

Subject: Stratford International Bus Layover (ref: 19/00391/FUL)

Meeting date: 28 July 2020

Report to: Planning Decisions Advisory Panel

Report of: Sara Dawes, Principal Planning Development Manager

Applicant: Telford Homes

Borough: LB Newham

FOR DECISION

This report will be considered in public

1. EXECUTIVE SUMMARY

1.1. The full planning application was considered at the meeting of the Planning Decisions Advisory Panel (PDAP) held on 26th May 2020. Having considered the committee report, the Chair of the Planning Decisions Committee, in consultation with the Planning Decisions Advisory Panel, resolved to defer the application and request that officers explore with the applicant possible improvements to the scheme in the following areas set out below:

- Affordable housing (affordability of the intermediate housing)
- Blue badge parking
- Inclusive design and management, particularly access to amenity space
- Daylight and sunlight to some of the units, particularly rooms in the western tower facing east.

1.2. The 26th May 2020 Planning Decisions Advisory Panel Report is attached at Appendix 1.

1.3. A summary of the response to the issues identified by members at the May PDAP is set out below:

1.4. Affordable Housing: Officers have further explored with the applicant the potential for improving the affordability of the intermediate housing in response to members comments. The applicant advised that they had already made their best possible offer upfront in order to be meaningful, and would result in a deficit of £4,573,000, (or £2,361,000 in the event that GLA grant is secured). As such they have not improved the affordable housing offer, which is 40% affordable housing by habitable room (and 35% by unit), with a policy compliant tenure split between affordable rent and intermediate (61:39).

1.5. Blue badge parking: Officers have further explored with the applicant the potential to increase the amount of blue badge parking and whether on site provision is possible. A number of potential options have been explored further, including the use of a vehicle lift, and replacement of retail units with parking

spaces at ground floor level. Unfortunately all the options explored have had to be discounted for highway and public realm conflicts/road safety issues, creating the potential for collisions, conflicting movements and visibility issues; lack of space to turn vehicles within the upper floors; and would result in a loss of active retail frontage and employment floorspace. There would be 5 blue badge spaces located in laybys on International Way, as reported to PDAP in May, along with the s106 obligation to work with LB Newham to designate bays specifically for residents of this development.

- 1.6. Inclusive design and management: The applicant has provided further information about the function of the level 26 rooftop area, and has reconfigured the proposed shared amenity areas so that all of the play space would be located at levels 3 and 12, which exceeds the minimum playspace requirements for ages 0-11 (previously some playspace was included at level 26). The Level 26 rooftop would now function as a dedicated dining and lounge area event space which would be bookable for exclusive use by residents, including residents living in affordable homes. Details of management and pricing of the space would be secured by condition 48 'Residential Management Strategy.
- 1.7. Daylight and sunlight to the units: As set out in the previous PDAP report, 86% and 91% of rooms meet or exceed the BRE (British Research Establishment) daylight guidance for Average Daylight Factor (ADF) and No Sky Line (NSL) respectively. The worst performing rooms in terms of daylighting are living/kitchen/diners with recessed balconies, located in the west and east towers facing the central podium amenity space. The applicant has provided further assessment of those rooms that demonstrates that without balconies (e.g. with an enlarged living space that extends to the façade line instead of a recessed balcony), the rooms would comfortably exceed the BRE guidance. Officers consider that the provision of private external amenity space that protects residents from the elements is a benefit, and that on balance, the overall daylight and sunlight is acceptable.
- 1.8. Subject to conditions and the provisions of the S106 agreement, it is considered that the development meets the relevant policies and priorities for the site, including the provision of 40% affordable housing, public realm and highway improvements to International Way and a financial contribution towards the Westfield Avenue Improvement Project. The scheme is considered to represent a sustainable form of development in compliance with the relevant planning policies and is therefore recommended for approval.

2. RECOMMENDATIONS

- 2.1 **That the Chair of the Planning Decisions Committee, in consultation with the Planning Decisions Advisory Panel, agree the recommendation to:**
 - a) **Approve the application for the reasons given in the report and grant planning permission subject to:**
 1. **Referring the Application to the Mayor of London and any other direction of the Mayor of London;**
 2. **The satisfactory completion of a legal agreement under s.106 of the Town and Country Planning Act 1990 and other enabling powers to secure the planning obligations set out in the recommended heads of terms which are set out in this report; and**
 3. **The conditions set out in this report.**
 - b) **Agree to delegate authority to the Director of Planning Policy and Decisions to:**

- 1. Consider any direction from the Mayor of London and to make any consequential or necessary changes to the recommended conditions and/or informatives and/or recommended section 106 heads of terms as set out in this report;**
- 2. Finalise the recommended conditions as set out in this report including such refinements, amendments, additions and/or deletions (including to dovetail with and where appropriate, reinforce, the final planning obligations to be contained in the section 106 legal agreement) as the Director of Planning Policy and Decisions considers reasonably necessary;**
- 3. Finalise the recommended legal agreement under section 106 of the Town and Country Planning Act 1990 and other enabling powers as set out in this report, including refining, adding to, amending and/or deleting the obligations detailed in the heads of terms set out in this report (including to dovetail with and where appropriate, reinforce the final conditions and informatives to be attached to the planning permission) as the Director of Planning Policy and Decisions considers reasonably necessary; and**
- 4. Complete the section 106 legal agreement referred to above and issue the planning permission.**

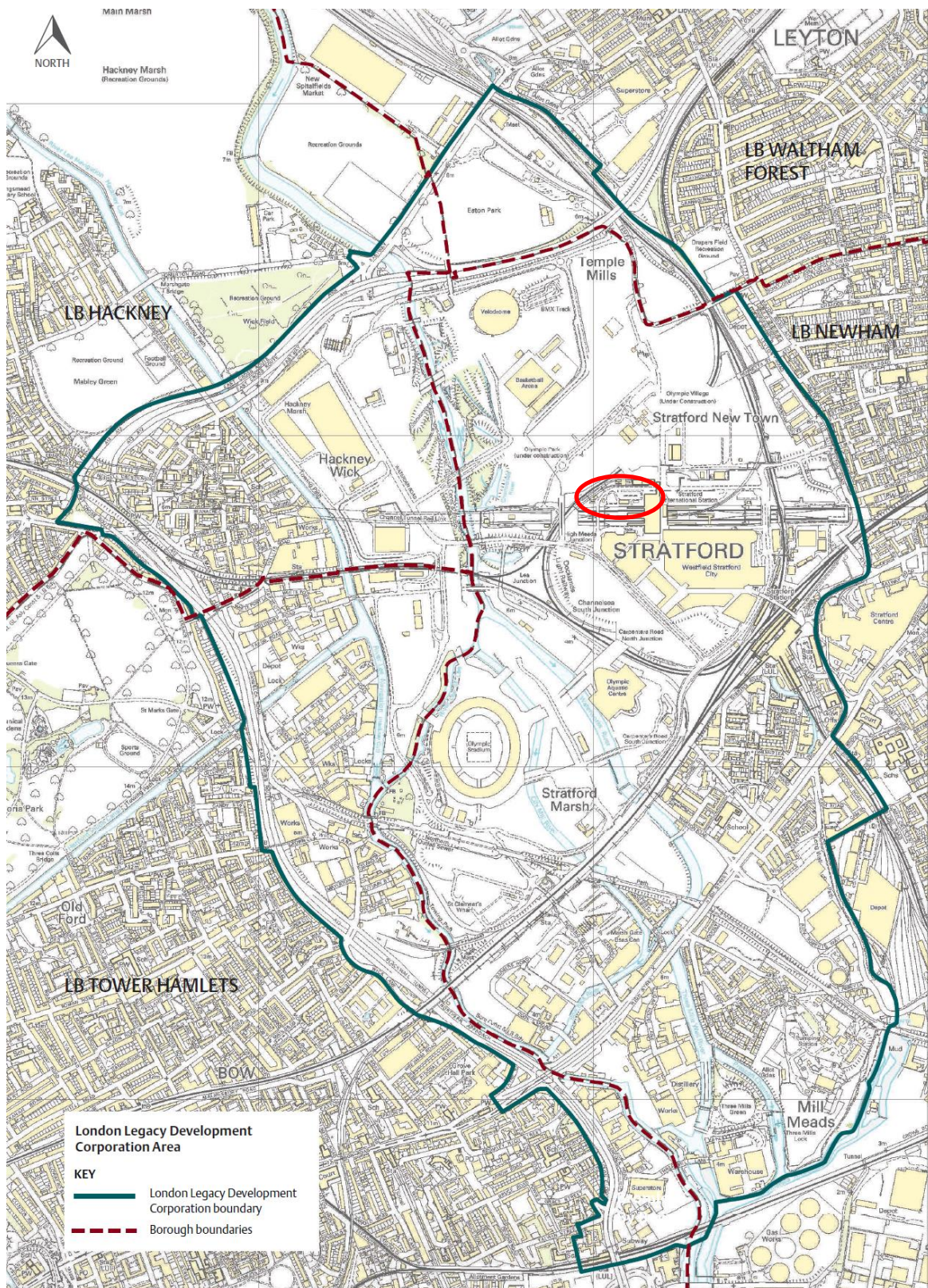
3. FINANCIAL IMPLICATIONS

- 3.1. Financial contributions made by the applicant pursuant to the s106 agreement must only be used for the purposes set out in the agreement and in accordance with its terms.

4. LEGAL IMPLICATIONS

- 4.1. The recommendation is that planning permission is granted, subject to the satisfactory completion of a s106 legal agreement to ensure adequate mitigation of the impacts of the development. The contents of the required s106 agreement are described within this report (Draft Heads of Terms).

Site Plan



Location: Stratford International Bus Layover Site, Land adjacent to Stratford International station, International Way, Stratford E20 1YY

London Borough: London Borough of Newham

Proposal: Application for full planning permission for comprehensive mixed-use redevelopment of the site comprising partial demolition works and clearance of the existing site and the provision of two towers of 27 storeys with a 3 storey podium comprising 380 residential units (Use Class C3), flexible retail (Use Classes A1-A5/B1/D1-D2) and office (use Class B1) at the ground, first and second floors, private and communal amenity space, associated disabled car parking and cycle parking, access and servicing arrangements and re-provision of the existing bus layover and taxi rank.

