

**LONDON BOROUGH OF NEWHAM**  
**STRATEGIC DEVELOPMENT COMMITTEE**

**18<sup>th</sup> November 2014**

**Application Number:** 14/00664/OUT

**Validation Date:** 31st March 2014

**Location:** Gallions Quarter, Atlantis Avenue,  
Beckton, London E16

**Ward:** Beckton

**Applicant:** Notting Hill Housing Trust

**Agent:** Savills

**Purpose of Report / Proposal**

The purpose of this report is to set out the Officer recommendations to Strategic Development Committee regarding a hybrid application relating to the following proposal.

Outline planning application for the comprehensive redevelopment of the whole site to provide up to 800 residential units (Use Class C3) and up to 2641sqm (GIA) of commercial space (Use Classes A1, A2, A3, A4, B1 and D1); Alterations to existing vehicular and pedestrian access and highway layout within and around the site, including the creation of new pedestrian and cycle routes and crossings; and on-street car parking within the site; Provision of undercroft vehicle and cycle parking; Provision of two new public parks, Gallions Park and Gallions Green; Provision of temporary energy centre; and Public Realm improvements including hard and soft landscaping and all necessary enabling works with all matters reserved excluding layout and access.

In respect of the area of land at the north and north western portion of the site (Phase 1), detailed planning consent is sought for the development of 3 perimeter blocks ranging in height between 5-12 storeys; 292 new residential units (Use Class C3), including 87 affordable dwellings; 852sqm of commercial floorspace; 157 car parking spaces and 369 cycle parking spaces; landscaping and public realm improvements; temporary energy centre; and improvements to internal access routes.

For these reasons it is recommended that planning permission is granted, subject to conditions, the completion of a S106 Legal Agreement, the completion of the public consultation period and referral to the Mayor of London.

**NAME OF LEAD OFFICER:** Deirdra Armsby

**POSITION:** Head of Planning and Development Commissioning

Originator of report: Justin Bougoure

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### **Human Rights Act**

The provisions of the Human Rights Act 1998 have been taken into account in the processing of the application and the preparation of this report.

### **Equalities**

In determining this planning application the Council has regard to its equalities obligations including its obligations under section 149 of the Equality Act 2010.

For the purposes of this application the equalities issues have been covered in Section 2.20 'Accessibility' of this report

### **Local Government (Access to Information) Act 1985**

#### **Background papers used in preparing this report:**

- Planning Application
- Statutory Register of Planning Decisions
- Correspondence with Adjoining Occupiers
- Correspondence with Statutory Bodies
- Correspondence with other Council Departments
- National Planning Policy Framework
- London Plan
- Local Plan - Core Strategy, UDP, SPGs
- Planning Policy Guidance
- Other relevant guidance

#### **List of Enclosures / Appendices:**

##### **Officer Report:**

- Part 1: Planning Application Fact Sheet
- Part 2: Assessment and Conclusions
- Part 3: Background Information

Appendix 1 – Conditions and Informatives

Appendix 2 – S106 Heads of Terms

Appendix 3 – Site Plan

Appendix 4 – Phase 1 Site Plan

Appendix 5 – Site Photographs  
Appendix 6 – Phasing Plan  
Appendix 7 – Phase 1 Ground Floor Plan  
Appendix 8 – Phase 1 Podium Level Plan  
Appendix 9 – Phase 1 East and West Elevations  
Appendix 10 – Phase 1 North and South Elevations  
Appendix 11 – Phase 1 Landscape Plans  
Appendix 12 – Development Zone Height Parameter Plan  
Appendix 13 – Courtyard Parameter Plan  
Appendix 14 – Parameter Plans  
Appendix 15 – Landscape Parameter Plans  
Appendix 16 – Concept Views

## OFFICER REPORT

### PART 1: Planning Application Fact Sheet

The Site	
Address	Gallions Quarter, Atlantis Avenue, Beckton London, E16
Applicant	Notting Hill Housing Trust
Ward	Beckton
Local Plan allocation	Strategic Site S19 – Albert Basin Arc of Opportunity
Conservation Area	No
Listed Building	No
Setting of Listed Building	Gallions Hotel Grade II* Listed Building
Building of Local Interest	No
Tree Preservation Order	No
Flood Risk Zone	3
Other	Archaeological Priority Area London City Airport Height Constraint London City Airport 57 DB Noise Contour

Housing – Master Plan		
Illustrative Density	Proposed Density hr/ha	665
	Proposed Density u/ph	217
	PTAL	3/4
	London Plan Density Range	200-700 hr/ha 45-260 u/ph
Illustrative Dwelling Mix	Studio (no. / %)	0
	1 bed (no. / %)	257 / 35%
	2 bed (no. / %)	257 / 35%
	3 bed (no. / %)	225 / 30%
	4 bed (no. / %)	0
Illustrative Affordable Housing / Tenure split	Overall % of Affordable Housing	40%
	Affordable/Social Rent (no. / %)	148 / 50%
	Intermediate / Shared Ownership (no. / %)	148 / 50%
	Private (no. / %)	443 / 60%

Housing – Phase 1		
Dwelling Mix Phase 1	Studio (no. / %)	0 / 0%
	1 bed (no. / %)	111 / 38%
	2 bed (no. / %)	130 / 45%
	3 bed (no. / %)	51 / 17%
	4 bed (no. / %)	0 / 0%
Affordable Housing / Tenure split	Overall % of Affordable Housing	29.8%
	Affordable Rent social (no. / %)	42 / 14.4%

	Intermediate / Shared Ownership (no. / %)	45 / 15.4%
	Private (no. / %)	205 / 70.2%
Internal Space Standards	Comply with London Housing SPG?	Yes
Amenity Space	Comply with London Housing SPG?	Yes
Accessibility	Comply with Lifetime Homes?	Yes

### Non-residential Uses

Existing Use(s)	Existing Use / Operator	Vacant Site
	Existing Use Class(es) sqm	Vacant Site
Proposed Use(s)	Proposed Use / Operator	Unknown
	Proposed Use Class(es) sqm	A1, A2, A3, A4, B1 & D1 maximum 2,641 sqm
Employment	Existing number of jobs	0
	Proposed number of jobs	121 Operational 360 Construction

### Transportation – Master Plan

Car Parking	No. Existing Car Parking spaces	0
	No. Proposed Residential Car Parking Spaces	426
	No. Proposed Commercial Car Parking Spaces	10
	Proposed Parking Ratio (on and off street)	0.57
Cycle Parking	No. Existing Cycle Parking spaces	0
	No. Proposed Residential Cycle Parking Spaces	986
	Cycle Parking Ratio	1 per unit 2 per 3 bed unit
Public Transport	PTAL Rating	3/4
	Closest Rail Station / Distance (m)	Gallions Reach DLR (adjacent to site)
	Bus Routes	474, 366, N551, 101 & 262
Parking Controls	Residents Parking Zone?	No
	RPZ Hours	NA
	Previous RPZ Consultation (if not in RPZ)	NA
	Other on-street controls	Double yellow lines

