. The Ecological Management Plan shall include the submission of plans, materials, specifications and data, to demonstrate in detail how all ecological mitigation, compensation and enhancement measures identified in Chapter A15 Environmental Statement (as amended) will be implemented within the relevant Phase of development.

The Ecological Management Plan shall also include details of the long term ecological objectives, maintenance schedules and management responsibilities.

The development shall be carried out in accordance with the approved Ecological Management Plan, to the satisfaction of the Local Planning Authority

Reason: In the interest of impacts on biodiversity and maximising the ecological potential of the site, in accordance with Policies EQ4, EQ9, EQ10, EQ11, EQ12, EQ18, EQ19 and EQ21 of the London Borough of Newham Unitary Development Plan (adopted June 2001, saved from 27th September 2007 by direction from the Secretary of State) and Policies 3D.14, 4A.3, 4B.1 and 4C.3, 4C.4 of the London Plan (Feb 2008, Consolidated with Alterations Since 2004).

G2. Works to the relevant Phase of the development hereby approved shall not commence until a survey for the presence of Black Redstart has been submitted to the Local Planning Authority. In the event that a survey records the presence of Black Redstart development of the relevant Phase shall not commence until a scheme of mitigation measures has been submitted to and approved in writing by the Local Planning Authority, in consultation with English Nature. The development shall be carried out in accordance with the approved mitigation measures, to the satisfaction of the Local Planning Authority.

Reason: In the interest of impacts on biodiversity and maximising the ecological potential of the site, in accordance with Policies EQ4, EQ9, EQ10, EQ11, EQ12, EQ18, EQ19 and EQ21 of the London Borough of Newham Unitary Development Plan (adopted June 2001, saved from 27th September 2007 by direction from the Secretary of State) and Policies 3D.14, 4A.3, 4B.1 and 4C.3, 4C.4 of the London Plan (Feb 2008, Consolidated with Alterations Since 2004).

G3. Works to the development hereby approved shall not commence until a scheme outlining the maintenance of the navigation channel across the foreshore, to include methods of dredging, has been submitted and approved by the Local Planning Authority in consultation with the Environment Agency. Development shall be carried out in accordance with the approved details, to the satisfaction of the Local Planning Authority.

Reason: To protect and conserve the natural features of importance for biodiversity of the foreshore, in accordance with Policies EQ4, EQ9, EQ10, EQ11, EQ12, EQ18, EQ19 and EQ21 of the London Borough of Newham Unitary Development Plan (adopted June 2001, saved from 27th September 2007 by direction from the Secretary of State) and Policies 3D.14, 4A.3, 4B.1 and 4C.3, 4C.4 of the London Plan (Feb 2008, Consolidated with Alterations Since 2004).

H. Hydrology and Water Resources

H1. Works to the relevant Phase of the development hereby approved shall not commence until details of measures used to achieve the efficient use of water, including details of rain water harvesting and grey water use, within relevant Phase of development, have been submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in accordance with the approved details, to the satisfaction of the Local Planning Authority

Reason: To ensure the efficient use of water resources within the development, in accordance with Policies S4, EQ18 and EQ19 of the London Borough of Newham Unitary Development Plan (adopted June 2001, saved from 27th September 2007 by direction from the Secretary of State) and Policies 4A.3, 4A.16 and 4B.1 of the London Plan (Feb 2008, Consolidated with Alterations Since 2004).

H2. Works to the relevant Phase of the development hereby approved shall not commence until details of foul and surface water infrastructure and pollution prevention measures for the relevant Phase have been submitted to and approved in writing by the Local Planning Authority. Details of foul and surface water infrastructure required pursuant to this condition shall comprise:

- a. Specification of all pollution prevention measures;
- b. Flow estimates and calculations for all drainage infrastructure and details of sizing of pipes;
- c. Details of discharge points and discharge rates (including relevant calculations);
- d. Details of any proposed measures of surface water attenuation.

All surface water drainage systems shall be designed using the principles of Sustainable Urban Drainage.

The approved drainage works and pollution prevention measures shall be implemented prior to the first occupation of the relevant Phase of development and thereafter permanently maintained to the satisfaction of the Local Planning Authority.

Reason: To prevent pollution of the water environment, in accordance with Policies S4, EQ18, EQ19 and EQ63 of the London Borough of Newham Unitary Development Plan (adopted June 2001, saved from 27th September 2007 by direction from the Secretary of State) and Policies 4A.3, 4A.14, 4A.16 and 4B.1 of the London Plan (Feb 2008, Consolidated with Alterations Since 2004).

H3. During construction of the development, no solid matter shall be stored within 10 metres of the river wall or the marina (when constructed), unless otherwise agreed in writing by the Local Planning Authority.

Reason: To prevent solid materials from entering the water environment, in accordance with Policies EQ4, EQ9, EQ10, EQ11 and EQ12 of the London Borough of Newham Unitary Development Plan (adopted June 2001, saved from 27th September 2007 by direction from the Secretary of State) and Policies 3D.14, 4A.3 and 4C.3 of the London Plan (Feb 2008, Consolidated with Alterations Since 2004).

H4. Works to the relevant Phase of the development hereby approved shall not commence until details of any storage facilities for oils, fuels or chemicals within that

Phase of development have been submitted to and approved in writing by the Local Planning Authority. The approved storage facilities shall be implemented and maintained to the satisfaction of the Local Planning Authority.

Reason: To prevent pollution to the water environment, in accordance with Policies EQ4, EQ9, EQ10, EQ11 and EQ12 of the London Borough of Newham Unitary Development Plan (adopted June 2001, saved from 27th September 2007 by direction from the Secretary of State) and Policies 3D.14, 4A.3 and 4C.3 of the London Plan (Feb 2008, Consolidated with Alterations Since 2004).

H5. No hazardous substances included in the Schedule of Planning (Hazardous Substances) Regulations 1992 shall be used, handled or stored on the Site until details of such use, handling or storage have been submitted to and approved in writing by the Local Planning Authority. Such hazardous substances shall only be used, handled or stored in accordance with the approved details, to the satisfaction of the Local Planning Authority.

