

**PLANNING APPLICATION FOR DETERMINATION BY THE
LTGDC**

REPORT OF THE DIRECTOR OF PLANNING

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| UDC CASE NUMBER: | LTGDC-11-077-FUL | DATE MADE VALID: | 3.10.12 |
| APPLICATION NUMBER: | 11/01655/VARDWG/LBNM | TARGET DATE: | 27.1.12 |

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|-------------------|---|
| APPLICANT: | User Friendly Properties Ltd |
| AGENT: | Atkins |
| PROPOSAL: | Section 73 application to vary condition 2 (drawing numbers) attached to planning permission ref. 07/00822/LTGDC dated 28 th May 2010 to reduce the number of residential units from 260 to 220. |
| LOCATION: | Station Street, Stratford and New Town, London, E15 1AJ |

1. SUMMARY

1.1 The application site is owned by User Friendly Properties Ltd (UFPL). UFPL has entered into a joint venture partnership with Telford Homes to redevelop the site. UFPL will manage the commercial floorspace and retain a freehold interest in the site. Telford will construct the scheme and dispose of the residential units. The site is located within Stratford Town Centre and adjacent to Stratford Station interchange and currently accommodates a vacant and derelict office building.

1.2 On 7 December 2007 the Corporation's Planning Committee resolved to grant planning permission for the demolition of the existing building and the construction of a 26 storey tower comprising retail (A1) and office (B1) floor space and 260 residential units (C3) with associated basement car and cycle parking and landscaped amenity space at ground floor levels. The S106 Agreement was not finalised, and planning permission granted, until 28 May 2010. The planning permission was not implemented because the applicant could not secure a development partner who could raise the necessary finance to build the scheme.

1.3 The proposed scheme has submitted an application under section 73 of the Town and Country Planning Act 1990 because the development does not involve material alterations to the building envelope and will not have a materially greater impact than the previously approved scheme.

1.4 UFPL has now secured a development partner following a design and viability

review. The scheme is not considered by the applicant to be viable unless the housing mix is amended and reductions are made to S106 contributions towards off-site affordable housing and the Planning Obligations Community Benefit Strategy. The principle of redeveloping a site occupying a metropolitan town centre location adjacent to a major transport interchange with a high density residential-led mixed use development is in accordance with land use objectives and established by the previously approved scheme. The site currently comprises a dilapidated office building and its demolition and redevelopment would make a positive contribution to local townscape.

1.5 The amendments result in a reduction in the number of units from 260 to 220 and a corresponding change to the unit size mix. The revised housing mix is in accordance with planning policies seeking to promote housing choice and the creation of mixed and balanced communities and increases unit sizes in accordance with the London Housing Design Guide.

1.6 The revised internal layout, reconfiguration of balcony provision and introduction of a glazing system that reduces solar gain and improves ventilation are contained within the previously approved building envelope and achieved without material alteration to the appearance.

1.7 The previously approved application provided 36 on-site intermediate units and a £4,950,000 contribution towards off-site social rented housing. The amended proposal offers 22 on-site intermediate units and £3,300,000 towards off-site social rented housing. The previously approved application contributed £1,950,000 towards the POCBS (£7,500 per unit). The proposed scheme offers £1,100,000 towards the POCBS (£5,000 per unit). The revised financial contributions include a payment in lieu towards the provision of off-site social rented housing and the Planning Obligations Community Benefit Strategy are under review and subject to verification or negotiation.

1.8 It is recommended that delegated authority be given to the Director of Planning to **GRANT PLANNING PERMISSION** subject to finalising the Heads of Terms of a Section 106 agreement set out at section 11 of the report and the planning conditions set out in section 12.0 of the report.

2. SITE AND PROPOSAL

2.1 Description of Site & Surroundings

2.1.1 The application site measures 0.23 hectares and is bounded by Stratford Station to the north west, Station Street to the south west, Great Eastern Road to the north east and a six storey office building to the south east. The site is located at the edge of Stratford town centre. The site currently accommodates a dilapidated office building.

2.2 Description of Proposal

2.2.1 The application seeks to vary an application determined by the Corporation in May 2010 to demolish an existing office building and create a 26 storey tower comprising 260 residential units (floors 6-25), 5,197m² office floorspace (floors 1-5) and 513m² of retail floorspace (ground floor) with basement car and cycle parking. The 260 units comprised 140 x 1 bedroom units and 120 x 2 bedroom units.

