



APPLICATION FOR PLANNING PERMISSION

Town and Country Planning Act 1990 (as amended)
Town and Country Planning (Development Management Procedure) (England) Order 2015

APPLICANT:
London City Airport Limited
C/o Agent

AGENT:
Quod
Ingeni Building
17 Broadwick Street
London
W1F 0AX

Part I - Particulars of Application

APPLICATION NO:	13/01373/OUT	DATE OF APPLICATION:	26th July 2013
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PROPOSAL: Outline planning permission for the erection of a Hotel (Use Class C1) with up to 260 bedrooms, ancillary flexible Use Class A1-A4 floorspace at ground floor, meeting/conference facilities together with associated amenity space, landscaping, plant and ancillary works.

LOCATION: London City Airport
Hartmann Road
Silvertown
London
E16 2PX

Part II - Particulars of Decision

The London Borough of Newham hereby gives notice that OUTLINE PLANNING PERMISSION has been **GRANTED** for the carrying out of the development referred to in Part I hereof and as described and shown on the plans and documents submitted with the application, subject to conditions and reasons listed below and compliance with a legal agreement under section 106 of the Town and Country Planning Act 1990 (as amended).

Defined Terms

“Commencement of Development” means the date upon which a material operation as defined in Section 56 of the Town and Country Planning Act 1990 is commenced pursuant to this planning permission, but excluding site investigations, surveys, archaeological works, removal of obstructions, remediation works, site clearance, the erection of temporary hoardings and service diversion works, and “Commence” and “Commenced” shall be construed accordingly.

“Contractor” means the person or firm appointed to undertake the works associated with the Development.

“Construction Works” means the building works, including any site clearance and excavation, required in order to undertake the development.

“Design Code” means a set of illustrated design rules and requirements which instruct and advise on the physical development of buildings and associated space at London City Airport.

“Development” means application ref. no 13/01373/OUT described in the proposal and plans, drawings and documents submitted with the application.

“Developer” means the applicant or other person or body that undertakes the development.

“Hotel” means the Development, including up to 260 bedrooms together with the ancillary uses described in the proposal.

“London City Airport” means the operational area of London City Airport.

“London City Airport Limited” means the applicant.

“Sensitive Receptors” means areas where occupants are more susceptible to the adverse effects of exposure to noise pollution. These include, but are not limited to, residential dwellings, hospitals, schools, day care facilities and care homes.

Conditions and Reasons

1. Approved Drawings and Documents

The development hereby permitted shall be carried out in accordance with the following drawings and documents submitted as part of the planning application:

Plans

- 10.3 Building Plot Parameter Plan 859_07_102 P1
- 10.4 Proposed Maximum Heights Parameter Plan 859_07_103 P1
- 10.5 Proposed Minimum Heights Parameter Plan 859_07-104 P1
- 10.6 Proposed Access and Circulation Parameter Plan 859_07_105 P1

Documents

Energy and Low Carbon Strategy (July 2013)
Update to Energy and Low Carbon Strategy (August 2015)
Sustainability Statement (July 2013)
Update to Sustainability Statement (September 2015)
Updated Transport Assessment (September 2015)
Design and Access Statement (DAS) (July 2013)
Update to DAS (September 2015)
CADP Hotel Design Code prepared by Pascall and Watson, undated
(submitted 26 July 2013)

Reason: To ensure that the Development is undertaken in accordance with the approved drawings and documents on which this decision is based.

2. Reserved Matters (Submission of details)

The Development hereby permitted shall not be commenced unless and until an application(s) for written approval of the matters reserved by this outline planning permission have been submitted to and approved in writing by the Local Planning Authority. Each of the reserved matters applications shall include detailed plans, sections and elevations showing:

- layout;
- landscaping;
- scale;
- appearance; and
- means of access.

Reason: To comply with Section 92 of the Town and Country Planning Act 1990 (as amended).

3. Reserved Matters (Time Limits for Submission)

Application(s) for approval of the reserved matters shall be made to the Local Planning Authority not later than the expiration of EIGHT YEARS from the date of this decision notice.

Reason: To comply with Section 92 of the Town and Country Planning Act 1990 (as amended).

4. Reserved Matters (Commencement)

The Development hereby permitted shall be commenced before the expiration of TWO YEARS from the approval of the last reserved matters in respect of the Development.

Reason: To prevent an accumulation of unimplemented planning permissions and in accordance with the provisions of Section 92 of the Town & Country Planning Act 1990 (as amended).

5. Reserved Matters: (Appearance Design Details)

The Development hereby permitted shall not be commenced until full design details and materials of the façade treatment proposed have been submitted to and approved in writing by the Local Planning Authority;

The details shall include, but are not limited to:

- i. samples and specifications of all external materials;
- ii. a physical mock-up of a typical façade arrangement for the lower floors and upper floors (the extent of which shall be agreed with the Local Planning Authority);
- iii. details of the typical ground floor façade treatment;
- iv. details of the top floor façade treatment(s);
- v. details of windows, doors, entrances, reveals and sills, balconies, canopies, balustrades and material junctions; and
- vi. annotated plans at a scale of 1:10 or 1:20 of the (iii)-(iv) above as appropriate (unless otherwise agreed with the Local Planning Authority).

The Development shall be carried out in accordance with the relevant approved details.

Reason: To ensure that development achieves a high standard of design and protects local amenity, in accordance with the assessment contained within the Updated Environmental Statement (UES), Policies 7.3, 7.4, 7.5 and 7.6 of the London Plan (consolidated with alterations since 2011 and published March 2015) and Policies SP2, SP3, SP4 and SP5 of the Newham Local Plan Core Strategy (adopted 26 January 2012). It is necessary for the design details to be addressed prior to the commencement of the development because the details are fundamental to the decision to grant planning permission.

6. Reserved Matters: Landscaping Scheme

- i) The Landscaping reserved matters submission required pursuant to condition 2 above shall include the following:
 - a) full details of plants and trees (common and Latin names, size and pot height; density or number, tree girth and method of growth e.g. container or open ground);
 - b) guide to construction of landscaping;
 - c) paving/colours/finishes;
 - d) signage and information boards;
 - e) internal and site boundary treatment (fencing);
 - f) street furniture, including bus shelters;
 - g) any play equipment to be provided (including the specifications, manufacturer and British or European Standards of that equipment); and
 - h) any public works of art to be provided.

- iii) The Scheme as approved shall be implemented in full in the first planting season following completion of the Development.
- iv) Any plants or trees that die or are removed, damaged or diseased within a period of FIVE YEARS from completion of the Development shall be replaced in the next planting season with others of a similar size and species as those originally planted.
- v) All landscaping plans and all planting should make such planting unattractive to birds so as not to have an adverse effect on the safety of operations at London City Airport by encouraging bird roosting and creating sources of food for birds, and thereby presenting a bird strike threat to aircraft operating at 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; with regard to Policy OS8 of the London Borough of Newham Unitary Development Plan (adopted June 2001, saved from 27 September 2007 by direction from the Secretary of State and not deleted on adoption of the Core Strategy on 26 January 2012), Policies 3.5, 7.1, 7.2, 7.3, 7.5, 7.6, 7.8 and 7.21 of the London Plan (consolidated with alterations Since 2011 and published March 2015), and Policies SP2, SP3, SP5 and INF1 of the Newham Core Strategy (adopted 26 January 2012).

7. Notification of Commencement of Development

The development hereby permitted shall not be commenced unless a minimum of 14 days' notice of the commencement date has been given in writing to the Local Planning Authority.

Reason: It is necessary for the Local Planning Authority to be made aware of the commencement date of the Development because the timing to ensure compliance with the conditions of the planning permission is fundamental to the decision to grant planning permission.

8. Design Code

All applications for approval of Reserved Matters and details pursuant to conditions shall be in accordance with the CADP Hotel Design Code (submitted 26 July 2013) and the principles and parameters set out in the Design and Access Statement.

Reason: To ensure that the Development is constructed in accordance with the approved documents and achieves a high standard of design.