Reason: To prevent pollution of the water environment, in accordance with Policies EQ4, EQ9, EQ10, EQ11 and EQ12 of the London Borough of Newham Unitary Development Plan (adopted June 2001, saved from 27th September 2007 by direction from the Secretary of State) and Policies 3D.14, 4A.3 and 4C.3 of the London Plan (Feb 2008, Consolidated with Alterations Since 2004).

H6. No works to the river wall shall commence until details of construction methods and pollution prevention measures have been submitted to and approved in writing by the Local Planning Authority. All works to the river walls shall be carried out in accordance with the approved details, unless otherwise agreed in writing by the Local Planning Authority.

Reason: To protect the water environment and ecology within the docks in accordance with Policies EQ4, EQ9, EQ10, EQ11 and EQ12 of the London Borough of Newham Unitary Development Plan (adopted June 2001, saved from 27th September 2007 by direction from the Secretary of State) and Policies 3D.14, 4A.3 and 4C.3 of the London Plan (Feb 2008, Consolidated with Alterations Since 2004).

H7. Works to the relevant Phase of the development hereby approved shall not commence until impact studies of the existing water supply infrastructure have been submitted to and approved in writing by the Local Planning Authority in consultation with Thames Water. The studies shall determine the magnitude of any new additional capacity required in the system and a suitable connection point.

Reason: To ensure the water supply infrastructure has sufficient capacity to cope with additional demand, in accordance with Policies EQ18, EQ19 and H17 of the London Borough of Newham Unitary Development Plan (adopted June 2001, saved from 27th September 2007 by direction from the Secretary of State) and Policies 4A.16, 4A.18 and 4B.1 of the London Plan (Feb 2008, Consolidated with Alterations Since 2004).

I Flood Risk

I1. Final ground levels throughout the site shall be in accordance with drawing numbers 041121.A.P.01.D010.D and 041121.A.P.01.D011.D. No residential accommodation shall be constructed below a level of +6.10 metres AOD, unless otherwise agreed in writing by the Local Planning Authority.

Reason: To minimise flood risk to occupants and users of the development, in accordance with Policies EQ18, EQ19, EQ62 and EQ64 of the London Borough of Newham Unitary Development Plan (adopted June 2001, saved from 27th September 2007 by direction from the Secretary of State) and Policies 4A.12, 4A.13 and 4B.1 of the London Plan (Feb 2008, Consolidated with Alterations Since 2004).

I2. The crest of the dock and river wall shall be set no lower than 6.10m AOD unless otherwise agreed in writing by the Local Planning Authority.

Reason: To reduce flood risk, in accordance with Policies EQ18, EQ19, EQ62 and EQ64 of the London Borough of Newham Unitary Development Plan (adopted June 2001, saved from 27th September 2007 by direction from the Secretary of State) and Policies 4A.12, 4A.13 and 4B.1 of the London Plan (Feb 2008, Consolidated with Alterations Since 2004).

I3. Works to the relevant Phase of the development hereby approved shall not commence until details of the proposed lock and associated flood defences shall be submitted to and approved in writing by the Local Planning Authority.

The development shall be constructed in accordance with the approved details and thereafter permanently maintained in working order, to the satisfaction of the Local Planning Authority.

Reason: To reduce flood risk, in accordance with Policies EQ18, EQ19, EQ62 and EQ64 of the London Borough of Newham Unitary Development Plan (adopted June 2001, saved from 27th September 2007 by direction from the Secretary of State) and Policies 4A.12, 4A.13 and 4B.1 of the London Plan (Feb 2008, Consolidated with Alterations Since 2004).

I4. Works to the development hereby approved shall not commence until details of the potential adverse impacts on the dock and river wall, such as loading and permeability, shall be submitted and approved in writing to the Local Planning Authority.

Reason: To protect the integrity of the flood defences, in accordance with Policies EQ18, EQ19, EQ62 and EQ64 of the London Borough of Newham Unitary Development Plan (adopted June 2001, saved from 27th September 2007 by direction from the Secretary of State) and Policies 4A.12, 4A.13 and 4B.1 of the London Plan (Feb 2008, Consolidated with Alterations Since 2004).

I5. Works to the relevant Phase of the development hereby approved shall not commence until details of the site foundations have been submitted to and approved in writing by the Local Planning Authority. The submission shall include details showing the relative positions of any new piles, foundations, basements and/or any structures, stockpiles of materials and excavations in relation to the flood defences. The site foundations shall be constructed in accordance with the approved details, to the satisfaction of the Local Planning Authority.

Reason: To prevent the pollution of ground water and to protect the integrity of the flood defences, in accordance with Policies EQ18, EQ19, EQ45, EQ62 and EQ64 of the London Borough of Newham Unitary Development Plan (adopted June 2001, saved from 27th September 2007 by direction from the Secretary of State) and Policies 4A.12, 4A.13, 4A.17 and 4B.1 of the London Plan (Feb 2008, Consolidated with Alterations

Since 2004).

I6. Works to the relevant Phase of the development hereby approved shall not be occupied until details of a flood warning system have been submitted to and approved in writing by the Local Planning Authority. The flood warning system shall be in operation at all times, to the satisfaction of the Local Planning Authority.

Reason: To reduce the risk of flooding to people, in accordance with Policies EQ18, EQ19, EQ62 and EQ64 of the London Borough of Newham Unitary Development Plan (adopted June 2001, saved from 27th September 2007 by direction from the Secretary of State) and Policies 4A.12, 4A.13 and 4B.1 of the London Plan (Feb 2008, Consolidated with Alterations Since 2004).

