

PLANNING COMMITTEE MEETING: 13 October 2011

**PLANNING APPLICATION FOR DETERMINATION BY THE LTGDC
REPORT OF THE DIRECTOR OF PLANNING**

UDC CASE NUMBER:	LTGDC-11-063-FUL	DATE MADE VALID:	26.7.2011
APPLICATION NUMBER:	11/01263/LTGDC	TARGET DATE:	5.10.2011

APPLICANT:	LandProp Holdings BV
AGENT:	GL Hearn
PROPOSAL:	Erection of 40m high wooden illuminated sculpture, yard enhancements and boundary treatment to Stratford High Street
LOCATION:	Danes Yard, Strand East, Stratford, E15

1. SUMMARY

1.1 On 25 July 2011 LandProp Holdings BV submitted a planning application to erect a 40m high illuminated structure with associated landscape and boundary works at Danes Yard. Danes Yard is located within the north east corner of Sugar House Lane. The applicant has assembled a significant part of Sugar House Lane, is branding the site Strand East and has undertaken large scale demolition in preparation for temporary uses and permanent redevelopment. The application is referable to the Mayor of London by virtue of its height.

1.2 On 29 September the applicant amended the application to request that permission be applied for on a temporary 5 year basis and that access to the tower sculpture be amended from 'by invitation only' to 'servicing and maintenance only'. The latter is to address concerns that the absence of lift access does not comply with planning policies promoting inclusive design.

1.3 On 15 July 2011 the London Borough of Newham (LBN) granted planning permission and Conservation Area consent for development comprising the landscaping works submitted as part of the present application. The application approved by LBN also included the demolition of 137 Stratford High Street (Building 1), the partial demolition of 125-131 (Building 3) and the extension and refurbishment of 133-135 Stratford High Street (Building 2). Buildings 1 and 3 are located within the boundary of this application. Building 2 is not located within the boundary of this application. The application approved by LBN did not include the sculpture.

1.4 The present application is identical to that already granted by LBN except for the

addition of the tower sculpture. The LBN decision established the principle of development for all works proposed within the application boundary with the exception of the tower sculpture. The present application falls to be determined by the Corporation because it includes a building 25m or more in height.

1.5 The proposed rationale for, and use of, the sculpture is to act as a signpost for and draw attention to the longer term regeneration of Sugar House Lane, and it achieves this without causing significant harm to the surrounding context when viewed up close or from a distance. This is due primarily to its scale, proportions and material palette. The sculpture has the potential to complement the overall scheme for Building 2 and Danes Yard and signal the wider regeneration of the area.

1.6 While the proposed sculpture will introduce a tall 'building' within an area characterised by 2 to 4 storey existing and former industrial buildings, the contrast created by its function, scale and form is not considered to unduly harm the character and appearance of the Conservation Area.

1.7 The proposed height and design of the sculpture is not considered to result in an unacceptable sense of enclosure, loss of privacy or reduction in sunlight and daylight conditions for surrounding residents. The proposed illumination of the sculpture at night is not considered to create a nuisance for surrounding residents and no objections have been received.

1.8 The application raises no objections in relation to ecology and flood risk.

1.9 While the applicant has sought to limit access to servicing and maintenance only, the sculpture retains a platform that cannot be accessed by all. This can be considered contrary to planning policies that promote inclusive design. While acknowledging this design limitation, it is considered that the overall design quality of the sculpture; its contribution towards the first phase of regeneration at Sugar House Lane; the management, security and transport implications associated with allowing public access; and its proposed temporary nature outweigh the breach of access policies and a refusal of planning permission could not be justified on access grounds alone.

1.10 It is recommended that the Planning Committee give delegated authority to the Director of Planning to **GRANT PLANNING PERMISSION** subject to any contrary direction from the Mayor of London and the planning conditions set out at Section 12 of the report.

2. SITE AND PROPOSAL

2.1 Description of Site & Surroundings

2.1.1 The application site measures 0.24 hectares and occupies land south of Stratford High Street, west of Three Mills Wall River and east of Sugar House Lane. The site is located within a 10.5 hectare part existing and part former industrial area. The applicant has assembled a significant part of the 10.5 hectares site and has undertaken large scale demolition in preparation for temporary uses and permanent redevelopment (see Appendix 1). The applicant is preparing a masterplan in consultation with the Corporation, London Borough of Newham, Greater London Authority and Design for London. The masterplan will inform a hybrid application that will be submitted in January 2012.

Meeting: 13 October 2011
Agenda Item: 4
Report No.: LTGDC11/PC30

2.1.2 The applicant has already secured planning permission and Conservation Area Consent to demolish buildings (Building 1 and the rear of Building 3) within the site, refurbish and extend Building 2 adjacent to the site and undertake associated landscaping and boundary works. The same landscaping and boundary works are included within the application under consideration.

2.1.3 The application site is bounded by Stratford High Street and existing buildings to the north (Buildings 2 and 3), Sugar House Lane to the west, Three Mills Wall River to the east and existing buildings to the south (Building 4). The existing buildings and Three Mills Wall River create a yard which can be accessed via Sugar House Lane. The application site is located within the Sugar House Lane Conservation Area. The yard and its associated scale and form, is considered to contribute to the character and appearance of the Conservation Area. The yard is referred to as Danes Yard (see Appendix 2).

2.1.4 The yard, which is found in the space between Buildings 1, 2 and 4 is identified as a Yard of Note within the Sugar House Lane Conservation Area. The existing yard surface is concrete and the space is used as an informal car park serving Building 4. The yard is located approximately 2.0m below the level of Stratford High Street.

2.1.5 The site currently accommodates a 1960s vacant two storey brick industrial building (Building 1) which occupies a prominent position in the north east corner of the site. While the building contributes to the scale and form of the yard, it is not listed or identified as a Building of Note in the Conservation Area. The building is vacant and already benefits from Conservation Area Consent for its demolition. The north west elevation includes a ceramic tile panel mural of a Great Dane designed by Carters of Poole.

2.1.6 The site also includes the rear of a 1930s two storey building (Building 3) fronting Sugar House Lane. The building is currently vacant and already benefits from Conservation Area Consent for its demolition. Its demolition will create parking and servicing space to the rear of Building 2.

2.1.7 A part 7 and part 8 storey residential block is located 50m north west of the site beyond Stratford High Street and a 3 storey residential block and 2 terraced storey houses with rear gardens are located approximately 50m to the east of the site beyond Three Mills Wall River. Two tower blocks are located beyond the low rise housing. A public towpath provides pedestrian access along the eastern edge of Three Mills Wall River. Existing industrial buildings and yards are located beyond Sugar House Lane to the west of the site.

2.1.8 The site can be accessed from Pudding Mill Lane (DLR) although pedestrians are required to cross the A11 at the junction of High Street and Abbey Lane before returning west. Several bus routes provide access between the site and nearby Stratford Town Centre.