Applicants: Telford Homes PLC

Agent: Quod

Architect: Suttonca

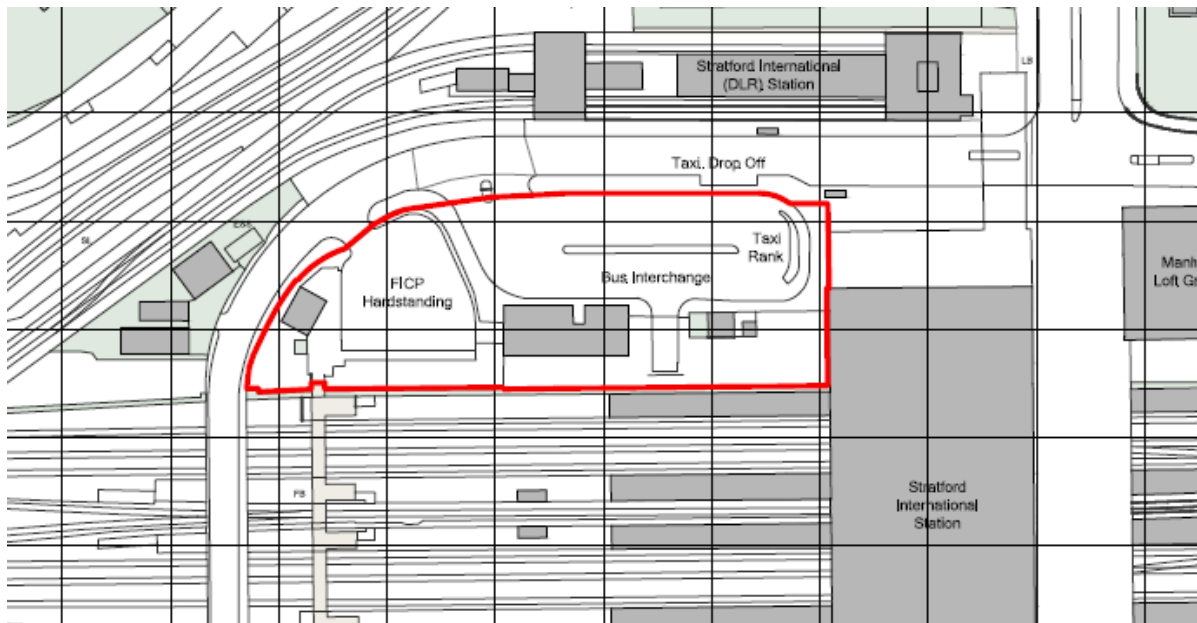


Figure 1: Application Site

5. SITE & SURROUNDINGS

5.1. A description of the site and surroundings is set out in Section 5 of the appended PDAP (Planning Decisions Advisory Panel) report of 26th May 2020.

6. RELEVANT PLANNING HISTORY

- 6.1. Details of the relevant planning history for the site and the surrounding area are set out in Section 6 of the appended PDAP (Planning Decisions Advisory Panel) report of 26th May 2020.

7. APPLICATION PROPOSALS

- 7.1. There have been some minor design changes to the proposed development since the May PDAP meeting, comprising:
- Amendments to the amenity space and children's play space, including redistributing the children's play space to levels 3 and 12.
 - Amendments to the layout of level 26, to show details of the proposed event space.
 - Amendments to the layout of level 3 to provide an indoor playroom
- 7.2. Details of the application proposals can be found in Section 7 of the appended PDAP (Planning Decisions Advisory Panel) report of 26th May 2020.

8. POLICIES & GUIDANCE

- 8.1. The relevant policies and guidance which are considered applicable in the assessment of this application are set out in Section 8 of the appended PDAP (Planning Decisions Advisory Panel) report of 26th May 2020.

9. CONSULTATIONS

- 9.1. Since the deferral of the application there has not been any further public consultation because the minor nature of the revisions to the scheme are such that further public consultation is not required. No further comments have been received since the application was originally presented to PDAP on 26th May 2020. The consultation responses to the application are set out in Section 9 of the appended PDAP (Planning Decisions Advisory Panel) report of 26th May 2020.
- 9.2. For completeness, a letter of representation that was received after the publication of the PDAP agenda, and presented to members at the meeting is summarised below.

	Representation
Royal Docks Residents' Association (20.05.2020)	Support for the development of an underutilised site for 380 new homes and retail and office space in brick-clad modest high-rise buildings present the best example of a Streamline Moderne take on the New London Vernacular/Industrial aesthetic.

10 ASSESSMENT OF PLANNING ISSUES

- 10.1. The assessment of the application presented in the appended 26th May 2020 PDAP report remains applicable. The following assessment solely deals with those issues which were raised as points of concern by members at the previous Planning Decisions Advisory Panel meeting. These are:
- Affordable housing (affordability of the intermediate housing)

- Blue badge parking
- Inclusive design and management, particularly access to amenity space
- Daylight and sunlight to some of the units, particularly rooms in the western tower facing east.

Affordable Housing

- 10.2.** Some PDAP Members commented that they felt that the affordable housing offer should be improved, and expressed concern relating to the affordability of the intermediate affordable units. Since the PDAP meeting, officers have continued affordable housing discussions with the applicant to explore whether the affordable housing offer could be improved, in particular with regard to the affordability of the intermediate units.
- 10.3.** Members are reminded of the affordable housing offer presented at the May PDAP meeting of 40% affordable housing (calculated by habitable room, or 35% calculated by unit), with a policy compliant 61:39 tenure split between London affordable rent and intermediate housing.

	Affordable Housing	Affordable Tenure Mix	Total Affordable units
Applicant's current offer	35% by unit 40% by habitable room	61% Affordable rent, 39% Intermediate	133 units comprising: 79 Affordable Rent units 54 Intermediate units

- 10.4.** The affordable housing offer presented was considered to exceed the maximum technically viable position. PPDTs viability consultant considered that 23.9% affordable housing by habitable room (20.7% by unit) would be the maximum reasonable amount of affordable housing.
- 10.5.** As stated in the previous PDAP report, the applicant has asserted that the 40% affordable housing offer would result in the scheme being 'in deficit' by £4,573,000. The Applicant stated that they were willing to take this approach on the basis that there is potential for a GLA grant to halve the deficit to approximately £2,361,000, and that they have taken a pragmatic view about levels of reasonable profit. The commercial offer of 40% was made by the applicant in the knowledge that anything less than 35% affordable housing would not be considered acceptable against current LLDC and Mayoral planning policy.
- 10.6.** Officers have encouraged the Applicant to explore enhancing the affordability of the intermediate housing. Members are reminded that the intermediate housing is proposed to be set at 80% of local market rents with an 'income cap' of £60,000 per annum. The Applicant asserts that reducing the cap to, for instance a £45,000 cap for half of the intermediate units would increase the viability deficit by a further £2,400,000 to £6,973,000 without grant or £4,761,000 with grant. The Applicant has stated that given the viability challenges explained, they would not be able to deliver the development with the additional financial burden.
- 10.7.** Officers have also encouraged the Applicant to explore providing a smaller proportion of intermediate units at the £45,000 income cap, and whether the affordable housing offer could be enhanced in the event that a GLA grant is secured, but the Applicant has stated that the possibility of grant is a key reason why they have been willing to offer 40% affordable housing against the 23.9% shown as being reasonable though the viability exercise. The Applicant has

confirmed that securing grant for the scheme would not enable the Applicant to improve the affordable offer. Securing grant would only halve the deficit, and a further enhancement to the affordable housing package is not feasible.

- 10.8.** There has also been some discussion around reducing the overall quantum of affordable housing in order to improve the affordability of the intermediate units, but officers have advised that the key priority is to maximise the amount of London affordable rent housing, so any reduction of London affordable rent housing would not be welcomed.
- 10.9.** Whilst it is disappointing that the affordable housing offer has not been improved in terms of improving the affordability of the intermediate units, Officers conclude that the proposed development does comply with affordable housing policy as it would secure beyond what is technically viable according to PPDT's viability consultant, thereby securing the maximum reasonable amount of affordable housing, with a policy compliant tenure split.

Blue badge parking

- 10.10.** PDAP members expressed strong concern that the blue badge parking spaces were proposed to be located on the street in lay-bys rather than on site, and a long distance away from the wheelchair accessible homes.
- 10.11.** To clarify, in terms of distance from the wheelchair accessible homes, the blue badge spaces would be 10m to 50m away from those in the West tower (which includes all of the affordable rent wheelchair accessible units); and 80 to 130m from the wheelchair accessible homes in the east core (private units).
- 10.12.** In collaboration with Officers, LBN Highways and TfL, the applicant team undertook a review of options to increase blue badge provision prior to the May PDAP, which resulted in an increase from 3 blue badge bays to 5 blue badge bays, which would be provided in lay-bys on International Way.
- 10.13.** Following committee, further options have been explored to consider whether on site provision is possible, including provision of a car lift. All options explored (pre-and post- PDAP) are summarised below:

Option 1: 5 bays in the highway (current proposal)

- 10.14.** This would result in a short fall of 7 bays relative to draft London Plan standards, and is not on private land. The spaces would be within 10-50m of the wheelchair accessible homes in the western tower (including the affordable homes), but further from the wheelchair accessible homes in the east core). A CPZ already exists, which would limit use to only East Village resident permit holders with blue badges. There is also A S106 obligation to work with LB Newham to designate the blue badge bays specifically for residents of this development.

Option 2: On-site provision within the podium (car lift access to first floor)

- 10.15.** The options to provide vehicle lifts to the upper floors of the podium have been explored and are not feasible for a number of reasons:
- it would result in highway and public realm conflicts, including vehicles reversing across the footway; vehicles having to wait half on the carriageway and half on the footway if the pedestrian crossing is in use; visibility issues when exiting the lift and entering the road on the inside of a bend, all creating the potential for collisions and conflicting movements, and visibility issues; and

- there would be insufficient space to turn vehicles within the upper floors (due in part of the constraints of the safeguarded station expansion zone);
- loss of two retail units, with consequential blank façade;
- loss of employment floorspace;
- loss of cycle parking in the public realm.

Option 3: Additional on-site bays provided within the ground floor retail units

10.16. This option would potentially provide an additional 2-3 blue badge bays, but would result in safety concerns for vehicles crossing the pavement, given the proximity to the zebra crossing and bus stop. There would also be insufficient space in the public realm without conflicting with other requirements (cycle parking, landscaping). There would also be a loss of two retail units, with consequential blank façade.

Option 4: Additional bays in the public realm

10.17. These options were previously explored with TfL and LB Newham and discounted mostly due to road safety issues, or being too far away from the wheelchair accessible homes. The only spaces acceptable from a highways safety perspective would be in the forecourt of Stratford International Station, but that would result in the need for a floating bus stop, which is unacceptable to TfL and would interfere with pedestrian movement.

Option 5: Use of existing provision at Stratford International car park

10.18. This was discounted at an early stage due to excessive travel distances between the spaces and the wheelchair accessible homes (circa 200m to edge of the site, and 300+m to the accessible homes in the west tower), and uncertainty about ability to provide in perpetuity.

Option 6: Basement car park

10.19. As set out in the May PDAP report, basement parking on site is not technically feasible due to the earth mats in the ground that facilitate the HS1 substation.

10.20. The applicant has concluded that there is no scope to include parking spaces on site or further increase numbers close to the site. Officers agree that the main reason for the difficulty in providing an on-site policy compliant number of parking spaces is because vehicles cannot be left parked within the Forward Incident Control Point (FICP) in case of emergency, and TfL requirements mean that it is not possible to accommodate any blue badge parking within the ground floor of the development.