J. Contamination

J1. Works to the relevant Phase of the development hereby approved shall not commence until an investigation and risk assessment, in addition to any assessment provided with the planning application, has been completed in accordance with a scheme to assess the nature and extent of any contamination on the site, whether or not it originates on the site. The contents of the scheme shall be submitted to and approved in writing by the Local Planning Authority. The investigation and risk assessment must be undertaken by competent persons and a written report of the findings must be produced. The written report shall be submitted to and approved in writing by the Local Planning Authority. The report of the findings must include:

(i) a survey of the extent, scale and nature of contamination;

(ii) an assessment of the potential risks to:

- human health,
- property (existing or proposed) including buildings, crops, livestock, pets, woodland and service lines and pipes,
- adjoining land,
- groundwaters and surface waters,
- ecological systems,
- archaeological sites and ancient monuments;

(iii) an appraisal of remedial options, and proposal of the preferred option(s).

This must be conducted in accordance with DEFRA and the Environment Agency's '*Model Procedures for the Management of Land Contamination, CLR 11*'.

Reason: To ensure that risks from land contamination to the future users of the land and neighbouring land are minimised, together with those to controlled waters, property and ecological systems, and to ensure that the development can be carried out safely without unacceptable risks to workers, neighbours and other offsite receptors in accordance with Policies EQ4, EQ9, EQ10, EQ11, EQ12, EQ45 and EQ49 of the London Borough of Newham Unitary Development Plan (adopted June 2001, saved from 27th September 2007 by direction from the Secretary of State) and Policies 3D.14, 4A.3 and 4A.17 and 4A.33 of the London Plan (Feb 2008, Consolidated with Alterations Since 2004).

J2. Works to the relevant Phase of the development hereby approved shall not

commence until a detailed remediation scheme to bring the site to a condition suitable for the intended use by removing unacceptable risks to human health, buildings and other property and the natural and historical environment has been submitted to and approved in writing by the Local Planning Authority. The scheme must include all works to be undertaken, proposed remediation objectives and remediation criteria, timetable of works and site management procedures. The scheme must ensure that the site will not qualify as contaminated land under Part 2A of the Environmental Protection Act 1990 in relation to the intended use of the land after remediation.

Reason: To ensure that risks from land contamination to the future users of the land and neighbouring land are minimised, together with those to controlled waters, property and ecological systems, and to ensure that the development can be carried out safely without unacceptable risks to workers, neighbours and other offsite receptors in accordance with Policies EQ4, EQ9, EQ10, EQ11, EQ12, EQ45 and EQ49 of the London Borough of Newham Unitary Development Plan (adopted June 2001, saved from 27th September 2007 by direction from the Secretary of State) and Policies 3D.14, 4A.3 and 4A.17 and 4A.33 of the London Plan (Feb 2008, Consolidated with Alterations Since 2004).

J3. The remediation scheme approved pursuant to Condition J2 must be carried out in accordance with its terms prior to the commencement of development other than works required to carry out remediation, unless otherwise agreed in writing by the Local Planning Authority. The Local Planning Authority must be given two weeks written notification of commencement of the remediation scheme works.

Following completion of measures identified in the approved remediation scheme, a verification report (referred to in PPS23 as a validation report) that demonstrates the effectiveness of the remediation carried out must be produced prior to the commencement of the development other than works required to carry out remediation, and is subject to the approval in writing of the Local Planning Authority.

Reason: To ensure that risks from land contamination to the future users of the land and neighbouring land are minimised, together with those to controlled waters, property and ecological systems, and to ensure that the development can be carried out safely without unacceptable risks to workers, neighbours and other offsite receptors in accordance with Policies EQ4, EQ9, EQ10, EQ11, EQ12, EQ45 and EQ49 of the London Borough of Newham Unitary Development Plan (adopted June 2001, saved from 27th September 2007 by direction from the Secretary of State) and Policies 3D.14, 4A.3 and 4A.17 and 4A.33 of the London Plan (Feb 2008, Consolidated with Alterations Since 2004).

J4. In the event that contamination is found at any time when carrying out the approved development that was not previously identified it must be reported in writing immediately to the Local Planning Authority. An investigation and risk assessment must be undertaken in accordance with the requirements of condition J1, and where remediation is necessary a remediation scheme must be prepared in accordance with the requirements of condition J2 which is subject to the approval in writing of the Local Planning Authority.

Following completion of measures identified in the approved remediation scheme a verification report must be prepared prior to the commencement of the development other than works required to carry out remediation, which is subject to the approval in

writing of the Local Planning Authority in accordance with condition J3.

Reason: To ensure that risks from land contamination to the future users of the land and neighbouring land are minimised, together with those to controlled waters, property and ecological systems, and to ensure that the development can be carried out safely without unacceptable risks to workers, neighbours and other offsite receptors in accordance with Policies EQ4, EQ9, EQ10, EQ11, EQ12, EQ45 and EQ49 of the London Borough of Newham Unitary Development Plan (adopted June 2001, saved from 27th September 2007 by direction from the Secretary of State) and Policies 3D.14, 4A.3 and 4A.17 and 4A.33 of the London Plan (Feb 2008, Consolidated with Alterations Since 2004).

J5. Works to the relevant Phase of the development hereby approved shall not commence until a monitoring and maintenance scheme, to include monitoring the long-term effectiveness of the proposed remediation and provision for reporting the findings to the Local Planning Authority, shall be submitted to and approved in writing by the Local Planning Authority.

Following completion of the measures identified in that scheme and when the remediation objectives have been achieved, reports that demonstrate the effectiveness of the monitoring and maintenance carried out must be produced prior to the commencement of the development other than works required to carry out remediation, and submitted to the Local Planning Authority.

This must be conducted in accordance with DEFRA and the Environment Agency's 'Model Procedures for the Management of Land Contamination, CLR 11'

Reason: To ensure that risks from land contamination to the future users of the land and neighbouring land are minimised, together with those to controlled waters, property and ecological systems, and to ensure that the development can be carried out safely without unacceptable risks to workers, neighbours and other offsite receptors in accordance with Policies EQ4, EQ9, EQ10, EQ11, EQ12, EQ45 and EQ49 of the London Borough of Newham Unitary Development Plan (adopted June 2001, saved from 27th September 2007 by direction from the Secretary of State) and Policies 3D.14, 4A.3 and 4A.17 and 4A.33 of the London Plan (Feb 2008, Consolidated with Alterations Since 2004).