9. Environmental Statement

The Development hereby permitted shall be constructed in accordance with the environmental standards, mitigation measures, requirements, recommendations and methods of implementing the Development contained in the Updated Environmental Statement (UES) and amendment dated

February 2016.

Reason: To ensure that the Development is carried out in accordance with the UES dated September 2015 and the mitigation measures proposed therein.

10. Unexploded Bombs

The Development hereby permitted shall not be commenced until an Unexploded Ordnance (UXO) site safety and emergency procedures plan has been submitted to and approved in writing by the Local Planning Authority.

The Development shall only be carried out in accordance with the approved UXO site safety and emergency procedures plan.

Reason: The site lies within an area of the London Borough of Newham that has been identified as being at potential risk from buried explosive ordnance due to wartime bombing. This condition seeks to reduce risk from UXO to an acceptable level.

11. Details of Screening of Plant

- a) The Development hereby permitted shall not be commenced until details of Screening of Plant to the roof have been submitted to and approved in writing by the Local Planning Authority.
- b) The use of the Hotel shall not commence until the approved plant screening has been installed to the satisfaction of the Local Planning Authority and thereafter permanently retained.

Reason: To ensure that development achieves a high standard of design and protects local amenity, in accordance with Policies 7.4 and 7.6 of the London Plan (consolidated with alterations Since 2011 and published March 2015) and Policies SP3 and SP4 of the Newham Local Plan Core Strategy (adopted 26 January 2012). It is necessary for the details of plant screening to be addressed prior to the commencement of the development because the details are fundamental to the decision to grant planning permission.

12. Contamination

- a) The Development hereby permitted shall not be commenced until an investigation into ground conditions has been undertaken in accordance with the Model Procedures for the Management of Land Contamination, Environment Agency, Contaminated Land Report 11.
- b) The report of the investigation together with a detailed remediation strategy for dealing with any identified contamination shall be submitted to and approved in writing by the Local Planning Authority.
- c) Upon commencement of the Development the approved remediation strategy shall be implemented.

- d). If, during the Development contamination not previously identified is found to be present then no further Development in the areas where contamination is identified shall be carried out until a further remediation strategy has been submitted to the Local Planning Authority for approval in writing, detailing how this unsuspected contamination shall be dealt with.
- e) The further remediation strategy shall be implemented as approved.
- f) As soon as reasonably practicable, and before the occupation of any remediated area, a validation report shall be submitted to the Local Planning Authority for approval in writing, stating what works were undertaken and that the remedial scheme was completed in accordance with the approved remediation strategy.

Reasons: 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. It is necessary for the ground conditions, contamination and remediation to be addressed prior to the commencement of the development because the details are fundamental to the decision to grant planning permission.

13. Surface Water Drainage

No infiltration of surface water drainage into the ground at this site is permitted other than with the express written consent of the Local Planning Authority, which may be given for those parts of the site where it has been demonstrated that there is no resultant unacceptable risk to controlled waters. The development shall be carried out in accordance with the approval details.

Reason: To protect groundwater from pollution via remobilisation of contaminants in soil and/or preferential pathways for contaminant migration.

14. Sustainable Drainage Strategy

No works shall be commenced on the Development until a surface water drainage scheme, based on sustainable drainage principles and an assessment of the hydrological and hydrogeological context of the Development, has been submitted to and approved in writing by the Local Planning Authority.

The scheme shall be consistent with the agreed Flood Risk Assessment contained in Chapter 12 (Appendix 12.1 and 12.2) of the Updated Environmental Statement and shall include details of run off and surface water storage as outlined in the Flood Risk Assessment.

The scheme shall subsequently be implemented in accordance with the approved details before the use of the Hotel is commenced.

Reason: To prevent the increased risk of flooding to third parties; to the site itself; to improve water quality; to enhance biodiversity, ensure future maintenance of the surface water drainage system. It is necessary for the surface water drainage scheme to be addressed prior to the commencement of the development because the details are fundamental to the decision to grant planning permission.

15. Foul and Surface Water

The Development hereby permitted shall not be commenced until such time as a scheme to dispose of foul and surface water has been submitted to and approved in writing by the Local Planning Authority. The scheme shall include roof drainage which is sealed at ground level.

Reason: To protect groundwater and ensure the site drainage will not have a detrimental impact on water quality. The Thames river basin management plan requires the restoration and enhancement of water bodies to prevent deterioration and promote recovery of water bodies. Without this condition the impact may cause deterioration of the chalk groundwater bodies. It is necessary for the foul and surface water drainage scheme to be addressed prior to the commencement of the development because the details are fundamental to the decision to grant planning permission.

16. Piling

Piling or any other foundation designs using penetrative methods shall not be permitted other than with the express written consent of the Local Planning Authority, which may be given for those parts of the site where it has been demonstrated that there is no resultant unacceptable risk to groundwater. The Development shall be carried out in accordance with the approved details.

Reason: To protect groundwater from pollution. Piling can cause the remobilisation of contaminants present in soil and ground at the site.

17. Impact Piling

No impact piling, including any form of vibro piling, shall take place until a piling method statement (detailing the depth and type of piling to be undertaken and the methodology by which such piling will be carried out, including measures to prevent and/or minimise the potential for damage to subsurface sewerage infrastructure, and the programme for the works) has been submitted to and approved in writing by the Local Planning Authority in consultation with Thames Water. Any piling must be undertaken in accordance with the terms of the approved piling method statement.

Reason: The proposed works will be close to underground sewerage utility infrastructure. It is necessary for the piling methods to be addressed prior to the commencement of the development because piling has the potential to impact on local underground sewerage utility infrastructure. The applicant is

advised to contact Thames Water Developer Services on 0845 850 2777 to discuss the details of the piling method statement.

18. Vibration Limits

Vibration from construction shall not exceed a Peak Particle Velocity of 1mm/s in any axis, measured adjacent to the foundations of any Sensitive Receptor and 3mm/s at commercial receptors.

Where vibration levels exceed the above limits, steps shall be taken to reduce levels to within the above limits. Where vibration levels exceed 3mm/s works should cease and measures taken to reduce vibration levels to below 1mm/s.

Reason: To ensure a satisfactory standard of development and to safeguard amenities of the surrounding area.

19. Mechanical Ventilation

The Development hereby permitted shall not be commenced until full details of the routing of mechanical ventilation and the passive provision of associated ducting for all commercial units have been submitted to and approved in writing by the Local Planning Authority. The approved scheme shall be installed and commissioned prior to occupation of the Development and shall be permanently maintained in proper working order thereafter.

Reason: To protect the amenity of future occupants and/or neighbours and with regard to Policy EQ48 of the London Borough of Newham Unitary Development Plan (adopted June 2001, saved from the 27th of September 2007 in accordance with the direction from the Secretary of State and not deleted on adoption of the Core Strategy on 26 January 2012), and Policy SP2 of the Newham Local Plan Core Strategy (adopted 26 January 2012). It is necessary for the mechanical ventilation details to be addressed prior to the commencement of the development because the details are fundamental to the decision to grant planning permission.

20. Grease Trap

- a) The development hereby permitted shall not be commenced until full details of the grease trap or grease digester system to be installed for the commercial kitchen have been submitted to and approved in writing by the Local Planning Authority. Details should include plan and sectional drawings with measured drain sizes and invert levels, in accordance with full manufacturers' specifications etc.; and
- b) The approved scheme is to be completed prior to occupation of the Development and shall be permanently maintained in proper working order thereafter.

Reason: To protect the amenity of future occupants and/or neighbours and with regard to the National Planning Policy Framework, adopted March 2012

and to Policy EQ45 of the London Borough of Newham Unitary Development Plan (saved by the Secretary of State in 2007 and not deleted on adoption of the Core Strategy on 26th January 2012), Policy 7.15 of the London Plan, adopted July 2011 and Policy SP2 of the Newham Local Plan Core Strategy, adopted 26th January 2012. It is necessary for these details to be addressed prior to the commencement of the development because the details are fundamental to the decision to grant planning permission.

