12a

A

ARDS W

HARF APPRO

ACH

ORIENTAL ROAD

7

2j

2h

439

THAMES ROAD

2.3m

Builders Yard

2k

1.7m

2

NORTH

St Marks
Industrial Estate

WOOLWICH

Sub

St Marks

THAMES ROAD

2

3b

2a

El

Sub Sta

STAM HES ROAD

ROUNDABOUT

NORTH WOOLWICH ROAD

1a

1g

1d

Sta

THAMES ROAD

1

Connaught Heights

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Produced by MMS. E-mail Michele.Smith@newham.gov.uk for further details

Royal Docks Service Station, North Woolwich Road, Silvertown E16 2AB

19/01752/VAR

01/10/2019

01/10/2019

Produced by MMS. E-mail Michele.Smith@newham.gov.uk for further details

Scale: 1:1,250
LONDON BOROUGH OF NEWHAM

STRATEGIC DEVELOPMENT COMMITTEE

15th October 2019

<table>
<thead>
<tr>
<th>Application Number:</th>
<th>19/01752/VAR</th>
</tr>
</thead>
<tbody>
<tr>
<td>Validation Date:</td>
<td>21st June 2019</td>
</tr>
<tr>
<td>Location:</td>
<td>Royal Dock Service Station North Woolwich Road Silvertown London E16 2AB</td>
</tr>
<tr>
<td>Ward:</td>
<td>Royal Docks</td>
</tr>
<tr>
<td>Applicants:</td>
<td>Royal Docks Partnership Limited</td>
</tr>
<tr>
<td>Agent:</td>
<td>Planning Potential Ltd.</td>
</tr>
</tbody>
</table>

**Purpose of Report / Proposal**

The purpose of this report is to set out the Officer recommendations to Strategic Development Committee regarding an application for planning permission relating to the following proposal.

Application under Section 73 to vary Condition 2 (approved plans) attached to planning permission 17/00363/FUL dated 12th October 2017 which granted full planning permission for: Redevelopment of former Royal Docks Service Station to provide a new residential development comprising of 295 residential units set across four buildings ranging in height from 5 storeys to 13 storeys with single basement level, landscaping, amenity space, and ancillary associated development. Proposed amendments comprise;

- Removal of oversail to Block A
- Adjustments to buildings massing including height and footprint
- Internal reconfiguration including removal of duplex units in Block B
- Amendment to basement layout including reduction in car parking spaces from 121 to 106
- Reduction in number of units from 295 to 294
- Alterations to housing mix and affordable housing
- Relocation of substation
- Alterations to external elevations

This application site affects the settings of Listed Buildings - Grade II* Former St Mark’s Church and the Grade II War Memorial at the Former St Mark's Church.
**Recommendations**

The Strategic Development Committee is asked to resolve to:

1. Agree the reasons for approval as set out in this report; and

2. Delegate authority to the Director of Planning and Development, Chief Planning Officer to grant planning permission subject to the completion of a legal agreement under s106 of the Town and Country Planning Act 1990 (as amended) by 15th April 2020 based on the Heads of Terms identified at Appendix 2 of this report and the Conditions listed in Appendix 1 of this report and summarised below. If the legal agreement is not completed by such date then the Director of Planning and Development, Chief Planning Officer is delegated authority to refuse planning permission or extend this timeframe to grant approval.

**Conditions – Summary**

A summary of the proposed condition is set out below. Please refer to Appendix 1 for the proposed conditions in full.

1. Time
2. Approved Documents
3. Details/ Sample of Materials
4. Details/ Balconies of Communal Entrances
5. Designing Out Crime
6. Car Parking Management Plan
7. Servicing and Delivery Plan
8. CCTV and Lighting for Cycle Storage
9. Noise Report
10. Waste Management Strategy
11. Car Parking Provision
12. Ofcom Site Frequencies
13. Rainwater Pipes, Flues and Grills
14. Control of Dust and Emissions
15. Accessible and Adaptable Dwellings
16. Wheelchair adaptable Dwellings
17. Piling
18. Construction Logistics Plan
19. Crane Construction Methodology
20. Docklands Light Railway Radio Impact Survey
21. Written Scheme of Investigation
22. Foundation Design
23. Surface Water Drainage Strategy
24. Ground Conditions
25. Air Pollution
S106 –Heads of Terms

The extant planning permission 17/00363/FUL was approved on 12th October 2017 following completion of a Section 106 Agreement dated 12th October 2017 ("Principle Agreement"). No substantive changes are proposed to the Principle Agreement attached to 17/00363/FUL. In this case, a modification under section 106A of the Town and Country Planning Act 1990 ("the Act") is required to associate this planning permission pursuant to s73 of the Act (if granted) to the Principle Agreement.

This is because where an application under Section 73 of the Act is granted the effect is the grant of a new planning permission. The Principle Agreement is to be varied by a Deed of Variation to be agreed between the Council and the Applicant on the terms set out below:

The Applicant commits to cover the Council’s reasonable legal fees for the drafting of a Deed of Variation to the Principle Agreement whether or not the matter proceeds to completion; and

Provide affordable housing in accordance with the accommodation schedule set out at Appendix 4.