J6. No soils, or infill materials, are to be imported onto the Site until they have been satisfactorily proven to the satisfaction of the Local Planning Authority to be uncontaminated and present no risks to human health, planting and the environment. Acceptable documentary evidence to confirm the origin of all imported soils and infill materials, supported by appropriate chemical analysis test results, must be submitted to and be approved by the Local Planning Authority prior to occupation of that part of the development.

Reason: To ensure that risks from land contamination to the future users of the land and neighbouring land are minimised, together with those to controlled waters, property and ecological systems, and to ensure that the development can be carried out safely without unacceptable risks to workers, neighbours and other offsite receptors in accordance with Policies EQ4, EQ9, EQ10, EQ11, EQ12, EQ45 and EQ49 of the London Borough of Newham Unitary Development Plan (adopted June 2001, saved from 27th September 2007 by direction from the Secretary of State) and Policies 3D.14, 4A.3 and 4A.17 and 4A.33 of the London Plan (Feb 2008, Consolidated with Alterations

Since 2004).

J7. No soakaways shall be constructed in contaminated ground unless agreed in writing by the Local Planning Authority.

Reason: To prevent pollution of the groundwater environment, in accordance with Policies EQ4, EQ9, EQ10, EQ11, EQ12 and EQ49 of the London Borough of Newham Unitary Development Plan (adopted June 2001, saved from 27th September 2007 by direction from the Secretary of State) and Policies 3D.14, 4A.3 and 4A.17 of the London Plan (Feb 2008, Consolidated with Alterations Since 2004).

K. Archaeology

K1. Works to the relevant Phase of the development hereby approved shall not commence until a programme of archaeological work in accordance with a written scheme for investigation has been submitted to and approved in writing by the Local Planning Authority. The submission shall also include a detailed design and method statement for the foundation design and all new grounds works. The relevant Phase of development shall only take place in accordance with the approved scheme. The archaeological works shall only be carried out by a suitably qualified investigating body acceptable to the Local Planning Authority.

Reason: As important archaeological remains may exist on site the Local Planning Authority wishes to secure the provision of an archaeological investigation and the recording of any remains prior to commencement of development, in accordance with Policies EQ43 of the London Borough of Newham Unitary Development Plan (adopted June 2001, saved from 27th September 2007 by direction from the Secretary of State) and Policies 4B.15 of the London Plan (Feb 2008, Consolidated with Alterations Since 2004).

L. Noise and Vibration

L1. Noise from construction activities shall not exceed 75dB Laeq 10 hour between 8.00 and 18.00 Monday to Friday and shall not exceed 75dB Laeq 5 hour between 8.00 and 13.00 on Saturdays, measured 1 metre from the façade of any occupied building, unless otherwise agreed in writing by the Local Planning Authority.

Reason: In the interests of amenity, in accordance with Policies EQ45, EQ47 and EQ48 of the London Borough of Newham Unitary Development Plan (adopted June 2001, saved from 27th September 2007 by direction from the Secretary of State) and Policies 4A.3 and 4A.20 of the London Plan (Feb 2008, Consolidated with Alterations Since 2004).

L2. Works to the relevant Phase of the development hereby approved shall not commence until a strategy for noise monitoring at the site perimeter during construction has been submitted to and approved in writing by the Local Planning Authority. The approved monitoring measures shall be implemented and undertaken during the demolition and construction of the relevant Phase of development, unless otherwise agreed in writing by the Local Planning Authority. As a minimum the monitoring shall meet the following requirements:

- a. Continuous monitoring of noise shall be undertaken throughout the construction phase and monitoring shall be at a minimum of 4 locations (1 permanent base

station and 3 mobile stations) and the following parameters shall be measured: Laeq 1hr and LA1 1hr;

- b. Noise results shall be forwarded to the Local Planning Authority within 48 hours of being taken
- c. Construction noise will be assessed using BS5228 (control of noise from construction sites) and best practicable means will be used at all times to minimise noise and vibration from construction.

Reason: In the interests of amenity, in accordance with Policies EQ45, EQ47 and EQ48 of the London Borough of Newham Unitary Development Plan (adopted June 2001, saved from 27th September 2007 by direction from the Secretary of State) and Policies 4A.3 and 4A.20 of the London Plan (Feb 2008, Consolidated with Alterations Since 2004).

L3. Works to the relevant Phase of the development hereby approved shall not commence until a scheme to attenuate noise generated by road and rail sources has been submitted to and approved in writing by the Local Planning Authority. The scheme shall include a glazing specification for all windows to ensure a good standard of internal noise can be achieved during day time and night time in accordance with the guideline levels of BS8233 1999: "Sound insulation and noise reduction for buildings – code of practice" or an equivalent standard. The relevant Phase of the development shall not be occupied until the glazing specification has been implemented in accordance with the approved scheme and thereafter permanently retained.

Reason: To protect the amenity of future occupants, in accordance with Policies EQ45, EQ47 and EQ48 of the London Borough of Newham Unitary Development Plan (adopted June 2001, saved from 27th September 2007 by direction from the Secretary of State) and Policies 4A.3 and 4A.20 of the London Plan (Feb 2008, Consolidated with Alterations Since 2004).

L4. Works to the relevant Phase of the development hereby approved shall not commence until an acoustic report of on-site plant and machinery noise has been submitted to and approved in writing by the Local Planning Authority. On-site plant and machinery shall not give rise to a BS4142 rating level greater than the background level at the nearest or worst affected property. Where it is considered impractical to meet this noise standard the report shall detail mitigation measures taken to reduce noise to a minimum. The approved scheme shall be implemented prior to the occupation of the relevant Phase of the development and shall permanently retained thereafter. The developer shall certify to the Local Planning Authority that the noise mitigation measures agreed have been installed.

Reason: To protect the amenity of future residents and neighbours, in accordance with Policies EQ45, EQ47 and EQ48 of the London Borough of Newham Unitary Development Plan (adopted June 2001, saved from 27th September 2007 by direction from the Secretary of State) and Policies 4A.3 and 4A.20 of the London Plan (Feb 2008, Consolidated with Alterations Since 2004).