21. Traffic Management Plan

The Development hereby permitted shall not be occupied until, a Traffic Management Plan has been submitted to and approved in writing by the Local Planning Authority. The Management Plan shall include details of car parking, drop-off and pick-up facilities (including method of use) and the respective daily usage. The approved Traffic Management Plan shall be implemented in full.

Reason: It is necessary for the Traffic Management details to be approved prior to the occupation of the development in order to prevent obstruction of the public highway surrounding the site and internal roads and avoid accidents and with regard to Policy INF2 of the Newham Local Plan Core Strategy (adopted 26 January 2012) and Policy 6.3 of the London Plan (consolidated with alterations since 2011 and published March 2015).

22. Travel Plan

The Development hereby permitted shall not be commenced until the following have been submitted to and approved in writing by the Local Planning Authority:

1. a Staff Travel Plan; and
2. a Customer Travel Plan.

Such Staff and Customer Travel Plans shall include targets for managing any impacts of the Hotel's staff and passengers on the local road network; and monitoring procedures for the sustainable travel initiatives.

The approved Staff Travel Plan and Customer Travel Plan shall be implemented within six months of the date of receipt of the Local Planning Authority's written approval to the same.

Reason: To ensure that the Development accords with the aims and objectives of Policy 6.3 of The London Plan (consolidated with alterations since 2011 and published March 2015), and Policy INF2 of the Newham Local Plan Core Strategy (adopted 26 January 2012). It is necessary for the detailed Travel Plans to be addressed prior to the commencement of the development because the details are fundamental to the decision to grant planning permission.

23. Car Parking

The car parking accommodation associated with the approved Development shall include appropriate levels of car parking provision suitable for use by a disabled person (in accordance with the specifications within BS8300: Design of buildings and their approaches to meet the needs of disabled people: Code of Practice).

Reason: To ensure adequate access for all users of the building, in particular Blue Badge holders and with regard to Policy EQ45 of the London Borough of Newham Unitary Development Plan (adopted 2001 and retained and not deleted on adoption of the Core Strategy on 26 January 2012), Policy INF2(9) of the Newham Local Plan Core Strategy (adopted 26 January 2012) and Policy 6.13 of the London Plan (consolidated with alterations since 2011 and published March 2015).

24. Cycle Parking

Prior to occupation of the Hotel, details of the type and location of secure and covered cycle parking facilities shall be submitted to and approved in writing by the Local Planning Authority. The development shall not be occupied until the cycle parking spaces have been installed in accordance with the approved details. Such spaces shall be retained thereafter for this use only.

Reason: It is necessary for the cycle parking provision to be addressed prior to the occupation of the development to ensure the provision of adequate cycle facilities to the standards adopted by Policies 6.1, 6.9 and 6.13 of the London Plan (consolidated with alterations since 2011 and published March 2015), and Policies SP2, SP3 and INF2 of the Newham Local Plan Core Strategy (adopted 26 January 2012).

25. Delivery and Service Plan

The Development hereby permitted shall not be commenced until a Delivery and Service Plan has been submitted to and approved in writing by the Local Planning Authority. Details shall include, but not be restricted to: swept paths; use of booking systems or consolidated or re-timed trips. No delivery vehicle greater in size than a 10 tonne (maximum laden weight) rigid shall be used to service the commercial uses within the site.

The Development shall only be implemented in accordance with the approved Delivery and Service Plan.

Reason: In order that such activities can be accomplished within the site curtilage and not from Hartmann Road which would be prejudicial to pedestrian and highway safety and with regard to Policy INF2 of the Newham Local Plan Core Strategy (adopted 26 January 2012) and Policy 6.3 of the London Plan (consolidated with alterations since 2011 and published March 2015). It is necessary for the Delivery and Service Plan to be addressed prior to the commencement of the development because the details are fundamental to the decision to grant planning permission.

26. Construction Logistics Plan

The development hereby permitted shall not be commenced until a Construction Logistics Plan has been submitted to and approved in writing by the Local Planning Authority. The Construction Logistics Plan shall include:

- a) an assessment of the cumulative impacts of construction traffic;
- b) details of the likely volume of construction trips and any mitigation measures proposed;
- c) site access arrangements;
- d) booking systems;
- e) construction phasing;
- f) vehicular routes;
- g) scope for load consolidation to reduce generated road trips; and
- h) full breakdown of the timing and details of construction works and their impacts on the public highway.

The Development shall be constructed in accordance with the approved Construction Logistics Plan.

Reason: To ensure there are no adverse impacts on the free flow of traffic on local roads and to safeguard the amenities of the area and with regard to Policy INF2 of the Newham Local Plan Core Strategy (adopted 26 January 2012) and Policy 6.3 of the London Plan (consolidated with alterations since 2011 and published March 2015). It is necessary for the Construction Logistics Plan to be addressed prior to the commencement of the development because the details are fundamental to the decision to grant planning permission.

27. Energy Assessment

The Development hereby permitted shall not be commenced until an Energy Assessment has been submitted to, and approved in writing by, the Local Planning Authority.

The Energy Assessment shall demonstrate a minimum reduction in carbon dioxide emissions of 40% over the Target Emission Rate (TER) outlined in the national Building Regulations.

The Energy Assessment as approved shall be implemented prior to the occupation of the Hotel and the recommendations of the approved Assessment retained for the duration of the Development.

Reason: To ensure the Development makes the fullest contribution to minimising carbon dioxide emissions in accordance with the Mayor of London's energy hierarchy and with regard to Policy 5.2 of the London Plan (consolidated with alterations since 2011 and published March 2015), and Policy SC1 of the Newham Local Plan Core Strategy (adopted 26 January 2012). It is necessary for the Energy Assessment to be addressed prior to the commencement of the development because the details are fundamental

to the decision to grant planning permission.

28. BREEAM

No development shall take place until evidence that the Development is registered with a BREEAM certification body and a pre-assessment report (or design stage certificate with interim rating if available) has been submitted to the Local Planning Authority indicating that the Development can achieve the stipulated final BREEAM level.

No building shall be occupied until a Building Research Establishment (BRE) certificate confirming that the development design for the relevant part of that building/buildings achieves a minimum BREEAM rating of Very Good shall be provided to the Local Planning Authority for approval in writing.

Reason: In the interest of energy efficiency and sustainability and with regard to Policies 5.1, 5.2 and 5.3 of the London Plan (consolidated with alterations since 2011 and published March 2015), and Policy SC1 of the Newham Local Plan Core Strategy (adopted 26 January 2012). It is necessary for the BREEAM certification to be addressed prior to the commencement of the development because the details are fundamental to the decision to grant planning permission.

29. External Lighting

Prior to the occupation of the Hotel details of any proposed external lighting (the External Lighting Scheme) shall be submitted to and approved in writing by the Local Planning Authority, the Local Planning Authority having consulted London City Airport Limited and the Port of London Authority.

The External Lighting Scheme shall include details of the appearance and technical details/specifications, intensity, orientation and screening of lamps, siting, the means of construction and laying of cabling, and the timing of installation. The External Lighting Scheme is to be constructed and/or installed prior to Occupation of the Hotel.

Reason: To ensure that safety is not compromised with regard to the principles/practices of Secured by Design; to minimise adverse impacts of light pollution on the highway network; to minimise adverse impacts on the safeguarded area around London City Airport; to ensure that it does not cause a hazard to navigation of the Royal Albert Dock, and with regard to saved Policy EQ45 of the London Borough of Newham adopted Unitary Development Plan (adopted June 2001 and saved from 27 September 2007 by direction from the Secretary of State and not deleted on adoption of the Core Strategy on 26 January 2012), and Policies 7.3, 7.5 and 7.6 of the London Plan (consolidated with alterations since 2011 and published March 2015), and Policies SP3 and SP4 of the Newham Local Plan Core Strategy (adopted 26 January 2012).