2.2.2 The application seeks to reduce the residential component from 260 to 220 units by re-planning the internal layout of the residential accommodation. This results in a reduction in the number of 1 bedroom units and the introduction of 3 bedroom units, an increase in unit sizes in accordance with the London Housing Design Guide, the

reconfiguration of balconies and the introduction of a glazing system that reduces solar gain and improves ventilation. The revisions are contained within the original building envelope and do not materially alter the appearance of the building.

2.2.3 The application also seeks to reduce the number of on-site intermediate units from 36 to 22 and amend the Heads of Terms of the previously agreed S106 Agreement to reduce the payment in lieu of off-site affordable housing from £4,950,000 to £3,300,000 and reduce the financial contribution towards the Planning Obligations Community Benefit Strategy from £1,950,000 (£7,500 per unit) to £1,100,000 (£5,000 per unit).

3. MAIN ISSUES

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

- Principle of Development
- Design
- Affordable Housing
- Housing Mix
- S106 Planning Obligations Community Benefit Strategy

4. RELEVANT SITE HISTORY

4.1 On 28 May 2010 the Corporation granted planning permission for the demolition of the existing building and the construction of a 26 storey mixed use tower with a three storey basement, comprising retail (A1) and office (B1) floor space and 260 residential units (C3) with associated car and cycle parking and landscaped amenity space at ground floor levels. The permission included a S106 Agreement that secured the following heads of terms:

- £4,950,000 contribution towards the provision of off-site affordable housing;
- £1,950,000 contribution towards the S106 Community Benefit Strategy including terms for recapturing the discount as required in the strategy.
- a Local Labour commitment;
- a Local Goods and Services commitment;
- a Green Travel Plan
- an on-site car club.
- a Section 278 agreement to renew and reinstate footways surrounding the site
- a commitment to prevent future occupiers being issued with car parking permits for the Stratford Controlled Parking Zone;

5. CONSULTATIONS/NOTIFICATIONS

Greater London Authority

5.1 The GLA has confirmed that the S73 application is not referable to the Mayor of London as paragraph 1 (3) of the 2008 order confirms that Section 73 applications are not referable if the previous 'parent' application was received before 6 April 2008.

London Borough of Newham

5.2 LBN comment that the revised housing mix is more compliant with the Core Strategy Submission Draft and the internal changes are compliant with the London Plan. LBN require the £3,300,000 off-site affordable housing contribution to be paid 25% on the

grant of planning permission or within 28 days thereafter, 25% on implementation of the development and the balance when 50% of the private sale units have been sold. LBN will be involved throughout the S106 negotiations.

5.3 LBN also recommend that the financial contribution towards the Planning Obligations Community Benefits Strategy (POCBS) is allocated towards the following:

- a) Health
- b) Education
- c) Local labour
- d) Local goods and services
- e) Footway improvements

Items c)-e) are captured within the proposed Heads of Terms set out at section 11 of the report. The Lower Lea Valley Management Group are responsible for allocating contributions secured under the POCBS towards health and education projects.

English Heritage

5.4 No comment.

Environment Agency

5.5 No comment.

Olympic Delivery Authority

5.6 Stratford High Street forms part of the Olympic Route Network (ORN) and Paralympic Route Network (PRN) associated with staging the 2012 Games and it should be ensured that there is no adverse effect on the highway during the period that the ORN and PRN are in place either from construction activity on site or from associated traffic.

5.7 The ODA request a planning condition that requires the submission and approval of details of any construction works that might have an effect on the highway in this location.

6. APPLICATION PUBLICITY

6.1 Site Notice Expiry: 3/11/11

6.2 Press Notice Expiry: 3/11/11

6.3 Neighbour Notification:

7. REPRESENTATIONS

7.1 No letters of support or objection have been received.

8. RELEVANT PLANNING POLICY

The London Plan (July 2011)

| | |
|---------------------------|---|
| Policy 2.9 Policy 2.13 | Inner London Opportunity areas and intensification areas |
|---------------------------|---|