2.2 Description of Proposal

2.1.1 The application proposes the erection of a 40m high wooden illuminated sculpture, yard enhancements and boundary to Stratford High Street (see Appendices 2, 3 and 7).

2.1.2 The 40m high illuminated structure is designed to act as a highly visible marker for Danes Yard and the wider Sugar House Lane site. The diameter of the sculpture

Meeting: 13 October 2011
Agenda Item: 4
Report No.: LTGDC11/PC30

varies between 8.4m at the top and 6.3m in the middle and at the base. The modular construction consists of an inner spiral staircase with mesh balustrade wrapped in a lattice of timber vertical lathes and horizontal steel ring beams. Light emitting diodes will be fitted to the lattice and crown of the structure to enable static and flashing illumination at night. The spiral staircase provides servicing and maintenance access only. A platform is located at the top of the sculpture.

2.1.3 The yard enhancements and boundary treatment already benefit from planning permission and involve creating a fair-faced concrete and timber deck with stairs and ramped access from Stratford High Street and resurfacing using flat stone paving, granite setts and the reuse of existing granite cobbles (see Appendix 4). The sculpture is positioned on the concrete and timber deck. The boundary treatment currently proposes a 5.0 high painted rendered entrance and 2.7m high steel capped, double skin tongue and groove timber and transparent polycarbonate panelled wall. A public entrance is located within the 5.0 section. The wall can be illuminated at night (see Appendices 5 and 7).

3. MAIN ISSUES

3.1 The main planning issues for consideration are:

- Land use
- Architecture and Design
- Heritage and Conservation
- Access
- Residential Amenity
- Ecology
- Flood Risk

4. RELEVANT SITE HISTORY

4.1 On 15 April 2011 planning permission was granted for the change of use (to Use Classes A1, A3, B1(a) and D1) and erection of extension to 133-135 Stratford High Street, partial demolition of 125-131 Stratford High Street and partial demolition of the east elevation at ground floor level of 133-135 Stratford High Street, demolition of 137 Stratford High Street and the enhancement of the surrounding yard and the erection of a new boundary wall to the north east of the site (ref: 11/00635/FUL).

4.2 Due to the scale of development the London Borough of Newham were the Local Planning Authority.

5. CONSULTATIONS/NOTIFICATIONS

Greater London Authority

5.1 The application is referable under category 1C1 of the Schedule of the Town and Country Planning (Mayor of London) Order 2008.

5.2 The Mayor of London will consider the application on 12 October 2011. Planning Committee members will receive an update of his position in advance of the Planning Committee meeting.

London Borough of Newham

5.3 The London Borough of Newham Design Review Panel considered the application on 4 October 2011. Officers advise that the Panel supported the sculpture but suggested removal of the spiral staircase on the basis that it did not provide access to a viewing platform.

5.4 The application will be considered by the London Borough of Newham Development Control Members Forum on 7 October 2011. Officers recommend that planning permission is granted subject to planning conditions. Planning Committee members will receive an update in advance of the Planning Committee meeting.

5.5 The following summarises the comments received by the internal departments within LBN:

Transportation

- Agrees that the proposed sculpture does not require the submission of a Transport Assessment if it is demonstrated that the development will not generate over 100 vehicle movements per day and does not increase the risk of road accidents;
- The Transport Statement does not estimate the number of trips generated by the sculpture or consider the impact on road, footway or public transport capacity;

As the proposed sculpture does not include a publicly accessible viewing platform, the number of vehicle and pedestrian trips generated by the scheme is likely to be accommodated on the surrounding highway and footway.

- The Transport Statement does not demonstrate that the light intensity movement will not act as a distraction to drivers;
- Request a £2,000 contribution towards the administration charges associated with informing statutory bodies not to issue parking permits to occupiers of the development;

The proposed development is not considered to be of a scale and type that justifies the payment of a contribution towards parking permit administration charges.

- Request the submission, implementation and monitoring of a Travel Plan;

The proposed development is not considered to be of a scale and use that requires the submission of a Travel Plan.

- Request the use of planning conditions requiring (1) the renewal and repair of the highway and footways damaged during construction; (2) the allocation of a disabled parking bay to visitors to the sculpture; (3) details of secure and covered cycle parking facilities; (4) the submission of a Delivery and Servicing Plan and (5) the submission of a Construction Logistics Plan.

It is recommended that a Delivery and Servicing Plan is not required. Please refer to planning conditions 10, 11, 12 and 16.

Urban Design and Conservation

- The use of timber and steel reflect the area's industrial past and should

Meeting: 13 October 2011
Agenda Item: 4
Report No.: LTGDC11/PC30

- complement the surrounding buildings;
- Lighting has the potential to enhance the sculpture and create a dramatic new landmark;
- The reuse of the currently vacant yard and the adjoining buildings will enhance the Conservation Area;
- The tower will have no impact on the setting of the Three Mills Conservation Area and listed buildings;
- While the works to the yard and the boundary treatment to Stratford High Street have already been approved, the use of a roller shutter will have a negative impact on the public realm. A solution that maintains views into Danes Yard should be secured by planning condition.

Please refer to planning condition 6.

Environmental Health

- Comments that the Lux levels are within adopted standards.

Please refer to planning condition 8.

Environment Agency

5.6 On 5 September and 29 September 2011 the Environment Agency raised no objection subject to the use of planning conditions requiring (1) no light spill into the watercourse or adjacent river corridor habitat by maintaining lighting levels within 5m of the top of the bank at background levels and (2) calculations that the new development will not place any additional horizontal or vertical load upon the river wall.

Please refer to planning conditions 8 and 20.

English Heritage (Historic Buildings and Areas)

5.7 On 26 September English Heritage raised the following issues:

- Disappointment that Conservation Area Consent had been granted to demolition Building 1;
- The works to refurbish Building 2 should proceed alongside the construction of the sculpture;
- The planning application gives no other purpose for the structure beyond providing “invitation-only” access to the viewing platform.
- The planning authority should undertake a full assessment of the impact of the structure on the Conservation Area.

Please refer to paragraphs 9.15 to 9.24

English Heritage (Archaeology)

5.8 On 23 August 2011 English Heritage raised no objection and stated that it does not require an archaeological investigation of the site.

British Waterways

5.9 On 31 August 2011 British Waterways (BW) raised no objection and stated that the

Meeting: 13 October 2011
Agenda Item: 4
Report No.: LTGDC11/PC30

tower sculpture would add interest and bring activity to the waterside.

5.10 BW also requested a planning condition that required consideration to be given to utilising the waterway for the delivery of materials during construction of the tower sculpture; raised concern about the use of planters along the water edge; identified the opportunity to provide a viewing area along the waterside with potential access for boat moorings; and stated the need for light spill of the watercourse to be avoided.

The proposed development is not considered to be of a scale that justifies the requirement to transport materials by waterway. Please refer to planning condition 8.