A Deed of Variation to the Principle Agreement attached to planning permission 17/00363/FUL dated 12th October 2017, is completed to ensure that the obligations contained within the extant planning permission are also carried forward to planning permission 19/01752/VAR (if granted), to ensure that the variations, as approved, including those to affordable housing tenure are reflected within the Principle Agreement.

NAME OF LEAD OFFICER: Amanda Reid
POSITION: Director of Planning and Development, Chief Planning Officer

Originator of report: Adam Silverwood
Tel no: 020 3373 4703
E-mail address: adam.silverwood@newham.gov.uk

Human Rights Act

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

Equalities

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

For the purposes of this application there are no adverse equalities issues.
Environmental Impact Assessment

For the purposes of this application, this proposal has been screened and assessed under the Town and Country Planning (Environmental Impact Assessment) Regulations 2017 and considered not to warrant the need for Environmental Impact Assessment.

Local Government (Access to Information) Act 1985
Background papers used in preparing this report:
- Planning Application
- Statutory Register of Planning Decisions
- Correspondence with Adjoining Occupiers
- Correspondence with Statutory Bodies
- Correspondence with other Council Departments
- National Planning Policy Framework
- London Plan
- Local Plan
- Other relevant guidance

Background
An application for planning permission for the development of this site was presented to Strategic Development Committee on the 11th September 2019. The application was presented with a recommendation for approval however members resolved to defer the application in order to secure a revision to the tenure of affordable housing.

Officers received a revised affordable housing offer on 12th September, reflecting the offer discussed at committee, which altered the rental tenure from ‘affordable rent’ to ‘London Affordable Rent’. This has been confirmed by the applicant with a revised accommodation schedule and covering letter, which is included within the appendix of this report.

The current application to be considered by the Strategic Development Committee in October has sought to overcome previous concerns raised by the Septembers Strategic Development Committee. These matters are discussed in further detail within section 7.4 of this report.
Contents

1.0 SITE & SURROUNDINGS
2.0 PROPOSAL
3.0 RELEVANT HISTORY
4.0 CONSULTATION
5.0 PLANNING POLICIES AND GUIDANCE
6.0 THE COMMUNITY INFRASTRUCTURE LEVY (CIL) REGULATIONS 2010 (AS AMENDED)
7.0 ASSESSMENT
8.0 APPENDIX 1: CONDITIONS AND INFORMATIVES
9.0 APPENDIX 2: HEADS OF TERMS
10.0 APPENDIX 3: PROPOSED PLANS AND IMAGES
11.0 APPENDIX 4: APPLICANT REPONSE TO LBN
# Planning Application Fact Sheet

## The Site

<table>
<thead>
<tr>
<th>Address</th>
<th>Royal Dock Service Station, North Woolwich Road, Silvertown, London, E16 2AB</th>
</tr>
</thead>
<tbody>
<tr>
<td>Applicant</td>
<td>Royal Docks Partnership Limited (Joint Venture between Redrow Homes Limited and Peabody)</td>
</tr>
<tr>
<td>Ward</td>
<td>Royal Docks</td>
</tr>
<tr>
<td>Local Plan allocation</td>
<td>S23 – Connaught Riverside</td>
</tr>
<tr>
<td>Conservation Area</td>
<td>N/A</td>
</tr>
<tr>
<td>Listed Building</td>
<td>N/A</td>
</tr>
<tr>
<td>Setting of Listed Building</td>
<td>Former St Mark’s Church – Grade II* Listed Building. War Memorial – Grade II</td>
</tr>
<tr>
<td>Building of Local Interest</td>
<td>N/A</td>
</tr>
<tr>
<td>Tree Preservation Order</td>
<td>N/A</td>
</tr>
<tr>
<td>Flood Risk Zone</td>
<td>2 and 3</td>
</tr>
<tr>
<td>Other</td>
<td>N/A</td>
</tr>
</tbody>
</table>

## Housing

<table>
<thead>
<tr>
<th>Density</th>
<th>Proposed Density hr/ha 1367 hr/ha</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>Proposed Density u/ph 507 u/ha</td>
</tr>
<tr>
<td></td>
<td>PTAL 2</td>
</tr>
<tr>
<td></td>
<td>London Plan Density Range 70-120 u/ha (200-450 hr/ha)</td>
</tr>
<tr>
<td>Dwelling Mix</td>
<td>Studio (no. / %) 16/ 5.4%</td>
</tr>
<tr>
<td></td>
<td>1 bed (no. / %) 148/ 50.3%</td>
</tr>
<tr>
<td></td>
<td>2 bed (no. / %) 54/ 18.4%</td>
</tr>
<tr>
<td></td>
<td>3 bed (no. / %) 76/ 25.9%</td>
</tr>
<tr>
<td></td>
<td>4 bed (no. / %) 0</td>
</tr>
<tr>
<td>Affordable Housing / Tenure split</td>
<td>Overall % of Affordable Housing 31.9%</td>
</tr>
<tr>
<td></td>
<td>Affordable Rent (no. / %) 42/ 44.7%</td>
</tr>
<tr>
<td></td>
<td>Intermediate / Shared Ownership (no. / %) 52/ 55.3%</td>
</tr>
<tr>
<td></td>
<td>Private (no. / %) 200/ 68%</td>
</tr>
<tr>
<td></td>
<td>Commuted Sum N/A</td>
</tr>
</tbody>
</table>