| | |
|-------------|--|
| Policy 2.15 | Town centres |
| Policy 3.2 | Improving health and addressing health inequalities |
| Policy 3.3 | Increasing housing supply |
| Policy 3.4 | Optimising housing potential |
| Policy 3.5 | Quality and design of housing developments |
| Policy 3.7 | Large residential developments |
| Policy 3.8 | Housing choice |
| Policy 3.9 | Mixed and balanced communities |
| Policy 3.10 | Definition of affordable housing |
| Policy 3.11 | Affordable housing targets |
| Policy 3.12 | Negotiating affordable housing on individual private residential and mixed use schemes |
| Policy 3.13 | Affordable housing thresholds |
| Policy 3.16 | Protection and enhancement of social infrastructure |
| Policy 4.1 | Developing London's economy |
| Policy 4.2 | Offices |
| Policy 4.3 | Mixed use development and offices |
| Policy 4.7 | Retail and town centre development |
| Policy 4.8 | Supporting a successful and diverse retail sector |
| Policy 4.12 | Improving opportunities for all |
| Policy 5.1 | Climate change mitigation |
| Policy 5.2 | Minimising carbon dioxide emissions |
| Policy 5.3 | Sustainable design and construction |
| Policy 5.7 | Renewable energy |
| Policy 5.8 | Innovative energy technologies |
| Policy 5.9 | Overheating and cooling |
| Policy 5.10 | Urban greening |
| Policy 5.12 | Flood risk management |
| Policy 5.13 | Sustainable drainage |
| Policy 5.14 | Water quality and wastewater infrastructure |
| Policy 5.15 | Water use and supplies |
| Policy 5.16 | Waste self-sufficiency |
| Policy 5.18 | Construction, excavation and demolition waste |
| Policy 5.21 | Contaminated land |
| Policy 6.1 | Strategic approach |
| Policy 6.3 | Assessing effects of development on transport capacity |
| Policy 6.9 | Cycling |
| Policy 6.10 | Walking |
| Policy 6.11 | Smoothing traffic flow and tackling congestion |
| Policy 6.13 | Parking |
| Policy 7.1 | Building London's neighbourhoods and communities |
| Policy 7.2 | An inclusive environment |
| Policy 7.4 | Local character |
| Policy 7.5 | Public realm |
| Policy 7.6 | Architecture |
| Policy 7.7 | Location and design of tall and large buildings |
| Policy 7.15 | Reducing noise and enhancing soundscapes |
| Policy 8.2 | Planning obligations |

London Borough of Newham Unitary Development Plan (June 2001)

| | |
|----|--|
| S2 | Community Benefit/Planning Obligations |
| S3 | Quality of Development |
| S4 | Sustainable Development |
| S5 | Priority Development Nodes |

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|------|--|
| S6 | Mixed Use Development |
| S7 | Urban Regeneration: Promotion of Development |
| S9 | Environmental Quality: Design Issues |
| S12 | Environmental Quality: Improvements in Key Areas |
| S19 | Housing: Extending the Range of Housing Choice |
| S20 | Housing: Inclusion of Affordable Housing in New Housing Schemes |
| S21 | Housing: Special Needs |
| S22 | Housing: Mix and Density |
| S23 | Housing: Improvement of Public and Private Dwellings and Residential Environment |
| S30 | Shopping: New Retail Development |
| S31 | Shopping: Town Centre Regeneration Strategies |
| S32 | Shopping: Location of Major Retail Development |
| S35 | Transport: Encouragement of Alternatives to the Motor Car |
| S37 | Transport: Improvement of Facilities for Pedestrians and Cyclists |
| S38 | Transport: Parking |
| EQ18 | Promoting Urban Quality |
| EQ19 | Urban Design Considerations |
| EQ20 | Design Considerations: Residential Areas New Development: |
| EQ21 | Landscaping |
| EQ25 | Access |
| EQ26 | Safety |
| EQ27 | High Buildings: Control |
| EQ28 | High Buildings: Design Considerations |
| EQ43 | Archaeology: Investigation, Excavation and Protection |
| EQ45 | Pollution |
| EQ46 | Air Quality Management |
| EQ47 | Noise Impact Statement |
| EQ48 | Noise - Sensitive Development Contaminated Land: Assessment, |
| EQ49 | Remediation and Monitoring |
| EQ54 | Promoting Sustainable Waste Management |
| EQ62 | Protection of the Flood Plain and Urban Washlands |
| EQ63 | Surface Water Disposal |
| H6 | Affordable Housing |
| H13 | Promoting Quality in Housing |
| H14 | Promoting Choice in Housing |
| H15 | Housing Mix |
| H17 | Housing Design and Layout |
| SH1 | Consolidation of the Shopping Hierarchy |
| SH8 | Primary Shopping Frontages |
| SH14 | Shopping in Areas of New Development |
| SH15 | Shopfront Design |
| SH23 | Recycling |
| T1 | New Development: Environmental Impact |
| T2 | New Development: Public Transport Accessibility |
| T3 | New Development: Highway Capacity |
| T5 | Preferred Modes of Transport |
| T10 | Road Hierarchy: Relation to Development Proposals |
| T11 | Road Hierarchy: New Roads |
| T13 | Road Safety, Traffic Management and Calming |
| T14 | Design to Minimise Road Accidents in New Development |
| T19 | Improvement of Conditions for Pedestrians |
| T20 | Pavement Congestion |
| T21 | Recreational Footway Network |
| T24 | Access by Cycle and Cycle Parking |