<b>Transportation – Phase 1</b>		
Car Parking	No. Existing Car Parking spaces	0
	No. Proposed Off Street Car Parking Spaces	145
	No. Proposed On Street Car Parking Spaces	14
	Proposed Parking Ratio per residential unit	0.5 spaces
Cycle Parking	No. Existing Cycle Parking spaces	0
	No. Proposed Residential Cycle Parking Spaces	359
	No. Proposed Non Residential Cycle Parking Spaces	10
	Cycle Parking Ratio	1.29
Refuse/Recycling Collection	Summary of proposed refuse/recycling strategy	Primary Refuse collection will occur from Atlantis Avenue and Gallions Road

<b>Sustainability / Energy</b>	
Code for Sustainable Homes Rating	Level 4
BREEAM Rating	Very Good
Renewable Energy Source / %	high performance building fabric, shading systems, low energy lighting, energy efficient appliances, metering, high levels of insulation and by maximising natural sunlight and solar gain and Combined Heating and Power Plant / 41%

<b>Public Consultation</b>	
Number of properties consulted	569
Expiry of consultation period	19 <sup>th</sup> November 2014
Number of responses	5
Number in support	2
Number of objections	3
Number of other representations (neither objecting or supporting)	0

## **PART 2: Assessment and Conclusions**

### **1. Executive Summary**

#### **1.1 Site**

1.1.1 The site, Gallions Quarter, is located in East London on the northern bank of the River Thames at the point where it is met by the eastern end of the Royal Docks. The site is in the southeast corner of the London Borough of Newham between the areas of North Woolwich and Beckton.

1.1.2 Gallions Quarter is located immediately to the east of Gallions Reach DLR station and lies between the completed Royal Quays residential site to the south and an industrial building, the BDM warehouse, immediately to the north. To the east of the site is the Buhler Sortex building which was constructed within the last 10 years as part of the Olympic relocation programme. To the west of the site across Royal Docks Road, the new Porsche Centre is under construction (13/01969/FUL), beyond that is the established residential area of Beckton, the University of East London campus and student accommodation including the Sports Dock sports centre. In the wider context, London City Airport is located nearby to the south west of the site approximately 350 metres away.

#### **1.2 Proposal**

1.2.1 The application is accompanied by an Environmental Statement for the purposes of Environmental Impact Assessment.

1.2.2 The application is for a hybrid planning permission for a total 3.41 hectare site spread across two parcels and delivered over three Phases (Phase 1, Phase 2A and 2B).

1.2.3 Outline planning permission is sought for the comprehensive mixed use redevelopment of the whole site comprising:

- Up to 800 residential dwellings;
- Up to 2,641sqm (GIA) of commercial space (Use Classes A1, A2, A3, A4, B1 and D1);
- Masterplan layout (perimeter blocks and highway layout); height parameters between 3-12 storeys;
- A car parking provision of 432 spaces;
- 983 cycle parking spaces;
- Provision of two new public parks, Gallions Park and Gallions Green with a total provision of public open space of approximately 8,700 sqm; and
- Provision of a temporary Energy Centre.

1.2.4 The outline part of the application seeks approval for the matters of 'layout and 'access' only. The matters reserved for subsequent Local Planning Authority Approval are 'appearance', 'landscaping' and 'scale'.

1.2.5 Within the overall development, detailed planning permission is sought for Phase 1 comprising:

- 292 new residential dwellings, including 87 affordable dwellings;
- 852 sqm of commercial space
- Three perimeter blocks ranging in height between 5-12 storeys;
- A car parking provision of 157 spaces and 369 cycle parking spaces;
- Landscaping and public realm improvements; and
- Temporary Energy Centre

### 1.3 Key Issues

1.3.1 The submitted Environmental Statement (ES) considered the environmental impacts. It is considered that the ES is robust and that any likely negative impacts can be satisfactorily mitigated.

1.3.2 The principle of redeveloping this site for residential led mixed use is fully supported by adopted policies and in particular the strategic site designation in the Core Strategy. The mix of uses is in accordance with this designation, will create jobs and encourage activity and animation throughout the day and week.

1.3.3 The provision of family housing is 30% 3 bedroom units across the whole site. Whilst the Phase 1 offer is still below the Council's adopted policy requirements, a contribution towards offsite family housing will be secured through the S106 Legal Agreement should Phases 2A and 2B not be delivered.

1.3.4 The proposals will provide 40% affordable housing across the whole site. Whilst the Phase 1 offer is still below the Council's adopted policy requirements, a contribution towards offsite affordable housing will be secured through the S106 Legal Agreement should Phases 2A and 2B not be delivered.

1.3.5 The scale, massing and landscaping are all considered to be acceptable. Conditions will ensure a good quality of the external treatment of both the detailed first phase and outline phases. All the residential units are of a good quality, with generous internal spaces and amenity space provision. The design is considered to be of a very good quality.

1.3.6 The use of appropriate conditions, implementation of the drafted S278 Legal Agreement and completion of the S106 Legal Agreement, will ensure that no adverse transportation impacts will arise. An appropriate level of parking at a ratio of 0.50 off street parking spaces per residential unit is proposed.

1.3.7 The proposals have very good sustainability credentials and the range of strategies that have been cited comply with adopted planning policy requirements, and are therefore welcome.



1.3.8 The proposals are also considered acceptable in terms of heritage impacts, amenity space provision, amenity impacts, flood risk, ecology, airport safeguarding, accessibility and land contamination.

## 1.4 Recommendations

1.4.1 The principle of redeveloping this site for residential led mixed use is fully supported by adopted policies and in particular the strategic site designation in the Core Strategy. The submitted Environmental Statement (ES) considered the environmental impacts. It is considered that the ES is robust and that all these impacts are acceptable or can be mitigated. The quantity and quality of family housing is considered to be acceptable as well as the affordable housing offer of 40% across the whole site. The design is considered to be of a very good quality, and will foster sustainable and successful placemaking. It is not considered that any adverse transportation impacts will arise. An appropriate level of parking at a ratio of 0.50 off street parking spaces per unit is proposed. The proposals are also considered to be acceptable in terms of heritage impacts, amenity space provision, amenity impacts, flood risk, ecology, airport safeguarding, accessibility and land contamination.

## 2. **Assessment**

2.1 The key issues relevant to this application are:

- Analysis of Environmental Statement
- Principle of Development
- Employment
- Housing Mix and Residential Quality
- Affordable housing
- Urban design
- Amenity Space provision
- Children's Play space
- Landscaping and Open space
- Amenity (Noise, sunlight daylight, overshadowing, overlooking/loss of view)
- Microclimate
- Air quality
- Flood Risk
- Sustainability
- Ecology
- Airport safeguarding
- Heritage
- Transportation
- Accessibility
- Contaminated Land

## 2.2 Analysis of Environmental Statement

2.2.1 Officers have taken environmental information into consideration in the assessment of this application in accordance with the Town and Country

Planning (Environmental Impact Assessment) Regulations 2011, The Proposed Development is classified as an 'Urban Development Project' under Schedule 2 of the Regulations.