## Internal Space Standards

| Comply with London Housing SPG? | Yes |

## Amenity Space

| Comply with London Housing SPG? | Yes |

## Accessibility

| Comply with Lifetime Homes? | Yes |

## Transportation

<table>
<thead>
<tr>
<th>Car Parking</th>
<th>No. Car Parking Spaces in Extant Consent 121</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>No. Proposed Car Parking 106</td>
</tr>
<tr>
<td>Spaces</td>
<td></td>
</tr>
<tr>
<td>--------------------------------------------</td>
<td>---</td>
</tr>
<tr>
<td>Proposed Parking Ratio</td>
<td>0.36</td>
</tr>
<tr>
<td><strong>Cycle Parking</strong></td>
<td></td>
</tr>
<tr>
<td>No. Existing Cycle Parking spaces</td>
<td>N/A</td>
</tr>
<tr>
<td>No. Proposed Cycle Parking Spaces</td>
<td>467</td>
</tr>
<tr>
<td>Cycle Parking Ratio</td>
<td>1.59</td>
</tr>
<tr>
<td><strong>Public Transport</strong></td>
<td></td>
</tr>
<tr>
<td>PTAL Rating</td>
<td>2</td>
</tr>
<tr>
<td>Closest Rail Station / Distance (m)</td>
<td>400m</td>
</tr>
<tr>
<td>Bus Routes</td>
<td>474</td>
</tr>
<tr>
<td><strong>Parking Controls</strong></td>
<td></td>
</tr>
<tr>
<td>Residents Parking Zone?</td>
<td>Yes – Royal Docks East</td>
</tr>
<tr>
<td>RPZ Hours</td>
<td>Monday-Sunday 8am-6.30pm</td>
</tr>
<tr>
<td>Other on-street controls</td>
<td>Double yellow lines</td>
</tr>
<tr>
<td><strong>Parking Stress</strong></td>
<td></td>
</tr>
<tr>
<td>Area/streets of parking stress survey</td>
<td>N/A</td>
</tr>
<tr>
<td>Dates/times of parking stress survey</td>
<td>N/A</td>
</tr>
<tr>
<td>Summary of results of survey</td>
<td>N/A</td>
</tr>
<tr>
<td><strong>Refuse/Recycling Collection</strong></td>
<td></td>
</tr>
<tr>
<td>Summary of proposed refuse/recycling strategy</td>
<td>Basement storage with collection from Thames Road.</td>
</tr>
</tbody>
</table>

**Sustainability / Energy**

<table>
<thead>
<tr>
<th>BREEAM Rating</th>
<th>N/A</th>
</tr>
</thead>
<tbody>
<tr>
<td>Renewable Energy Source / %</td>
<td>35 PV Panels – 35.2%</td>
</tr>
</tbody>
</table>

**Public Consultation**

<table>
<thead>
<tr>
<th>Number of properties consulted</th>
<th>502</th>
</tr>
</thead>
<tbody>
<tr>
<td>Expiry of consultation period</td>
<td>24th July 2019</td>
</tr>
<tr>
<td>Number of responses</td>
<td>0</td>
</tr>
<tr>
<td>Number in support</td>
<td>0</td>
</tr>
<tr>
<td>Number of objections</td>
<td>0</td>
</tr>
<tr>
<td>Number of other representations (neither objecting or supporting)</td>
<td>0</td>
</tr>
</tbody>
</table>
1.0 SITE & SURROUNDINGS

1.1 The site is 0.58ha in size and was formerly an Esso petrol service station. It is bound by North Woolwich Road to the north and Thames Road to the west and south with the roundabout junction with Connaught Bridge located immediately at the northwest corner of the site.

1.2 The Woolwich Arsenal branch of the elevated DLR over sails North Woolwich Road and the roundabout as it continues northwards. To the east the site adjoins Ibis Budget hotel which is four storeys high and has an access from North Woolwich Road. To the west across Thames Road the site is adjacent to Barrier Park East development ranging in height up to 14 storeys.

1.3 Vehicular access to the site is currently achieved from North Woolwich Road to the north via an existing access junction to the road which is shared with the adjoining hotel. The site achieves a PTAL Rating of 2 (Poor), and is accessed from either the Pontoon Dock DLR station to the west, and the London City Airport DLR station to the east.

1.4 The site falls within the setting of the nearby Former St Marks Church (occupied by the Brick Lane Music Hall), which is a Grade II* Listed Building and the Grade II War Memorial at the Former St Mark’s Church.