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| CS2 | Planning Requirements |
|-----|-----------------------|

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

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|------|--|
| S1 | Spatial Strategy |
| SP1 | Borough-wide Place-making |
| SP2 | Healthy Neighbourhoods |
| SP3 | Quality Urban Design within Places |
| SP4 | Tall Buildings |
| SP6 | Successful Town and Local Centres |
| SP7 | Quality Movement Corridors and Linear Gateways |
| H1 | Building Sustainable Mixed Communities |
| H2 | Affordable Housing |
| J1 | Investment in the New Economy |
| J2 | Providing for Effective Use of Employment Land |
| SC1 | Climate Change |
| SC2 | Energy |
| SC3 | Flood Risk |
| SC4 | Biodiversity |
| INF1 | Strategic Transport |
| INF2 | Sustainable Transport |
| INF3 | Waste and Recycling |
| INF5 | Town Centre Hierarchy and Network |
| INF8 | Community Facilities |

9. ASSESSMENT OF MAIN ISSUES

Principle of Development

9.1 The principle of redeveloping the site with a high density residential led mixed use development is in accordance with the London Plan and the London Borough of Newham adopted Unitary Development Plan and emerging Core Strategy, and established by the extant planning permission granted by the Corporation in 2010.

Design

9.2 The application proposes a reduction from 260 to 220 units by re-planning the internal layout of the residential accommodation to reduce the number of 1 bedroom units and introduce 3 bedroom units, increasing individual unit sizes in accordance with the London Housing Design Guide, reconfiguring balcony provision and introducing a glazing system that reduces solar gain and improves ventilation.

9.3 The proposed internal layout proposes eleven flats per floor (4x1 bedroom, 6x2 bedroom and 1x3 bedroom) accessed from the original stair and lift cores. By reducing the number of flats per floor from thirteen to eleven within the same footprint, space standards have been improved within all the proposed dwellings. All the flats now meet the London Housing Design Guide flat size standards which was not previously the case. In addition, the reconfiguration of the façade construction has resulted in a rationalisation of the balcony arrangement.

9.4 The commercial lower floors remain entirely unchanged. The reorganisation of the residential accommodation within the building's simple elliptical form incorporates the use of a secondary glazed skin to the winter gardens and, with the provision of more

regular shapes, improves usability. To ensure the appearance of the previously approved scheme is retained, the same louvred vent arrangement is integrated into the floor to floor glazing system.

9.5 The previously approved façade comprised a concertina form of external wall wrapped in a single fixed glazing system. The winter gardens were located between these inner and outer skins. The proposed scheme retains the inner and outer glazing skins but replaces the concertina form with one that rationalises the floorplan to provide more conventional flat and balcony layouts. The secondary glazing skin is modified by introducing sliding screens to winter gardens to reduce solar gain and enable ventilation. The sliding screens reveal a glass balustrade set behind the glazing line to minimise the visual impact on the elevation when screens are open.

9.6 Louvered screens are fixed to the façade to animate the elevation and provide natural ventilation to internal spaces as an alternative to an openable window. This enables the use of a simple fixed double glazing system that retains the continuous verticality of the façade and ensures the previously approved elevations are retained.

9.7 The proposed amendments occur within the previously approved building envelope and are not considered to materially change the appearance of the previous approved design.