- 2.2.2 A request for an EIA Scoping Opinion was received by the Council on 9<sup>th</sup> September 2013. A Scoping Opinion was provided on 5<sup>th</sup> November 2013.
- 2.2.3 The application is accompanied by an Environmental Statement prepared by Entran Ltd for the purposes of Environmental Impact Assessment. The Environmental Statement (ES) comprises of 3 Volumes. Volume 1 concerns 'Introduction, 'The Site and Surroundings, 'Environmental Statement Methodology, 'Alternatives and Design Evolution', 'The Proposed Development', 'Development Programme, Demolition and Construction', 'Transport and Access', 'Daylight and sunlight', 'Townscape and Visual Amenity', 'Wind Analysis and Pedestrian Comfort', 'Noise and Vibration', 'Air Quality', 'Water Resources and Flood Risk', 'Archaeology and Cultural Heritage', 'Ecology And Nature Conservation', 'Telecommunications', 'Soils, Geology And Contaminated Land, , 'Socio-economics' and 'Waste Management'. Volume 2 is a Technical Appendices. The ES is also accompanied by Volume 3 which is a Non Technical Summary.
- 2.2.4 The Council commissioned AMEC Environment & Infrastructure UK Ltd. "AMEC" to undertake an independent technical review of the ES which has been carried out in accordance with the requirements of the EIA Regulations 2011.
- 2.2.5 The Council requested the submission of further information in line with a Regulation 22 on 6<sup>th</sup> June 2014 requiring the submission of further information in support of Chapters 8 (Daylight and Sunlight), Chapter 10 (Wind Analysis and Pedestrian Comfort), Chapter 11 (Noise and Vibration), Chapter 12 (Air Quality), Chapter 14 (Archaeology and Cultural Heritage), Chapter 15 (Ecology and Nature Conservation), Chapter 16 (Telecommunications), Chapter 17 (Soils, Geology and Contaminated Land) and Chapter 18 (Socio-economics). The requested information was submitted to the Council on 2<sup>nd</sup> September 2014. A second Regulation 22 request was sent to the applicant on 16<sup>th</sup> October 2014 requiring the submission of further information in support of Chapters 8 (Daylight and Sunlight), Chapter 10 (Wind Analysis and Pedestrian Comfort) and Chapter 15 (Ecology and Nature Conservation). That information was submitted to the Council on 21<sup>st</sup> October 2014. The consultation period in respect of the submitted information began on 29<sup>th</sup> October 2014 and will expire on 19<sup>th</sup> November 2014.
- 2.2.6 The relevant chapters in the ES are summarised below. Issues arising from the ES relevant to the assessment of the application are included in section 2.3 and onwards of this report.
- 2.2.7 Development Programme, Demolition and Construction

- This chapter describes works associated with programme and phasing of development, demolition, earthworks, piling/substructure, building superstructure and fit out.
- The duration of construction will be approximately 6-7 years. The phasing has been considered to ensure that first phase knits into the grain of the existing adjacent development. The first phase encompasses the northern part of the site adjacent to the DLR station and creates a commercial space in front of the DLR station. The second phase (2A) will develop the block adjacent to the DLR park whilst the third and final phase (2B) will develop the remaining two blocks.
- The construction effects would be managed through the development of a project and site specific Demolition and Construction Environmental Method and Management Plan (DCEMMP).
- Details of hours of working, traffic management, traffic generation and construction vehicle routes can be mitigated through the DCEMMP. A condition capturing this has been included in the draft list of conditions (see condition C19).

#### 2.2.8 Transport and Access

- The Transport Assessment has identified that the development will have a minor adverse impact due to construction vehicle activity. However, this impact will be temporary.
- Due to site intensification and the consequent increase in car driver trips, there is a minor adverse impact on the local highway.
- Moderate beneficial transport impacts are brought about by improved bus stops on Atlantis Avenue, improved pedestrian crossing provision on Atlantis Avenue and enhanced cycle routes.
- A Transport Assessment has been submitted with the application which assesses the transport impact of the proposed development and includes a Sustainable Transport Strategy, Framework Delivery and Servicing Plan and a Framework Construction Management Plan. A Travel Plan has also been prepared to encourage sustainable travel and reduce reliance on private vehicle trips. The submission of a sitewide Travel Plan prior to occupation of an Phase of the development shall be secured through a S106 Legal Agreement.

#### 2.2.9 Daylight and sunlight

- The assessment has been undertaken to measure the potential effect within the development and its impact on surrounding buildings. The assessment also looked at solar glare and light pollution. The assessment considered these issues against BRE guidelines.
- The overall sunlight assessment within the proposed development shows that the majority of facades in most blocks receive good levels of sunlight.
- All north-facing facades and a small proportion of facades facing internal courtyards have reduced sunlight availability. All courtyards in the proposed development were tested to be reasonably sunlit throughout the year in accordance with the guidelines recommended by the BRE. There is

no impact on the sunlight availability of any surrounding buildings from the proposed development.

- The overall daylight assessment shows that a majority of the external facades within Amarda South and the remaining blocks in the masterplan receive adequate levels of daylight. Reduced daylight levels are mainly seen in facades facing internal courtyards.
- The proposed development has a minor adverse impact on the existing daylight levels of the office spaces in the Buhler Sortex industrial building and on a small number of windows on the lower floors of two blocks within the adjacent Royal Quays residential development. Further analysis on the surrounding buildings showed that despite a reduction, the affected rooms still achieve good daylight levels above recommended values.
- The potential effects resulting from light pollution are considered to be of neutral significance assuming that best practice internal and external lighting design would be implemented across the development. In regards to solar glare, all instances are likely to be resolved and adequately mitigated by using non-reflective glazing where necessary, resulting in a neutral residual effect.
- A Regulation 22 request was issued by Council seeking further information regarding daylight and sunlight. An appropriate response has now been received by the applicant who provided summary of current policy and guidance, a summary of existing receptors and their sensitivity, construction phase effects, criteria for assessment and additional daylight and sunlight assessments.
- Officers recommend conditions to ensure that the remaining concerns are addressed as each phase progresses to detailed design (see draft condition B5).

#### 2.2.10 Townscape & Visual Amenity

- The Site is allocated for residential development within the planning framework and does not lie within a Conservation area nor any area with any specific landscape or townscape designation. All of the existing buildings in the immediate area have been built in the last few decades and are contemporary in design, the only exception is Gallions Hotel, a Grade II\* listed building which lies 50 m south of the Site.
- The redevelopment is arranged into blocks which relate to the existing street and block pattern, with the tallest, twelve storey, blocks forming gateway features into the area while remaining in scale with the existing apartment blocks at Royal Quay.
- Gallions Quarter will not be prominent within the key local views which are from the River and the open areas around Royal Albert Dock since the Proposed Development will lie behind the buildings of Royal Quay and the University of East London. Visibility will decrease once the Great Eastern Quays and Magellan Boulevard sites are built out. The most significant visual impact of the Proposed Development will be to travellers moving east along Royal Albert Way where the twelve storey towers overlooking Gallions Roundabout will appear as landmarks.
- The redevelopment of the site is predicted to not have a significant impact on visual amenity and the townscape. It is considered that the completed

development will have moderate to minor beneficial effect for the character areas adjacent to and including the site.