1.5 The site is within an Archaeological Priority Area.
2.0 PROPOSAL

2.1 Planning permission was granted on 12\textsuperscript{th} October 2017 for the redevelopment of the former Royal Dock Service Station to provide a new residential development comprising of 295 residential units set across four buildings ranging in height from 5 storeys to 13 storeys with single basement level, landscaping, amenity space, and ancillary associated development.

2.2 Condition 2 of this permission requires the development to be carried out in accordance with the approved plans. This application seeks a minor material amendment to the approved scheme through the variation of Condition 2.

2.3 The proposed amendments comprise the following;
- Removal of oversail to Block A
- Adjustments to buildings massing including height and footprint
- Internal reconfiguration including removal of duplex units in Block B
- Amendment to basement layout including a reduction of car parking spaces from 121 to 106.
- Reduction of the number of units from 295 to 294
- Alterations to housing mix and affordable housing
- Relocation of substation
- Alterations to external elevations

2.4 Prior to this submission, application 18/02905/VAR was refused at Strategic Development Committee on the 15\textsuperscript{th} January 2019 based upon four reasons for refusal. The proposed 18/02905/VAR application sought to: remove the oversail to Block A, Adjust the buildings massing including height and footprint, internally reconfigure and make amendments to basement layout, alter the housing mix, relocate the substation and alter the external elevations.

2.5 The reasons for refusal were that the amendments failed to deliver the expected value of tall buildings through poor design and materiality that fails to integrate and positively respond to the streetscape as well as failing to provide proper access zones for disabled car parking that does not properly minimise the distance between the parking bays and each block entrance. Further to this, the proposal incorporated an increase in studio units from 19 within the extant scheme to 32, as well as failing to demonstrate that 31.5% affordable housing by unit was the maximum that could be achieved on site. This application seeks to overcome these four reasons for refusal.

2.6 The proposed amendments are requested following the sale of the land from Galliard Homes Limited and Esso UK Limited to Royal Docks Partnership Limited (Joint Venture between Redrow Homes Limited and Peabody). The new landowner states that they have discovered several deliverability issues associated with the extant scheme, and that this application has been submitted as a way of overcoming those issues. As part of accommodating this change there is a reduction of units from 295 to 294.
3.0 RELEVANT HISTORY

3.1 Planning Application History

3.2 A summary of the relevant planning application history is set out in the table below:

<table>
<thead>
<tr>
<th>Ref No.</th>
<th>Description</th>
<th>Status</th>
</tr>
</thead>
</table>
| 18/02905/VAR       | Application under Section 73 to vary approved plans attached to planning permission 17/00363/FUL dated 12th October 2017 for redevelopment of former Royal Docks Service Station to provide a new residential development comprising of 295 residential units set across four buildings ranging in height from 5 storeys to 13 storeys with single basement level, landscaping, amenity space, and ancillary associated development. Proposed amendments comprise;  
- Removal of oversail to Block A  
- Adjustments to buildings massing including height and footprint  
- Internal reconfiguration including amendment to basement layout  
- Alterations to housing mix  
- Relocation of substation  
- Alterations to external elevations  
This application site affects the settings of Listed Buildings - Grade II* Former St Mark's Church and the Grade II War Memorial at the Former St Mark's Church. | Application refused on 17th January 2019 |
| 17/00363/FUL       | Redevelopment of former Royal Docks Service Station to provide a new residential development comprising of 295 residential units set across four buildings ranging in height from 5 storeys to 13 storeys with single basement level, landscaping, amenity space, and ancillary associated development. | Application approved on 12th October 2017 |
| 16/02001/FUL       | Redevelopment of the Royal Docks Service Station with a                                                                                       | Application refused on 6th December 2016. |
Royal Docks Service Station

residential development comprising of 307 residential units set across four buildings ranging in height from 5 storeys to 13 storeys with single basement level, landscaping, amenity space, stopping up part of the public highway in North Woolwich Road and ancillary associated development. This development affects the setting of a Listed Building.

<table>
<thead>
<tr>
<th>Ref No.</th>
<th>Description</th>
<th>Status</th>
</tr>
</thead>
<tbody>
<tr>
<td>16/00028/SCR EEN</td>
<td>Environmental Screening Request: The proposed development comprises the redevelopment of the existing site to provide a residential scheme, comprising of 4 blocks, arranged around the perimeter of the site and enclosing a courtyard amenity space, the height of the blocks range from 5 storey's (in the southern portion of the site) to 10 storey's across the remainder of the perimeter of the site, up to 270 residential units and associated access, car parking (at basement level) and landscaping.</td>
<td>Environmental Impact Assessment not deemed necessary.</td>
</tr>
<tr>
<td>15/02272/PRED EM</td>
<td>Proposed demolition of a single storey retail shop building, carwash, 2 metal framed forecourt canopies.</td>
<td>Permitted Development</td>
</tr>
</tbody>
</table>