30. Hours of Construction

a) Construction Works shall only be carried out on the site between the hours of 0800 and 1800 on Mondays to Fridays and between 0800 and 1300 on Saturdays, and at no other time including Sundays and Bank/Public Holidays.

b) Deliveries of construction and demolition materials to and from the site by road shall take place between the hours of 0800 and 1800 Monday to Friday and between 0800 and 1300 on Saturday and at no other time including Sundays and Bank/Public Holidays.

Reason: In order to minimise noise and disturbance and to safeguard the amenities of the surrounding area.

31. Petrol/Oil Interceptors

Prior to occupation of the development hereby permitted, all parking areas shall be drained through a petrol/oil interceptor system. This system is to comply with the requirements of Thames Water Utilities and the Environment Agency (Water Acts). Thereafter, the system is to be cleansed and permanently maintained in proper working order.

Reasons: To prevent large quantities of oil, petrol and road dirt entering the existing sewerage system.

32. Archaeology

a) No development shall take place until the applicant has secured the implementation of a programme of archaeological works and historic structures recording in accordance with a Written Scheme of Investigation which has been submitted to and approved in writing by the Local Planning Authority.

b) No development shall take place with the exception of demolition other than that which is in accordance with the Written Scheme of Investigation approved under Part a).

c) The Development shall not be occupied until the site investigation and post investigation assessment has been completed in accordance with the programme set out in the Written Scheme of Investigation approved under Part a), and the provision made for analysis, publication and dissemination of the results and archive deposition has been secured.

Reason: The site has archaeological potential in terms of heritage assets of archaeological interest. The Local Planning Authority wishes to secure the provision of archaeological investigation and the subsequent recording of the remains prior to Development, in accordance with recommendations given by the Local Planning Authority, Historic England and in the NPPF. It is necessary for the archaeological Written Scheme of Investigation and site investigation to be addressed prior to the commencement of the development because the details are fundamental to the decision to grant planning

permission.

33. Non Return Water Valve and Sustainable Urban Drainage

The Development hereby permitted shall not be commenced until details of the following have been submitted to and approved in writing by the Local Planning Authority:

- a) details of how a non-return water valve or other sustainable device will be incorporated into the waste water system within the development; and
- b) details of how storm flows will be attenuated or regulated into the receiving public network through or on off-site storage.

The Development shall be implemented in accordance with the approved details which shall be retained thereafter.

Reason: To sustainably safeguard the waste and storm water system. It is necessary for the drainage details to be addressed prior to the commencement of the development because the details are fundamental to the decision to grant planning permission.

34. Waste Management Strategy

Prior to the occupation of the Hotel and in addition to the provisions of the Updated Environmental Statement submitted as part of the application, a Waste Management Strategy shall be submitted to and approved in writing by the Local Planning Authority.

The Strategy shall be implemented upon commencement of the operation of the Hotel.

Reason: To ensure a long-term sustainable Waste Management Strategy for the Development site and control the transport and environmental impact of all collection, transfer and disposal movements.

35. Wheel Washing

The Development hereby permitted shall not be commenced until details of wheel washing equipment to be used during the demolition/construction phase have been submitted to and approved in writing by the Local Planning Authority.

The approved details shall be retained for the duration of the demolition/construction works at all vehicle exits to the site and shall be used to prevent the carriage of mud and other materials onto adjoining public roads.

Reason: It is necessary for the wheel washing details to be addressed prior to the commencement of the development because the details are fundamental to the decision to grant planning permission in order to safeguard the

amenities of the area and prevent the blocking of drainage systems.

36. No Burning of Waste

No burning of waste or unwanted materials is permitted on the site.

Reason: In the interest of the amenity of neighbouring properties.

37. Construction Environmental Management Plan (CEMP)

The Development hereby permitted shall not be commenced until a Construction Environmental Management Plan (CEMP) has been submitted to and approved in writing by The Local Planning Authority.

The CEMP shall include, but not be limited to:

a) a Construction Noise and Vibration Management and Mitigation Strategy (CNVMMS), to include, but not be limited to:

- maximising the use of daytime hours;
- mechanism of control;
- community liaison and complaints handling;
- monitoring procedure;
- reporting of monitoring data;
- reporting of complaints;
- identification of properties to be offered London City Airport Limited's enhanced Sound Insulation Scheme for construction;
- Section 61 procedure and ownership;
- location, dimensions and materials of any construction noise barriers; and
- any other mitigation measures to be implemented at source.

The CNVMMS shall be in accordance with the environmental standards, mitigation measures, embedded mitigation measures, requirements, recommendations and methods of implementing the Development contained in the UES, appendices and addenda therein relevant to the Development.

b) Air Quality Construction Management and Mitigation Strategy (AQCMMS), to include, but not be limited to):

- hours of deliveries;
- delivery routes into and out of London City Airport;
- areas for deliveries;
- haul routes within London City Airport and along Hartmann Road;
- measures to minimise reversing of vehicles;
- measures to minimise queuing of vehicles outside London City Airport;
- measures to maximise barge use; and
- measures to ensure daytime deliveries are maximised.

The AQCMMS shall be in accordance with the environmental standards, mitigation measures, embedded mitigation measures, requirements,

recommendations and methods of implementing the Development contained in the UES, appendices and addenda therein relevant to the Development.

The CEMP shall be in accordance with the environmental standards, mitigation measures, embedded mitigation measures, requirements, recommendations and methods of implementing the Development contained in the Updated UES, appendices and addenda therein relevant to the Development.

The CEMP shall be implemented as approved.

Reason: It is necessary for the CEMP to be addressed prior to the commencement of the development because the details are fundamental to the decision to grant planning permission in order to mitigate the environmental impacts of the Development construction and to comply with the UES.

38. Monitoring and Reporting (Construction)

- a) Noise and vibration monitoring shall be undertaken by the Developer continuously throughout the construction of the Development at no fewer than two locations to ensure that demolition and construction works and associated activities are being undertaken in a manner that ensures compliance with the specified noise level limits and triggers.
- b) The Developer shall undertake manual short-term noise measurements as regularly as necessary to verify that the continuous noise monitoring is adequately reflecting the impact of noise on the surrounding buildings.
- c) The Developer shall undertake noise monitoring at one or more locations continuously around the site throughout the duration of the works to verify that the continuous noise monitoring is adequately reflecting the impact of noise on the surrounding buildings and that the construction noise levels are in compliance with planning or other legal requirements.
- d) The Developer Limited shall have available on-site suitable vibration monitoring equipment to demonstrate compliance with the specified vibration level limits. The equipment shall be capable of monitoring peak particle velocity in three mutually perpendicular axes and shall be capable of measuring down to 0.1 mm/s.
- e) The Developer shall operate an alert or traffic light type system to warn operatives and the construction manager when the site boundary noise limit is being approached and when it is being exceeded. This will provide the facility for the Airport and any construction team to monitor whether limits are being approached.
- f) The Developer and its building contractor shall ensure that the noise data from its continuous noise monitoring system is accessible in real time (as far as practically possible) via a web based system that is available to all relevant parties for viewing.

Reason: To ensure a satisfactory standard of development and to safeguard amenities of the surrounding area.

39. Complaints Handling

a) The Developer shall appoint a person to be responsible for liaison with the local community in order to keep them informed of progress and for providing a means of treating complaints fairly and expeditiously. The details of their role and responsibilities shall be specified in the CNVMMS.

b) A comprehensive complaints management scheme, by which complaints are received, recorded, monitored, actioned and reported shall be put in place by London City Airport Limited, to be implemented by London City Airport and their contractor(s) and shall be specified in the CNVMMS.

c) A dedicated channel (telephone line) shall be provided to facilitate and receive complaints, staffed on a 24 hour basis.

Reason: To ensure a satisfactory standard of development and to safeguard amenities of the surrounding area.

40. Noise Mitigation Measures

The Development hereby permitted shall not be commenced until a scheme of noise mitigation measures has been submitted to and approved in writing by the Local Planning Authority. The scheme shall provide details of noise mitigation measures and mechanical ventilation associated with the Development. Noise mitigation measures shall produce internal noise levels specified in BS8233 (Good). Alternative schemes that meet the above noise and ventilation standards can be considered. The approved scheme is to be completed prior to the occupation of the Development and shall be permanently maintained thereafter.