#### 2.2.11 Wind Analysis and Pedestrian Comfort

- The ES identifies that wind conditions at pedestrian level are expected to be acceptable for use as a main public area.
- The design of the courtyard AS1 may lead to some impact on wind patterns. The use of wind breaks could be used to make this more sheltered.
- A Regulation 22 request was issued by Council seeking further information regarding Wind Analysis. The response to the Regulation 22 request is considered to be adequate, however areas of the methodology are not considered to be in line with best practice.
- It is concluded that the proposals in three areas should be classified as substantial adverse in terms of the impact of wind.
- An additional Regulation 22 request was issued by Council regarding Wind Analysis. The Council's environmental consultant now considers there to be enough information for Council to make a decision regarding Wind and Pedestrian Comfort. Conditions have been recommended to ensure the impacts of wind are mitigated against prior to the commencement of development (see draft condition C41).

#### 2.2.12 Noise and Vibration

- The noise assessment has considered the likely effects of the scheme with respect to noise and vibration including the noise and vibration generated by the development on surrounding properties, during both construction and operational phases.
- The assessment has been based on a series of environmental noise measurements undertaken at the Site and noise predictions. During construction mitigation measures have been recommended, which when implemented are capable of ensuring that the impact of noise and vibration during the construction is adequately controlled.
- The proposed residential units located adjacent to the Docklands Light Railway and road network will, in some instances require the appropriate glazing and ventilation specification, in order to achieve the required internal noise levels.
- A Regulation 22 request was issued by Council seeking further information regarding Noise and Vibration. An appropriate response has now been received by the applicant, which included the consideration of traffic flows, noise modelling, location of noise receptors and complete survey results.
- The Environmental Statement and Addendum together are accepted and the response, while deficient in places is considered adequate to meet the requirements of the Regulation 22 Request and to complete a full assessment against the ES.
- Significant effects may arise during construction, affecting existing and proposed noise sensitive receptors. Significant effects may also occur if buildings services noise is not adequately controlled having regard to the

closest receptors. The proposed sound insulation scheme should be revised having regard to future traffic noise levels.

- These impacts can be controlled through appropriate conditions requiring the above issues to be fully and satisfactorily addressed prior to commencement of construction (see draft conditions C58 to C64).

#### 2.2.13 Air Quality and Odour

- The proposed development site does not lie within the London Borough of Newham Air Quality Management Area for Nitrogen Dioxide. Modelling has been undertaken for the impacts that the proposed development would have on nitrogen dioxide levels which shows that the additional traffic associated with the proposal would have a negligible impact on local air quality.
- There is potential for dust impacts arising from demolition and construction activities at the development site, however, with the appropriate mitigation measures the impact on residential properties in the area will be minimised and therefore there is considered to be no permanent adverse impact.
- In terms of odour, detailed modelling of odour impacts arising from the Beckton Sewerage Treatment Works (BSTW) which has previously been undertaken by Thames Water predicts the current impacts of the facility and identifies future impacts once planned improvement works have been carried out. These works include the covering of the primary settlement tanks in 2015 which will substantially reduce odour emissions from the BSTW.
- A Regulation 22 request was issued by Council seeking further information regarding the temporary energy centre and traffic emissions modelling. The findings of the ES and ES addendum have been accepted. Council's environmental consultants have advised that the development would have a moderate adverse at worst at existing sensitive receptors and the development is not air quality neutral with respect to emissions from transport associated with the development.
- Officers consider that the negative impacts can be adequately addressed through mitigation and off-site abatement measures and appropriate conditions (see draft conditions C38 to C40).

#### 2.2.14 Water Quality, Hydrology and Flood Risk

- The site is located in Flood Zone 3 but is protected by the flood defence wall which lines the River Thames.
- Whilst some potential impacts on the water environment have been identified as a result of the Proposed Development, provided that the measures outlined in the accompanying Flood Risk Assessment are undertaken, then the proposed phases of the development are concluded to have no significant detrimental impact on water resources or flood risk.
- The Environment Agency has recommended conditions relating to surface water drainage and only consider the development to be acceptable subject to these conditions (see draft conditions C27 to C30)

- Thames Water has advised it has no objection to wastewater or water capacity on site and recommended a condition regarding piling (see draft condition C31)

#### 2.2.15 Archaeology and Cultural Heritage

- It is assessed that the site has the potential to contain buried sediments of geoarchaeological and palaeoenvironmental significance.
- Effects will be confined to the construction phase, and will result from the substantial degree of ground disturbance that will be required, notably due to piled foundations and the excavation.
- A Regulation 22 request was issued by Council seeking further information regarding desk-based archaeology assessment.
- Appropriate conditions will ensure that any potential impact on archaeology will be mitigated (see draft condition C21). Officers consider that the conditions recommended and mitigation measures identified satisfy concerns in relation to the potential negative impacts.

#### 2.2.16 Ecology and Nature Conservation

- Potential effects on the Royal Docks SBINC are associated with contamination by pollutants created during both the construction and operational phases, through the loss of the ecological buffer created by the on site habitats prior to clearance. There is also the potential for the disturbance of a range of faunal species (i.e., bats and breeding birds) due to increased lighting levels and usage.
- The predicted effects on the existing on-site habitats is associated with the removal of all vegetation and the associated impacts to a range of fauna that may use them for foraging, commuting and nesting.
- The overall impact will need to be mitigated level through the implementation of a suite of habitat enhancements and compensatory measures, including: The creation of the Gallions Green/Linear Park Rain Gardens, insect wall and wildflower meadow; The use of container planting in other parts of the Site; and the creation of green and brown roofs and mounding for invertebrates. These mitigation measures will be secured through landscaping and ecology conditions (see draft conditions C33 to C35).
- The impact on bats will be mitigated to a Minor Beneficial level through the design and implementation of a sensitive lighting strategy, installation of green/brown roofs, and the installation of bat boxes on the new buildings.
- New foraging habitats for birds have been created by the use of green/brown roofs and suitable planting in other areas. Mitigation for birds has been targeted towards non-flocking species due to the proximity of London City Airport.
- Two Regulation 22 requests were issued by Council seeking further information regarding Invertebrate and Reptile Surveys conducted on the site. Buglife also objected to the development based on insufficient information having been submitted. As a result of the response to Council's second Regulation 22 request and in consultation with Buglife, matters

regarding Ecology and Nature Conservation are now considered to be addressed through the Environmental Statement.