3.3 Planning Enforcement History

3.4 A search revealed there is no enforcement history relevant to the application site.

3.5 Planning Appeal History

3.6 A summary of the relevant planning appeal history is set out in the table below:

<table>
<thead>
<tr>
<th>Ref No.</th>
<th>Description</th>
<th>Status</th>
</tr>
</thead>
<tbody>
<tr>
<td>16/02001/FUL</td>
<td>Redevelopment of the Royal Docks Service Station with a residential development comprising of 307 residential units set across four buildings ranging in height from 5 storeys to 13 storeys with single</td>
<td>Appeal withdrawn by applicant</td>
</tr>
<tr>
<td>basement level, landscaping, amenity space, stopping up part of the public highway in North Woolwich Road and ancillary associated development. This development affects the setting of a Listed Building.</td>
<td></td>
<td></td>
</tr>
</tbody>
</table>
4.0 CONSULTATION

4.1 Application Publicity

4.2 Three site Notices erected on Silvertown Way on 15th July 2019, expiring on 5th August 2019.


4.4 The application was advertised as a major application / affecting the setting of a listed building.

4.5 A total of 502 consultation letters were sent to neighbouring properties regarding this application on 28th June 2019. The public consultation period expired on 24th July 2019.

4.6 Adjoining Properties

<table>
<thead>
<tr>
<th>Number of Letters Sent</th>
<th>502</th>
</tr>
</thead>
<tbody>
<tr>
<td>Number of Responses Received</td>
<td>0</td>
</tr>
<tr>
<td>Number in Support</td>
<td>0</td>
</tr>
<tr>
<td>Number of Objections</td>
<td>0</td>
</tr>
<tr>
<td>Number of other Representations (neither objecting or supporting)</td>
<td>0</td>
</tr>
</tbody>
</table>

4.7 No responses were received from adjoining occupiers.

4.8 A summary of the responses received along with the Officer comments are set out below.

4.9 Statutory and Non Statutory Consultation

4.10 The following consultations have been undertaken:

- Internal
- Building Control Service
- LBN Investment
- LBN Waste Management
- LBN HMO Licensing Officer
- LBN Housing
- Lead Local Flood Authority
- LBN Environmental Health - Pollution General
- LBN Transportation
- LBN Urban Design & Conservation
- LBN Education
4.11 External Consultation

4.12 A summary of the consultation responses received along with the Officer comments are set out in the Table below.

<table>
<thead>
<tr>
<th>Consultee:</th>
<th>Designing Out Crime Officer, Metropolitan Police Service</th>
</tr>
</thead>
<tbody>
<tr>
<td>Date received:</td>
<td>19th July 2019</td>
</tr>
</tbody>
</table>

**Summary of consultation response:**

Crime prevention and community safety are material considerations. If the L.B. Newham, are to consider granting consent for the variation, I would ask that the recommendations detailed below be attached. This is to mitigate the impact and deliver a safer development in line with national, regional and local planning policies. I would also like to draw your attention to Section 17 CDA 1988 and the NPPF, (See appendix) in supporting my recommendations.

I would recommend that the borough attach a condition that requires this project to achieve secured by design certification on completion of construction.
**Reason: In the interest of creating safer and sustainable communities.**
In conclusion we would like to draw your attention to Sec 17 of the Crime and Disorder Act 1998 which states “It shall be the duty of each Authority to which this section applies to exercise its various functions with due regard to the likely effect of the exercise of those functions on and the need to do all it reasonably can to prevent Crime and Disorder in its area”

“The Department for Communities and Local Government (DCLG) Circular 01/2006 - Guidance on Changes to the Development Control System emphasises that ‘Planning Policy Statement 1 (PPS1) makes clear that a key objective for new developments should be that they create safe and accessible environments where crime and disorder or fear of crime does not undermine quality of life or community cohesion. Design and Access Statements for outline and detailed applications should demonstrate how crime prevention measures have been considered in the design of the proposal and how the design reflects the attributes of safe, sustainable places set out in Safer Places- the Planning System and Crime Prevention (ODPM/Home Office, 2004).’

**Officer comments on consultation response:**
Designing out Crime comments are noted, a condition is recommended.

<table>
<thead>
<tr>
<th>Consultee:</th>
<th>The Environment Agency</th>
</tr>
</thead>
<tbody>
<tr>
<td>Date received:</td>
<td>18&lt;sup&gt;th&lt;/sup&gt; July 2019</td>
</tr>
<tr>
<td>Summary of consultation response:</td>
<td>Thank you for consulting us on the above application. Following a review of the changes to the approved plans, we have no comments to make on the variation of this condition.</td>
</tr>
<tr>
<td>Officer comments on consultation response:</td>
<td>Noted, no condition is recommended.</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Consultee:</th>
<th>London City Airport</th>
</tr>
</thead>
<tbody>
<tr>
<td>Date received:</td>
<td>15th July 2019</td>
</tr>
<tr>
<td>Thank you for consulting London City Airport. This proposal has been assessed from and aerodrome safeguarding perspective. Accordingly, it was found not to conflict with London City Airport’s current safeguarding criteria.</td>
<td></td>
</tr>
<tr>
<td>Officer comments on consultation response:</td>
<td>Noted – No Condition Recommended</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Consultee:</th>
<th>Transport for London</th>
</tr>
</thead>
<tbody>
<tr>
<td>Date received:</td>
<td>19&lt;sup&gt;th&lt;/sup&gt; July 2019</td>
</tr>
<tr>
<td>Summary of consultation response:</td>
<td>I can confirm TFL has no objection to Newham approving the variation proposed.</td>
</tr>
</tbody>
</table>
Officer comments on consultation response:
Comments are noted.