Reason: To protect the amenity of future occupants and/or neighbours and with regard to Policy EQ48 of the London Borough of Newham Unitary Development Plan (adopted June 2001 and saved from 27 September 2007 by direction from the Secretary of State and not deleted on adoption of the Local Plan Core Strategy on 26 January 2012). It is necessary for the details of noise mitigation measures to be addressed prior to the commencement of the development because the details are fundamental to the decision to grant planning permission.

41. Acoustic Report

The Development hereby permitted shall not be commenced until an acoustic report has been submitted to and approved in writing by the Local Planning Authority. 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.

The approved scheme shall be implemented prior to occupation of the development and shall be permanently maintained 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/or neighbours. It is necessary for the acoustic details to be addressed prior to the commencement of the development because the details are fundamental to the decision to grant planning permission.

Informatives

In forwarding the decision for this application, the applicant is advised of the following:

1. A. There are two Community Infrastructure Levy Charging Schedules currently in force where the London Borough of Newham are the Local Planning Authority.
For more information on the Mayor of London's CIL please see:
www.london.gov.uk/publication/mayoral-community-infrastructure-levy
For further information on Newham's CIL please see:
www.newham.gov.uk/cil
B. This development may be considered chargeable development for the purposes of the Community Infrastructure Regulations 2010 (as amended). Please ensure that the CIL Additional Information Requirement form is submitted with the final reserved matters application associated with this planning permission.
A person or party must assume liability to pay the levy using the Assumption of Liability form which should be submitted to the Investment Team at:
CIL@newham.gov.uk or Investment Team, 1st Floor West Wing, 1000 Dockside Road, London E16 2QU. If nobody assumes liability to pay the Levy this will default to the Land Owner.
A Liability Notice and Demand Notice will be issued in due course.
It is essential that any relief or exemption is applied for using the relevant exemption or relief forms; a decision on this matter will be issued by the Investment Team. Any exemption or relief lapses if works commence on the chargeable development prior to the notification of the decision on the exemption or relief claim.
Failure to adhere to the Regulations and commencing work without notifying the Council could forfeit any rights you have to appeal, pay in instalments and may also incur fines/surcharges.
2. In dealing with this application, Newham Council has implemented the requirements of the National Planning Policy Framework and Planning Practice Guidance 'Duty to Cooperate' and the Town and Country Planning (Development Management Procedure) (England) Order 2015, to work with the applicant in a positive and proactive manner. As with all applicants, the Council has made

available detailed advice in the form of our statutory policies in the Newham Local Plan, Supplementary Planning Guidance/Documents, and all other Council guidance, as well as offering a full pre-application advice service, so as to ensure that the applicant has been given every opportunity to submit an application which is likely to be considered favourably.

3. For the avoidance of doubt the discharge of condition 5 may include a requirement to present the details to the Newham Design Review Panel or relevant successor at the Local Planning Authority's discretion.
4. London Fire and Emergency Planning Authority advise that the Development must comply with ADB5 section 15 (provision of hydrants) and section 16 (vehicle access).
5. London Fire and Emergency Planning Authority strongly recommends that sprinklers are considered for the Development. Sprinkler systems installed in buildings can significantly reduce the damage caused by fire and the consequential cost to businesses and housing providers, and can reduce the risk to life.
6. For the avoidance of doubt the discharge of condition 23 will require cycle parking provision to accord with the standards in the London Plan. If the A1-A4 and meeting/conference spaces are open to those not staying at the hotel then additional cycle parking shall be provided for those uses in accordance with the London Plan standards.
7. Thames Water – Surface Water Drainage – It is the responsibility of a developer to make proper provision for drainage to ground, water courses or a suitable sewer. In respect of surface water it is recommended that the applicant should ensure that storm flows are attenuated or regulated into the receiving public network through on- or off-site storage. When it is proposed to connect to a combined public sewer, the site drainage should be separate and combined at the final manhole nearest the boundary.

Connections are not permitted for the removal of ground water. Where the developer proposes to discharge to a public sewer, prior approval from Thames Water Developer Services will be required. They can be contacted on 0845 850 2777. Reason – To ensure that the surface water discharge from the site shall not be detrimental to the existing sewerage system.

8. There are public sewers crossing or close to the Development. In order to protect public sewers and to ensure that Thames Water can gain access to those sewers for future repair and maintenance, approval must be sought from Thames Water where the erection of a building or an extension to a building or underpinning work would be over the line of, or would come within 3 metres of, a public sewer. Thames Water will usually refuse such approval in respect of the construction of new buildings, but approval may be granted in some cases for extensions to existing buildings. The applicant is advised to contact Thames Water Developer Services on 0845 850 2777 to discuss the options available at this site.
9. Where a developer proposes to discharge ground water into a public sewer, a ground water discharge permit will be required. Ground water discharges typically result from construction site dewatering, deep excavations, basement infiltration, borehole installation, testing and site remediation. Ground water

permit enquiries should be directed to Thames Water's Risk Management Team by telephoning 020 8507 4890 or by emailing wwriskmanagement@thameswater.co.uk. Application forms should be completed on line via www.thameswater.co.uk/wastewaterquality. Any discharge made without a permit is deemed illegal and may result in prosecution under the provisions of the Water Industry Act 1991.

10. A Trade Effluent Consent will be required for any effluent discharge other than a 'Domestic Discharge'. Any discharge without this consent is illegal and may result in prosecution. (Domestic usage, for example includes toilets, showers, washbasins, baths and canteens). Typical trade effluent processes include-laundrette/laundry, PCB manufacture, photographic/printing, food preparation, abattoir, farm wastes, vehicle washing, metal plating/finishing, cattle market washdown, chemical manufacture, treated cooling water and any other process which produces contaminated water. Pre-treatment, separate metering, sampling access, etc., may be required before the Company can give its consent.

Applications should be made to Waste Water Quality, Crossness STW, Belvedere Road, Abbey Wood, London SE2 9AQ. Telephone 020 8507 4321

11. Thames Water recommends the installation of a properly maintained fat trap on all catering establishments. It is further recommended, in line with the best practice for the disposal of fats, oils and grease, the collection of waste oil by a contractor, particularly to recycle for the production of bio diesel. Failure to implement these recommendations may result in this and other properties suffering blocked drains, sewage flooding and pollution to local water courses. Further information on the above is available in a leaflet 'Best Management Practices for Catering Establishments' which can be requested by telephoning 01923 898 188.
12. Under the terms of the Water Resources Act 1991 as amended by the Water Act 2003, an abstraction licence will normally be required from the Environment Agency for the abstraction (removal) of water (even temporarily) from any inland waters (rivers, streams, ditches, lakes, etc.) or underground strata (e.g. from a well, borehole or catchpit). The granting of a licence will be dependent on the availability of water resources locally and on the acceptability of any resulting impact on the environment and existing protected rights.

Flood Defence Consent

Any works whatsoever (including storage of materials) in, under, over or within 16 metres of the landward extent of the River Thames flood defences will require the prior consent of the Environment Agency under the Water Resources Act 1991 and the Thames Region Bylaws.

Large underground structures constructed below the water table may act as an obstruction to ground water flows. Consequently, a building-up of ground water levels may occur on the up-gradient side of such structures. Any drainage systems proposed for such structures should also be capable of allowing ground water flows to bypass the structure without any unacceptable change in ground water levels, or flow in ground water-fed streams, ditches or springs.

13. The commercial kitchens and other food areas of the premises must comply in full with:
 - a) EU 852/2004 as enforced by the Food Hygiene (England) Regulations 2006;

b) EU 178/2002 as enforced by the General Food Regulations 2004;
c) the Food Premises Registration Regulations 1991, (under these regulations there is a requirement to register with the Environmental Health Service at least 28 days prior to opening for business. This form is accessible from Newham's website).