10.21. Concerns were raised by PDAP members that the difficulty of including a policy compliant (12 spaces) level of blue badge parking on the site was indicative of the application proposals being too dense. However, whilst the density is high, there are no other symptoms of over development such as shortfalls in unit sizes, amenity space or play space. The scheme also performs well overall in terms of daylight and sunlight (86% and 91% of rooms proposed would meet or exceed the BRE ADF and NSL guidelines respectively, and there would be no significant detrimental impacts on surrounding residential blocks). The site has the highest public transport accessibility rating possible (PTAL 6b), and is appropriate in scale to its context where there are taller and denser schemes. Any redevelopment of the site would require the ground floor to be largely taken up by a re-provided FICP and bus layover, so the cause of the inability to provide blue badge parking on site is due to the very specific constraints of the site rather than the density. It is worth noting that in order to achieve a scheme with a policy compliant position on blue badge parking (3%) relative to the 5 blue badge spaces that can be provided, there would need to be a reduction of 214 residential units to a total of 166 units.

- 10.22.** There were also questions at the PDAP meeting about whether the 5 blue badge spaces would be dedicated to residents. As explained at paragraph 10.121 of the May Officer’s report, a proposed S106 obligation requires the applicant to work with LB Newham to designate the bays specifically for residents of this development.
- 10.23.** The site is within the East Village Controlled Parking Zone (CPZ), and only blue badge holders who have parking permits for the East Village CPZ would be allowed to park in the blue badge bays. Westfield shopping centre offers blue badge holders 4 hours free parking Monday – Friday inclusive, and Stratford International Station has its own blue badge provision. Surrounding East Village plots have London Plan policy compliant blue badge car parking spaces within the specific plots. As such it appears unlikely that there would be much demand for the blue badge spaces beyond that arising from the proposed development.
- 10.24.** TfL officers and PPDT officers consider that the applicant has sought to balance many policy requirements, and in this specific case, a lower amount of blue badge parking is considered to be justified in this instance given the very high PTAL rating and the specific constraints of the site, coupled with the direct delivery of improvements to International Way and the proposed contribution towards public realm improvements. Whilst there would be a shortfall in blue badge parking, on balance it is considered that the benefits of the scheme, including the provision of significant affordable housing, improvements to International Way and the wider public realm is acceptable overall. When considering the scheme as a whole, the shortfall in blue badge parking is not considered to be enough to justify refusal of planning permission. The options explored, particularly option 3 above which would be both feasible and viable would however, result in unacceptable highway safety issues

Inclusive design and management

- 10.25.** PDAP members raised concerns that not all amenity space was available to all residents, including the Level 26 roof terrace and a gym. Officers have encouraged the applicant to revisit this matter.
- 10.26.** The Applicant has reconfigured the proposed amenity spaces so that all of the play space is located on the Level 3 central and western podiums and at western tower Level 12. Previously some play space was proposed at Level 26, but it would not have been available for use by all residents. The proposed amount of playspace would continue to comply with the playspace requirements for 0-11 year olds, with the over 12’s being provided off-site through a contribution towards identified projects to be delivered by LLDC, as previously reported. The table below sets out the playspace requirements calculated in accordance with the guidelines set out in the Mayor’s ‘Shaping Neighbourhoods: Play and Informal Recreation’ SPG.

Children’s age group	Playspace requirement	Playspace provision
0-4 year olds	524 sqm	524 sqm (on site)
5-11 year olds	383 sqm	450 sqm (on site)
12+ year olds	230 sqm	To be provided off-site – secured via s.106 agreement
Total for 0-11 year olds	907 sqm	974 sqm (on site)

- 10.27.** In order to add to the offer for residents, the applicant has allocated some internal space in the western tower at level 3 as an indoor playroom, which was previously allocated as an estates management office for the private residential accommodation. It would measure 62sqm, that would form an extension to the overall play area, offering a choice of environments which is likely to be welcomed particularly in poor weather. The indoor room would be located off the central circulation space and would open out onto the communal podium amenity space. This would be available free of charge, for use by all residents and is particularly conveniently located for the affordable housing. This additional amenity is welcomed and considered to be a benefit of the scheme.
- 10.28.** Further details of the active management of the indoor amenity/playspace for residents would be required in the residential management plan, secured by condition 48.
- 10.29.** The Applicant has provided more information about the Level 26 rooftop area, and have now designated it as a dedicated 'event space' which would be bookable for exclusive use, available to all residents, including those living in affordable homes, albeit at a charge. The Level 26 area is not required to meet amenity space or playspace requirements, and would provide an additional amenity for residents that is often offered by Build to Rent operators.
- 10.30.** Residents living in the private and Discount Market Rent (DMR) homes are expected to partly pay for this space via a service charge that would already be built into their rent; which would allow for the operation and maintenance of the spaces. These types of spaces are often provided in Build to Rent developments, and the most common uses are lounge spaces with communal sofas and TVs for groups to gather. The space would be available to be booked out for exclusive use for events, for example, birthday parties or hosting a dinner party. The use of the spaces for exclusive events would require a booking fee to the operator, to ensure the costs of operation (cleaning, maintenance etc.) are covered.
- 10.31.** Residents living in affordable homes would be able to access the shared areas in the development, though they would have to pay a fee towards gym costs (which would be built into the service charge for residents living in the private homes) and for the hire of the event space on the roof of the eastern tower.
- 10.32.** Details including management and pricing structure for the 'event space' and the residents' gym would be secured by condition 48, which would ensure that the amenities were available for use by all residents, including the residents living in affordable rent homes, albeit at a charge (as it would not be covered by the service charge for the affordable rent homes).
- 10.33.** The applicant has provided some preliminary estimates in terms of service charge for the private and affordable homes. It is anticipated that the private homes would have a service charge of approximately £3.50 sqft. (£3,772 per annum for a three bedroom home) compared to £1.60 per sqft. (£1,724 per annum) for the affordable rented three bedroom homes, with the difference in part reflecting the costs of elements such as the gym and concierge.
- 10.34.** Officers have encouraged the applicant to provide equal access to all residents, without charge, including the Level 26 rooftop amenity, and it is disappointing that this has not been provided as a communal amenity space accessible to all without restriction. However, given that the scheme needs in terms of amenity space and playspace requirements for 0-11 age group are met without the Level 26 space, there is no justification in planning policy terms to require that the Level 26 roof top amenity space is available for use by all residents all of the time.
- 10.35.** The proposed development complies with the relevant policies and standards in terms of amenity space and playspace.

Daylight sunlight

- 10.36.** A concern was raised at the PDAP meeting in May that not all homes would have satisfactory daylight, in particular rooms in the western tower, facing east. The depth of the room was identified by a member for the reason for this failure.
- 10.37.** As detailed in the May PDAP report, 86% of rooms would be fully compliant with the BRE guidelines for Average Daylight factor (ADF) assessment, and 91% of rooms would be fully compliant with the BRE guidelines for the No Sky Line (NSL) assessment. Overall this demonstrates a good level of compliance.
- 10.38.** As discussed at the PDAP meeting in May, the worst performing rooms are the living/kitchen diners in the proposed one bed units located on the east and west facades overlooking the podium amenity space, that have recessed balconies. Of the 90 one bedroom residential units, 62 would be private homes, 16 would be affordable rent homes and 12 would be Discount Market Rent homes. The daylight and sunlight report accompanying the application, states that the reason the rooms do not meet the BRE guideline target values is due to the provision of recessed balconies. PPDT's environmental consultants agree with this conclusion.
- 10.39.** The applicants have carried out an assessment on the worst performing rooms which shows that they would all exceed the Average Daylight Factor (ADF) level of 2% for living rooms if the recessed balconies were replaced with internalised amenity space with glazing at the façade line.
- 10.40.** Recessed balconies offer private, secure, high quality external space with protection from the weather, allowing them to be used more as an extension to the living space in the apartments. Officers consider that the recessed balconies would serve to enhance the amenity of future occupants. LLDC's Design Quality Policy indicates a preference for external private amenity areas, other than in particularly windy or noisy locations where internalised areas might be used to provide sheltered amenity spaces.
- 10.41.** Comments were also made about the relationship between the design of the tower and how it meets the podium. The brick podium with arches would provide a human scale base to the buildings and a successful means of incorporating active frontages and the exit for the bus layover. The two storeys and the shoulder building on the upper floors would be set back slightly and have a complementary high-quality brick finish, a less rigid order to the arches, deep and robust reveals and traditional detailing. Balconies would be inset at the corners and centrally along the east and west elevations of the towers, to enhance verticality.
- 10.42.** Officers consider that the evolution of the design of the scheme has evolved positively since the initial pre-application meetings, in response to comments received and is supported by LLDC's Quality Review Panel. There has been a long process of pre-application and application discussions on this site to reach the point where there is an acceptable, largely policy compliant scheme. The proposals have moved significantly since the original pre-application meeting, where officers were presented with an extremely dense proposal (700+ homes) which included three towers, that did not provide a human scale base or address the street and public realm. At the advice of officers, the applicant chose to engage a new architect to bring a fresh approach to the design of the scheme, which has evolved through design review by QRP.

Planning Obligations

10.43. The following heads of terms for the Section 106 Agreement are recommended to mitigate the effects of the development. There would be a financial contribution of £1.1m with an indicative breakdown set out below, however this is subject to final negotiation on the allocation of the contribution*.

Affordable Housing

- 40% affordable housing (measured on a habitable room basis).
- Affordable housing tenure mix to include the following (by habitable room):
 - 60% London Affordable Rent by hab room (79 units, 27 x 1 bed; 34 x 2 bed; 18 x 3 bed); and
 - 40% Discount Market Rent by hab room (54 units, 16 x 1 bed; 26 x 2 bed, 12 x 3 bed).
- Phased restrictions on market unit occupation until a specified amount of affordable is delivered (50% market, 60% affordable; 70% market, 80% affordable; 85% market, 100% affordable).
- London Affordable Rents to be based on the weekly rents (exclusive of service charge) published annually by the GLA for London Affordable Rent.
- Discount Market Rent to be based on 80% Market Rent and the maximum rent levels (inclusive of service charges) applicable to the site published by the GLA annually for affordable housing for middle-income Londoners, whichever is the lower.
- An early stage viability review (upwards only) to be triggered in the event that development is not substantially implemented within 24 months of the date of planning permission.
- A late stage viability review.

Financial contributions

- Walking/cycling Westfield Avenue/International Way Improvement project circa £800,000*
- Education circa £200,000*
- Off-site play space for 12+ age group circa £100,000*

Transport

- Mobility strategy including the provision of a minimum of 5 blue badge parking bays, and work with LB Newham to designate them bays specifically for residents of this development.
- Restricting car parking for residents / employees
- Membership and attendance of local Construction Traffic Management Group.
- Submission of a Travel Plan in advance of first occupation of the building.
- Highway and public realm works for access and improvements International Way and the public realm in the vicinity of the site including Legible London wayfinding
- Car club membership (3 years)
- Travel Plans
- Wayfinding, legible London
- Requirement to enter into a s278 agreement with LBN for the works shown on drawing nos.[xxx], to include the following works to International Way:

- An increase of between 2.6m and 2.7m to the width of the pedestrian footpath along both the northern and southern sides of International Way
- A 2.5m reduction to the width of International Way to a 6.5m carriageway.
- New paving to the public realm surrounding the site.
- Tree planting to both sides of International Way.
- Relocation of bus and taxi facilities to the public highway.
- Provision of cycle stands on the pedestrian footpath.