<table>
<thead>
<tr>
<th>Consultee:</th>
<th>Greater London Authority</th>
</tr>
</thead>
<tbody>
<tr>
<td>Date received:</td>
<td>12th July 2019</td>
</tr>
<tr>
<td>Summary of consultation response:</td>
<td>I have assessed the details of the application and, given the scale and nature of the proposals, conclude that the amendments do not give rise to any new strategic planning issues.</td>
</tr>
<tr>
<td>Officer comments on consultation response:</td>
<td>Noted – No Conditions Requested.</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Consultee:</th>
<th>Port of London Authority</th>
</tr>
</thead>
<tbody>
<tr>
<td>Date received:</td>
<td>5th July 2019</td>
</tr>
<tr>
<td>Summary of consultation response:</td>
<td>I have now had the opportunity to review the submitted documents and can confirm that the PLA has no objections to the proposed amendments to the permitted development.</td>
</tr>
<tr>
<td>Officer comments on consultation response:</td>
<td>Comments are noted.</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Consultee:</th>
<th>Historic England and Greater London Archaeological Advice Service</th>
</tr>
</thead>
<tbody>
<tr>
<td>Date received:</td>
<td>17th July 2019</td>
</tr>
<tr>
<td>Summary of consultation response:</td>
<td>It is not necessary for us to be consulted on this application again, unless there are material changes to the proposals. However, if you would like detailed advice from us, please contact us to explain your request.</td>
</tr>
<tr>
<td>Officer comments on consultation response:</td>
<td>Comments are noted.</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Consultee:</th>
<th>Crossrail</th>
</tr>
</thead>
<tbody>
<tr>
<td>Date received:</td>
<td>28th June 2019</td>
</tr>
<tr>
<td>Summary of consultation response:</td>
<td>The implications of the Crossrail proposals for the application have been considered and I write to inform you that Crossrail Limited do not wish to make any comments on this application as submitted.</td>
</tr>
<tr>
<td>Officer comments on consultation response:</td>
<td>Comments are noted.</td>
</tr>
</tbody>
</table>

4.13 Internal Consultation
4.14 A summary of the consultation responses received along with the Officer comments are set out in the Table below.

<table>
<thead>
<tr>
<th>Consultee</th>
<th>LBN Airport Monitoring</th>
</tr>
</thead>
<tbody>
<tr>
<td>Date received</td>
<td>1st July 2019</td>
</tr>
</tbody>
</table>

**Summary of consultation response:**

18/02905/VAR - *North Woolwich Road Service Station*

**Planning Informatives**

1. **All Noise-Sensitive developments Within Designated Full Use London City Airport Noise Contours**

The development hereby permitted is located within the designated full use noise contours for operations at London City Airport, under planning permission 13/01228/FUL. These contours are forecast noise levels for the Airport when eventually operating at permitted capacity. Specifically, the permitted development falls within the 57 dB contour. For the comfort of any future residential occupiers of this development, it is recommended that the following sound insulation advice is considered in the detailed design of the development. For other noise-sensitive developments such as schools and hospitals it is recommended that building specific guidance (such as BB93 and/or HTM08-01) should be followed taking into account the above contours.

Noise-sensitive developments are defined in the S106 Agreement attached to planning permission 13/01228/FUL.

Noise mitigation measures should comply with recommended internal noise levels specified in BS8233:2014. The noise mitigation measures need to include appropriate ventilation, in line with Building Regulations Approved Document F requirements, that does not compromise the façade insulation or the resulting internal noise level. If applicable, any room should be assessed with relevant ventilation (e.g. trickle ventilators) open during assessment.

For residential developments within the Airport’s 57 dB contour it is recommended that either additional acoustic mechanical ventilation is provided or an assessment is made to ensure summer overheating risks are controlled to an acceptable level. The mechanical ventilation should ideally meet specifications set out in clause 6, Schedule 1 of the Noise Insulation Regulations 1975 with regard to acoustic performance (except when operating in purge mode) and airflow rates. Alternative mechanical ventilation units that provide similar noise and ventilation standards could be considered.

For external amenity areas, including gardens and balconies, it would be beneficial if the design incorporates measures to mitigate forecast noise.
levels in at least part of the available area. Guidance set out in BS8233:2014 should be followed.