- These impacts can be appropriately controlled through appropriate conditions requiring the above issues to be fully and satisfactorily addressed prior to vegetation clearing and construction (see draft conditions C33 to C35).

#### 2.2.17 Soils, Geology and Contaminated Land

- Assessment has been undertaken in terms of land and groundwater quality, ground contamination and its potential effects on future site users and groundwater quality, surface water and the environment generally.
- With respect to ground contamination the sensitivity of the Site is considered to be High for Site End Users, Medium – High for Construction Workers and Groundwater receptors, and Medium for Surface Water receptors, Buildings and Service Infrastructure and Adjacent End Users.
- In order to consider the land contamination issues and mitigate the associated risks (during and after construction). Remediation Specification and Verification Report will be prepared which will be supported by the Contractors own Method Statements. Regulatory approval from the Local Authority and Environmental Agency will be obtained for the approach presented in these documents (see conditions C23 to C26).
- Whilst there is potential for adverse impacts resulting from the release of contaminants encountered during construction activities, Officers consider that the proposed conditions satisfy concerns with regards to the potential adverse impacts identified. Potential adverse impacts can be avoided through best practice working methods, which would be set out within environmental and construction management plans secured by condition and also the recommended conditions from the Environment Agency.

#### 2.2.18 Telecommunications Interference

- An assessment has been undertaken to assess the potential impacts on the reception of Television and radio broadcast services.
- Modelling and analysis of current local reception conditions has shown that the proposed development is not expected to have any detrimental impact on Digital Terrestrial Television, digital satellite television services, VHF and DAB radio services.
- A Regulation 22 request was issued by Council seeking further information regarding microwave links and UHF or higher frequencies operating in the area.
- Officers have assessed the implications as stated within the Environmental Statement and the Addendum and it is considered that there will not be significant electronic interference caused to the local area from the development. A clause within the S106 Legal Agreement has been included to ensure a detailed management and mitigation plan with commitment to implementation within Appendix 2 of this report. Officers consider that the proposed obligations would satisfy concerns with regards to telecommunications interference.



### 2.2.19 Socioeconomics

- Assessment has been based on the effects on the socio economic conditions of both the local community and the new residents of the development. The assessment looks at issues that cannot easily be measured such as potential for crime and fear of crime and also the potential for demand on local social infrastructure such as schools and GP surgeries.
- The assessment has identified that the proposed development will have a beneficial effect in terms of construction employment, apprenticeship roles and operational employment (total of 121 jobs during the operational phase and 360 during the construction phase), the assessment also states that there is a major beneficial effect in terms of reducing crime and the potential for fear of crime through good design, bringing back into use a vacant plot and providing facilities such as open space and play space.
- The proposal will have adverse impacts on primary health care provision and primary and secondary school provision.
- Whilst the proposal will have an adverse impact on primary and secondary school provision and primary healthcare provision, S106 financial obligations for education have been sought and agreed by the applicant resulting in a neutral effect on local services.
- The proposal will create significant jobs and a local labour, goods and services clause will be secured through the S106 agreement, creating an overall beneficial impact on the socioeconomics of the area.
- A condition has been recommended restricting the maximum area of Use Class A1 Retail to ensure the proposed Local Centre does not compete with other Centres in the area (see draft condition C9).

### 2.2.20 Waste Management

- The proposed development will result in the generation of waste materials as a result of demolition and construction waste and general household waste during the operational phase.
- Construction waste will be managed in accordance with a Site Waste Management Plan (SWMP), which will be a statutory requirement, and the effect on the waste management regime is considered to be of minor significance at a local/regional level (see draft condition C72).
- The London Borough of Newham will be responsible for the collection, transfer, treatment and disposal of household waste.
- In order to ensure that the construction and operational wastes and onsite wastes produced by the completed development are dealt with in a sustainable way, a condition has been recommended to ensure that a Site Waste Management Plan is submitted prior to commencement of works.
- Overall, subject to the mitigation measures proposed the Council's waste management department is satisfied that the development can be accommodated appropriately.

## 2.3 Principle of Development

- 2.3.1 The National Planning Policy Framework (NPPF) Objective 19 states that planning should proactively drive and support the development that is needed and that every effort should be made to identify and meet the housing, business, and other development needs of an area. Objective 19 also states that planning policies and decisions should make effective use of land and promote mixed use developments. Objective 17 point 4, states that Planning Authorities should always seek to secure high quality design and a good standard of amenity for all existing and future occupants of land and buildings.
- 2.3.2 NPPF Objective 17 point 3, states that Planning Authorities should proactively drive and support sustainable economic development to deliver the homes and thriving local places that the country needs. Every effort should be made objectively to identify and then meet the housing and other development needs of an area and respond positively to wider opportunities for growth.
- 2.3.3 NPPF Objective 17 point 8, states that Planning Authorities should encourage the effective use of land by reusing land that has been previously developed (brownfield land), provided that it is not of high environmental value.
- 2.3.4 NPPF Objective 49 states that housing applications should be considered in the context of the presumption in favour of sustainable development and objective 50 goes on to state that Planning Authorities should plan for a mix of housing based on current and future demographic trends, market trends and the needs of different groups in the community.
- 2.3.5 The London Plan locates the site within the East London Sub-Region and designates the Site within the Royal Docks and Beckton Waterfront Opportunity Area which under Policy 2.13 seeks to optimise residential and non-residential output and densities, contain a mix of uses, provide necessary social and other infrastructure and contribute towards meeting (or where appropriate, exceeding) the minimum guidelines for housing (11,000 homes) and/or indicative estimates for employment capacity (6,000 jobs).
- 2.3.6 Policy 3.4 of the London Plan states that development proposals should achieve optimum intensity of use taking into account local context, design principles of the London Plan and Public Transport capacity.
- 2.3.7 The London Strategic Housing Land Availability Assessment 2013 (SHLAA) highlights that both the LLDC and Newham contribute a significant amount of 'large site' capacity in the east (15,855) as shown in Table 3.3 and at 42%, the East Sub region has the largest total housing capacity in London for net additional housing. The SHLAA has informed the London Plan target to deliver 2,500 homes per year in Newham, the third largest in London overall.
- 2.3.8 The Site is located on the eastern edge of the Royal Docks within East Beckton adjacent to the London Riverside Opportunity Area. A draft of the Royal Docks Opportunity Area Planning Framework (OAPF) has not yet been published but the draft London Riverside OAPF (December 2011) includes the area in which the Site is located as it was considered that it shares many features which make it more akin to London Riverside than the Royal Docks.

2.10.6 The concept of connecting people with food is excellent and is supported in every respect. Officers look forward to seeing more on this as the detail develops, this would be controlled through a condition. The longer term success of this concept will depend on management and the approach on this will need to be set out to ensure sustainability of the concept.

2.10.7 The south entry pocket spaces have natural stone paving (indicated as granite) to this threshold which is appropriate, provided the unit sizes are not out of scale with the other materials which as indicated in images seems suitable.