Transport for London requirements

- Provision of temporary bus facilities prior to any works
- Provision of permanent taxi rank prior to any works
- Permanent bus stand detailed design prior to any works and completed prior to any occupation
- Tests, audits and other consents, including agreement to lease

Stratford International Station

- Safeguarding of the Stratford International Station expansion box
- Requirement to notify all residents of the station expansion works and the potential for these works to be undertaken.

Sustainability

- Payment of carbon offset payment calculated on a £s per carbon tonne basis (£441,000 at the date of this report), to be paid prior to commencement of development to be spent on carbon offset projects as per the adopted LLDC Carbon Offset SPD (2016).
- Connection to the Olympic Park District Energy Network.

Other

- Notice of commencement
- All demolition and construction activities to be carried out in accordance with the National Considerate Constructors Scheme.
- No residential units shall be occupied until the commercial space has been completed to shell and core.
- Securing local employment targets and agreements to enter into local labour and business schemes.
- Architect retention/design monitoring.
- Employment Space – strategy for management/letting.
- Measures to mitigate any disruption to digital television signal caused by the development.

Obligations on Transport for London

- Measures to manage the interaction between the bus layover and residential use above, including preventing engine idling.

10.44. The site is liable for both Mayoral and LLDC CIL which is based on the current proposals and results in a mandatory contribution which is calculated to be £3,596,324 comprising Mayoral CIL of £1,606,680 and LLDC CIL of £1,989,644.

11. CONCLUSION

- 11.1.** In summary, whilst officers have sought enhancements to the scheme following the May PDAP meeting, including increasing the amount of blue badge parking; improving the affordability of the intermediate units; and inclusive access to all facilities, the proposed development whilst largely unchanged does remain largely policy compliant and would on balance, result in a number of planning benefits.
- 11.2.** The proposed development does not meet draft London Plan policy in terms of blue badge parking. All potential options for increasing the blue badge parking have been explored short of a total redesign of the development, which the applicant is not willing to undertake, given the otherwise policy compliant nature of the scheme. All options explored would raise highway safety issues, along with a reduction of active frontage and a reduction of the quality of the public realm. Given the significant and very specific constraints of the site due to the re-provision of the FICP, bus layover and safeguarding of the station expansion zone; and the high public transport accessibility level (PTAL 6B – highest), on balance this is considered to be acceptable.
- 11.3.** The proposed redevelopment of this site is considered to be in accordance with the regeneration objectives for Stratford Town Centre West as set out within the Local Plan (Sub-Area 2). The provision of 380 residential units is supported and would make a welcome contribution to the Legacy Corporation’s housing targets. Officers also welcome the affordable housing package which equates to 40% affordable housing when calculated on a habitable room basis. The tenure split within this is also acceptable on the basis that it would provide 61% London Affordable Rent, and 39% Intermediate housing in the form of Discount Market Rent.
- 11.4.** The quality of the homes that would be provided are also considered to be generally very good. The scheme would deliver in excess of 50% family sized homes in accordance with Local Plan requirements and all homes within the scheme would be compliant with nationally described space standards, and generous communal amenity space. The majority of the units would have access to private amenity space, other than those facing the railway line, which would have enlarged living areas to compensate.
- 11.5.** The proposed development is also considered acceptable on the basis that it would significantly improve the pedestrian experience along International Way, by providing active frontage in the three-storey podium, with retail units in arches at ground floor level and residential entrance. Improvement works to this stretch of International Way are also proposed which would be secured by S278 agreement. In addition, a financial contribution is proposed for the Westfield Avenue Improvement project, which would include improvements to the stretch of International Way from the HS1 bridge to Westfield Avenue.
- 11.6.** Despite exceeding the London Plan density matrix, the proposal is considered to be of an acceptable density given its public transport accessibility level and surrounding context. The layout, scale, massing and architectural detailing has been subject to rigorous examination by officers and QRP who considered it has the potential to meet the requirements of Local Plan Policy BN.10, subject to refinements. Officers consider that QRPs comments have been satisfactorily addressed and that the proposals meet the requirements of Policy BN.10, and draft Local Plan Policy BN.5. The architectural expression and selection of materials is considered to be of a high quality, and combined with the massing is considered to respond positively and appropriately to adjacent development and the metropolitan centre context.
- 11.7.** The proposal is considered to be largely compliant with national, regional and local plan policies and guidance and can be considered as a form of ‘sustainable

development' as supported within the NPPF. Subject to conditions and other legal obligations, that would be secured through a s106 agreement, it is also considered that the impacts of the scheme can be mitigated.

11.8. It is therefore recommended that planning permission is granted for the development proposed subject to conditions and the satisfactory completion (under authority delegated to the Director of Planning Policy and Decisions) of a legal agreement under section 106 of the Town and Country Planning Act 1990.

11.9. The application is therefore recommended for approval.

12. Planning Conditions

1. Time Period

The development to which this permission relates must be begun no later than three years from the date of this decision notice.

Reason: To comply with the provisions of Section 91 of the Town and Country Planning Act 1990.

2. Approved Plans

The development shall be carried out and retained thereafter in accordance with the following drawings and documents:

[TO INSERT]

Reason: To ensure that the development is undertaken and retained in accordance with the approved drawings.

CONSTRUCTION

3. Non-Road Mobile Machinery

No non-road mobile machinery (NRMM) shall be used on the site unless it is compliant with the NRMM Low Emission Zone requirements (or any superseding requirements) published by the Centre for Low Emission Construction and until it has been registered for use on the site on the NRMM register (or any superseding register).

Reason: To ensure that air quality is not adversely affected by the development, in accordance with Local Plan Policy BN.11.

4. Archaeology

No development, including demolition, shall take place until a stage 1 written scheme of investigation (WSI) has been submitted to and approved by the Local Planning Authority in writing. For land that is included within the WSI, no development, including demolition shall take place other than in accordance with the agreed WSI, and the programme and methodology of site evaluation and the nomination of a competent person(s) or organisation to undertake the agreed works.

If heritage assets of archaeological interest are identified by stage 1 then for those parts of the site which have archaeological interest a stage 2 WSI shall be submitted to and approved by the Local Planning Authority in writing. For land that is included within the stage 2 WSI, no development, including demolition, shall take place other than in accordance with the agreed stage 2 WSI which shall include:

- A. The statement of significance and research objectives, the programme and methodology of site investigation and recording and the nomination of a competent person(s) or organisation to undertake the agreed works.
- B. The programme for post-investigation assessment and subsequent analysis, publication & dissemination and deposition of resulting material. This part of the condition shall not be discharged until these elements have been fulfilled in accordance with the programme set out in the stage 2 WSI.

Reason: To safeguard the heritage assets by ensuring that any archaeological remains that may exist on site are not permanently destroyed, in accordance with Local Plan Policy BN.12.

Pre-commencement justification: This pre-commencement condition is necessary to safeguard the archaeological interest on this site. Approval of the WSI before works begin on site provides clarity on what investigations are required, and their timing in relation to the development programme.

5. Demolition and Construction Management Plan

No development, including demolition, hereby permitted shall commence until full details of the proposed demolition and construction methodology, in the form of a Method of Demolition and Construction Statement, have been submitted to and approved in writing by the Local Planning Authority in consultation with London Borough of Newham (Highways). The Method of Demolition and Construction Statement shall be in accordance with all relevant legislation in force and substantially in accordance with all policy adopted and best practice guidance published at the time of submission. The Method of Demolition and Construction Statement shall include details regarding:

- a) Hours of work including any proposed Sunday or Bank Holiday working;
- b) Safeguarding of buried services;
- c) Location and height of any proposed stockpile;
- d) Deliveries within site, to ensure vehicles not stopping on the highway
- e) The notification of neighbours with regard to specific works;
- f) Advance notification of road closures;
- g) Details regarding parking, deliveries, and storage (including hours of deliveries);
- h) Details of measures to prevent the deposit of mud and debris on the public highway;
- i) A feasibility survey shall be carried out to consider the potential for moving demolition and construction material from the site by waterborne freight.
- j) Details of compliance of construction vehicles with Construction Logistics and Community Scheme (CLOCS) standards and Fleet Operator Recognition Scheme (FORS) registration;
- k) Details of collaboration with adjoining development sites to mitigate against detrimental impacts;
- l) Any other measures to mitigate the impact of construction upon the amenity of the area and the function and safety of the highway network;
- m) Construction Transport Management Plan (CTMP) including measures such as restricting timing of demolition and construction movements (and access/egress to the site) to avoid peak congested hours on the local road network.
- n) Details of routes and access for construction traffic, including lorry holding areas;
- o) Attendance as necessary at the LLDC Construction Transport Management Group (CTMG);
- p) Dealing with complaints and community liaison;

- q) A scheme for protecting nearby residential and commercial properties from noise and other environmental effects;
- r) Details of site managers, including contact details and roles/responsibilities;
- s) Details of site training; and
- t) Details of health and safety risks on site.

No development, including demolition, shall commence until provision has been made to accommodate all site operatives', visitors' and construction vehicles loading, off-loading, parking and turning within the site or otherwise during the construction period in accordance with the approved details.

The demolition and construction shall thereafter be carried out in accordance with the details and measures approved in the Method of Demolition and Construction Statement.

Reason: To avoid hazard and obstruction being caused to users of the public highway and to safeguard residential amenity from the start of the development process, in accordance with Local Plan Policy BN.11.

Pre-commencement justification: To ensure that demolitions and construction impacts are appropriately mitigated in advance of commencement of works.

6. Cranes and Scaffolding – London City Airport Flight-Path

No cranes or scaffolding shall be erected on the site unless and until a construction methodology and diagrams clearly presenting the location, maximum operating height, radius and start/finish dates for the use of cranes during the Development has been submitted to and approved in writing by the Local Planning Authority, in consultation with London City Airport. The development shall thereafter be carried out in accordance with the approved details and retained as such thereafter.

Reason: To ensure that operations at London City Airport are safeguarded in accordance with London Plan Policy 6.6.

7. Railway Infrastructure Protection

The development hereby permitted shall not be commenced until detailed design and method statements for each stage of the development for all of the demolition, foundations, basement and ground floor structures, or for any other structures below ground level, including piling (temporary and permanent), have been submitted to and approved in writing by the Local Planning Authority, in consultation with DLR and HS1 which:

- provide details on all structures
- provide details on the use of tall plant/scaffolding
- a base-line radio impact survey shall be undertaken and submitted to DLR for approval
- accommodate the location of the existing DLR structures
- demonstrate that there will at no time be any potential security risk to railway, property or structures
- accommodate ground movement arising from the construction thereof and provide ground movement analysis

The development shall be carried out in accordance with the details approved by the Local Planning Authority.

Reason: To ensure that the development does not impact on existing DLR and HS1 transport infrastructure, in accordance with London Plan 2015 Table 6.1, draft London Plan policy T3 and 'Land for Industry and Transport' Supplementary Planning Guidance 2012.

Pre-commencement justification: submission and approval is required prior to commencement to ensure that the Local Planning Authority is satisfied that the development would not impact on existing DLR and SH1 transport infrastructure.