L5. Works to the relevant Phase of the development hereby approved shall not commence until details of the proposed sound insulation scheme to be implemented between the residential units within the development and any non residential uses within the development shall be submitted to and approved in writing by the Local

Planning Authority. Details shall include airborne or impact sound insulation. The developer shall certify to the Local Planning Authority that the agreed noise mitigation measures have been installed. The approved scheme is to be completed prior to occupation of the relevant Phase of the development and shall be permanently retained thereafter, to the satisfaction of the Local Planning Authority.

Reason: To protect the amenity of future residents and neighbours, in accordance with Policies EQ45, EQ47 and EQ48 of the London Borough of Newham Unitary Development Plan (adopted June 2001, saved from 27th September 2007 by direction from the Secretary of State) and Policies 4A.3 and 4A.20 of the London Plan (Feb 2008, Consolidated with Alterations Since 2004).

M. Air Quality and Dust

M1. Works to the relevant Phase of the development hereby approved shall not commence until a Dust Management Plan has been submitted to and approved in writing by the Local Planning Authority. The Dust Management Plan shall include the following details:

- a. Dust trigger levels for mitigation for each receptor location;
- b. A monitoring protocol including information on monitoring locations, frequency of data collection and how the data will be reported to the Local Planning Authority;
- c. Details of dust generating operations and the subsequent management and mitigation of dust demonstrating full best practicable means of compliance and covering construction activities, materials storage, on and off-site haul routes, operational control, demolition, and exhaust emissions; and
- d. Where a breach of the dust trigger level may occur a response procedure including measures to prevent repeat incidence.

Demolition and construction of the development shall be carried out in accordance with the approved Dust Management Plan.

Reason: In the interests of minimising the adverse impacts of dust and other construction related nuisances, in accordance with Policies EQ45 and EQ46 of the London Borough of Newham Unitary Development Plan (adopted June 2001, saved from 27th September 2007 by direction from the Secretary of State) and Policies 4A.3 and 4A.19 of the London Plan (Feb 2008, Consolidated with Alterations Since 2004).

M2. Works to the relevant Phase of the development hereby approved shall not be commence until details of wheel washing equipment have been submitted to and approved in writing by the Local Planning Authority. The approved wheel washing equipment shall be installed and maintained for the duration of the demolition / construction works at all relevant vehicle exits to the site to prevent the carriage of mud and other materials on to adjoining public roads.

Reason: In the interests of keeping adjoining roads safe and clean, in accordance with Policies EQ45 and EQ46 of the London Borough of Newham Unitary Development Plan (adopted June 2001, saved from 27th September 2007 by direction from the Secretary of State) and Policies 4A.3 and 4A.19 of the London Plan (Feb 2008, Consolidated with Alterations Since 2004).

M3. Works to the relevant Phase of the development hereby approved shall not commence until details of ventilation routing for all commercial units within the relevant Phase of development has been submitted to and approved in writing by the Local Planning Authority. The approved scheme is to be completed prior to occupation of the relevant Phase of the development and shall be permanently retained thereafter, to the satisfaction of the Local Planning Authority.

Reason: In the interest of design and residential amenity, in accordance with Policies EQ18, EQ19, EQ45, EQ47 and EQ48 of the London Borough of Newham Unitary Development Plan (adopted June 2001, saved from 27th September 2007 by direction from the Secretary of State) and Policies 4A.3, 4A.20 and 4B.1 of the London Plan (Feb 2008, Consolidated with Alterations Since 2004).

M4. Works to the relevant Phase of the development hereby approved shall not commence until details of any mechanical ventilation or other plant associated with any Class A3/A4/A5 food and drink unit within the relevant Phase of development has been submitted to and approved in writing by the Local Planning Authority. Such details shall include full specifications of all filtration, deodorising systems, noise output and termination points. Where it is not possible to provide full details of systems to be fitted, details of passive provision of where such facilities are to be fitted shall be provided. Particular attention shall be given to the potential high-level discharge of kitchen extract air and/or the discharge of toxic or odoriferous extract air where a high level of discharge is usually essential. The approved ventilation equipment and/or other plant shall be installed and commissioned prior to occupation of the relevant Phase of the development and shall be permanently maintained in proper working order thereafter to the satisfaction of the Local Planning Authority.

Reason: To protect the amenity of future occupants and / or neighbours, in accordance with Policies EQ45, EQ47 and EQ48 of the London Borough of Newham Unitary Development Plan (adopted June 2001, saved from 27th September 2007 by direction from the Secretary of State) and Policies 4A.3 and 4A.20 of the London Plan (Feb 2008, Consolidated with Alterations Since 2004).

M5. Works to the relevant Phase of the development hereby approved shall not commence until an air quality report has been submitted to and approved in writing by the Local Planning Authority. The report shall:

- a. detail the area within the relevant Phase of development which may exceed relevant national air quality objectives;
- b. specify how the Reserved Matters application for the relevant Phase will address any potential to cause relevant exposure to air pollution level exceeding national air quality objectives;
- c. identify areas of potential exposure; and
- d. detail how the development will reduce its impact on local air pollution.

Reason: To protect the amenity of future occupants and / or neighbours, in accordance with Policies EQ45, EQ47 and EQ48 of the London Borough of Newham Unitary Development Plan (adopted June 2001, saved from 27th September 2007 by direction from the Secretary of State) and Policies 4A.3 and 4A.20 of the London Plan (Feb 2008, Consolidated with Alterations Since 2004).

N. Waste Management

N1. Works to the relevant Phase of the development hereby approved shall not commence until a Waste Management Strategy has been submitted to and approved in writing by the Local Planning Authority. The Waste Management Strategy shall include the following information:

- a. Details of a sustainable construction materials strategy.
- b. Details of the amount of construction waste to be produced and re-used on-site;
- c. Details of a strategy for minimising the production of waste both during construction and for the occupied development;
- d. Details of the provision of facilities for the storage and collection of separated wastes (including separated storage of recyclable materials),
- e. Details of an awareness programme for waste management issues for residents and tenants;
- f. Details of the proposed methods for collection and analysis of waste production and materials recovery data; and
- g. Details of service vehicle routing and access points for all commercial units.