Affordable Housing

9.8 London Plan Policy 3.11 seeks to maximise affordable housing provision without setting a numerical target. The policy seeks a split between 60% intermediate and 40% social rented housing. In conducting negotiations on individual proposals, affordable housing Policy 3.12 requires consideration to be given to the need to encourage rather than restrain residential development and the individual circumstances of the site. As LBN has not saved Policy HSG7, which required affordable housing to be agreed taking into account location, marketing and site conditions and 25% of units to be affordable on site, or 33% or its equivalent if provided off site, London Plan policy carries greatest weight. Policy H2 of the Core Strategy Submission Draft requires new development to provide between 35-50% affordable housing split between 60% social rent and 40% intermediate housing and that consideration will be given to the off-site provision or payment in lieu where the Council considers inappropriate to provide affordable housing on site.

9.9 The previously approved application secured 36 intermediate units on site and a contribution of £4,950,000 towards the provision of off-site social rented housing. To satisfy the minimum policy requirement of 35%, the applicant argued that 55 social rented units would be provided by a contribution of £90,000 per unit. At the time, LBN requested £120,000 per unit and objected to the shortfall in affordable housing. The Corporation resolved to grant planning permission on the basis that planning policies also refer to the need to take into account economic viability and the most effective use of private and public investment when considering the appropriate amount of affordable housing provision from private residential developments, and that the applicant had submitted a development appraisal to demonstrate that the scheme would be unviable if additional contributions were provided. That development appraisal was been verified by the Corporation.

9.10 The revised application now proposes 22 intermediate units on site and a contribution of £3,300,000 towards the provision of off-site social housing. The applicant has submitted a revised development appraisal to demonstrate scheme viability on this basis. The Corporation is reviewing the sales values and cost assumptions to either

verify the appraisal or negotiate a higher contribution. It is recommended that the Director of Planning be given delegated authority to conclude the S106 negotiations around the provision of affordable housing.

Housing Mix

9.11 London Plan Policy 3.8 requires new development to offer a range of housing choices, in terms of the mix of housing sizes and types. 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. Policy H1 of the Core Strategy Submission draft seeks 39% of new homes to be 3 bedroom for families.

9.12 The application seeks to amend the previously approved mix of units. A reduction in the number of one bedroom units and the introduction of three bedroom units is a response to market demand and the view that there is an oversupply of small units either built or in the planning pipeline.

9.13 The following table compares the previously proposed and revised housing mix:

| Unit Type | Approved Scheme | | Proposed Scheme | |
|-----------|-----------------|------------|-----------------|------------|
| | No. of units | % of total | No. of units | % of total |
| 1 bed | 140 | 54% | 80 | 36% |
| 2 bed | 120 | 46% | 120 | 55% |
| 3 bed | - | - | 20 | 9% |
| Total | 260 | 100% | 220 | 100% |

9.14 The revised housing mix will provide greater housing choice in accordance with policy objectives. The application is considered to be in accordance with Policies 3.8 of the London Plan, Policy H15 of the Unitary Development Plan and Policy H1 of the Core Strategy Submission Draft.

Planning Obligations Community Benefit Strategy (POCBS)

9.15 The previously approved scheme secured £7,500 per unit (£1,950,000 in total) towards with mechanisms for recapturing the discount in the event that sales values exceed an agreed baseline level.

9.16 The applicant is seeking to reduce the contribution to £5,000 per unit (£1,100,000 in total) and has submitted a revised development appraisal to demonstrate that the scheme would be unviable if additional contributions were provided. The Corporation is reviewing the development appraisal following the receipt of information it requested following submission.

10. CONCLUSION AND REASONS FOR APPROVAL

10.1 The principle of redeveloping a site occupying a metropolitan town centre location adjacent to a major transport interchange with a high density residential-led mixed use development is in accordance with land use objectives and established by the previously approved scheme. The site is currently occupied by a dilapidated office building and its demolition and redevelopment would make a positive contribution to local townscape.

10.2 The revised housing mix is more in accordance with planning policies seeking to promote housing choice and the creation of mixed and balanced communities.

increasing individual unit sizes in accordance with the London Housing Design Guide.

10.3 The revised financial contributions towards the provision of off-site social rented housing and the Planning Obligations Community Benefit Strategy are under review and subject to verification and/or negotiation.