Full use contours can be found on the Council’s website at:

https://www.newham.gov.uk/Pages/Services/Local-plan.aspx#Airportsafeguarding

2. Major Developments within Designated Full Use London City Airport Noise Contours - Summer Overheating

Dynamic thermal modelling should be undertaken to avoid overheating and to demonstrate compliance with the CIBSE TM59/TM52/CIBSE 2015 Guide ‘A’ guidance standards.

For residential developments within the Airport’s 63 dB contour it is recommended that the above modelling should assume that windows to habitable rooms will be closed due to external noise levels.

The above should be taken into consideration alongside other relevant conditions and/or informatives placed on this permission.

Officer comments on consultation response:
Comments are noted. Informatives are suggested.

<table>
<thead>
<tr>
<th>Consultee:</th>
<th>LBN Design</th>
</tr>
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<tbody>
<tr>
<td>Date received:</td>
<td>23rd July 2019</td>
</tr>
</tbody>
</table>

Summary of consultation response:
Following the previous refusal of planning permission and the subsequent pre-application discussions, the proposed changes are now less extensive with regards to the relationship of ground floor accommodation with the street and the materials and detailing. The design quality of the consented scheme is largely maintained. The change to from duplex accommodation to single level accommodation within the northern block, while having some benefits in terms of provision of accessible homes, reduces the number of front doors to the street and places bedrooms on the street frontage at lower level – which is not ideal. However, this is mitigated to some extent by the raised terraces, while the communal entrances to the north create an acceptable level of active frontage. Duplex accommodation to the three other street frontages is maintained providing multiple front doors and kitchens/living rooms on facing the street providing passive surveillance.

For these reasons, my previous objection to the proposals have been overcome and the design of the proposed development is supported.

Officer comments on consultation response:
Comments are noted.
<table>
<thead>
<tr>
<th>Consultee:</th>
<th>LBN Transport</th>
</tr>
</thead>
<tbody>
<tr>
<td>Date received:</td>
<td>18th July 2019</td>
</tr>
</tbody>
</table>

**Summary of consultation response:**
A Technical note references the transportation changes has been produced by the applicant’s Transportation consultants Cole Easdon, and this document has detailed the relatively minor transportation changes associated with this application compared to the original consent 17/00363. Transportation observations/comments are as follows;

- Overall the application is now presented as including 294 units (a reduction of 1 unit) and 106 car parking spaces (a reduction from 121). Of the 121 car parking spaces 30 are blue badge and the appropriate provision of active and passive electric vehicle charging points are proposed (20% and 20% of the total – 42 parking spaces in total).

- As a consequence of revising the basement car park layout to provide an improved arrangement that addresses the earlier issues, the car parking provision has reduced from 0.41 spaces per unit to 0.36 spaces per unit. In balance this is not considered to be problematical, with the associated high quality London Plan cycle parking, travel plan and other sustainable transport measures associated with the development such as car club provision, it is considered that this provision should meet the parking demands that will materialise. In addition to this, the site will be permit free via the S106.

- Notwithstanding the above, the applicant has submitted a parking stress survey for the 200m walk distance from the site, to detail existing on street parking conditions. This recorded a Parking Stress of 65% and likely availability of 18 spaces in the 51 spaces accessible within the 200m walk distance from the site. Therefore there is some spare capacity on street in the locality should there be any demands unable to be met by the on site parking, however it is expected that there should not be any parking stress issues arising from this development.

- As with the original application the proposed access arrangements for vehicles and cycles utilise a traffic light system to manage car and cycle movements into and out of the basement via the ramp and ensure no vehicle conflicts or vehicles reversing back onto or waiting on the highway. The actual numbers of movements are expected to be relatively low with 43 movements in the busiest (PM) peak (less than one movement per minute).

- 467 cycle parking spaces are located within the basement (an increase from 466). 443 of the cycle parking spaces are in secure stores for residents and 24 are for visitors and larger cycles.

- The revised basement layout provides a satisfactory layout with respect to the location and distribution of blue badge parking bays relative to the lifts and cores, and it is also noted that Sheffield Stands proposed for the open car parking area are located in positions that should not be problematical.
The basement layout is now considered acceptable. Overall, the proposed changes are acceptable to Transportation.

**Officer comments on consultation response:**
Comments are noted.

<table>
<thead>
<tr>
<th>Consultee:</th>
<th>LBN Local Lead Flood Authority</th>
</tr>
</thead>
<tbody>
<tr>
<td>Date received:</td>
<td>23rd July 2019</td>
</tr>
</tbody>
</table>

**Summary of consultation response:**
The variation of plans include change footprint of buildings which may have changed the parameters of the outline drainage strategy previously submitted - outline drainage strategy within Flood Risk Assessment (Issue 3) dated August 2018- affecting its calculations and provisions; accordingly a reviewed/updated detailed drainage strategy is required. None is provided under this application.