The approved Waste Management Strategy shall be implemented at all times during construction and occupation of the relevant Phase, to the satisfaction of the Local Planning Authority.

Reason: To ensure that waste management issues are fully addressed, in accordance with Policies EQ18, EQ19, H17, EQ45, EQ54 and EQ61 of the London Borough of Newham Unitary Development Plan (adopted June 2001, saved from 27th September 2007 by direction from the Secretary of State) and Policies 4A.3, 4A.21, 4A.22 and 4A.28 of the London Plan (Feb 2008, Consolidated with Alterations Since 2004).

N2. At no time during construction or occupation shall any waste be burnt on site unless otherwise approved in writing by the Local Planning Authority.

Reason: To prevent the loss of amenity and air pollution, in accordance with Policies EQ45 and EQ46 of the London Borough of Newham Unitary Development Plan (adopted June 2001, saved from 27th September 2007 by direction from the Secretary of State) and Policies 4A.3 and 4A.19 of the London Plan (Feb 2008, Consolidated with Alterations Since 2004).

O. Public Realm and Landscaping

O1. Notwithstanding the plans hereby approved, construction of the Phase 1 Public Realm works shall not commence until details of hard and soft landscaping have been submitted to and approved in writing by the local planning authority. The scheme shall include details of:

- a) trees and planting;
- b) surface treatment;
- c) internal and site boundary treatment;
- d) highway design and layout and surface materials;
- e) street furniture;
- f) public art;
- g) external lighting;
- h) river edge treatment;
- i) signage and information boards;

- j) site levels; and
- k) maintenance

The Phase 1 Public Realm hard and soft landscaping shall be implemented in accordance with the approved details and thereafter permanently maintained, to the satisfaction of the Local Planning Authority.

The soft landscaping scheme shall be implemented in the first planting season following first occupation. Any plants or trees required as part of the implementation of the condition that die or are removed, damaged or diseased within a period of FIVE years from the substantial completion of the development shall be replaced to the satisfaction of the Local Planning Authority in the next planting season with others of a similar size and species unless the Local Planning Authority gives written consent for a variation.

Any trees, shrubs or grassed areas become diseased, damaged or die within the first five years from the date of planting within any part of the development shall be replaced within the next planting season, to the satisfaction of the Local Planning Authority.

Reason: In the interest of design quality, residential amenity, walking, cycling, accessibility, public safety and biodiversity, in accordance with Policies EQ2, EQ3, EQ9, EQ10, EQ11, EQ12, EQ15, EQ18, EQ19, EQ21, EQ25, EQ26, T19, T22, T24, H14 and H17 of the London Borough of Newham Unitary Development Plan (adopted June 2001, saved from 27th September 2007 by direction from the Secretary of State) and Policies 3C.18, 3C.21, 3C.22, 3D.14, 4B.1, 4B.2, 4B.3, 4C.11 and 4C.15 of the London Plan (Feb 2008, Consolidated with Alterations Since 2004).

O2. The Reserved Matters applications for Landscaping for each Phase of development shall be accompanied with adequate information to demonstrate:

- a. the use of suitable native and locally appropriate marginal and aquatic species planting species , which where practical shall be locally sourced;
- b. that planting shall be selected and designed to maximise the habitat available to locally important and protected species.
- c. that rivers walls, inter tidal areas and any other feature of the development located within or against the water edge shall include features that provide habitat for relevant local species associated with such a water environment.
- d. that all landscaping that is intended to be accessible shall be fully accessible and useable by disabled people, including wheelchair users, people with sight impairment and people with prams or pushchairs

The landscaping shall be implemented in accordance with the approved details and thereafter permanently maintained, to the satisfaction of the Local Planning Authority.

The soft landscaping scheme shall be implemented in the first planting season following first occupation. Any plants or trees required as part of the implementation of the condition that die or are removed, damaged or diseased within a period of FIVE years from the substantial completion of the development shall be replaced to the satisfaction of the Local Planning Authority in the next planting season with others of a similar size and species unless the Local Planning Authority gives written consent for a

variation.

Any trees, shrubs or grassed areas become diseased, damaged or die within the first five years from the date of planting within any part of the development shall be replaced within the next planting season, to the satisfaction of the Local Planning Authority.

Reason: In the interest of design quality, residential amenity, walking, cycling, accessibility, public safety and biodiversity, in accordance with Policies EQ2, EQ3, EQ9, EQ10, EQ11, EQ12, EQ15, EQ18, EQ19, EQ21, EQ25, EQ26, T19, T22, T24, H14 and H17 of the London Borough of Newham Unitary Development Plan (adopted June 2001, saved from 27th September 2007 by direction from the Secretary of State) and Policies 3C.18, 3C.21, 3C.22, 3D.14, 4B.1, 4B.2, 4B.3, 4C.11 and 4C.15 of the London Plan (Feb 2008, Consolidated with Alterations Since 2004).

O3. Prior to the commencement of Phase 1 a scheme for the provision and management of a 16m buffer zone alongside the River Thames shall be submitted to and approved in writing by the Local Planning Authority. The submission shall include details of planting, lighting and landscaping.

Reason: To protect and conserve the natural features of importance for biodiversity across the site, in accordance with Policies EQ2, EQ3, EQ9, EQ10, EQ11, EQ12, EQ15, EQ18, EQ19, EQ21, EQ25, EQ26 of the London Borough of Newham Unitary Development Plan (adopted June 2001, saved from 27th September 2007 by direction from the Secretary of State) and Policies 3C.18, 3C.21, 3C.22, 3D.14, 4B.1, 4B.2, 4B.3, 4C.11 and 4C.15 of the London Plan (Feb 2008, Consolidated with Alterations Since 2004).