10.4 The revised internal layout, reconfiguration of balcony provision and introduction of a glazing system that reduces solar gain and improves ventilation are contained within the previously approved building envelope and achieved without material alteration to the appearance.

11. RECOMMENDATION

11.2 It is recommended that the Planning Committee give Delegated Authority to the Director of Planning to **GRANT PLANNING PERMISSION**, including any such changes that fall within the scheme of delegation, subject to:

- a) the planning conditions set out at Section 12 of the report;
- b) the completion of a S106 Agreement securing the following Heads of Terms:
 - A financial contribution towards the provision of off-site affordable housing;
 - A financial contribution towards the S106 Community Benefit Strategy including terms for recapturing the discount as required in the strategy;
 - A Local Labour, Goods and Services commitment;
 - A Green Travel Plan;
 - An on-site car club;
 - A Section 278 agreement to renew and reinstate footways surrounding the site;
 - A commitment to prevent future occupiers being issued with car parking permits for the Stratford Controlled Parking Zone.

12. CONDITIONS AND REASONS

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

Reason: To comply with the requirements of Section 91 of the Town and Country Planning Act 1990 (as amended).

2. 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 460_07_002 (P1), 460_07_097 (P1), 460_07_098 (P1), 460_07_099 (P2), 460_07_100 (P2), 460_07_101, 460_07_105 (P1), (P1), 460_07_126 (P1), 460_07_127 (P1), 460_07_200 (P2), 460_07_201 (P1), 460_07_202 (P1), 460_07_203 (P2), 460_07_204 (P2), 460_07_300 (P1), 460_07_301 (P1), 460_07_400 (P1) and 460_07_401 (P1), prepared by Allies and Morrison and drawing numbers 3224_PL(01), 3224_PL(02), 3224_PL(03), 3224_PL(04) and 3224_PL(05) prepared by Stock Woolstencroft unless otherwise approved in writing by the Local Planning Authority.

Reason: To ensure a satisfactory standard of design and external appearance in accordance with Policies EQ19 and EQ28 of the London Borough of Newham Unitary Development Plan (saved from 18th September 2007 by direction from the Secretary of State) (2001) and Policies 7.5, 7.6 and 7.7 of the London Plan (July 2011).

3. No part of the development hereby approved shall commence until a site investigation and remediation scheme has been submitted to and approved in writing by the Local Planning Authority. The scheme must provide for the extent of existing contamination and identify the measures to be taken to prevent risk to the public, buildings and environment when the site is developed. The scheme shall include:

- (i) a desktop report documenting the site history;
- (ii) if the desk top report indicates that a site investigation is required, a proposal to undertake an intrusive investigation based on the findings of the desk top study;
- (iii) a site investigation report to investigate and identify potential contamination
- (iv) a health and safety risk assessment of the contamination identified;
- (v) proposals for any necessary remedial works to contain, treat or remove any contamination;
- (vi) the identities of the persons certifying any matter and performing any task.

No construction authorised by the planning permission shall commence until a certificate or validation report stating that remediation has been completed in accordance with the approved scheme has been submitted to and approved in writing by the Local Planning Authority. The certificate must be prepared by a suitably qualified person and submitted to the Local Planning Authority for written approval.

Reason: To safeguard the public, the environment and surface and groundwater as this 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 potentially harmful to humans, or the environment in accordance with Policy EQ49 of the London Borough of Newham Unitary Development Plan (saved from 18th September 2007 by direction from the Secretary of State) (2001) and Policy 5.21 of the London Plan (July 2011).

4. No part of the development hereby approved shall commence until an Environmental Code has been submitted to and approved by the Local Planning Authority to cover all methods of site preparation and construction of the development, including traffic management, demolition, clearance, site remediation, ground works, waste management, sourcing of materials, crane and scaffolding height, dust, smoke and odour control, avoidance of fires, wheel washing, noise and vibration and hours of operation etc. The approved code shall include details of its implementation and monitoring and shall be in place for the whole period of the works at the site and the development shall only take place in accordance with the approved code.

Reason: To ensure that the development does not harm the amenity of neighbouring occupiers in accordance with Policies EQ45, EQ46, EQ47 and EQ49 of the London Borough of Newham Unitary Development Plan (saved from 18th September 2007 by direction from the Secretary of State) (2001) and Policies 5.18, 5.21, 6.12, 7.14 and 7.15 of the London Plan(July 2011).