14. All structural finishes and equipment must comply with the Catering Guide (industry) to Good Hygiene Practice; Chadwick House Group Ltd.). Further details in respect of food requirements are available from The London Borough of Newham, Housing and Public Protection, Food Safety Unit, tel.: 020 8430 2000 Ext. 25283, food@newham.gov.uk or www.newham.gov.uk.

Compliance with planning law does not automatically mean that you will comply with these more specific food law requirements.

15. Any proposed passenger/goods lifts must comply with the requirements of the Lifting Operations and Lifting Equipment Regulations 1998 (LOLER).
There is a specific requirement that no new lift may be used unless it has either a certificate of thorough examination or a certificate of conformity to the relevant EU Directive. Normal commissioning documentation IS NOT ADEQUATE. Use of a lift that does not comply with LOLER is a criminal offence. You should refer to your CDM planning supervisor to ensure compliance.

16. External lighting for the development should be designed and positioned such as to:

- be the minimum required to perform the relevant lighting task;
- minimise light spillage and pollution;
- include landscaping/screening measures to screen illuminated areas in environmentally sensitive areas; and
- avoid dazzle or distraction to drivers on nearby highways.

17. The developer should be aware that the Clean Neighbourhoods and Environment Act 2005 amended the Environmental Protection Act 1990 to bring artificial light from premises under the statutory nuisance regime as of 6 April 2006. Local authorities now have a duty to deal with light nuisance from premises which they consider to be a statutory nuisance.

Useful contacts:

The Institute of Lighting Engineers, Lennox House, 9 Lawford Road, Rugby, Warwickshire CV21 2DZ, Tel: 01788 576492 <http://www.ile.org.uk/>

Lighting in the Countryside: towards good practice, which is on the website, <http://www.odpm.gov.uk/>. This document is a guide for local authorities, planners, highway engineers and members of the public. It demonstrates what can be done to lessen the adverse effects of external lighting, including security, street and flood-lights. The advice is applicable in towns as well as the countryside.

Environment Agency – Light Pollution:

<http://www.environmentagency.gov.uk/yourenv/eff/1190084/pollution/152227/>

18. Waste

If any controlled waste is to be removed off site, then the contractor must ensure a registered waste carrier is used to convey the waste material off site to a suitably

authorised facility. The Duty of Care regulations for dealing with waste materials are applicable for any off-site movements of wastes.

If the contractor wishes more specific advice on waste they will need to contact the Environment Management Team on 01707632357 or look at available guidance on the website www.environmentagency.gov.uk/subjects/waste/

19. In accordance with the waste hierarchy, the Environment Agency wish the applicant to consider reduction, reuse and recovery of waste in preference to off-site incineration and disposal to landfill during site construction. In England, it is a legal requirement to have a Site Waste Management Plan (SWMP) for all new construction projects worth more than £300,000. The level of detail that your SWMP should contain depends on the estimated build cost, excluding VAT. You must still comply with the duty of care for waste. Because you will need to record all waste movements in one document, having a SWMP will help you to ensure you comply with the duty.
20. Smoke
- Bonfires should not be used on any construction or demolition sites. Burning materials causes smoke that will contain carbon monoxide, particles and a range of noxious compounds. A bonfire will add to the background level of air pollution, which can cause adverse health effects to persons on site and beyond the site boundary. The smoke, smell and smuts from bonfires can also cause annoyance to neighbours and bonfires may get out of control and become dangerous.
- The Clean Air Act 1993 makes it an offence to burn any material that results in the emission of dark smoke on industrial or trade premises (including demolition sites), with a maximum fine of £20,000.
- The Environmental Protection Act 1990 gives local authorities and the Environment Agency the power to control smoke arising from burning waste on site. In cases where complaints have been received, or the Council has reason to believe that burning is to take place and nuisance is likely to occur, an Abatement Notice may be served prohibiting nuisance and specifying steps to be taken to minimise further problems. If the requirements of the notice are not satisfied the local authority can enforce by taking legal proceedings.
21. Dust
- Dust from demolition and construction work can also damage health and impact upon quality of life by leaving deposits on cars, windows and property. These impacts can be reduced through using measures such as:
- using water sprays or sprinklers to suppress dust during dust generating activities such as filling skips, breakout of concrete and managing stock piles;
 - washing the wheels of vehicles leaving the site if they are carrying mud or debris;
 - erecting solid barriers to the site boundary;
 - ensuring that lorries leaving the site carrying debris or waste are properly covered; and
 - cleaning the road and footpath near the site entrance as required.
- Where disc cutters are to be used they should have a dust bag, have water suppression or the working area should be wet prior to use of the machinery. Where demolition or construction is due to occur over more than one week the

contractor should provide the local authority with a dust management protocol. This should detail the identification of dust generating activities, their location, duration and the means by which the dust shall be suppressed. Under the Environmental Protection Act 1990 dust from a demolition or construction site may, like smoke, be a statutory nuisance. As above the local authority may serve an Abatement Notice on the person responsible and take legal proceedings if the Notice is not complied with.

Detailed guidance on dust issues relating to construction sites can be found in the Building Research Establishment documents 'Control of dust from construction and demolition activities' and 'Improving air quality in urban environments: Guidance for the construction industry'.

In addition, the Mayor of London Best Practice Guidance on 'The Control of Dust and Emissions from Construction and Demolition' (November 2006), is seen as the most comprehensive dust management protocol. Contractors should be aware of its details regarding the efficient management of dust and particulate on site.

22. Noise

The redevelopment of a site involving demolition and construction activities will inevitably cause some noise that affects neighbouring residential or commercial properties. You can reduce or avoid annoyance for neighbours by informing the neighbours before demolition or construction work starts telling them about the work and what to expect. Give the neighbours a contact name and telephone number and keep them informed. If a neighbour does make a complaint try to resolve the matter straight away.

Complaints are often made in relation to noise at unsociable hours of the day. We recommend working hours of 8 am – 6 pm Monday to Friday and 8 am – 1 pm on Saturdays. No noisy works should be carried out on Sundays and Bank/Public Holidays.

The Control of Pollution Act 1974 gives the council the power to serve a Notice upon contractors or developers which sets out how works should be carried out in order to minimise noise arising from demolition or construction activities. This may involve restricting the hours of noisy operations audible beyond the site boundary, the provision of noise barriers and precluding the use of certain plant.

Developers and contractors have the option of applying to the Council for approval of their works prior to commencement.

Detailed guidance on noise issues relating to construction sites can be found in BS 5228 Noise control on construction and open sites. In particular, Part 1, 'Code of Practice for basic information and procedures for noise control', will be useful because as well as giving general advice, it describes a method for predicting noise from construction sites.

23. General

Developers should be aware that there are likely to be other Acts or legislation that are not covered in this document and that Acts and Regulations identified within the document may have been superseded.

Please note that if you are carrying out demolition works you may need to notify the council as required by the Building Act 1984. This enables the council to protect public safety and ensure that adjoining premises and the site are made

good on completion of the demolition. For further information contact London Borough of Newham Council Building Control Service on 020 8430 2000 or email: reception.bco@newham.gov.uk

If you have any queries about air pollution or noise from construction or demolition sites please telephone Newham Public Protection (Pollution Control Unit) on 0203 373 0643.

24. Archaeology

The development of this site is likely to damage heritage assets of archaeological and historical interest. The applicant should therefore submit detailed proposals in the form of an archaeological project design. The design should be in accordance with the appropriate Historic England guidelines.

25. Flood Risk

Surface water flood risk

The applicant has proposed a surface water drainage strategy that appears to be compliant with policy 5.13 of the London Plan and Policy SC3 of the Newham Local Plan Core Strategy (adopted 26 January 2012). We do however advise the applicant that storage volumes and exceedance modelling should be redone to include 30% allowance for climate change to assess risks to users of the hotel and facilities. This will allow them to have a more accurate picture of the surface water flood risk at the site. If after further investigation it becomes apparent that overland flooding occurs, a plan should also be submitted detailing the location of overland flow paths and the extent and depth of ponding. This will help to inform any flood emergency/evacuation plans.