O4. The development hereby approved shall not be occupied until details of riparian life saving equipment including grab chains, access ladders and life buoys along the river and marina edge have been submitted to and approved in writing by the Local Planning Authority. The life saving equipment shall be to a standard recommended in the Hayes Report on the Inquiry into River Safety and provided in accordance with the approved details prior to the occupation of any part of the development.

Reason: In the interests of public safety, in accordance with Policies EQ2, EQ3, EQ19, EQ21, EQ25, EQ26 of the London Borough of Newham Unitary Development Plan (adopted June 2001, saved from 27th September 2007 by direction from the Secretary of State) and Policies 4B.1, 4B.2, 4B.3, 4B.6, 4C.11 and 4C.15 of the London Plan (Feb 2008, Consolidated with Alterations Since 2004).

P. Lighting

P1. Works to the relevant Phase of the development hereby approved shall not commence until details of the lighting relating to the streets or public spaces within that Phase have been submitted to and approved in writing by the Local Planning Authority. The lighting shall be provided in accordance with the approved details prior to the occupation of the relevant Phase of development and thereafter permanently maintained, to the satisfaction of the Local Planning Authority.

All external lighting shall be designed so as not to cause light spill into the watercourse or adjacent river corridor habitat. To achieve this artificial lighting should be directional and focused with cowlings to light sources in close proximity to the river corridor.

Reason: In the interest of visual amenity, residential amenity, highway safety and public safety, in accordance with Policies EQ18, EQ19, EQ21, EQ26, EQ45, T14 and H17 of the London Borough of Newham Unitary Development Plan (adopted June 2001, saved from 27th September 2007 by direction from the Secretary of State) and Policies 4B.1, 4B.2, 4B.3 and 4B.6 of the London Plan (Feb 2008, Consolidated with Alterations Since 2004).

P2. Works to the relevant Phase of the development hereby approved shall not commence until details of the external lighting to all buildings within that Phase have been submitted to and approved by the Local Planning Authority. The external lighting shall be provided in accordance with the approved details prior to the occupation of the relevant Phase of development and shall thereafter be permanently maintained, to the satisfaction of the Local Planning Authority.

All external lighting shall be designed so as not to cause light spill into the watercourse or adjacent river corridor habitat. To achieve this artificial lighting should be directional and focused with cowlings to light sources in close proximity to the river corridor.

Reason: In the interest of visual amenity, residential amenity, highway safety and public safety, in accordance with Policies EQ18, EQ19, EQ21, EQ26, EQ45, T14 and H17 of the London Borough of Newham Unitary Development Plan (adopted June 2001, saved from 27th September 2007 by direction from the Secretary of State) and Policies 4B.1, 4B.2, 4B.3 and 4B.6 of the London Plan (Feb 2008, Consolidated with Alterations Since 2004).

Q. Wind

Q1. The Reserved Matters application for each Phase of development shall be accompanied by a statement to demonstrate how the wind mitigation measures identified in Chapter A13 of the Environmental Statement (as amended) are incorporated into the design of all buildings within the relevant Phase. The wind mitigation measures shall be provided prior to first occupation of the relevant Phase of development and shall thereafter be permanently maintained, to the satisfaction of the Local Planning Authority.

Reason: In the interest of public safety in accordance with, in accordance with Policies EQ18, EQ19, EQ21, EQ26, EQ27, EQ28 and H17 of the London Borough of Newham Unitary Development Plan (adopted June 2001, saved from 27th September 2007 by direction from the Secretary of State) and Policies 4B.1, 4B.2, 4B.3, 4B.6, 4B.9 and 4B.10 of the London Plan (Feb 2008, Consolidated with Alterations Since 2004).

R. Transport

R1. Works to the relevant Phase of the development hereby approved shall not commence until details of the location and design of car parking provision within that Phase have been submitted to and approved in writing by the Local Planning Authority. The details shall accord with the following maximum standards measured in relation to gross external floorspace, unless otherwise agreed in writing by the Local Planning Authority:

- Residential - 0.5 parking spaces per dwelling;
- Employment (B1) - 1 space per 1,000m²;
- A1, A2, A3, A4, A5 - 1 space per 1,000m²;

- D1 and D2 - 1 space per 1,000m²

All parking shall be provided off-street, unless otherwise agreed in writing by the Local Planning Authority.

Reason: In the interests of ensuring appropriate levels of car parking provision, in accordance with Policies S35, EQ18, EQ19, EQ25, H17, T5 of the London Borough of Newham Unitary Development Plan (adopted June 2001, saved from 27th September 2007 by direction from the Secretary of State) and Policies 3C.1, 3C.2, 3C.3, 3C.23, 4B.1 and 4B.2 of the London Plan (Feb 2008, Consolidated with Alterations Since 2004).

R2. All parking spaces provided off-street shall be provided pro-rata with the floorspace type to which they relate and shall thereafter be retained for use in conjunction with such floorspace, unless otherwise agreed in writing by the Local Planning Authority.

Reason: In the interests of ensuring appropriate levels of car parking provision, in accordance with Policies S35, EQ18, EQ19, EQ25, H17 and T5 of the London Borough of Newham Unitary Development Plan (adopted June 2001, saved from 27th September 2007 by direction from the Secretary of State) and Policies 3C.1, 3C.2, 3C.3, 3C.23 and 4B.1 of the London Plan (Feb 2008, Consolidated with Alterations Since 2004).

R3. Notwithstanding the plans hereby approved, the implementation of the Phase 1 Public Realm works shall not commence until detailed design drawings, safety audits and detailed traffic modelling of the proposed site access arrangements and highway layout shall be submitted to and approved in writing by the Local Planning Authority.

Reason: In the interest of highway safety, in accordance with Policies EQ18, EQ19, H17, T11 and T14 of the London Borough of Newham Unitary Development Plan (adopted June 2001, saved from 27th September 2007 by direction from the Secretary of State) and Policies 3C.16, 3C.18 and 4B.1 of the London Plan (Feb 2008, Consolidated with Alterations Since 2004).