8. Demolition & Construction Dust Monitoring and Mitigation

Prior to commencement of the development hereby permitted, a scheme for dust monitoring, assessment and mitigation for all demolition and construction activities shall have been submitted to and approved in writing by the Local Planning Authority. The applicant shall have regard to the GLA SPG on the Control of Dust and Emissions During Construction (or any subsequent revision) and the scheme shall include:

- An air quality and dust risk assessment;
- An air quality dust management plan (which shall include measures for site management, on/off-site vehicle/machinery operation, dust suppression and track-out in order to avoid effects from dust);
- Site monitoring;
- The identification of dust sensitive premises to be used as the location for dust monitoring, including any arrangements proposed for amending the selected locations if new dust sensitive premises are introduced;
- The frequency and other arrangements for dust monitoring; and
- The arrangements for reporting the results of dust monitoring and the implementation of mitigation measures to the Local Planning Authority.

The demolition and construction shall thereafter be carried out in accordance with the approved scheme for dust monitoring, assessment and mitigation for all demolition and construction activities.

Reason: To ensure that the construction of the development minimises its environmental impacts and protects local air quality and complies with Policy 7.14 of the London Plan and the GLA SPG Control of Dust and Emissions During Construction.

Pre-commencement justification: submission and approval is required prior to commencement to ensure that the Local Planning Authority is satisfied that the impact of the demolition and construction would be appropriately mitigated.

9. Site Waste Management Plan

The development, including demolition, shall not be commenced until a Site Waste Management Plan (SWMP) has been submitted to and approved in writing by the Local Planning Authority. The objectives of the management plan shall be to ensure all waste arising from demolition and construction works is managed in a sustainable manner, maximising the opportunities to reduce, reuse and recycle waste materials, in line with the waste hierarchy. The SWMP shall also detail the compliance and assurance requirements to be maintained on the site during all phases of works including site-preparation and remediation. The SWMP shall include as a minimum the following information:

- Classification of all waste including hazardous waste according to current legislative provisions;
- Waste forecast to estimate the type and quantity of waste generated during the excavation, demolition and construction works and an indication

- of the destination of each waste type (i.e. onsite/offsite reuse, recycling, recovery, disposal);
- Performance measurement and target setting (such targets shall be in accordance with any sustainability targets set of the development, such as BREEAM targets, and should be in line with national and local policy and guidance (e.g. the London Plan, LLDC Local Plan)) against estimated waste forecasts;
 - Reporting of project performance on quantities and options utilised;
 - Measures to minimise or design out waste generation;
 - Opportunities for re-use or recycling;
 - Provision for the segregation of waste streams on the site in appropriate storage containers that are clearly labelled and colour coded (e.g. using the Institution of Civil Engineers (ICE) waste stream colour coding guidance). Waste storage arrangements shall meet the waste Duty of Care requirements;
 - Licensing requirements for environmental permitting (or exemption) requirements for offsite waste management sites;
 - An appropriate audit trail encompassing non-hazardous waste transfer notes and hazardous waste consignment notes, in line with waste Duty of Care requirements;
 - Measures to avoid fly tipping by others on lands being used for demolition/construction;
 - Measures to provide adequate training and awareness through toolbox talks; and
 - Measures to provide adequate training and awareness through toolbox talks; and
 - Returns policies for unwanted materials.

The demolition and construction shall thereafter be carried out in accordance with the approved SWMP.

Reason: To ensure that the demolition and construction of the development minimises its environmental impacts, in terms of waste generation and waste management.

Pre-commencement justification: To ensure that the Local Planning Authority is satisfied that the impact of the demolition and construction would be appropriately mitigated.

10. Piling Method Statement

No piling, including 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 would be carried out, including measures to prevent and minimise the potential for impact on ground water, 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 and The Environment Agency. All piling shall be undertaken in accordance with the terms of the approved piling method statement.

Reason: To ensure that piling methodology is appropriate. The proposed works will be in close proximity to underground water utility infrastructure and some piling techniques can cause preferential pathways for contaminants to migrate to groundwater and cause pollution, in accordance with Local Plan Policy BN.11.

11. Noise from construction

Noise levels at any occupied part of the development or nearby residential properties arising from construction or demolition of the development hereby permitted shall not exceed 75dB LAeq (10 hour) measured at 1m from the façade of the nearest

occupied property, during the hours from 08:00 to 18.00 Monday-Friday, 75dB LAeq (5 hour) during the hours from 08:00 to 13:00 on Saturday except with the prior written approval of the Local Authority, under s61 of the Control of Pollution Act 1974.

Reason: To ensure that best practicable means are used to reduce noise generated by construction in accordance with Policy 7.15 of the London Plan and Policy BN11 of the Local Plan 2015.

12. Road Safety Audit

No development hereby permitted shall take place until a Road Safety Audit (RSA) has been undertaken, and submitted to, and approved in writing, by the Local Planning Authority. The RSA shall include review of road signing, confirmation that the emergency services agree the access provision and a commitment to undertake any mitigation measures identified in the audit. The Road Safety Audit shall be carried out in consultation with LB Newham highways authority and Transport for London. Any necessary works shown to be required as a result of the RSA shall be carried out in accordance with the approved Road Safety Audit; and no part of the development shall be occupied until the works have been constructed in accordance with approved details.

Reason and pre-commencement justification: In the interests of highway safety in accordance with London Plan Policy 6.7 and draft London Plan policy T3.

13. Stratford International Station Safeguarding

Prior to commencement of above ground works, details of the Stratford International safeguarding measures to be incorporated in respect of the Development, shall be submitted to and approved in writing by the Local Planning Authority in consultation with HS1. The details shall demonstrate how the Development incorporates the principles and requirements for HS1. Once approved, the development shall be carried out and retained in accordance with the approved details.

Reason: The permanent facilities are required to allow the provision of international trains stopping and/or terminating at Stratford International station in accordance with London Plan policy 6.2 and draft London Plan policy T3 and LLDC Local Plan Policy T.1.

CONTAMINATION

14. Contamination and Site Characterisation

No development approved by this planning permission (or stage in development as may be agreed in writing with the Local Planning Authority) shall commence until the following have each been submitted to, and approved in writing, by the Local Planning Authority:

1. A preliminary investigation report including a desk study and site reconnaissance;
2. A scheme of ground investigation, based on the preliminary investigation, describing and justifying the scope of investigations to provide sufficient information for a contamination risk assessment; and
3. A contamination risk assessment and remediation strategy report based on the findings of the ground investigation.

The preliminary investigation report (part 1) and scheme of ground investigation (part 2) shall be agreed with the Local Planning Authority before the ground investigation commences. The ground investigation and remediation strategy (part 3) shall be implemented as approved, with any changes requiring the written consent of the Local Planning Authority.

Reason: To safeguard human health, controlled waters, property and ecological systems, and to ensure that the development can be carried out safely without unacceptable risks to workers, neighbours and other offsite receptors, in accordance with Policies 5.21, 5.14 and 7.19 of the London Plan and Policy BN13 of the Local Plan 2015.

Pre-commencement justification: To ensure that the Local Planning Authority is satisfied that any ground contamination is appropriately identified and remediated in advance of commencement of works.

15. Remediation Implementation and Verification Method Statement

No development approved by this planning permission (or stage in development as may be agreed in writing with the Local Planning Authority) shall commence until a remediation implementation and verification method statement, based on the contamination risk assessment and remediation strategy report, has been submitted to and approved in writing by the Local Planning Authority.

The remediation implementation and verification method statement shall be implemented as approved, with any changes agreed in writing with the Local Planning Authority.

Reason: To safeguard human health, controlled waters, property and ecological systems, and to ensure that the development can be carried out safely without unacceptable risks to workers, neighbours and other offsite receptors, in accordance with Policies 5.21, 5.14 and 7.19 of the London Plan and Policy BN13 of the Local Plan 2015.

Pre-commencement justification: To ensure that the Local Planning Authority is satisfied that any ground contamination is appropriately identified and remediated in advance of commencement of works.

16. Unexpected Contamination

If during development unexpected contamination is encountered then the Local Planning Authority shall be notified and no further development (as agreed in writing with the Local Planning Authority) shall be carried out until an addendum to the remediation implementation and verification method statement has been submitted to and approved in writing by the Local Planning Authority (unless otherwise agreed in writing with the Local Planning Authority).

The addendum remediation implementation and verification method statement shall be implemented as approved, with any changes agreed in writing with the Local Planning Authority.

Reason: To safeguard human health, controlled waters, property and ecological systems, and to ensure that the development is carried out safely without unacceptable risks to workers, neighbours and other offsite receptors, and in accordance with Policies 5.21, 5.14 and 7.19 of the London Plan and Policy BN13 of the Local Plan 2015.

17. Verification Report

No occupation of any part of the development hereby approved (or stage in development as may be agreed in writing with the Local Planning Authority) shall take place until a verification report demonstrating completion of works set out in the remediation implementation and verification method statement, has been submitted to and approved in writing by the Local Planning Authority.

If the verification report identifies a requirement for long-term monitoring and maintenance (including contingency action) to ensure the effectiveness of the remediation measures implemented, then an addendum verification report(s) shall be submitted to and approved in writing by the Local Planning Authority. Long-term monitoring and maintenance elements of the verification report shall be implemented as approved.

Reason: To safeguard human health, controlled waters, property and ecological systems, and to ensure that the development has been carried out safely without unacceptable risks to workers, neighbours and other offsite receptors, in accordance with Policies 5.21, 5.14 and 7.19 of the London Plan and Policy BN13 of the Local Plan 2015.

Pre-commencement justification: To ensure that the Local Planning Authority is satisfied that any ground contamination is appropriately identified and remediated in advance of commencement of works.

18. Infiltration Drainage

No infiltration drainage into the ground is permitted other than with the prior written consent of the Local Planning Authority. If infiltration drainage is proposed then a written plan shall demonstrate that there is no unacceptable risk to controlled waters from contamination.

The development shall be implemented in accordance with the approved details.

Reason: To safeguard controlled waters, prevent the increased risk of flooding, to improve and protect water quality, and improve habitat and amenity in accordance with Policy 5.13 of the London Plan and Policy BN13 of the Local Plan 2015.

19. Foundation Works Risk Assessment

No foundations works (including piling, or other similar penetrative methods) shall commence until a foundation works risk assessment, has been submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in accordance with the approved details.

Reason: To safeguard human health and controlled waters, in accordance with Policy 5.13 of the London Plan and Policy BN13 of the Local Plan 2015.

WATER USE

20. Surface Water Drainage

a) No part of the development hereby permitted shall be commenced (with the exception of demolition works above ground level) until a fully detailed surface water management scheme for the development, consistent with the approved Flood Risk Assessment and Drainage Strategy (Volume 1) dated August 2019 (ref: WIE12320-100-R-4-4-1-FRA) has been submitted to and approved in writing by the Local Planning Authority. Post development peak runoff shall be restricted to a maximum of 3 l/s for all storm events up to and including the 1 in 100 year with an additional 40% allowance for future climate change. The development shall only be implemented in accordance with the approved details, and thereafter implemented and retained in accordance with the approved details and the scheme's timing/phasing arrangements.

b) Details of all sustainable drainage features (including but not limited to permeable paving, green roofs and attenuation storage), drainage scheme ownership,

management and maintenance arrangements shall be submitted to the Local Planning Authority for approval in writing prior to first occupation of the site.

c) A verification report stating what works were undertaken and that the drainage scheme was completed in accordance with the approved surface water management scheme shall be submitted to and approved by the Local Planning Authority in writing prior to first occupation of the site.