5. The development hereby approved shall not be occupied until a detailed Site Management Plan has been submitted to and approved by the Local Planning Authority to cover all aspects of the day to day management of the site. The Site Management Plan shall include details of refuse and recycling storage and collection, servicing and deliveries and management of the public realm and communal amenity space. The development hereby approved shall only be operated in accordance with the approved Site Management Plan.

Reason: In order to protect the amenity of the future occupiers of and visitors to the site and to ensure that the site is managed in such a way as to ensure the safety and

security of users of the site and residents of the locality in accordance with Policies EQ61, T1 and OS8 of the London Borough of Newham Unitary Development Plan (saved from 18th September 2007 by direction from the Secretary of State) (2001) and Policies 5.16, 6.13, 7.2 and 7.5 of the London Plan (July 2011).

6. No demolition/construction/building works shall take place outside the hours of 0800 and 1800 on Mondays to Fridays and between 0800 and 1300 on Saturdays unless with the prior written approval of the Local Planning Authority.

Reason: To protect the amenity of surrounding occupiers in accordance with Policy EQ47 of the London Borough of Newham Unitary Development Plan (saved from 18th September 2007 by direction from the Secretary of State) (2001) and Policy 7.15 of the London Plan (2011).

7. Impact piling shall only take place during construction with the prior agreement of the Local Planning Authority. Details of proposed impact piling shall be provided in writing to the Local Planning Authority at least seven days before such works are scheduled to take place.

Reason: In the interest of residential amenity, in accordance with Policy EQ47 of the London Borough of Newham Unitary Development Plan (2001) (saved from 18th September 2007 by direction from the Secretary of State) and Policy 7.15 of the London Plan (2011).

8. The development hereby approved shall not commence until details of all materials to be used on all elevations have been submitted to and approved in writing by the Local Planning Authority. Details should include colour, texture and type of materials. The approved materials shall be implemented in accordance with the approved details and thereafter permanently maintained to the satisfaction of the Local Planning Authority.

Reason: To ensure a satisfactory standard of design and external appearance in accordance with Policies EQ19 and EQ28 of the London Borough of Newham Unitary Development Plan (saved from 18th September 2007 by direction from the Secretary of State) (2001) and Policies 7.5, 7.6 and 7.7 of the London Plan (July 2011).

9. The development hereby approved shall not commence until details of hard and soft landscaping has been submitted to and approved in writing by the Local Planning Authority. The scheme shall include details of:

- a) trees and plants;
- b) surface treatment;
- c) street furniture;
- d) external lighting;
- e) a schedule for maintenance.

The hard and soft landscaping shall be implemented in accordance with such details and thereafter retained.

The approved soft landscaping scheme shall be implemented in the first planting season following occupation of the buildings or the substantial completion of the development, whichever is the sooner. 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.

Reason: To ensure landscaped areas in open spaces are of a high quality design and appearance that will enhance the amenity value of the development and its surroundings. This is in accordance with Policies EQ15, EQ19 and EQ21 of the London Borough of Newham Unitary Development Plan (saved from 18th September 2007 by direction from the Secretary of State) (2001) and Policies 7.2, 7.5 and 7.6 of the London Plan (July 2011).

10. The development hereby approved shall not be occupied until details of the proposed communal roof garden, including details of lift access, have been submitted to and approved by the Local Planning Authority and the communal 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 roof garden 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 EQ19 and EQ21 of the London Borough of Newham Unitary Development Plan (saved from 18th September 2007 by direction from the Secretary of State) (2001) and Policy 7.6 of the London Plan (July 2011).

11. The development hereby approved shall be implemented in accordance with the energy efficient and renewable energy technologies proposed in the approved Energy Strategy prepared by ESD and submitted with the application. The energy efficient and renewable energy technologies specified in this document will provide 13% carbon savings through the use of renewable energy technologies and shall be implemented prior to the occupation of the development and thereafter permanently retained unless otherwise agreed in writing by the Local Planning Authority.

Reason: To promote the use of energy efficient and renewable energy technologies in accordance with Policies 5.3 and 5.7 of the London Plan (July 2011).

12. The development hereby approved shall not be occupied until details of cycle parking facilities, including their means of secure storage, shall be submitted to and approved in writing by the Local Planning Authority. The development shall not be occupied until the cycle parking facilities have been provided in accordance with the approved details and shall be retained thereafter and used for no other purpose without the prior approval of the Local Planning Authority.