London Borough of Tower Hamlets

5.11 On 1 September 2011 the London Borough of Tower Hamlets objected on grounds that (1) views of the tower sculpture from within Tower Hamlets have not been considered and (2) while the principle of locating a sculpture within Sugar House Lane is supported, a 40m high landmark tower would be better located within Stratford Town Centre.

Please refer to paragraphs 9.7 to 9.14 and 9.32 to 9.38

Design for London

5.12 On 1 September 2011 Design for London (DfL) made the following comments:

- Do not consider the 40m sculpture to be a necessary addition to a scheme (including the demolition of Building 1, refurbishment of Building 2 and associated yard improvements) which has the potential to be an exciting addition to the river and Stratford High Street;
- Given the large number of gateway, sculptural and tower projects through the Olympic Area, consider the proposal to be an unnecessary expenditure that could be used to improve the visitor experience to the site, for example, by planting mature trees;

While the principle of erecting a 40m sculpture is not necessary, it is not contrary to planning policies that promote the regeneration of the area without harming the character and appearance of the Conservation Area, the amenity of local residents, the safety of drivers or the ecological value of the Three Mills Wall River. It is recommended that a temporary planning permission is granted to enable the impact of sculpture to be considered within the context of the long term masterplan proposals for Danes Yard and the entire site.

- Consider that the alterations to the yard as part of the works to Building 2, and the treatment of the boundary to Stratford High Street, will have a significant impact on the urban grain and access to Sugar House Lane. The introduction of a 40m sculpture compromises the open access and permeability of a route through the yard to Sugar House Lane;

The alterations to the yard as part of the works to Building 2 already benefit from planning permission. It is recommended that a temporary planning permission is granted to enable the impact of sculpture to be considered within the context of the long term masterplan proposals for Danes Yard and the entire site. including into and through the site to Sugar House Lane.

Meeting: 13 October 2011
Agenda Item: 4
Report No.: LTGDC11/PC30

- Consider the tower form to be adequate given its role as a “playful signpost” to Sugar House Lane but question access being limited to maintenance and by-invitation only;
- Timber decking is an inappropriate material choice within a historic industrial yard. The use of timber decking at Cutty Sark in Greenwich resulted in maintenance and cost implications before its removal. The 8 different types of floor material should be reduced;

The proposed use of timber decking already benefits from planning permission. Recommended planning condition 7 requires the final materials to be submitted to and approved by the Local Planning Authority.

- The boundary treatment to Stratford High Street should be more open and permeable, using industrial type materials and creating a larger opening.

The proposed boundary treatment already benefits from planning permission. Recommended planning condition 6 requires the final materials to be submitted to and approved by the Local Planning Authority.

Transport for London

5.13 On 2 September Transport for London made the following comments:

- Express concern about the lack of information on the estimated number of trips generated by the development;
- There may be a need for mini-bus or coach pick up and drop off facilities within the vicinity of the site to be identified;

As the proposed sculpture does not include a publicly accessible viewing platform, the number of vehicle and pedestrian trips generated by the scheme is likely to be accommodated on the surrounding highway and footway.

- Recommend a Pedestrian Environment Review System (PERS) audit is carried out.

The section of footway along Stratford High Street along the frontage of the site has recently been upgraded as part of the Stratford High Street Public Realm Improvements.

- Recommend a Travel Plan, Construction Management Plan and Delivery and Servicing Plan are secured by planning conditions.

The proposed development is not considered to be of a type and scale that requires the submission of a Travel Plan and Delivery and Servicing. Please refer to planning condition 16.

6. APPLICATION PUBLICITY

6.1 Site Notice Expiry: 29.7.11

6.2 Press Notice Expiry: 8.8.11

7. REPRESENTATIONS

No letters of support or objection have been received from local landowners, residents or businesses.

8. RELEVANT PLANNING POLICY

8.1 Planning Policy Guidance

PPS1	Delivering Sustainable Development
PPS4	Planning for Sustainable Economic Growth
PPG13	Transport
PPS22	Renewable Energy
PPG24	Planning and Noise
PPS25	Development and Flood Risk

8.2 The London Plan – Spatial Development Strategy for Greater London (July 2011)

2.1	London and its Global, European and United Kingdom context
2.3	Growth area and coordination corridors
2.4	The 2012 Games and their legacy
2.9	Inner London
2.13	Opportunity areas and intensification areas
2.14	Areas for regeneration
4.12	Improving opportunities for all
5.3	Sustainable design and construction
5.12	Flood risk management
5.21	Contaminated land
6.3	Assessing effect of development on transport capacity
6.4	Enhancing London's transport connectivity
6.7	Better street and surface transport
6.9	Cycling
6.10	Walking
6.11	Smoothing traffic flow and traffic congestion
6.12	Road network capacity
6.13	Parking
7.1	Building London's communities and neighbourhoods
7.2	Creating an inclusive environment
7.3	Designing out crime
7.4	Local character
7.5	Public realm
7.6	Architecture
7.9	Heritage led regeneration
7.7	Location and design of tall and large buildings
7.14	Improving air quality
7.15	Reducing noise and enhancing soundscapes
7.19	Biodiversity and access to nature
7.26	Increasing the use of the Blue Ribbon Network for freight transport
7.30	London's canals and other river and waterspaces

Meeting: 13 October 2011
 Agenda Item: 4
 Report No.: LTGDC11/PC30

8.3 London Borough of Newham Unitary Development Plan (June 2001, saved from 27th September 2007 by direction from the Secretary of State)

EQ18	Promoting Urban Quality
EQ19	Urban Design Considerations
S1	Community Safety and Crime Reduction
S2	Community Benefit/Planning Obligations
S3	Quality of Development
S4	Sustainable Development
S7	Urban Regeneration: Promotion of Development
S9	Environmental Quality: Design Issues
S11	Environmental Quality: Protection of the Borough's Heritage
S12	Environmental Quality: Improvement in Key Areas
S24	Employment: Meeting the Council's Regeneration Objectives
S28	Employment: Quality of Development
S35	Transport: Encouragement of Alternatives to the Motor Car
S37	Transport: Improvement of Facilities for Pedestrians and Cyclists
S38	Transport: Parking
S41	Leisure, Recreation and Open Space: Support for new Proposals for Arts, Culture, Entertainment and Nature Conservation
UR21	West Ham Mills: Three Mills Island, Sugar House Lane and Hunts Lane
EQ9	Protection of Sites of Nature Conservation
EQ15	Inclusion of Tree Planting in New Development
EQ18	Promoting Urban Quality
EQ19	Urban Design Considerations
EQ20	Design Considerations: Residential Areas
EQ21	New Development: Landscaping
EQ22	Advertising Hoardings
EQ25	Access
EQ26	Safety
EQ27	High Buildings: Control and Design Considerations
EQ28	High Buildings: Control and Design Considerations
EQ30	Planning Proposals Within Conservation Areas
EQ31	Demolition Within Conservation Areas
EQ42	Treatment and Use of Highways
EQ43	Archaeology
EQ45	Pollution
EQ49	Contaminated Land: Assessment, Remediation and Monitoring
EQ54	Promoting Sustainable Waste Management
EQ62	Protection of the Flood Plain and Urban Washlands
EQ63	Surface Water Disposal
T1	New Development: Environmental Impact
T2	New Development: Public Transport Accessibility
T3	New Development: Highway Capacity
T4	New Development: Areas in Need of Major Highway Transport
T5	Assessment Preferred Modes of Transport
T10	Road Hierarchy: Relation to development Proposals
T13	Road Safety, Traffic Management and Calming
T14	Design to Minimise Road Accidents
T19	Improvement of Conditions for Pedestrians
T24	Access by Cycle and Cycle Parking
T26	Motorcycle Parking
LR2	New and improved Leisure and Recreation Facilities