Reason: To safeguard the public from surface water flood risk, protect the environment and respond to climate change. To ensure that sufficient capacity is made available to cope with the new development; and in order to avoid adverse environmental impact upon the community and in accordance with Policy 5.13 of the London Plan and Policy BN.13 of the Local plan.

21. Foul Drainage

No development shall take place until a scheme to agree sewage pipe work specifications has been submitted to and approved in writing by the Local Planning Authority (in consultation with Thames Water). The scheme shall be implemented in accordance with the approved sewage pipe work specifications prior to first occupation, and thereafter retained as such throughout the lifetime of the development.

Reason: To ensure that the proposed sewage pipework designed are installed to a high standard, to ensure it does not harm groundwater resources in line with paragraph 170 of the National Planning Policy Framework (2019).

Pre-commencement justification: To ensure that no construction activities are commenced without confirmation that the sewage pipe work specifications is sufficient to deal with additional demand.

22. Drainage Strategy

Development shall not commence (with the exception of demolition works above ground level) until a drainage strategy, detailing any on and/or off-site drainage works, has been submitted to and approved in writing by the Local Planning Authority in consultation with the sewerage undertaker. The drainage works referred to in the approved strategy shall be implemented in full and no discharge of foul or surface water from the site shall be accepted into the public system until the said drainage works have been completed.

Reason: The development may lead to sewage flooding; to ensure that sufficient capacity is made available to cope with the new development; and in order to avoid adverse environmental impact upon the community and in accordance with Policy 5.13 of the London Plan and Policy BN13 of the Local Plan 2015.

23. Potable Water

The residential dwellings hereby permitted shall achieve potable water use of 110 litres per person per day when calculated in line with the requirements of Building Regulations Part G2 unless otherwise agreed in writing by the Local Planning Authority.

Reason: To ensure that the water supply infrastructure has sufficient capacity to cope with the/this additional demand.

24. Water Supply Infrastructure (Thames Water)

The development shall be occupied until confirmation has been provided that either:-

1. Capacity exists off site to serve the development, or
2. A housing and infrastructure phasing plan has been agreed with Thames Water. Where a housing and infrastructure phasing plan is agreed, no occupation shall take place other than in accordance with the agreed housing and infrastructure phasing plan, or
3. All wastewater network upgrades required to accommodate the additional flows from the development have been completed.

Reason – Network reinforcement works may be required to accommodate the proposed development. Any reinforcement works identified will be necessary in order to avoid sewage flooding and/or potential pollution incidents. To ensure that the water supply infrastructure has sufficient capacity to cope with additional demand.

DESIGN DETAILS

25. Secured by Design

Prior to the commencement of any above ground work, details of the measures to be incorporated into the development, demonstrating how principles and practices of the current 'Secured by Design' Residential and Commercial scheme and local crime prevention security measures will be included within the development, shall be submitted to and approved in writing by the Local Planning Authority in consultation with the Metropolitan Policy Designing Out Crime Officers and Transport for London. Once approved in writing by the Local Planning Authority, the development shall be carried out in accordance with the approved details prior to first occupation/use, and maintained in accordance with the agreed details.

Reason: To ensure that the Development is safe and that the risk of crime, and the fear of crime, is reduced in accordance with the NPPF and London Plan Policy 7.3.

26. Secured by Design Certification

Prior to the first use of the buildings, the applicant shall use reasonable endeavours to obtain a letter or SBD certification from Metropolitan Police Designing Out Crime Office stating that appropriate SBD measures of compliance for the development and areas within the demise have been met will be required.

Reason: To ensure that the Development is safe and that the risk of crime, and the fear of crime, is reduced in accordance with the NPPF and London Plan Policy 7.3.

27. Strategic Threat and Risk Assessment (TfL)

No part of the development shall be first occupied until a Strategic Threat and Risk Assessment has been submitted to and approved in writing by the Local Planning Authority. The recommendations contained within the approved Assessment shall be implemented in accordance with timescales embodied within the approved Assessment.

Reason: In the interests of public safety and security, in accordance with the NPPF and London Plan Policy 7.3.

28. Cycle parking

No development above ground shall take place until details relating to cycle storage (long and short stay for both residential and commercial uses) have been submitted to and approved in writing by the Local Planning Authority. The development shall

not be occupied/used until it has been carried out in accordance with the approved details. The development shall thereafter be retained as such.

Reason: To ensure that satisfactory safe and secure bicycle parking is provided and retained for the benefit of the occupiers and users of the development, and to ensure an acceptable standard of visual amenity, accordance with Strategic Policy SP.3 and SP.5 and Policies BN.1, T.4, T.6, T.9, S.1 and S.12 of the Local Plan.

MATERIALS AND DETAILED DRAWINGS

29. Design – Materials & detailed drawings

No above ground works shall take place until details and a schedule of materials and products of all external facing materials to be used in the construction of the building hereby approved, along with material sample boards and/or full-size mock-ups, have been submitted to and approved in writing by the Local Planning Authority. The development shall not be occupied/used until it has been carried out in accordance with the approved details. The development shall thereafter be retained in accordance with the approved details.

Details of the drawings to be submitted under this condition include:

- i. All principal features on the facades e.g. bay studies (1:50 @ A3)
- ii. Details of each envelope / roof type (1:20 @A3)
- iii. Detailed brick elements including mortar joint profile (1:20 @A3)
- iv. Detailed reconstituted stone and granite stone elements including joint profile (1:20 @ A3)
- v. Details of glazing and curtain walling systems including any manifestation (1:20 @A3)
- vi. Key junctions/bonds between materials/finishes (1:20 @A3)
- vii. Podium frontages including residential entrances, shopfronts, commercial / workspace frontage, glazing and signage zones, treatment to all ancillary spaces e.g. plant rooms/cycle stores, cycle lifts, Station Expansion Zone etc (1:50 @ A3)
- viii. Parapets, roof edges, rooftop plant screening, lift over runs etc (1:20 @A3)
- ix. Elevational location of all joints e.g. structural, movement, panels (1:100 @ A3)
- x. Elevational location of all openings in envelope e.g. ventilation grilles, bird & bat boxes (1:100 @ A3)
- xi. Elevational location of all items which are fixed to the façade e.g. fins/louvres, rainwater pipes, lighting, CCTV, alarms including any provision for cable runs boxes, residential entry systems, lightning conductors (1:100 @ A3)
- xii. Head, jamb and sill details, including profiles, for typical openings and all ground floor entrances and doors to balconies / terraces (1:20 @A3)
- xiii. Details of key architectural metalwork / screens / gates (1:20 @A3)
- xiv. Details of balconies and terraces including floor finishes (1:20 @A3)
- xv. Balustrade details (1:20 @A3)
- xvi. Details of soffits and canopies including to balconies (1:20 @A3)
- xvii. Junctions with neighbouring buildings and structures (1:20 @A3)

Details of the materials and products (including finishes) to be submitted under this condition include:

- i. Façade and roof cladding materials
- ii. Brick and mortar type including mortar joint profile
- iii. Reconstituted and granite stone (including joint profile and drip details)
- iv. Window / door types (including frame profile, frame finish, glass types and any manifestation)
- v. Curtain wall (including frame profile, frame finish, glass types and any manifestation)

- vi. Balustrades
- vii. Facing metalwork (e.g. projecting balconies, 'internal cheeks', service doors, screens, gates)
- viii. All items which are fixed / integrated to the façade (e.g. fins/louvres, vent grilles, rainwater pipes, signage, bird/bat boxes)
- ix. Soffit and canopy materials (e.g. balconies)
- x. Balcony and terrace floor finishes

Samples of the above materials shall be provided.

Full-size mock-ups of facades shall be provided at a size to be agreed with the Local Planning Authority. These should capture the following areas of the façade as a minimum:

- Retail front and residential lobby as shown on drawing number 4100 and including interface with public realm materials as set out in Condition 31
- Tower base as shown on drawing number 4105
- Tower standard panel as shown on drawing 4107
- Tower open top as shown on drawing 4111

The development shall be carried out in accordance with the details approved by the LPA.

Reason: To secure high-quality design and detailing and to ensure that materials will make an acceptable contextual response, resulting in the satisfactory appearance of the development in accordance with Strategic Policy SP.3 and Policies BN.1, BN.4 and BN.10 of the Local Plan.

30. Bus Stand Detailed Drawings

Prior to commencement of the above ground works of the relevant part of the development hereby permitted, the following detailed drawings of the bus stand including sections at 1:50 and 1:10 (or any other scale agreed in writing with the Local Planning Authority) shall be submitted to and approved in writing by the Local Planning Authority, in consultation with Transport for London, HS1 and UKPNS:

Principal features of the bus stand and HS1 / UKPNS access, details and sections including the width and location of bus standing, carriageway edges, bollards, protective barriers, lane lines and safe walking routes, as set out in TfL guidance.

The development shall be implemented in accordance with the approved details and permanently maintained thereafter.

Reason: In order to ensure a high quality of design and detailing is achieved, and for the safe operation of the bus network.

31. Maximum building height

The development hereby approved shall not exceed a maximum height of 92.030m AOD, including any plant or equipment.

Reason: To safeguard the impact of the strategic view.

LANDSCAPING

32. Landscape Design

Prior to the commencement of above ground works, full details of hard and soft landscape works and means of enclosure of all un-built, open areas and public realm shall have been submitted to and approved in writing by the Local Planning Authority. This shall include the adjacent street, covered bus layover, upper storey terraces, gardens, balconies and roof spaces.

Hard landscape details shall include:

- i. details of proposed finished levels or contours including any alterations in existing ground levels and excavations.
- ii. means of enclosure and boundary treatments and any associated access points
- iii. Vehicle parking layouts including details of petrol and oil interceptors and charging points where applicable
- iv. other vehicle and pedestrian access and circulation areas including cycle storage & details of pedestrian crossing points
- v. hard surfacing materials (including samples which shall be permeable as appropriate), including dimensions, bonding and pointing
- vi. minor artefacts and structures e.g. external furniture, play equipment, refuse or other storage units, signage, lighting, planters (fixed and moveable), bollards and hostile vehicle mitigation
- vii. location of proposed and existing functional services above and below ground including service trenches, drainage, power (such as in ground power units, operating controls and feeder pillars), communications cables, pipelines etc. indicating lines, manholes, and supports to ensure no conflicts with tree and planting pits and integration of access covers with paving/surfacing layout

Soft landscape details shall include:

- i. planting plans
- ii. schedules of plants, noting species, plant sizes including girth and clear stem dimensions of trees and proposed numbers/densities where appropriate
- iii. written specifications (including cultivation and other operations associated with plant and grass establishment)
- iv. all planting systems including tree pits and planting beds demonstrating volume of growing medium and any measures for protection of planting beds during establishment period
- v. details of green roofs
- vi. biodiversity enhancements
- vii. implementation programme

The development shall not be occupied/used until it has been carried out in accordance with the approved details. The development shall thereafter be retained as such.