Emergency planning and flood resilience

The following issues are not within our direct remit or expertise, but nevertheless are important considerations for managing flood risk for this development. Prior to deciding this application we recommend that due consideration is given to the issue(s) below and consultation be undertaken with the relevant experts where necessary. The issues we recommend that you consider are:

- provision of and adequacy of a temporary refuge;
- details and adequacy of flood proofing and other building level resistance and resilience measures;
- details and adequacy of an emergency plan and adequacy of rescue or evacuation arrangements; and
- details and calculations relating to the structural stability of buildings during a flood

No impact piling shall take place until a piling method statement (detailing the depth and type of piling to be undertaken and the methodology by which such piling will be carried out, including measures to prevent and minimise the potential for damage to subsurface water infrastructure, and the programme for the works) has been submitted to and approved in writing by the Local Planning Authority in consultation with Thames Water.

Any piling must be undertaken in accordance with the terms of the approved piling method statement. Reason: The proposed works will be close to underground water utility infrastructure. Piling has the potential to impact on local underground

water utility infrastructure. The applicant is advised to contact Thames Water Developer Services on 0845 850 2777 to discuss the details of the piling method statement.

Summary of Policies and Reasons for Approval

The Council has considered the outline planning application with regard to the requirements of the Town and Country Planning (Environmental Impact Assessment) Regulations 2011 (as amended), National Planning Policy Framework, and the development plan (the London Plan, the London Borough of Newham Core Strategy and the saved and not deleted parts of the Unitary Development Plan), any local finance considerations, so far as material to the application, and to other material considerations including representations received from statutory and non-statutory consultees, and is satisfied that outline planning permission can be granted subject to the conditions listed on this decision notice and compliance with the associated legal agreement under s106 of the Town and Country Planning Act 1990 (as amended), which accords with the provisions of the Community Infrastructure Levy Regulations 2010 (as amended).

No material considerations have been identified, including representations from statutory and non statutory consultees, that warrant refusal to grant outline planning permission.

The Secretaries of State and the Mayor of London are satisfied that the Council may grant outline planning permission.

If fully implemented, the proposals would greatly contribute to the Council's regeneration aspirations for the Royal Docks providing employment generating use within Employment Hub E11.

The following policies are relevant to the assessment of these applications:

National Planning Policy Framework

The following paragraphs of the National Planning Policy Framework are relevant to the assessment of these applications:

Achieving sustainable development:

- 2 The National Planning Policy Framework as a material consideration in planning decisions
- 3 National policy statements as a material consideration in decisions on planning applications
- 7 Roles of the planning system: Economic, Social and Environmental
- 8 Guiding development to sustainable solutions
- 9 Pursuing sustainable development
- 10 Taking account of local circumstances for achieving sustainable development

The presumption in favour of sustainable development:

- 11 Accordance with the development plan unless material considerations indicate otherwise
- 13 The NPPF as guidance for local planning authorities and as a material consideration in determining applications
- 14 Presumption in favour of sustainable development
- 15 Presumption in favour of sustainable development
- 16 Implications of presumption of sustainable development on community engagement in neighbourhood planning

Core planning principles:

- 17 Core land-use planning principles

Delivering sustainable development:

- 18 Securing economic growth
- 19 Supporting sustainable growth
- 20 Meeting the needs of business and supporting an economy fit for the 21st century

Ensuring the vitality of town centres:

- 24 Sequential test for main town centre uses
- 27 Refusal of applications that fail to satisfy the sequential test or those likely to have significant adverse impact

Promoting sustainable transport:

- 29 Maximising sustainable transport solutions
- 30 Facilitating sustainable modes of transport
- 32 Transport Statement / Transport Assessment
- 33 Planning for ports, airports and airfields
- 34 Location of developments that generate significant movement
- 35 Protect and exploit opportunities
- 36 Travel Plans
- 37 Land use balance to minimise journey lengths
- 39 Local parking standards
- 41 Identification and protection of infrastructure to widen transport choice

Requiring good design:

- 56 Good design
- 57 High quality and inclusive design
- 58 Setting out the quality of development
- 59 Design codes
- 60 Consideration of architectural style
- 61 Addressing connections between people and places
- 62 Local design review

- 63 Outstanding or innovative design
- 64 Refusal of development of poor design
- 65 Consideration of applications which promote high levels of sustainability
- 66 Consideration of applications where Applicants have worked closely with those directly affected by their proposals

Promoting healthy communities:

- 69 Facilitating social interaction and creating healthy, inclusive communities
- 70 Delivery of social, recreational and cultural facilities and services

Meeting the challenge of climate change, flooding and coastal change:

- 93 Resilience to the impacts of climate change
- 94 Climate change – strategies and mitigation
- 95 Low carbon future
- 96 Decentralised energy supply and minimising energy consumption
- 97 Use and supply of renewable and low carbon energy
- 98 Consideration of applications for energy development
- 99 Climate change over the long term
- 100 Flood risk
- 101 Strategic Flood Risk Assessment and the Sequential Test
- 102 Strategic Flood Risk Assessment and the Exception Test
- 103 Flood risk assessment
- 104 Application of the Sequential Test and the requirements for site-specific flood risk assessments

Conserving and enhancing the natural environment:

- 109 Contribution to and enhancement of the natural and local environment
- 111 Effective use of land and consideration of environmental value
- 117 Minimising impacts on biodiversity and geodiversity
- 118 Conservation and enhancement of biodiversity
- 120 Prevention of unacceptable risks from pollution and land instability
- 121 Contaminated land
- 122 Contaminated land – assumption that pollution control regimes will operate effectively
- 123 Noise, health and quality of life
- 124 Air quality
- 125 Light pollution

Conserving and enhancing the historic environment:

- 126 Conservation and enjoyment of the historic environment
- 128 Heritage assets
- 129 Conservation of heritage assets
- 131 Heritage assets

- 132 Considering the impact on heritage assets
- 133 Consideration of development that will lead to substantial harm to or total loss of significance of a designated heritage asset
- 134 Consideration of development that will lead to less than substantial harm to the significance of a designated heritage asset
- 135 Taking account of the effect of an application on the significance of a non-designated heritage asset
- 136 Ensuring new development will proceed where there is loss of the whole or part of a heritage asset
- 139 Policy consideration of non-designated heritage assets of archaeological interest
- 140 Securing the future conservation of heritage assets

Plan-making:

- 150 Planning decisions must be taken in accordance with the development plan unless material considerations indicate otherwise

Planning strategically across local boundaries:

- 178 Public bodies duty to cooperate on planning issues

Decision-taking:

- 186 Positive approach to decision-taking
- 187 Approval of sustainable development where possible

Determining applications

- 196 Determination in accordance with the development plan, unless material considerations indicate otherwise
- 197 Presumption in favour of sustainable development

Planning conditions and obligations:

- 203 Use of conditions and obligations
- 204 Planning obligations – tests
- 205 Planning obligations – sufficient flexibility
- 206 Planning conditions – tests

The London Plan, Spatial Development Strategy for London Consolidated with Alterations Since 2011 (Published March 2015)

- | | |
|------------|-----------------------------------------------------------|
| Policy 1.1 | Delivering the strategic vision and objectives for London |
| Policy 2.1 | London in Its global, European And United Kingdom context |
| Policy 2.2 | London and the wider metropolitan area |
| Policy 2.3 | Growth Areas and Coordination Corridors |
| Policy 2.4 | The 2012 Games and their legacy |