LR3	Arts, Culture and Entertainment: Sites and Activities
LR5	Visitor Attraction

8.4 London Borough of Newham Core Strategy Submission Draft (March 2011)

S2	Stratford and West Ham
SP1	Borough-side Place-making
SP3	Quality Urban Design within Places
SP4	Tall Buildings
SP5	Heritage and other Successful Place-making Assets
SC1	Climate Change
SC3	Flood Risk
SC4	Biodiversity
INF1	Strategic Transport
INF2	Sustainable Transport
INF7	Blue Ribbon Network

8.5 Other Guidance

- London Thames Gateway Development Corporation's Sugar House Lane and Three Mills Land Use and Design Brief (September 2011)
- London Borough of Newham Sugar House Lane Conservation Area Character Appraisal and Management Plan (2009)

9. ASSESSMENT OF MAIN ISSUES

Land use

9.1 The development plan in force in the area is the saved policies of the London Borough of Newham (LBN) Unitary Development Plan (2001) and the London Plan (2011). The Mayor of London has also adopted the Lower Lea Valley Opportunity Area Planning Framework (LLVOAPF) (2007). The LBN Submission Draft Core Strategy (2011), Sugar House Lane Conservation Area Character Appraisal and Management Proposals (2009), Draft Olympic Legacy Supplementary Planning Guidance (OLSPG) (2011) and LTGDC Sugar House Lane and Three Mills Land Use and Design Brief (2011) constitute other material considerations.

9.2 The Unitary Development Plan locates the site within Major Opportunity Zone (MOZ) 3 – Three Mills Island. Policy UR21 promotes employment led mixed use development accommodating B1, B2, A1 and A3 uses. The Submission Draft Core Strategy will supersede the UDP and Strategic Site Policy SO7 promotes mixed use development to include creative and cultural employment uses, medium density housing, community uses, supporting services and local amenity space.

9.3 The LLVOAPF locates the site within a sub-area designated an "Other Industrial Area". The redevelopment of "Other Industrial Areas" is promoted on the basis that there is no net loss of industrial capacity, primarily defined as the overall industrial space comprising internal floor areas and all functional external areas. The LLVOAPF is under review and will be replaced by the OLSPG. The OLSPG relaxes this approach to the retention of industrial capacity with the release of industrial land in favour of

Meeting: 13 October 2011
Agenda Item: 4
Report No.: LTGDC11/PC30

mixed use redevelopment with an emphasis on employment generation and the introduction of new housing and associated uses. The London Plan identifies the role of the OLSPG in helping to deliver regeneration in the Lower Lea Valley and identifies this opportunity as “the most important single strategic regeneration initiative in London”. The application is considered to promote the broad objectives of the LLVOAPF and the emerging proposals of the OLSPG.

9.4 In conformity with the Submission Draft Core Strategy, OLSPG and Sugar House Lane Conservation Area Character Appraisal and Management Proposals, the Sugar House Lane and Three Mills LUDB promotes the redevelopment and reuse of the Dane Yard Sub Area to comprise the retention of form and scale of the Yards of Note and Buildings of Note and the provision of a mix of employment, café/retail and community uses. Significantly, the application site includes a Yard of Note that is enclosed on two sides by Buildings of Note (Buildings 1 and 4). The application is considered to be in accordance with the broad objectives of the Sugar House Lane and Three Mills LUDB.

9.5 The London Borough of Newham’s decision on 15 July 2011 to grant planning permission and Conservation Area consent to demolish Building 1 and part of Building 3, refurbish and extend Building 2 to provide retail, café/restaurant, office and exhibition accommodation over three floors and undertake landscaping and boundary works to the adjacent yard establishes context for the consideration of this application. The principle of erecting a 40m illuminated sculpture is considered to be broadly compatible with the wider land use and regeneration objectives for the area. The extent to which it complements the approved scheme and integrates successfully with its surroundings is dependent on its detailed design, siting and degree of permanence.

9.6 The application is considered to be in accordance with Policy 2.4 of the London Plan, Policy UR21 of the Unitary Development Plan, Policy SO7 of the Submission Draft Core Strategy, the draft OLSPG and the Sugar House Lane LUDB.

Architecture and Design

9.7 Policy 7.6 of the London Plan requires buildings and structures to be of the highest architectural quality; and of a proportion, composition, scale and orientation that enhances, activates and appropriately defines public realm. Proposals should include details and materials that complement local architectural character; do not cause unacceptable harm to the amenity of surrounding land and buildings, in relation to privacy, overshadowing, wind and microclimate; provide high quality outdoor spaces and integrate well with the surrounding streets and open spaces; and meet the principles of inclusive design.

9.8 Policy EQ19 of the Unitary Development Plan requires new development to be assessed having regard to the layout, function and form of the spaces created between buildings; scale and bulk in relation to plot size and surroundings; materials and details of design, including landscaping; safety, security and privacy of the development and its surroundings; and aesthetic quality in terms of the intrinsic design of the proposal and its relationship to its surroundings.

9.9 Policy SP3 of the Submission Draft Core Strategy requires high quality urban design in new buildings and spaces. Policy SP4 requires tall buildings to pay particular attention to local context, integrate with, and make a positive contribution to, their surroundings.

9.10 The 40m high illuminated structure is designed to act as a highly visible attention-

grabbing marker for Danes Yard and the wider Sugar House Lane site. The diameter of the sculpture varies between 8.4m at the top and 6.3m in the middle and at the base. The modular construction consists of an inner spiral staircase with mesh balustrade wrapped in a lattice of timber vertical lathes and horizontal steel ring beams. Light emitting diodes will be fitted to the lattice and crown of the structure to provide both static and flashing lighting performances at night. The spiral staircase provides servicing and maintenance access only, but also provides access to, a platform at the top.

9.11 The sculpture adopts a height and width that creates an interesting and slender profile when viewed from all directions. The steel ring beams and timber lattice combine to create a simple lightweight structure and appearance. The materials are sympathetic to those used in the surrounding existing and former industrial buildings. While the proposed rationale for, and use of, the sculpture is merely to act as a signpost for and draw attention to the longer term regeneration of Sugar House Lane, it achieves this without causing significant harm to the surrounding context when viewed up close or from a distance. This is due primarily to its scale, proportions and material palette.