R4. Secure cycle parking shall be provided at a minimum rate of one space per Residential Unit. Details of the design and specification of all cycle parking within each Phase of the development shall be submitted to and approved in writing by the Local Planning Authority prior to implementation of that Phase and the approved cycle parking shall be permanently retained to the satisfaction of the Local Planning Authority.

Reason: To increase accessibility and encourage use of sustainable modes of transport, in accordance with Policies S35, EQ18, EQ19, H17, T23 and T24 of the London Borough of Newham Unitary Development Plan (adopted June 2001, saved from 27th September 2007 by direction from the Secretary of State) and Policies 3C.1, 3C.2, 3C.3, 3C.22 and 4B.1 of the London Plan (Feb 2008, Consolidated with Alterations Since 2004).

S. London City Airport

S1. Works to the relevant Phase of the development hereby approved shall not commence until details of the methods of construction including details of the use, location and height of cranes and other plant and equipment or temporary structures, have been submitted to and approved in writing by the Local Planning Authority, in

consultation with the operator of London City Airport. The development shall be undertaken in accordance with the details as approved, to the satisfaction of the Local Planning Authority.

Reason: In the interests of safety and the operation of London City Airport, in accordance with T30 of the London Borough of Newham Unitary Development Plan (adopted June 2001, saved from 27th September 2007 by direction from the Secretary of State) and Policy 3C.6 of the London Plan (Feb 2008, Consolidated with Alterations Since 2004).

T. Navigational Risk

T1. The risk control measures identified in Section 5 of the Navigational Risk Assessment (NRA) (Report No: ELP-55273-0806-57247-REV 6) shall be implemented prior to the first vessel visiting the site and thereafter the development shall operate in perpetuity in accordance with the provisions of the NRA to the satisfaction of the Local Planning Authority and the Port of London Authority.

Reason: In the interest of navigational risk and public safety, with regard to Policies EQ64 and T8 of the London Borough of Newham Unitary Development Plan (adopted June 2001 and saved from 27th September 2007 by direction from the Secretary of State) and Policies 4C.13, 4C.14, and 4C.15 of the London Plan (Feb 2008, Consolidated with Alterations Since Feb 2004).

T2. Works to the relevant Phase of the development hereby approved shall not commence until details of the location, scale, design and use of any proposed boat repair facility have been submitted to and approved in writing by the Local Planning Authority. The development shall be implemented in accordance with the approved details to the satisfaction of the Local Planning Authority.

Reason: In the interest of biodiversity, residential amenity and navigational safety, with regard to Policies EQ3, EQ9, EQ19, EQ45, EQ64 and T8 of the London Borough of Newham Unitary Development Plan (adopted June 2001 and saved from 27th September 2007 by direction from the Secretary of State) and Policies 3D.14, 4B.1, 4C.3, 4C.13, 4C.14, and 4C.15 of the London Plan (Feb 2008, Consolidated with Alterations Since Feb 2004).

T3. Prior to the commencement of works on Phase 1 of the development, a sustainable management plan for the marina, including waste management controls, a strategy for the disposal of contaminants and vessel maintenance controls, shall be submitted to and approved in writing by the Local Planning Authority. The development shall be implemented in accordance with the approved details to the satisfaction of the Local Planning Authority.

Reason: In the interest of pollution and biodiversity, with regard to Policies EQ3, EQ9, EQ19 and EQ45 of the London Borough of Newham Unitary Development Plan (adopted June 2001 and saved from 27th September 2007 by direction from the Secretary of State) and Policies 3D.14, 4B.1, 4C.3, 4C.13, 4C.14, and 4C.15 of the London Plan (Feb 2008, Consolidated with Alterations Since Feb 2004).

U. Miscellaneous

U1. Works to the relevant Phase of the development hereby approved shall not

commence until a security management scheme, including details of CCTV, concierge services, door entry systems and car park security, has been submitted to and approved in writing by the Local Planning Authority. The security management scheme shall be implemented in accordance with the approved details and prior to the occupation of the relevant Phase of development and permanently retained thereafter to the satisfaction of the Local Planning Authority.

Reason: In order to provide a safe and secure development, in accordance with Policies EQ18, EQ19, H17 and EQ26 of the London Borough of Newham Unitary Development Plan (adopted June 2001, saved from 27th September 2007 by direction from the Secretary of State) and Policies 4B.1, 4B.2, 4B.3 and 4B.6 of the London Plan (Feb 2008, Consolidated with Alterations Since 2004).

U2. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995 (or any order revoking and re-enacting that order with or without modification), no fences, walls or other boundary treatments other than those expressly authorised by this permission shall be erected without the grant of further specific planning permission from the Local Planning Authority.

Reason: In the interest of residential amenity, with regard to Policies EQ18, EQ19, EQ20 and H17 of the London Borough of Newham Unitary Development Plan (adopted June 2001 and saved from 27th September 2007 by direction from the Secretary of State) and Policies 4B.1, 4B.2 and 4B.3 of the London Plan (Feb 2008, Consolidated with Alterations Since Feb 2004).

Schedule 1: Phase Design Code Specification

Each Phase Design Code shall demonstrate that Reserved Matters applications will expand upon the principles of the approved Design Guidelines and shall contain the following information:

- Vision for Minoco Wharf
- Relationship to the approved Design Guidelines
- Site levels
- Land use
- Public realm
- Circulation
- Street types
- Massing and building lines
- Key views and relationships
- Key buildings and structures
- Focal Points
- Roofscape
- Materials
- Building entrances
- Courtyards
- Private amenity space
- Balconies
- Servicing and refuse collection
- Parking
- Cycle parking
- Lighting

- Signage
- Shopfronts
- Plant and security equipment
- Ventilation and ducting

CASE OFFICER: Will Steadman

- Appendix 1: Site Location
- Appendix 2: Site Context
- Appendix 3: Land Use
- Appendix 4: Indicative Phasing Plan
- Appendix 5: Building Heights
- Appendix 6: Barrier Point
- Appendix 7: Play Space Strategy
- Appendix 8: Access Circulation