2.10.8 It is noted the open space provision satisfies the GLA SPG and Council's Landscape Officers support the approach on dedicated play space being integrated with larger multifunctional spaces. It is essential the quality and attention to detail achieves this design intent.

2.10.9 The proposed Gallions Park link across Atlantis Avenue (and on through to Gallions Green) is a positive statement of public realm and will need to be detailed carefully in terms of materials.

2.10.10 The spaces under the DLR will have to work hard to achieve the design objectives shown. The use of this space is supported and the move to lower the half court area below grade works well. Appropriate fencing must be designed to ensure balls are kept off the highway here.

2.10.11 At 11 metres wide for the main green space, this park is narrow, but the various treatments for the three zones should provide for suitable interest and movement, with clear links from the Phase 2 blocks, via Gallions Street and Gallions Mews. The rain garden and tree planting should reinforce its southern edge. The materials are appropriate overall, however a bound rather than bonded gravel may be more suitable.

2.10.12 A landscaping condition would be attached to any planning permission which would address any outstanding detail comments discussed above, including materials and management of the spaces (see draft condition A6, B11 to B14). Officers consider the landscape strategy to be well resolved for Phase 1 and the indicative proposals for Phase 2A and 2B are also supported. Further details for Phase 2A and 2B will come forward through reserved matters applications. The open space provision is considered acceptable and consistent with adopted policies. The Mayor of London was also satisfied with the provision, as set out in stage 1 of their response on the proposals.

## 2.11 Amenity (Noise, sunlight daylight, overshadowing, overlooking/loss of view)

2.11.1 NPPF objective 109 states that the planning system should contribute to and enhance the natural and local environment by preventing both new and existing development from contributing to or being put at unacceptable risk from, or being adversely affected by unacceptable levels of noise pollution.

- 2.11.2 Paragraph 7.19 of The London Plan states that the lighting of the public realm needs careful consideration to ensure places and spaces are appropriately lit, and there is an appropriate balance between issues of safety and security, and reducing light pollution.
- 2.11.3 Policy 7.6 outlines that buildings and structures should not cause unacceptable harm to the amenity of surrounding land and buildings, particularly residential buildings, in relation to privacy, overshadowing, wind and microclimate. It states that this is particularly important for tall buildings.
- 2.11.4 Policy 7.7 part D Tall Buildings outlines that tall buildings should not affect their surroundings adversely in terms of microclimate, wind turbulence, overshadowing, noise, reflected glare, aviation, navigation and telecommunication interference.
- 2.11.5 UDP Policy H17 requires new development to ensure a satisfactory level of amenity, outlook and natural lighting is maintained to existing occupiers.
- 2.11.6 UDP Policy EQ45 is concerned with protecting residential amenity from a range of sources.

#### *Noise and Vibration*

- 2.11.7 The supporting Environmental Statement (Chapter 11) prepared by Entran, has carried out an analysis of the potential constraints from existing sources of noise on the internal noise environments within the Proposed Development and where necessary, the types of measures that might be adopted to overcome these constraints; impact of noise and vibration on existing sensitive receptors during the demolition and construction phase; the potential effect of the Proposed Development on surrounding sensitive receptors during the operational phase. The cumulative impacts of the other schemes in the area have also been included in the baseline flows.
- 2.11.8 London Plan Policy 7.15 requires development to seek to reduce noise by minimising the existing and potential adverse impacts of noise on, from, within, or in the vicinity of development proposals. Saved UDP policy EQ45 seeks to ensure that developments are not exposed to unacceptable levels of pollution, including noise and vibration. Saved UDP policy EQ47 sets out that where a proposed development is likely to produce a consideration increase in noise relating to its use the Council will require a Noise Impact Assessment to be carried out.
- 2.11.9 The noise assessment has considered the likely effects of the scheme with respect to noise and vibration including the noise and vibration generated by the development on surrounding properties, during both construction and operational phases. The proposed units located adjacent to the Docklands Light Railway and road network will, in some instances require the appropriate glazing and ventilation specification, in order to achieve the required internal noise levels. This has been secured by condition (see draft conditions C57 to C63)

- 2.11.10 A Regulation 22 request was issued by Council seeking further information regarding Noise and Vibration. An appropriate response has now been received from the applicant. The Environmental Statement and Addendum together are accepted and the response, while deficient in places is considered to meet the requirements of the Regulation 22 Request. Significant effects may arise during construction, affecting existing and proposed noise sensitive receptors. Significant effects may also occur if buildings services noise is not adequately controlled having regard to the closest receptors. The proposed sound insulation scheme should be revised having regard to future traffic noise levels. These impacts can be controlled through appropriate conditions requiring the above issues to be fully and satisfactorily address prior to commencement of construction (see draft conditions C57 to C63).

*Daylight and Sunlight on proposed development*

- 2.11.11 The design development for the Gallions Quarter development follows guidelines prescribed in the BRE to maximise the availability of sunlight in most units across the site. The distribution of units, internal layouts and courtyard spaces within Armada South ensure most blocks have south facing living room units and receive good levels of sunlight both annually and during the winter months. No enhancement and mitigation measures are therefore proposed at this stage for Phase 1.
- 2.11.12 A large proportion of the facades in other blocks in the remaining masterplan, also receive a good amount of sunlight availability both annually and during the winter months. Considering the nature and size of a large urban development such as this, it is often difficult for all facades to achieve maximum levels of sunlight, due to other design considerations like development ratios, site layout constraints etc. The BRE guide addresses this issue, and offers application of flexibility when dealing with sites located in dense urban city centres or major urban regeneration sites. This is particularly challenging for a large masterplan with a courtyard arrangement for most of its blocks. A number of blocks have north-facing facades or others that have reduced sunlight availability due to overshadowing from neighbouring blocks. This should be taken into account when developing the internal floor layouts for the masterplan to ensure that most dwellings that are dual aspect or multi-aspect have at least one main living room on facades which can receive a reasonable amount of sunlight. To ensure Phases 2A and 2B are appropriate in terms of daylight and sunlight, a condition has been recommended requiring the applicant to submit detailed Daylight and Sunlight assessments with appropriate mitigation measures to ensure daylight and sunlight levels are adequate for future occupants of the development (see draft condition B5).

*Daylight and Sunlight on neighbouring development*

- 2.11.13 All tested windows for the Buhler Sortex and Royal Quay 1 developments meet the minimum values required both annually and during the winter months, with the proposed development in place. The effect on the

London City Airport safeguarding team to ensure that their operations are not compromised.

## 2.17 Airport safeguarding

2.17.1 Objective 102 of the National Planning Policy Framework 2012 states that local planning authorities should put in place policies taking into account aviation safety and that when determining planning applications, local planning authorities should ensure that there are no unacceptable adverse impacts on aviation safety.

2.17.2 Core Strategy Policy INF1 requires development proposals to have regard to the Airport Safeguarding Area and Public Safety Zone.