9.12 The yard enhancements and boundary treatment already benefit from planning permission and, as part of the works to demolish Building 1 and refurbish and extend Building 2, involve creating a fair-faced concrete and timber deck with stairs and ramped access from Stratford High Street and resurfacing using flat stone paving, granite setts and the reuse of existing granite cobbles. The sculpture is positioned on the concrete and timber deck. The boundary treatment currently proposes a 5.0 high painted rendered entrance and 2.7m high steel capped, double skin tongue and groove timber and transparent polycarbonate panelled wall. The wall can be illuminated at night.

9.13 The area created by the approved demolition of the rear of Building 3 creates a servicing yard to the rear of Building 2. This yard accommodates a service parking bay, wheelchair parking bays, cycle parking and space for vehicles to manoeuvre within the yard and exit in forward gear.

9.14 The application is considered to be in accordance with Policy 7.6 of the London Plan, Policy EQ19 of the Unitary Development Plan and Policies SP3 and SP4 of the Submission Draft Core Strategy.

Heritage and Conservation

9.15 Section 72 of the Planning (Listed Buildings and Conservation Areas) Act 1990 places a duty on the Corporation, as planning authority, in exercising its functions in a conservation area to pay special attention to the desirability of preserving or enhancing the character and appearance of the area. Case law has established that to “preserve”, in this context, means to “keep safe from harm”.

9.16 Policy 7.8 of the London Plan require development to conserve, restore, re-use and incorporate heritage assets and be sympathetic to their form, scale, materials and architectural detail.

9.17 Policy EQ27 of the Unitary Development Plan states that high buildings will be resisted in Conservation Area and excluded from the Three Mills area (as defined by MOZ 3). Policy EQ30 requires new development to preserve and enhance the character and appearance of Conservation Areas.

9.18 Policy SP5 of the Draft Submission Core Strategy emphasis the value of heritage assets which contribute to local character and successful places and requires development proposals to adopt an approach to urban design that contributes positively to the composition of townscape, enhances heritage significance and setting and secures viable futures.

9.19 The Sugar House Lane Conservation Area and Sugar House Lane and Three Mills LUDB identify Building 2 as a Building of Note and the spaces between the buildings located between Sugar House Lane and Three Mills Wall River as a Yard of Note. Buildings and Yards of Note are considered significant contributors to the character and appearance of the Conservation Area and worthy of preservation and enhancement.

9.20 The demolition of Building 1, which currently forms the northern edge to the Yard of Note, already benefits from Conservation Area Consent. The demolition of the rear of Building 3 to enable the rear servicing of Building 2 also benefits from Conservation Area Consent. Building 2 is located outside the application site and benefits from planning permission for its refurbishment and extension. The same planning permission includes the proposed enhancements to Danes Yard and boundary works to Stratford High Street. Therefore it is only the extent to which the sculpture harms the character and appearance of the Conservation Area, and in particular, the setting of Building 2 and Danes Yard which falls to be considered in relation to the present application.

9.21 English Heritage (Historic Buildings and Areas) comment that the sculpture is a very large addition to the Conservation Area English Heritage does not express support for, or objection to, the application, but simply reminds the planning authority that a full assessment of the impact of the sculpture should be undertaken in accordance with planning policy. The London Borough of Newham's Conservation Officer is supportive of the application.

9.22 The Conservation Area was declared on the basis of the group value established by existing buildings, their relationship to each other and the spaces they create. Certain buildings, for example, Building 2, were identified as worthy of retention without having the architectural or historic significance to justify statutory listing. While the proposed sculpture will introduce a tall building within an area characterised by 2 to 4 storey existing and former industrial buildings, the contrast created by its function, scale and form is not considered to unduly harm the character and appearance of the Conservation Area.

9.23 While LBN approved the demolition of Building 1, Design for London and English Heritage opposed its removal given the contribution it made to the scale and enclosure of Danes Yard and its prominence at the intersection of Stratford High Street and Three Mills Wall River. The Corporation, in partnership with, amongst others, LBN and Design for London, are currently in pre-application discussions with the applicant on the preparation of a masterplan that will inform a hybrid planning application to be submitted in January 2012. The detailed part of the application will focus on the north east corner of the site and currently proposes a replacement Building 1. While this building is positioned to enable the retention of the sculpture, the exact siting, footprint, height, use and external appearance of this building is unknown. To enable the resolution of this issue and the phased re-creation of the existing character and appearance of Danes Yard, it is recommended that planning permission be granted on a temporary 5 year basis.

9.24 The application is considered to be in accordance with Policy 7.8 of the London

Meeting: 13 October 2011
Agenda Item: 4
Report No.: LTGDC11/PC30

Plan, Policy EQ30 of the Unitary Development Plan and Policy SP5 of the Draft Submission Core Strategy.

Access

9.25 Policy 7.2 of the London Plan requires new development to achieve the highest standards of accessible and inclusive design by ensuring that they can be used safely, easily and with dignity by all regardless of disability, age, gender, ethnicity, or economic circumstances. Policy 7.7 requires tall and large buildings to incorporate publicly accessible areas on the upper floors, where appropriate.

9.26 Policy EQ19 of the Unitary Development Plan requires new development to be assessed having regard to vehicular and cycle access, parking and pedestrian movements.

9.27 The applicant's original intention was to permit the public to access the sculpture and experience panoramic views north to the Olympic Park, east to the City of London and south to Sugar House and Three Mills and Canary Wharf. The original concept was to allow free access to a viewing platform with no regulation of visitors thus eliminating the need for ticket barriers and staff. This was considered to provide a positive contrast to many other existing or proposed publicly accessible structures in London (London Eye, O2 Skywalk and Mittal Orbit) which charge, or will charge, an entrance fee.

9.28 However, the provision of free and unrestricted public access has the potential to create overcrowding, fire and health and safety issues and the need to introduce crowd management procedures. Furthermore, an increase in visitor numbers would introduce demand for parking on site or within surrounding roads. Such demand could not easily be accommodated. On this basis, the application was submitted with access limited to invitation-only and servicing and maintenance.

9.29 In an attempt to address concerns that access by "invitation-only" remains contrary to planning policies requiring inclusive design, the applicant has suggested a planning condition be imposed on any planning permission that restricts access to servicing and maintenance only and ensures the sculpture is secured at all other times so as to prevent public access. It is recommended that this planning condition be imposed on any planning permission (see suggested planning condition 3 below).

9.30 The applicant has also submitted a drawing to demonstrate that the provision of a lift would increase the dimensions and form of the sculpture. The top of the sculpture would increase from 8.4m to 12.0m in diameter and the narrow section would increase from 6.3m to 10m in diameter. This would have a dramatic effect on the proportions of the tower, to the detriment of its design and appearance and the impact on its local setting. The applicant has not submitted any information associated with the cost of providing a lift.