Reason: To ensure that the development achieves a high quality of landscaping which contributes to the visual amenity, biodiversity and character of the area in accordance with Strategic Policy SP.3 and SP.5 and Policies BN.1, BN.3, BN.4, BN.8, T.4, T.6, T.9, S.1 and S.4 of the Local Plan.

33. Landscaping Plan

Prior to the construction of the relevant part of the development hereby permitted the following details shall have been submitted to and approved in writing by the Local Planning Authority in consultation with Transport for London:

Detailed drawings 1:50 (or any other scale agreed in writing with the Local Planning Authority) of a hard and soft landscaping scheme showing the treatment of all parts of the site not covered by buildings and roof terrace areas (including boundary treatments, surface materials of any parking, access, bus standing and HS1 / UKPNS area, or pathway layouts, materials and edge details and material samples of hard landscaping) and a maintenance scheme.

The development shall be carried out in accordance with the approved details; and it shall thereafter be retained as such

Reason: In the interest of visual amenity and biodiversity, in accordance with Strategic Policy SP.3 and SP.5 and Policies BN.1, BN.3, BN.4, BN.8, T.4, T.6, T.9, S.1 and S.4 of the Local Plan.

34. Landscape Implementation

All hard and soft landscape works shall be carried out in accordance with the approved landscape details by no later than the end of the planting season following completion of the development or prior to the first occupation of the development, whichever is sooner. Any existing retained or proposed trees or areas of planting which, within a period of 5 years from the completion of the development, die, are removed or become seriously damaged or diseased, shall be replaced as soon as is reasonably possible and, in any case, by not later than the end of the following planting season, with others of similar size and species, unless the Local Planning Authority gives written consent to any variation.

Reason: To ensure that the landscaping is carried out within a reasonable period, to ensure new planting becomes established and to maintain a high quality of visual amenity within the area in accordance with Strategic Policy SP.3 and SP.5 and Policies BN.1, BN.3, BN.4 and BN.8 of the Local Plan.

35. Bat and bird boxes

Prior to the commencement of above ground works, details of the specification and location of bat and bird boxes, 50% of which should be integrated into the facades of the building, shall be submitted to and approved in writing by the Local Planning Authority.

The bat and bird boxes shall be installed prior to first occupation of the development and in accordance with the details approved by the LPA.

Reason: To mitigate the biodiversity impact of the development and to ensure a high standard of design and appearance with Local Plan Strategic Policies SP.3 and SP.5 and Policy BN.3.

36. Living Roofs

Prior to the commencement of above ground works full details of green and brown roofs in the area/s indicated on the approved drawings shall be submitted to and approved in writing by the Local Planning Authority.

The details shall include:

- i. a detailed scheme of maintenance including irrigation system
- ii. details of associated ecological enhancements such as deadwood habitat, bird boxes, etc.
- iii. details of access and safety precautions during maintenance operations
- iv. sections at a scale of 1:20 with manufacturer's details demonstrating the construction and materials & substrate used and showing a variation of substrate depth with peaks and troughs
- v. full details of planting species and density
- vi. details of interfaces with all rooftop mechanical elements or structures

The development shall not be occupied/used until it has been carried out in accordance with the approved details. The development shall thereafter be retained as such.

Reason: To ensure the development undertakes reasonable measures to take account of biodiversity and the water environment in accordance with Strategic Policy SP.3 and SP.5 and Policies BN.3, BN.4, S.4 and S.9 of the Local Plan.

37. Ecology – prior to construction

Prior to the commencement of above ground works, a detailed ecological enhancements scheme, including a programme for the implementation of the works and long-term management, shall be submitted to and approved in by the Local Planning Authority.

This scheme shall include details of:

- i. appropriate ecological enhancements (including wetland habitats incorporated into the SuDS scheme and attenuation pond areas where appropriate)
- ii. measures specifically to address retention and enhancement of the site's ecological connectivity through ecological corridors and networks
- iii. works to all areas of retained habitat and an agreed future management and maintenance strategy for all habitats on the site, including enhancement areas
- iv. a scheme for human access restrictions to the retained and created habitats
- v. details of any mitigation measures such as provision for roosting bats

The development shall not be occupied/used until it has been carried out in accordance with the approved details. The development shall thereafter be retained as such.

Reason: To preserve and enhance biodiversity and the water environment in accordance with Strategic Policy SP.3 and SP.5 and Policies BN.3, BN.4, S.4 and S.9 of the Local Plan.

38. Landscape management plan

Prior to commencement of above ground works, a landscape management plan, including implementation plan, long term design objectives and management responsibilities for all landscape areas, other than small, privately owned, domestic gardens and schedule of landscape maintenance for a minimum period of 5 years shall be submitted to and approved in by the Local Planning Authority. The landscape management plan shall be carried out as approved. The landscape management shall be carried out in accordance with the approved details.

Reason: To ensure the landscape is maintained to a high standard and to protect the visual amenity of the area in accordance with Strategic Policy SP.3 and Policies BN.1 and BN.4 of the Local Plan.

39. Wind Mitigation

Prior to commencement of the above ground works, full details of the landscaping and mitigation elements that are necessary to achieve acceptable wind conditions shall be submitted to and approved in writing by the Local Planning Authority. The details shall include the location, height and porosity or type of mitigation element in formats that are easily understandable for construction. Landscaping and mitigation details shall be installed prior to occupation of the development and thereafter retained.

Reason: To ensure that safe and comfortable wind conditions are achieved in and around the site, in accordance with Policies SP.3 and BN.10 of the Local Plan.

40. Lighting

No architectural lighting, security lighting or other external means of illumination of the building or the development shall be provided, installed or operated in the development, except in accordance with a detailed external lighting scheme, including illumination of the building, public realm, private communal areas and private gardens, as well as the covered bus layover, that has been submitted to and approved in writing by the Local Planning Authority.

The scheme shall include:

- i. functions of proposed lighting and the uses it supports e.g. for recreation facilities
- ii. a 3d lux plan showing both proposed and existing retained light sources
- iii. details of time limits on lighting and hours of operation
- iv. details of how the lighting scheme will mitigate any potential biodiversity impacts arising from the installation or operation of the proposed lighting
- v. details of fixtures, any supporting structures and systems of control such as timers and sensors

The lighting shall be designed, installed, and maintained so as to fully comply with The Association of Chief Police Officers - Secured by Design publication "Lighting Against Crime – A Guide for Crime Reduction Professionals", ACPO SPD, January 2011. The design shall satisfy criteria to limit obtrusive light presented in Table 1, p25 of the guide.

The development shall not be occupied/used until it has been carried out in accordance with the approved details. The development shall thereafter be retained as such.

Reason: To ensure there is an appropriate level of residential amenity and appropriate features to conserve and enhance the amenity of neighbours and wildlife habitats in accordance with London Plan policy 7.3, Strategic Policy SP.3 and SP.5 and Policies BN.1, BN.3, BN.4, BN.8, S.1 and S.12 of the Local Plan.

41. Playspace

Prior to the commencement of the above ground works hereby permitted, full details of the proposed children's play strategy including location and equipment shall be submitted to and approved in writing by the Local Planning Authority. The strategy shall show play areas having a total area of not less than 907sqm.

The details shall include:

- i. boundary treatments and access points
- ii. details of age provision and age appropriate equipment in relation to supporting child yield figures
- iii. associated planting and street furniture
- iv. security considerations including lighting, natural surveillance from adjacent properties, access from family accommodation
- v. risk and safety testing of imaginative and innovative play proposals

The development shall not be occupied/used until it has been carried out in accordance with the approved details. The development shall thereafter be permanently retained as such.

Reason: To provide adequate amenities for future occupiers in accordance with Strategic Policy SP.3 and SP.5 and Policies BN.1, BN.4, BN.9 and S.1 of the Local Plan.

42. Wayfinding/Signage

Prior to occupation, details of a signage strategy for the site including wayfinding, street signage and traffic related signage shall be submitted to and approved in writing by the Local Planning Authority. The strategy shall include locations and details of fittings and supporting structures. The development shall not be occupied/used until it has been carried out in accordance with the approved details. The development shall thereafter be retained as such.

Reason: To ensure legibility of the site in accordance with Strategic Policy SP.3 and SP.5 and Policies BN.1, BN.3, BN.4, BN.8, S.1 and S.12 of the Local Plan.

RESIDENTIAL

43. Adaptable & Wheelchair Accessible Housing

At least ten per cent of the residential units hereby permitted shall be constructed to comply with Part M4(3) of the Building Regulations. Any communal areas and accesses serving the M4(3) compliant Wheelchair User Dwellings shall also comply with Part M4(3). All other residential units, communal areas and accesses hereby permitted shall be constructed to comply with Part M4(2) of the Building Regulations.

Reason: To secure appropriate access for disabled people, older people and others with mobility constraints

NOISE

44. Internal and External Plant Equipment

Prior to the commencement of above ground works, full details of internal and external plant equipment and trunking, including building services plant, ventilation and filtration equipment shall have been submitted to and approved in writing by the Local Planning Authority. The development shall thereafter be carried out in accordance with the approved details and all flues, ducting and other equipment shall be installed in accordance with the approved details prior to the use commencing on site and shall thereafter be retained and maintained in accordance with the manufacturers' instructions.

Reason: To ensure an appropriate appearance and that no unacceptable nuisance or disturbance is caused to the detriment of the amenities of future residents of the development, and neighbours, in accordance with Local Plan Policy BN.11.

45. Building Services Mechanical Plant noise emissions

Prior to installation of building services plant (including mechanical ventilation and heat recovery units / air conditioning units), a scheme demonstrating that all noise generating plant will not exceed 10dB below current background noise levels (dBL_{A90}) shall have been submitted to and approved in writing by the Local Planning Authority. Plan noise emissions shall be assessed and rated in accordance with BS4142 and the limit applies to the free-field conditions at 1m from the façade of the nearest sensitive receptors. The new plant shall not cause structureborne noise in excess of suitable criteria (determined using guidance relevant to the receptor type) or perceptible vibration to be transmitted through the structure of the building and to

adjacent buildings. The development shall not be carried out otherwise than in accordance with the details thus approved.

Reason: To ensure an adequate standard of residential amenity, in accordance with Local Plan Policy BN.11.

46. Amplified Music

No amplified or live music shall be played on the external amenity podium and roof terrace areas hereby approved at any time.

Reason: In order to safeguard the amenities of nearby occupiers, in the interests of residential amenity, in accordance with Local Plan Policy BN.11.

47. Sound Insulation

Prior to the commencement of development of above ground works, details of a sound insulation scheme complying with the requirements set out below shall be submitted to and approved in writing by the local planning authority.

All residential premises shall be designed and constructed in accordance with BS8233:2014 'Sound insulation and noise for buildings - Code of Practice' or an equivalent standard to attain the following cumulative internal noise levels (including external noise ingress, and building services noise within the development):

- Bedrooms- 30dB LAeq,Night* and do not exceed 45dB LAFmax more than 10 times a night.
- Living rooms- 35dB LAeq, Day*
- Living and bedrooms – no more than 35dB L_{ASmax} from rail movements

* Daytime 16 hours between 07:00-23:00, Night-time 8 hours between 23:00-07:00

In addition to the above, noise re-radiated from ground borne vibration associated with nearby rail movements should not exceed 35 dB L_{ASmax} at any time.