2.17.3 London Borough of Newham Unitary Development Plan (adopted June 2001, policies saved by the Secretary of State in 2007 and not deleted on adoption of the Core Strategy on 26<sup>th</sup> January 2012) Policy T30 states that the Civil Aviation Authority will be consulted on all applications for permission to develop sites within the outer safeguarding boundary shown on the safeguarding map for the London City Airport, provided that the proposals are of the extent and nature specified on the key to the map.

2.17.4 London City Airport commented that they did not object in principle, subject to conditions to be included within any approval to ensure that details of craneage are submitted, and London City Airport are given the opportunity to comment further. The proposals are considered to be acceptable in terms of airport safeguarding.

## 2.18 Heritage

2.18.1 The Council as the Local Planning Authority has exercised its general duty under s.66 of the Planning (Listed Building and Conservation Areas) Act 1990 in respect of the listed building located within close proximity to the site, having special regard to the desirability of preserving the building and its setting. The Council has assessed the level of harm to these heritage assets and has given considerable importance and weight to the desirability of preserving the setting of listed buildings.

2.18.2 Chapter 12 of the NPPF and accompanying PPG Conserving and enhancing the historic environment (updated 10.04.2014) focus on the topic of conserving and enhancing the historic environment. The appropriate conservation of heritage assets forms one of the 'Core Planning Principles' of the NPPF that underpin the planning system. This is expanded upon principally in paragraphs 126-141 but policies giving effect to this objective appear elsewhere in the NPPF.

2.18.3 Having specific regard to Core Strategy policy SP5 (Heritage and other Successful Place-making Assets) which promotes the need for innovation to realise the value of assets and secure viable, sustainable and appropriate futures for them.

and until in relation to that Phase the noise mitigation measures approved pursuant to (i) above have been installed and completed by a suitably qualified engineer approved by the Local Planning Authority has certified that the noise mitigation measures agreed have been installed and completed.

**Reason** To ensure the impacts of the construction of the development are mitigated against so that the new residents of earlier phases and existing neighbouring properties suffer no loss of amenity during the construction and demolition.

**C59.** No Building within a Phase within the development hereby permitted shall be Occupied unless and until full details that demonstrate that the required guideline internal noise levels specified in BS8233 with reference to Table 4 of BS8233, and that individual noise events should not normally exceed 45dB  $A_{max(f)}$  in bedrooms at night, and appropriate levels of ventilation have been achieved within the relevant Building have been submitted to and approved in writing by the Local Planning Authority.

**Reason** To protect the amenity of future occupants and neighbours.

**C60.** No Building within a Phase shall be Occupied unless and until a scheme for testing the internal noise environment of the units within the relevant Building, demonstrating compliance with the standards required by condition C58 above has been submitted to and approved in writing by the Local Planning Authority.

Each approved scheme for testing shall thereafter be implemented.

**Reason** To protect the amenity of future occupants and neighbours.

- C61.**
- a) No Construction Works for a Building within any Phase of the development hereby permitted shall be commenced unless and until details of the proposed sound insulation scheme to be implemented between the residential accommodation and any non residential uses have been submitted to and approved in writing by the Local Planning Authority, in relation to the relevant building. Details should include airborne and impact sound insulation.
  - b) No Building within any Phase shall be first occupied unless the developer has certified that the noise mitigation measures agreed have been installed. The approved scheme is to be completed prior to occupation of the residential units of the relevant building and shall be permanently maintained thereafter, throughout the life of the building.

The Local Planning Authority will require pre-completion testing to be carried out to prove that all floor, ceiling and wall constructions can achieve compliance with Building Regulations Approved Document E, or

greater in the cases specified in that paragraph.

**Reason** To protect the amenity of future occupants and neighbours.

- C62.**
- a) No Building within any Phase of the development hereby permitted which contains external plant shall be commenced unless and until an acoustic report has been submitted to and approved by the Local Planning Authority in relation to that Building. The submitted acoustic report shall demonstrate that the plant operation and activity on that Building shall not give rise to a BS4142 rating level greater than the background level at the nearest or worst affected property.
  - b) No building within any Phase shall be first occupied unless the details approved pursuant to a) above have been implemented in full. Thereafter, the developer shall certify to the Local Planning Authority that the noise mitigation measures agreed have been installed.

**Reason** To protect the amenity of future occupants and neighbours.

- C63.**
- (i) No Phase of the development hereby permitted shall be commenced until a survey measuring noise levels generated from adjacent road traffic, DLR and ground and air noise from London City Airport has been submitted to and approved by the Local Planning Authority in relation to the relevant Phase of development.

The survey should be accompanied by a scheme setting out mitigation measures such as siting, orientation, noise barriers and other such measures as may be appropriate to be incorporated into the development to ensure internal noise levels specified in BS 8233 with reference to Table 4 of BS 8233 are achieved. The mitigation measures shall include the provision of acoustic glazing and mechanical ventilation as required to meet the guideline values in Table 4 of BS 8233.

All glazing and ventilation installed should be sufficient to provide an internal noise level in line with the BS 8233 guideline values. Evidence should be provided to show that the glazing and ventilation intended to be installed can actually achieve the noise mitigation levels required. This should include manufacturers' test data showing the sound reduction levels achievable and calculations should demonstrate that room and window dimensions have been considered.

- (ii) No Building within the relevant Phase of the development shall be Occupied unless and until in relation to that Phase the mitigation measures approved pursuant to (i) above have been implemented in full and certified as such by a suitably qualified engineer approved by the Local Planning Authority. The mitigation measures approved pursuant to (i) above shall be retained for so long as the development shall exist.



**Reason** To protect the amenity of future occupants and neighbours.

**C64.** No residential unit (Use Class C3) within any Building of the development hereby permitted shall be first Occupied unless:

A) a scheme for noise insulation and ventilation for the relevant Building has been submitted to and approved in writing by the Local Planning Authority. The submitted scheme should produce internal noise levels in residential accommodation specified in BS8233:2014 and a reasonable level of ventilation when windows are closed; and,

B) the developer has certified in writing to the Local Planning Authority that the noise insulation and ventilation system, as approved by A) above, has been installed in all residential units within the relevant Building.

**Reason** To protect the amenity of future occupiers with particular regard to the fact that the development falls within the 57dB full noise contour of London City Airport.

*Design and Access*

**C65.** (i) All the residential units comprised within the development hereby permitted shall be constructed in accordance with Lifetime Homes standards, as defined in the Joseph Rowntree Foundation publication "Achieving Part M and Lifetime Homes standards" and the joint collaboration of JRF, Mayor of London, GML Architects and Habinteg HA in the publication "Lifetime Homes" and as referred to in the Greater London Authority Accessible London Supplemental Planning Guidance entitled Accessible London: achieving an inclusive environment (April 2004); and,

(ii) any application for reserved matters approval that includes residential units shall be accompanied by adequate information to demonstrate that all of those residential units in the relevant Phase of the development will be constructed to Lifetime Home Standards.