9.31 While the applicant has sought to limit access to servicing and maintenance only, the sculpture retains a platform that cannot be accessed by all. This can be considered contrary to planning policies that promote inclusive design. While acknowledging this design limitation, it is considered that the overall design quality of the sculpture; its contribution towards the first phase of regeneration at Sugar House Lane; the management, security and transport implications associated with allowing public access; and its potential temporary nature outweigh the breach of access policies and a refusal of planning permission could not be justified on access grounds alone.

Residential Amenity

9.32 Policy 7.6 of the London Plan requires new development to not cause unacceptable harm to the amenity of surrounding land and buildings, in relation to privacy, overshadowing, wind and microclimate.

9.33 Policy SP4 of the Draft Submission Core Strategy requires tall buildings to pay particular attention to local context and integrate with and contribute positively to their surroundings.

9.34 The nearest residential properties are located approximately 50m to the north west and to the east of the proposed sculpture. The applicant has submitted a long distance view from the open space at Bisson Road and the Greenway to demonstrate that the sculpture will not create a dominant and overbearing impact (see Appendix 6). While the structure will have a physical presence, its slender profile limits its overshadowing, sense of enclosure and sunlight and daylight impacts.

9.35 The applicant has submitted an Illumination Impact Profile (IIP) to demonstrate that when the sculpture is illuminated it will not have a significant adverse impact on the amenity of local residents. The IIP considers the lumens/m² (Lux) levels when experienced by residents living within the houses located in Bisson Road, the tower blocks located in Abbey Road and the block located in Stratford High Street and concludes that the light emitting from the sculpture, and the Danes Yard exterior landscape lighting, will result in very little illuminance falling on the properties and is below that maximum level considered to be acceptable by current guidance. This conclusion has been verified by LBN Environmental Health.

9.36 The application is considered to be in accordance with Policy 7.6 of the London Plan and Policy SP4 of the Submission Draft Core Strategy.

Ecology

9.37 Policy 7.28 of the London Plan states that development which reduces biodiversity should be refused and that the value of the foreshore of tidal rivers should be protected.

9.38 The IPP submitted by the applicant and referred to at paragraph 9.35 above demonstrates that when the sculpture is illuminated it will not have a significant adverse impact on the ecology of the Three Mills Wall River. The IIP considers the lumens/m² (Lux) levels when experienced by the section of river adjacent to the site, and concludes that the light emitting from the sculpture, and the Danes Yard exterior landscape lighting, will result in very little illuminance falling on the watercourse. Such illuminance as there is falls below the maximum level considered to be acceptable by current guidance. This conclusion has been verified by LBN Environmental Health and no objection has been received from the Environment Agency.

Flood Risk

9.39 The Environment Agency raises no objection to the application subject to the imposition of standard planning conditions.

10. CONCLUSION AND REASONS FOR APPROVAL

10.1 The redevelopment of the site to create a new public space at Danes Yard,

boundary treatment to Stratford High Street and service yard is already established by planning permission and Conservation Area consent granted by the London Borough of Newham in July 2011. The planning permission also included the refurbishment and extension of an adjacent building to accommodate café/restaurant, office and exhibition space that complement Danes Yard. The addition of a 40m high illuminated sculpture is considered to be in general conformity with planning policies that promote the redevelopment of Sugar House Lane with a genuinely mixed use development that responds sensitively to its industrial heritage and waterside setting. The Sugar House Lane project is a significant regeneration scheme outside of the Olympic Park in an area which has become vacant and underused and support for an early interim feature is merited.

10.2 The proposed rationale for, and use of, the sculpture is to act as a signpost for and draw attention to the longer term regeneration of Sugar House Lane. It achieves this without causing significant harm to the surrounding context when viewed up close or from a distance. The applicant is considered to be in accordance with Policy 7.6 of the London Plan, Policy EQ19 of the Unitary Development Plan and Policies SP3 and SP4 of the Submission Draft Core Strategy.

10.3 The proposed height and design of the sculpture is not considered to result in or to create an unacceptable sense of enclosure, loss of privacy or reduction in sunlight and daylight conditions for surrounding residents. The proposed illumination of the sculpture at night is not considered to create a nuisance for surrounding residents and no objections have been received. The application is considered to be in accordance with Policy 7.6 of the London Plan and Policy SP4 of the Submission Draft Core Strategy.

10.4 While the proposed sculpture will introduce a tall building within an area characterised by 2 to 4 storey existing and former industrial buildings, its function, scale, form and material palette is not considered to unduly harm the character and appearance of the Conservation Area. A temporary permission is recommended to allow further consideration to be given to the impact of the tower on emerging masterplan proposals for Sugar House Lane, including the provision of a new Building 1. The application is considered to be in accordance with Policy 7.8 of the London Plan and Policy SP5 of the Draft Submission Core Strategy.

10.5 The application raises no objections in relation to ecology and flood risk. The application is considered to be in accordance with Policies 5.12 and 7.8 of the London Plan, Policy EQ62 of the Unitary Development Plan and Policies SC3 and SC4 of the Submission Draft Core Strategy.

10.6 While the applicant has sought to limit access to servicing and maintenance only, the sculpture retains a platform that cannot be accessed by all. This can be considered contrary to planning policies that promote inclusive design. While acknowledging this design limitation, it is considered that the overall design quality of the sculpture; its contribution towards the first phase of regeneration at Sugar House Lane; the management, security and transport implications associated with allowing public access; and its potential temporary nature outweigh the breach of access policies and a refusal of planning permission could not be justified on access grounds alone.

11. RECOMMENDATION

11.1 It is recommended that the Planning Committee give delegated authority to the Director of Planning to **GRANT PLANNING PERMISSION**, including any such changes

Meeting: 13 October 2011
Agenda Item: 4
Report No.: LTGDC11/PC30

that fall within the scheme of delegation, subject to:

- A. any direction from the Mayor of London to refuse planning permission;
- B. the planning conditions set out at section 12. of the report.

12. CONDITIONS AND REASONS

Time Limits, Approved Drawings and Content of Development

1. The development to which this permission relates must be commenced no later than the expiration of **ONE YEAR** from the date of this permission.

Reason: To comply with the requirement of Section 91 of the Town and Country Planning Act 1990 and ensure the sculpture is constructed as part of the overall scheme.

2. The 40m high illuminated sculpture hereby permitted shall be erected for a limited period of 5 years. Before the expiration of 5 years from the date of completion, the structure shall be removed and the site shall be cleared and restored in accordance with a scheme submitted to and approved in writing by the Local Planning Authority.