The sound insulation scheme shall include acoustic calculations of noise intrusion and building services noise in all bedroom and living room. The calculations should include any necessary mitigation measures to satisfy the internal noise level criterion.

The development shall not be occupied until the sound insulation scheme as approved has been implemented in its entirety. Thereafter, the sound insulation scheme shall be maintained in perpetuity.

Reason: To ensure suitable acoustic conditions for occupants of the proposed development, in accordance with Local Plan Policy BN.11.

MANAGEMENT

48. Residential Management Plan

The development hereby permitted shall not be occupied until a Residential Management Plan has been submitted to and approved in writing by the Local Planning Authority. The Residential Management Plan shall include details of access arrangements, management and pricing strategy for the residents gym, the level 26 event space and rooftop terrace and the indoor playroom for all residents. The approved details shall be implemented from first occupation and thereafter for the life of the development.

Reason: To ensure that a high quality, inclusive living environment is provided to all residents, in accordance with Local Plan Policy BN.1 and BN.4.

49. Delivery and Servicing Management Plan

The development hereby permitted shall not be occupied until a Delivery and Servicing Management Plan (DSMP) detailing how all elements of the development are to be serviced and managed, including a strategy for residents moving in and out of the development, and set down and pick up, has been submitted to and approved in writing by the Local Planning Authority. The DSMP shall be prepared in accordance with TfL's online guidance on delivery and servicing plans found at <http://www.tfl.gov.uk/info-for/freight/planning/delivery-and-servicing-plans#on-this-page-1> or such replacement best practice guidance as shall apply at the date of submission of the DSMP. The approved details shall be implemented from first occupation of that part of the development and thereafter for the life of the development on the respective area of land.

Reason: In the interests of highway and pedestrian safety and residential amenity making adequate provision for deliveries and servicing and encouraging sustainable delivery methods in accordance with Policy 6.11 of the London Plan and Policy T4 of the Local Plan 2015.

50. Level 26 Event Space

The event space at Level 26 shall only be used by residents of the development in accordance with the Residents Management Plan approved pursuant to condition 48, as an amenity ancillary to the residential and shall at no time be used as a public café, restaurant, night club or other use.

Reason: To ensure that the development does not adversely affect the amenities of residents in terms of noise and disturbance and comings and goings, in accordance with Local Plan Policy BN.4.

51. Waste and Recycling Management

Prior to the commencement of development of the above ground works, details of waste and recycling storage and management for the development shall be submitted to and approved in writing by the Local Planning Authority in consultation with Transport for London and LB Newham Highways Authority. The waste and recycling storage shall be provided in accordance with the approved details prior to the first use of the development hereby permitted and shall thereafter be retained in accordance with the approved details unless otherwise agreed in writing. The waste and recycling storage areas/facilities are expected to demonstrate the following:

- The location of access doors to the bin store areas.
- The facilities are appropriately ventilated.
- They have a suitably robust design including walls that are fitted with rubber buffers and that any pipes/services are fitted with steel cages.
- They feature gates/doors with galvanised metal frames/hinges and locks.
- There is sufficient capacity to service the relevant building/use.
- There are maintenance facilities, including a wash-down tap and floor drain.
- How waste will be collected from the bin stores, including details of routes for refuse vehicles and refuse workers, timings of movements and how any conflict with vehicles, including buses, will be avoided.

Reason: To ensure suitable provision for the occupiers of the development, to encourage the sustainable management of waste and to safeguard the visual amenities of the area, in accordance with Local Plan Policy S.6.

52. Hours of operation

Prior to the first occupation of the development hereby permitted, details of hours of operation for the commercial units hereby permitted shall be submitted to and approved in writing by the Local Planning Authority. The commercial units shall thereafter be occupied solely in accordance with the approved details, and shall not be used except when it is being carried out in accordance with the approved hours of use.

Reason: In the interests of amenity and in accordance with policy BN.11 of the Local Plan.

53. Odour, ventilation, heat recovery and extraction – A3/A4 uses

Full details of the methods for odour control, ventilation, heat recovery, and extraction shall be submitted to, and approved in writing, prior to the first use of any Use Class A3 and A4 activities at the site. The development shall be carried out and retained in accordance with any approved details. The development shall not be used except when it is being carried out in accordance with the approved details.

Reason: To ensure that the potential for nuisance odours is minimised, in accordance with Policy BN.11 of the Local Plan.

SUSTAINABILITY

54. BREEAM commercial

Within six months of first occupation of the development, an independently verified BREEAM report (detailing performance in each category, overall score, BREEAM rating and a BREEAM certificate of building performance) which demonstrates that a minimum of a 'Very Good' rating has been achieved for commercial elements shall be submitted to and approved in writing by the Local Planning Authority and the development shall not be retained otherwise than in accordance with any such approval given.

If the 'Very Good' rating has not been met, then details shall be provided of the additional mitigation measures that must be undertaken and a programme for their implementation. Any additional mitigation measures shall be implemented in accordance with the approved programme.

Reason: To ensure that high standards of sustainability are achieved and in accordance with policies 5.2, 5.3, 5.4A, 5.6, 5.7 and 5.9 of The London Plan and policies S.2 and S.3 of the Local Plan.

55. Energy Strategy

The construction and operation of the development shall be carried out in accordance with the Energy Strategy, by Greengage, dated August 2019.

Reason: To ensure a high standard of sustainable design and construction, accordance with Policy 5.2 of The London Plan and Policies S2 and S5 of the Local Plan 2015.

56. Ventilation Strategy

Prior to the commencement of above ground works, a ventilation strategy for the development hereby approved shall be submitted to and approved in writing by the Local Planning Authority. The approved strategy shall demonstrate adequate mitigation measures to ensure that the air supplied to the building shall not exceed

the relevant ambient air quality objectives and will comply with relevant building regulations. A detailed air quality assessment of the bus stand will be required to support the ventilation strategy and this shall assess the emissions associated with the bus stand, cold start emissions and road sources in the vicinity of the development. The development shall be thereafter carried out in accordance with the approved details prior to first occupation, and the mitigation measures permanently maintained as part of the development.

Reason: To ensure that the development is appropriately ventilated and achieves a suitable level of internal air quality, in accordance with Local Plan Policy BN.11

57. Fire Strategy

Prior to commencement of above ground works hereby permitted a Fire Strategy, prepared by a third party suitably qualified assessor, shall have been submitted to and approved in writing by the Local Planning Authority (in consultation with the Local Authority Building Regulations Inspector or an Approved Accredited Fire Regulations Inspector). The strategy shall detail how the proposed development would function in terms of:

- the building's construction: methods, products and materials used;
- the ground floor area of bus standing and HS1 / UKPNS access; and
- access for fire service personnel and equipment: how this would be achieved in an evacuation situation, fire in ground floor area, water supplies, provision and positioning of equipment, firefighting lifts, stairs and lobbies, any fire suppression and smoke ventilation systems proposed, including sprinklers, and the ongoing maintenance and monitoring of these.

The strategy shall be implemented prior to first occupation in accordance with the approved details, and permanently retained thereafter.

Reason: In the interests of fire safety and to ensure the safety of all building users, in accordance with London Plan Policy D11.

58. Alternative G-Values

Before the construction of the facades of the development hereby permitted, an assessment of glazing G-values shall be submitted to and approved in writing by the Local Planning Authority. This must demonstrate that, for units which are at low risk of overheating, the glazing G-value has been assessed and raised as far as possible to reduce heating energy consumption, without compromising performance with regards to overheating. The development shall be carried out in accordance with the approved details, and retained as such.

Reason: To minimise energy consumption whilst ensuring a comfortable level of amenity for residents of the development and in the interests of visual amenity, in accordance with Policies S.4 and S7 of the Local Plan 2015.

59. Overheating

The development shall be constructed in accordance with the approved details set out within the TM59 Overheating Assessment (final version May 2020) prepared by Greengage, prior to first occupation and retained and maintained in accordance with this condition thereafter. Should alternative G-Values be submitted and approved in writing to the local planning authority, then it should be demonstrated that the approved details set out in the TM59 Overheating Assessment continue to be successful in reducing the risk of overheating to within acceptable limits for all units

where G-Values have been adjusted, using DSY1 from TM49 and the methodology specified in TM59, through the submission of an updated overheating assessment.

Reason: To ensure a comfortable level of amenity for residents of the development and in the interests of visual amenity, in accordance with Policies S.4 and S7 of the Local Plan 2015.

60. Overheating - commercial

Before fit-out works commence on (or the construction of the façades of) the development hereby permitted, an overheating assessment undertaken in accordance with TM52 for the commercial areas of the development shall be submitted to and approved in writing by the Local Planning Authority. This must demonstrate that the risk of overheating is mitigated through measures that have been considered in accordance with the cooling hierarchy outlined in London Plan Policy 5.9.

Reason: To ensure a comfortable level of amenity for occupiers of the development and in the interests of visual amenity, in accordance with Policies S.4 and S7 of the Local Plan 2015.

PERMITTED DEVELOPMENT

61. Removal of Permitted Development Rights – Change of Use B1(a) (Offices) to C3 (residential)

Notwithstanding the provisions of Part 3 of Schedule 2 of the Town and Country Planning (General Permitted Development) (England) Order 2015 (or any Order revoking and/or re-enacting that Order) the commercial premises hereby approved shall only be used for the purposes specified in the application (being use class B1 as defined in the schedule to the Town and Country Planning (Use Classes) Order 1987 (as amended at the date of this permission).

Reason: To safeguard the provision of B1a office space within the development, in accordance with Local Plan Policy B.1.

62. Advertisements – Restrictions

Notwithstanding the provisions of the Town and Country Planning (Control of Advertisements) (England) Order 2007, no external advertisements are permitted to be displayed as part of the development without the prior written consent of the Local Planning Authority.

Reason: To protect the external appearance and design quality of the development, in accordance with Local Plan Policy BN.15.

Informatives on the following topics are recommended:

1. The development is a phased development for the purposes of the CIL regulations (2010) as amended. The proposed phasing will include site wide clearance enabling and remediation works which will include no chargeable development. Subsequent phases will be separate chargeable developments as defined by the relevant Phasing Plans. Such phases may be comprised of blocks. They may also comprise further site preparation, enabling, public realm and infrastructure works which contain no chargeable development

2. Thames Water requirements

3. National Grid requirements

4. Archaeology

Written schemes of investigation will need to be prepared and implemented by a suitably qualified professionally accredited archaeological practice in accordance with Historic England's Guidelines or Archaeological Projects in Greater London. This condition is exempt from deemed discharge under schedule 6 of The Town and Country Planning (Development Management Procedure) (England) Order 2015.

5. Transport for London This decision is without prejudice to Transport for London's position as leaseholder of the property. The application has been considered only from a Town Planning point of view and application for necessary consent which may be required from Transport for London / LBSL] as freeholder or lessor should be made to the Head of Legal Services of Transport for London in accordance with the provisions of the conveyance, lease or agreement.

6. Metropolitan Police

In aiming to satisfy the Secure by Design condition the applicant should seek the advice of the Police Designing Out Crime Officers (DOCOs). The services of the Police DOCOs are available free of charge and can be contacted via.

Appendices

1. 26th May PDAP Report