Policy 2.7	Outer London: Economy
Policy 2.8	Outer London: Transport
Policy 2.9	Inner London
Policy 2.14	Areas for regeneration (Royal Docks and Beckton Waterfront)
Policy 2.15	Town Centres
Policy 2.18	Green infrastructure: the network of open and green spaces
Policy 3.1	Ensuring equal life chances for all
Policy 3.2	Improving health and addressing health inequalities
Policy 4.1	Developing London's economy
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 5.5	Decentralised energy networks
Policy 5.6	Decentralised energy in development proposals
Policy 5.7	Renewable energy
Policy 5.8	Innovative energy technologies
Policy 5.10	Urban greening
Policy 5.11	Green roofs and development site environs
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 5.17	Waste capacity
Policy 5.18	Construction, excavation and demolition waste
Policy 5.20	Aggregates
Policy 5.21	Contaminated land
Policy 6.1	Strategic approach (transport)
Policy 6.3	Assessing effects of development on transport capacity
Policy 6.4	Enhancing London's transport connectivity
Policy 6.5	Funding Crossrail and other strategically important transport infrastructure
Policy 6.6	Aviation
Policy 6.9	Cycling
Policy 6.10	Walking
Policy 6.12	Road network capacity
Policy 6.13	Parking
Policy 6.14	Freight
Policy 7.1	Lifetime neighbourhoods
Policy 7.2	An inclusive environment
Policy 7.3	Designing out crime
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 7.8	Heritage assets and archaeology
Policy 7.13	Safety, security and resilience to emergency
Policy 7.14	Improving air quality

Policy 7.15	Reducing and managing noise, improving and enhancing the acoustic environment and promoting appropriate soundscapes
Policy 7.18	Protecting local open space and addressing local deficiency
Policy 7.19	Biodiversity and access to nature
Policy 7.20	Geological conservation
Policy 7.24	Blue Ribbon Network
Policy 7.26	Increasing the use of the Blue Ribbon Network for freight transport
Policy 7.27	Blue Ribbon Network: supporting infrastructure and recreational use
Policy 7.28	Restoration of the Blue Ribbon Network
Policy 7.29	The River Thames

Newham Local Plan Core Strategy (adopted 26 January 2012)

S1	Spatial Strategy
S3	Royal Docks
S5	Beckton
SP1	Borough-wide Place-making
SP2	Healthy Neighbourhoods
SP3	Quality Urban Design within Places
SP5	Heritage and Successful Place-Making Assets
SP6	Successful Town and Local Centres
J1	Investment in the Economy
J3	Skills and Access to Employment
SC1	Climate Change
SC2	Energy
SC3	Flood Risk
SC4	Biodiversity
INF2	Sustainable Transport
INF4	Local Heat and Power Networks
INF7	Blue Ribbon Network
INF9	Infrastructure Delivery

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 26th January 2012)

EQ2	Waterside Access
EQ3	Waterside Commercial Development
EQ5	Waterway Structures
EQ10	Species Protection
EQ15	Tree Planting in New Development
EQ43	Archaeology: Investigation, Excavation and Protection
EQ45	Pollution
EQ46	Air Quality Management
EQ47	Noise Impact Statement
EQ48	Noise-Sensitive Development
EQ49	Contaminated Land: Assessment, Remediation and Monitoring

EMP7	Local Employment Areas: Preferred Uses
T30	Restriction of Development within the Airport Safeguarding Area
T31	Effect of Airport on new Noise-Sensitive Development Proposals

Proposed Submission Draft Detailed Sites and Policies DPD (approved by the Mayor in Consultation with Cabinet on 25th June 2015)

The Detailed Sites and Policies DPD is now at an 'advanced' stage of preparation, having regard to NPPF paragraph 216, following consultation at regulation 18 stage. As a result the emerging document is now a material consideration and substantial weight has been given to the emerging DPD in decision making, unless other material considerations indicate that it would not be reasonable to do so.

Additional Policy and Guidance

- Detailed Sites and Policies Development Plan Document – Proposed Submission Draft (November 2015, submitted to PINS 11 December 2015)
- Plan for Growth March 2011
- Aviation Policy Framework March 2013
- National Infrastructure Plan 2013
- Joint Waste Development Plan for the East London Waste Authority Boroughs (Adopted February 2012)
- Newham Local Plan Proposals Map (adopted January and February 2012)
- Sustainable Design and Construction SPG, Mayor of London (April 2014)
- Use of planning obligations in the funding of Crossrail, and the Mayoral Community Infrastructure Levy, Mayor of London (April 2013)
- Biodiversity Strategy – Connecting with nature SPG, Mayor of London (July 2002)
- NPPF PPG Air quality
- NPPF PPG Climate change
- NPPF PPG Conserving and enhancing the historic environment
- NPPF PPG Consultation and pre-decision matters
- NPPF PPG Design
- NPPF PPG Determining a planning application
- NPPF PPG Duty to cooperate
- NPPF PPG Environmental Impact Assessment
- NPPF PPG Flood Risk and Coastal Change
- NPPF PPG Health and wellbeing
- NPPF PPG Land affected by contamination
- NPPF PPG Light pollution
- NPPF PPG Local Plans
- NPPF PPG Making an application
- NPPF PPG Natural Environment
- NPPF PPG Noise
- NPPF PPG Planning obligations
- NPPF PPG Renewable and low carbon energy
- NPPF PPG Travel plans, transport assessments and statements in decision-taking
- NPPF PPG Use of Planning Conditions
- NPPF PPG Viability
- NPPF PPG Water supply, wastewater and water quality

Dated: 5th July 2016

Signed:



Deirdra Armsby

Director of Regeneration and Planning

London Borough of Newham

Newham Dockside, 1000 Dockside Road, London, E16 2QU

TOWN AND COUNTRY PLANNING ACT 1990

Appeals to the Secretary of State

- ❖ If you are aggrieved by the decision of your local planning authority to refuse permission for the proposed development or to grant it subject to conditions, then you can appeal to the Secretary of State under section 78 of the Town and Country Planning Act 1990.
- ❖ If you want to appeal against your local planning authority's decision then you must do so within SIX months of the date of this notice.
- ❖ If this is a decision on a planning application relating to the same or substantially the same land and development as is already the subject of an enforcement notice, if you want to appeal against your local planning authority's decision on your application, then you must do so within 28 days of the date of this notice.
- ❖ If an enforcement notice is served relating to the same or substantially the same land and development as in your application and if you want to appeal against your local planning authority's decision on your application, then you must do so within: 28 days of the date of service of the enforcement notice, or within SIX months of the date of this notice, whichever period expires earlier.
- ❖ Appeals must be made using a form which you can get from the Secretary of State at Temple Quay House, 2 The Square, Temple Quay, Bristol, BS1 6PN (email: enquiries@pins.gsi.gov.uk) (Tel: 0117 372 8000) or online at www.planningportal.gov.uk/pcs. A copy of your appeal must be sent to the London Borough of Newham. The Inspectorate will publish details of your appeal on the internet. This may include copies of documentation from the original planning application and relevant supporting documents supplied to the local authority, and or information, including personal information belonging to you that you are happy will be made available in this way. If you supply personal information belonging to a third party please ensure you have their permission to do so. More detailed information about data protection and privacy matters is available on the Planning Portal.
- ❖ The Secretary of State can allow a longer period for giving notice of an appeal, but will not normally be prepared to use this power unless there are special circumstances which excuse the delay in giving notice of appeal.
- ❖ The Secretary of State need not consider an appeal if it seems to the Secretary of State that the local planning authority could not have granted planning permission for the proposed development or could not have granted it without the conditions they imposed, having regard to the statutory requirements, to the provisions of any development order and to any directions given under a development order.
- ❖ In practice, the Secretary of State does not refuse to consider appeals solely because the local planning authority based their decision on a direction given by the Secretary of State.

Purchase Notices

- ❖ If either the local planning authority or the Secretary of State refuses permission to develop land or grants it subject to conditions, the owner may claim that the owner can neither put the land to a reasonably beneficial use in its existing state nor render the land capable of a reasonably beneficial use by the carrying out of any development which has been or would be permitted.
- ❖ In these circumstances, the owner may serve a purchase notice on the Council (that is, where the land is situated in a National Park, the National Park authority for that Park, or in any other case the district council (or county council which is exercising the functions of a district council in relation to an area for which there is no district council), London borough council or Common Council of the City of London in whose area the land is situated). This notice will require the Council to purchase the owner's interest in the land in accordance with the provisions of Chapter I of Part VI of the Town and Country Planning Act 1990.