Reason: To allow the Local Planning Authority to consider the impact of the sculpture on the content of the emerging Sugar House Lane masterplan in accordance with Policies EQ18, EQ19, EQ27, EQ28, EQ30 of the London Borough of Newham Unitary Development Plan (adopted June 2001, saved in accordance with the direction given by the Secretary of State from 27 September 2007), Policy S2 of London Borough of Newham Submission Draft Core Strategy (Submitted to Secretary of State on 31 March 2011), Policies 7.5, 7.6 and 7.7 of the London Plan (adopted July 2011) and the Sugar House Lane and Three Mills Land Use and Design Brief.

3. Access to the sculptural tower shall be restricted to servicing and maintenance only and shall be secured at all other times so as to prevent public access.

Reason: To ensure public safety and mitigate issues with regard to inclusive access for all in accordance with Policy EQ25 of the London Borough of Newham Unitary Development Plan (adopted June 2001, saved in accordance with the direction given by the Secretary of State from 27 September 2007), Policies S2 and SP1 of the London Borough of Newham Submission Draft Core Strategy (Submitted to Secretary of State on 31 March 2011) and Policy 7.2 of the London Plan (adopted July 2011).

4. Save as these conditions provide otherwise, or any matter is reserved for the later approval of the Local Planning Authority, all works are to be completed in accordance with drawing numbers:

- 1101_02_P4 (Proposed Site Plan/Floor Plan)
- 1001_08_P3 (Site Location Plan)
- 1101_25_P3 (Proposed High Street Elevations)
- 1101_26_P3 (Proposed Site Sections)
- 1101_27_P3 (Proposed Site Sections)
- 1101_28_P3 (Proposed Site Sections)
- 1101_25_P1 (Proposed Site Plan – Materials)

Meeting: 13 October 2011
Agenda Item: 4
Report No.: LTGDC11/PC30

dated 21 July 2011 prepared by ARC-ML Architects/Designers.

Reason: To protect townscape quality and residential amenity in accordance with Policy EQ19 of the London Borough of Newham Unitary Development Plan (adopted June 2001, saved in accordance with the direction given by the Secretary of State from 27 September 2007), Policy SP3 of the London Borough of Newham Submission Draft Core Strategy (Submitted to Secretary of State on 31 March 2011) and Policies 7.5, 7.6 and 7.7 of the London Plan (adopted July 2011).

External Design

5. The development hereby approved shall not commence until the following details have been submitted to and approved in writing by the Local Planning Authority:

- a) details of the base of sculpture;
- b) details of the materials, including details of their junctions and fixings;
- c) details of the internal structure of the sculpture

Reason: To ensure a satisfactory standard of external appearance in accordance with Policies EQ18, EQ19, EQ27 and EQ28 of the London Borough of Newham Unitary Development Plan (adopted June 2001, saved in accordance with the direction given by the Secretary of State from 27 September 2007), Policy SP3 of the London Borough of Newham Submission Draft Core Strategy (Submitted to Secretary of State on 31 March 2011) and Policies 7.5, 7.6 and 7.7 of the London Plan (adopted July 2011).

6. The development hereby approved shall not commence until the following details of the boundary treatment to the High Street have been submitted to and approved in writing by the Local Planning Authority:

- a) Proposed security shutters within the boundary wall;
- b) Samples and specification of external materials;
- c) External lighting;
- d) Signage

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

Reason: To ensure a satisfactory standard of external appearance in accordance with Policies EQ18, EQ19, EQ27 and EQ28 of the London Borough of Newham Unitary Development Plan (adopted June 2001, saved in accordance with the direction given by the Secretary of State from 27 September 2007), Policy SP3 of the London Borough of Newham Submission Draft Core Strategy (Submitted to Secretary of State on 31 March 2011) and Policies 7.5, 7.6 and 7.7 of the London Plan (adopted July 2011).

7. The development hereby approved shall not commence until a detailed hard and soft landscaping scheme that includes the following has been submitted to and approved in writing by the Local Planning Authority.

- a) Plants and trees (Common and Latin names, size and pot height, density or number, tree girth and method of growth i.e.. container or open ground)
- b) Hard landscaping, including the design of pedestrian routes, steps, ramps and materials (including manufacturer's samples);
- c) External lighting, including design, intensity, orientation and screening of lamps;
- d) Location and design of seating;

Meeting: 13 October 2011
Agenda Item: 4
Report No.: LTGDC11/PC30

- e) CCTV;
- f) Reference to engineering proposals, finishes to piles and flood defences;
- g) Life saving equipment;
- h) Signage and information boards
- i) Details to demonstrate that the development is fully accessible and usable for all.

The soft landscaping scheme shall be implemented in the first planting season following implementation. Any plants or trees 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.

Reason: To ensure a satisfactory standard of external appearance in accordance with Policies EQ18, EQ19, EQ27 and EQ28 of the London Borough of Newham Unitary Development Plan (adopted June 2001, saved in accordance with the direction given by the Secretary of State from 27 September 2007) and Policies 7.5, 7.6 and 7.7 of the London Plan (adopted July 2011).

8. The development hereby approved shall not commence until full details of the external lighting (including LED fittings and fixings) to the sculpture, including a Lighting Management Strategy, shall be submitted to and approved in writing by the Local Planning Authority. The Lighting Management Strategy shall include commitments not to use flashing lights/sudden colour changes; to monitor impacts; and to inform the Local Planning Authority of any complaints received.

Light spill from the development shall not increase or add to that which is already present within 5 metres of the top of bank or in the channel and should be maintained at background (Lux 0-2) levels to avoid negative impact on the water environment and habitat.

Reason: In the interest of residential amenity, highway safety and biodiversity in accordance with Policies EQ9, EQ45 and T13 of the London Borough of Newham Unitary Development Plan (adopted June 2001, saved from the 27th of September 2007 in accordance with the direction from the Secretary of State), Policies SP3 and SC4 of the London Borough of Newham Submission Draft Core Strategy (Submitted to Secretary of State on 31 March 2011) and Policies 7.6 and 7.19 of the London Plan (adopted July 2011).

9. Prior to the demolition of Building 1, a Method Statement for the removal of the Great Dane tiled mural from the building, its secure storage and refurbishment, and its future permanent relocation shall be submitted to and approved in writing by the Local planning Authority.

Reason: To preserve and enhance the character of the Conservation Area in accordance with Policies EQ18, EQ19, EQ27 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), Policies S2, SP3 and SP4 of the London Borough of Newham Submission Draft Core Strategy (Submitted to Secretary of State on 31 March 2011) and Policy 7.9 of the London Plan (adopted July 2011).

Transport and Access

10. The development hereby approved shall not commence until the applicant has entered into a S.278 Agreement with the Local Highway Authority to secure the following:

- (i) the removal of any redundant crossovers and reinstatement as public footpath;
- (ii) the renewal/reinstatement of all public footpaths adjoining the site;
- (iii) any damage to the existing public highway (including footway in the locality) during construction works to be renewed and repaired to the appropriate Local Highway Authority standards;
- (iv) the creation of any new crossovers;
- (v) Double yellow lines to replace single yellow lines at the corner of Stratford High Street for the first 60m.