Reason: In order to promote the use of cycling in accordance with Policy T24 of the London Borough of Newham Unitary Development Plan (saved from 18th September 2007 by direction from the Secretary of State) (2001) and Policy 6.9 of the London Plan (July 2011).

13. Those uses identified for commercial operation (within the A1, A2, A3, B1 and D1 use classes as defined in the Town and Country Planning (Use Classes) Order 1987 (as amended) hereby approved shall be restricted to the following hours of opening, unless otherwise agreed in writing by the Local Planning Authority:

7am to 11pm, Monday to Saturday
10am to 10pm on Sundays or Bank Holidays.

Any outdoor seating areas must be vacated and any tables and chairs must be removed by 10pm Monday – Saturday and by 9pm on Sundays and Bank Holidays.

Reason: To safeguard the amenity of adjacent residents and the area generally in

accordance with Policy EQ47 of the London Borough of Newham Unitary Development Plan (saved from 18th September 2007 by direction from the Secretary of State) (2001).

14. All residential units hereby approved shall comply with Lifetime Homes standards as defined in the GLA Accessible London: Achieving an Inclusive Environment Supplementary Planning Guidance (2004).

Reason: To ensure that accessible housing is provided in accordance with Policies 3.5 and 3.8 of the London Plan 2011).

15. The development hereby approved shall not commence until a an independently verified EcoHomes 2006 report which confirms the development would achieve a certified "very good" rating (or its equivalent in the "Code for Sustainable Homes: A step-change in sustainable home building practice") has been submitted to and approved in writing by the Local Planning Authority. The development shall be implemented in accordance with the approved report. A certificated EcoHomes 2006 post construction review, or other verification process agreed with the Local Planning Authority, shall be provided confirming that the agreed standards have been met prior to the first occupation of the development.

Reason: To ensure that the proposed residential units are designed in an environmentally sustainable manner and in accordance with Policy 5.3 of the London Plan (July 2011).

16. No fewer than 10% of the total number of residential units within the development hereby approved shall be constructed to be easily adapted for residents who are wheelchair users.

Reason: To ensure that accessible housing is provided in accordance with Policy 3.8 of the London Plan (2011).

17. The development hereby approved shall not commence until details of the means of ventilation for the extraction and dispersal of cooking smells and other fumes, from the non residential uses, including details of the extraction, ventilation and filtration equipment and any other external plant or machinery (including ventilation units and air intake louvers) together with details of its method of construction, appearance and finish have been submitted to and approved by the Local Planning Authority. The development shall not be occupied other than in accordance with the details thus approved.

Reason: To safeguard the amenity of the occupiers of adjoining properties by preventing noise disturbance and to ensure a satisfactory appearance in accordance with the requirements of Policy EQ46 of the London Borough of Newham Unitary Development Plan (saved from 18th September 2007 by direction from the Secretary of State) (2001) and Policy 7.14 of the London Plan (2011).

18. Prior to commencement of the development hereby approved, a scheme for the attenuation and mitigation of noise and vibration from road and rail movements shall be submitted and approved by the Local Planning Authority. The attenuation and mitigation measures shall be implemented in accordance with the approved scheme prior to occupation of the development and thereafter maintained.

Reason: To protect the amenity of future occupants and/or neighbours and with regard to policy EQ47 of the London Borough of Newham Unitary Development Plan (saved from 18th September 2007 by direction from the Secretary of State) (2001) and Policy 7.15 of the London Plan (2011).

19. The development hereby approved shall not commence until a scheme for the implementation of a surface water drainage system has been submitted to and approved by the Local Planning Authority. The foul and surface water drainage system shall be implemented in accordance with the approved scheme and thereafter permanently retained.

Reason: To prevent pollution of the water environment, and prevent the increased risk of flooding by ensuring the provision of a satisfactory means of surface water disposal, in accordance with Policies EQ62 and EQ63 of the London Borough of Unitary Development Plan (saved from 18th September 2007 by direction from the Secretary of State) (2001) and Policy 5.13 of the London Plan (July 2011).

CASE OFFICER: Will Steadman

Appendix 1: LTGDC Planning Committee Report dated 7 December 2007

Appendix 2: Revised internal layout and external envelope plans

Appendix 3: Floorplan comparison