**Reason** To ensure that accessible housing is provided.

**C66.** No fewer than 10% of the total number of residential units within the development hereby approved shall be constructed so that they can be easily adapted for residents who are wheelchair users in accordance with the publication 'Wheelchair Housing Design Guide', Habinteg Housing Association, dated February 2006.

**Reason** To ensure that accessible housing is provided.

**C67.** The non-residential parts of the development hereby permitted shall not

be Occupied unless and until, the developer has provided a copy of the final Building Research Establishment (BRE) certificate confirming that the development design for the relevant part of the permanent buildings each achieve a minimum BREEAM rating of Very Good. The BREEAM Post Construction Assessment for Offices, Education or Retail, whichever is relevant, shall be carried out on a sample of the relevant part of the development in accordance with an agreed methodology to ensure that the required minimum rating has been achieved and can be maintained.

**Reason** In the interest of energy efficiency and sustainability.

**C68.** No residential unit (Use Class C3) within any Building of the development hereby permitted shall be first Occupied unless and until the developer has provided a copy of the post construction stage final certificate issued by a licensed code assessor on behalf of the Department of Communities and Local Government, and logged on the service provider database, demonstrating that the residential units in that building have achieved The Code for Sustainable Homes Code Level 4 as a minimum (or the equivalent level of any subsequently adopted national standard on sustainable design and construction) at both design stage and post construction stage (as determined by a licensed assessor) in respect of the relevant Building.

**Reason** To ensure that high standards of sustainable design are implemented.

**C69.** No building within any Phase of the development hereby permitted shall be commenced unless and until an Emergency Services Access Strategy has been submitted to and approved in writing by the Local Planning Authority in consultation with Building Control and the Fire Brigade in relation to the relevant Building. The Strategy shall include details of all access routes for fire and other emergency vehicles to and within the Building, during the construction and operational periods of that Building and cumulatively, taking account of the site (to the extent that it has been developed) as a whole at that time. The approved access routes shall be kept clear at all times.

**Reason** To ensure satisfactory access for emergency vehicles.

**C70.** The landscaping provided as part of the development hereby permitted, shall be accessible and useable by disabled people, including wheelchair and scooter users, people with sight impairment and people with prams or pushchairs.

**Reason** To ensure that the site is accessible and usable for all.

**C71.** No satellite antenna, apparatus or plant of any sort (including structures or plant in connection with the use of telecommunication systems or any electronic communications apparatus) shall be erected on the site or roof of any buildings hereby approved unless or until details of their size and location have previously been submitted to and approved in writing by the

Local Planning Authority.

**Reason** In the interest of visual amenity and the safe operation of London City Airport.

Waste

**C72.** (i) Notwithstanding and in addition to the provisions of Chapter 19 of the Environmental Statement submitted as part of the application, which states that the Applicant will instruct the production of a Site Waste Management Plan (SWMP), no Construction Works for a Development Phase shall be commenced unless and until a final Site Waste Management Plan (SWMP) has been submitted to and approved in writing by the Local Planning Authority in relation to the relevant Development Phase.

Each DPWMP shall include details of the methods to be employed to:

- deal with construction and demolition waste prior to commencement of development of the relevant Development Phase;
- details relating to the means of refuse and recycle storage for that Development Phase; and,
- the methods to be employed to enable street level waste collections during the operational phase.

(ii) No Development Phase of the development hereby permitted shall be Occupied unless and until the approved details pursuant to (i) above have been implemented in full in relation to the relevant Development Phase. The details approved pursuant to (i) above shall be permanently maintained thereafter throughout the life of the Development Phase.

**Reason** To ensure a long-term sustainable waste management strategy for the site and control the transport and environmental impact of all collection, transfer and disposal movements.

Minimising Carbon Dioxide Emissions

**C73.** No photovoltaic panels shall be sited on any building or structure within the development hereby permitted until the full details of the proposed location and manufacturers specification(s), for each complete installation has been submitted to and approved in writing by Local Planning Authority in consultation with London City Airport.

**Reason** To ensure a satisfactory standard of external appearance of the development and in the interest of the safe operation of London City Airport.

**C74.** The minimum 41% reduction in carbon dioxide emissions shall be established from the anticipated carbon dioxide emissions of all of the

approved permanent development phases once all energy efficiency measures have been accounted for and details shall be provided in writing to the Local Planning Authority.

**Reason** To ensure the development makes the fullest contribution to Climate Change.

**C75.** a) Prior to the commencement of works on the Energy Centre(s), details of the Energy Centre(s) should be submitted to, for approval in writing by, the Local Planning Authority. The details shall include:

- The make and model of the system and details of the additional abatement technology that has been investigated for fitment to reduce air pollution emissions.
- A life cycle analysis showing a net benefit to carbon emissions from the plant.
- The type, height, size and location of the energy centre (including calculation details regarding the height of the energy centre).
- An assessment of the impact of the emissions to ground level concentrations and any additional impact to surrounding buildings/structures.
- An acoustic report for the plant. Plant operation and activity on site shall not give rise to a BS4142 rating level greater than the background level at the nearest or worst affected property. Where it is considered impractical to meet this noise standard the report should detail mitigation measures taken to reduce noise to a minimum.

b) The approved gas fired CHP and associated plant shall be installed in strict accordance with the agreed details and operational to the satisfaction of the Local Planning Authority prior to the occupation of the development and shall be permanently maintained thereafter, unless otherwise agreed in writing.

c) The approved system(s) shall achieve at least a minimum 41% reduction in carbon dioxide emissions from the anticipated regulated carbon dioxide emissions of the development once all energy efficiency measures have been accounted for and be implemented and retained for so long as the development shall exist except to the extent approved in writing by the Local Planning Authority.

**Reason** To ensure the development meets the requirements of the Mayor's Climate Change Mitigation and Energy Strategy and its objectives of increasing the proportion of energy used generated from renewable sources

### Informatives

- 1 In dealing with this application, Newham Council has implemented the requirements of the National Planning Policy Framework and of the Town and

## **Appendix 2: Section 106 Legal Agreement – Heads of Terms**

The Section 106 Legal Agreement Heads of Terms to be agreed between the Council and the Applicant are set out below. The contributions secured through the S106 agreement have been subject to a viability assessment.

- Payment of the Council's legal fees
- Affordable housing – 40% and 50/50 split affordable/social rent to intermediate / shared ownership
- Local labour, local goods and services
- Workplace contribution of **£153,405**
- Financial contribution towards Education Phase 1 - **£458,000**, Phase 2A - **£470,000** and Phase 2B - **£665,000**
- Travel Plan Monitoring **£3000**
- S106 Monitoring **£30,000**
- Car Club Methodology
- Preparation of a Site Wide Travel Plan
- Offsite family housing contribution **£5,518,800** for Phase 1 should Phase 2A and 2B not come forward
- Offsite affordable housing contribution of **£4,511,400** for Phase 1 should Phase 2A and 2B not come forward
- Telecommunications Mitigation and Management Strategy
- Connection to the Combined Heating and Power (CHP) plant located in the Great Eastern Quay's development to the south.