All highway works shall be completed prior to the first use/occupation of the development to the satisfaction of the Local Planning Authority.

Reason: In the interest of highway safety in accordance with Policies T1, T3, T4, T10 and T14 of the London Borough of Newham Unitary Development Plan (adopted June 2001, saved from the 27th of September 2007 in accordance with the direction from the Secretary of State), Policies INF1, INF2 and SP3 of the London Borough of Newham Submission Draft Core Strategy (Submitted to Secretary of State on 31 March 2011) and Policies 6.9, 6.10 and 6.11 of the London Plan (adopted July 2011).

11. The development hereby approved shall not commence until details of cycle and motorcycle parking facilities have been submitted to and approved in writing by the Local Planning Authority. The cycle and motorcycle parking facilities shall be provided prior to the completion of landscaping works to Danes Yard and shall be permanently maintained thereafter.

Reason: In order to ensure that adequate and accessible cycle and motorcycle parking is provided on this site in accordance with Policy INF1 of the London Borough of Newham Submission Draft Core Strategy (Submitted to Secretary of State on 31 March 2011) and Policy 6.9 of the London Plan (adopted July 2011)

12. The development hereby approved shall not be made publicly accessible until a Feasibility Study into the provision of an additional pedestrian crossing on the A118 Stratford High Street has been submitted to and approved in writing by the Local planning Authority, in consultation with TfL. A programme for the delivery and timing of the recommendations set out in the approved Feasibility Study shall be agreed with the Local planning Authority, in consultation with TfL.

Reason: To prevent pedestrian accidents on the public highway and in compliance with Policy T19 Policies of the London Borough of Newham Unitary Development Plan (adopted June 2001, saved from the 27th of September 2007 in accordance with the direction from the Secretary of State), Policy SP2 of the London Borough of Newham Submission Draft Core Strategy (Submitted to Secretary of State on 31 March 2011) and Policy 6.10 of the London Plan (adopted July 2011).

13. All of the car parking spaces within the development identified on the plans hereby approved shall be designed for use by Blue Badge holders. These spaces are to be marked out on site with appropriate signage, prior to occupation of the development

Meeting: 13 October 2011
Agenda Item: 4
Report No.: LTGDC11/PC30

and shall be permanently maintained thereafter to the satisfaction of the Local Planning Authority

Reason: To ensure adequate access for all users of the building, in particular Blue Badge holders and with regard to policies T15 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 Policy INF1, INF2 and SP3 of the Newham Proposed Submission Draft Core Strategy (Submitted to Secretary of State March 31st 2011) and Policies 6.3 and 6.13 of the London Plan (adopted July 2011).

Construction

14. 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 and 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), Policy SP2 of the London Borough of Newham Submission Draft Core Strategy (Submitted to Secretary of State on 31 March 2011) and Policy 7.15 of the London Plan (adopted July 2011).

15. 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), Policy SP2 of the London Borough of Newham Submission Draft Core Strategy (Submitted to Secretary of State on 31 March 2011) and Policy 7.14 of the London Plan (adopted July 2011).

16. Prior to the commencement of works, a Construction Management Plan and a Construction Logistics Plan shall be submitted to and approved in writing by the Local Planning Authority, in consultation with Transport for London. The Construction Logistics Plan shall include the measures proposed set to minimise potential disruption to the Olympic Route Network (ORN) in the period around the staging of the 2012 Olympic and Paralympic Games, such as the detail and timing of construction works. Thereafter the approved details shall be implemented at all times during the construction of the development, to the satisfaction of the Local Planning Authority.

Reason: In the interest of residential amenity and highway safety and to promote sustainable transport in accordance with regard to Policies EQ20, EQ45 and T5 of the London Borough of Newham Unitary Development Plan (adopted June 2001, saved from the 27th of September 2007 in accordance with the direction from the Secretary of State) and Policies 6.9, 6.10 and 6.11 of the London Plan (adopted July 2011) and Policies INF1 and INF2 of the London Borough of Newham Submission Draft Core Strategy (Submitted to Secretary of State on 31 March 2011).

17. During the construction of works on the development access to the public footways and any bus stops immediately abutting the site shall be maintained at all times.

Reason: To ensure that development does not give rise to any loss of amenity and accesses are maintained in accordance with Policies EQ18, 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), Policy SP3 of the London Borough of Newham Submission Draft Core Strategy (Submitted to Secretary of State on 31 March 2011) and Policies 6.7 of the London Plan (adopted July 2011).

18. No doors of the development shall open outwards onto public highway.

Reason: To prevent pedestrian accidents on the public highway and in compliance with Policy T19 Policies of the London Borough of Newham Unitary Development Plan (adopted June 2001, saved from the 27th of September 2007 in accordance with the direction from the Secretary of State), Policy SP2 of the London Borough of Newham Submission Draft Core Strategy (Submitted to Secretary of State on 31 March 2011) and Policy 6.7 of the London Plan (adopted July 2011).

Contamination

19. No development shall take place until a Site Investigation into ground conditions has been undertaken in accordance with the Model Procedures for the Management of Land Contamination, Environment Agency, Contaminated Land Report 11. The report of the investigation, and any proposed Remediation Strategy, shall be submitted to and approved in writing by the Local Planning Authority.

As soon as reasonably practicable, and before the occupation of any remediated area of the site, a Validation Report stating what works were undertaken and that the remediation scheme was completed in accordance with the approved Remediation Strategy shall be submitted to and approved in writing by the Local Planning Authority.

Reason: To safeguard public health and the natural environment as the site may have, or is known to have, been used in the past for activities that are likely to have resulted in it being contaminated with material that is potential harmful to humans and/or the environment in accordance with Policy 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 Policy 5.21 of the London Plan (adopted July 2011).

Flood Risk

20. No development shall take place until it has been demonstrated (though structural calculations) that the development will not place any additional horizontal or vertical load upon the river wall, either temporarily or permanently. Plans should be provided showing the position of any new piles, deposition and concrete slabs in relation to the flood defences and their effects.

Reason: To reduce the risk of flooding in accordance with Policy EQ62 of the London Borough of Newham Unitary Development Plan (adopted June 2001, saved from 27th September 2007 by direction from the Secretary of State), Policy SC3 of the London

Meeting: 13 October 2011
Agenda Item: 4
Report No.: LTGDC11/PC30

Borough of Newham Submission Draft Core Strategy (Submitted to Secretary of State on 31 March 2011) and Policy 5.12 of the London Plan (adopted July 2011).

CASE OFFICER: Will Steadman

Appendix 1 Site Location and Ownership Plan
Appendix 2 Site Layout
Appendix 3 Elevations and Sections
Appendix 4 Danes Yard - Materials
Appendix 5 Stratford High Street – Boundary Treatment
Appendix 6 Long Distance Views
Appendix 7 Computer Generated Images