**Advised planning condition:**
H21 Surface Water Drainage Detail

a) No part of the development hereby permitted shall be commenced until a fully detailed surface water management scheme for the development, consistent with the outline drainage strategy within Flood Risk Assessment (Issue 3) dated August 2018, has been submitted to and approved in writing by the Local Planning Authority.

b) Post development peak runoff shall be restricted to a maximum of 5 l/s and to the calculated corresponding greenfield rate for all storm events up to the 1 in 100 year with an additional 40% allowance for future climate change.

c) A completed ‘The London Sustainable Drainage Proforma’ (Link: Newham LLFA drainage pro-forma) shall be completed and submitted for approval before beginning of development.

d) Detail of drainage scheme ownership, management and maintenance Arrangements shall be submitted to Planning Authority for approval before site occupation.

e) The development shall only be implemented in accordance with the approved detail.

f) 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 and approved by the Local Planning Authority in writing before site occupation.

Reason: To safeguard the public from surface water flood risk, protect the environment and respond to climate change

**Officer comments on consultation response:**
Comments are noted, as is the recommendation of a condition.
5.0 PLANNING POLICIES AND GUIDANCE

5.1 The Local Development Plan comprises:

- the London Plan (the spatial development strategy for London consolidated with alterations since 2011 and published March 2016);


- the London Borough of Newham Local Plan (2018)


- the Joint Waste Development Plan for the East London Waste Authority Boroughs (adopted 27th February 2012);

5.2 Material weight has been given to the National Planning Policy Framework (Feb 2019) and the National Planning Practice Guidance.

5.3 The following policies are relevant to the assessment of this application:

5.4 National Planning Policy Framework (February 2019):

2 Achieving sustainable development
3 Plan-making
4 Decision-making
5 Delivering a sufficient supply of new homes
6 Building a strong, competitive economy
8 Promoting healthy and safe communities
9 Promoting sustainable transport
11 Making effective use of land
12 Achieving well-designed places
14 Meeting the challenge of climate change, flooding and coastal change
15 Conserving and enhancing the natural environment
16 Conserving and enhancing the historic environment


1.1 Delivering the strategic vision and objections for London
3.1 Ensuring Equal Life Chances for All
3.3 Increasing Housing Supply
3.4 Optimising Housing Potential
3.5 Quality and Design of Housing Developments
3.6 Children and Young People’s Play and Informal Recreation Facilities
3.8 Housing Choice
3.9 Mixed and Balanced Communities
3.10 Definition of Affordable Housing
3.11 Affordable Housing Targets
3.12 Negotiating Affordable Housing on Individual Private Residential and Mixed Use Schemes
3.13 Affordable Housing Thresholds
3.16 Protection and Enhancement of Social Infrastructure
5.1 Climate Change Mitigation
5.2 Minimising Carbon Dioxide Emissions
5.3 Sustainable design and Construction
5.7 Renewable Energy
5.11 Green Roofs and Development Site Environ
5.12 Flood Risk Management
5.13 Sustainable Drainage
5.14 Water Quality and Wastewater Infrastructure
5.16 Water Self-Sufficiency
5.17 Waste Capacity
5.18 Construction, Excavation and Demolition Waste
5.21 Contaminated Land
6.3 Assessing Effects of Development on Transport Capacity
6.4 Enhancing London’s Transport Connectivity
6.9 Cycling
6.10 Walking
6.11 Smoothing Traffic Flow and Tackling Congestion
6.12 Road Network Capacity
6.13 Parking
7.1 Lifetime Neighbourhoods
7.2 An Inclusive Environment
7.3 Secured by Design
7.4 Local Character
7.5 Public Realm
7.6 Architecture
7.7 Location and Design of Tall and Large Buildings
7.13 Safety, Security and Resilience to Emergency
7.15 Reducing and managing noise, improving and enhancing the acoustic environment and promoting appropriate soundscapes
7.18 Protecting Local Open Space and Addressing Local Deficiency
7.19 Biodiversity and Access to Nature
8.2 Planning obligations
8.3 Community infrastructure levy


GG1 Building strong and inclusive communities
GG2 Making the best use of land
GG3 Creating a healthy city
GG4 Delivering the homes Londoners need
GG5 Growing a good economy
SP5 Heritage and other Successful Place-making Assets

London Borough of Newham
GG6 Increasing efficiency and resilience
SD10 Strategic and local regeneration
D3 Inclusive design
D4 Housing quality and standards
D5 Accessible housing
D6 Optimising housing density
D7 Public realm
D8 Tall buildings
D10 Safety, security and resilience to emergency
D11 Fire safety
D12 Agent of change
D13 Noise
H1 Increasing housing supply
H5 Delivering affordable housing
H6 Threshold approach to applications
H7 Affordable housing tenure
H8 Monitoring of affordable housing
H12 Housing size mix
S1 Developing London’s social infrastructure
E11 Skills and opportunities for all
HC1 Heritage conservation and growth
G1 Green infrastructure
G5 Urban greening
G6 Biodiversity and access to nature
SI1 Improving air quality
SI2 Minimising greenhouse gas emissions
SI3 Energy infrastructure
SI5 Water infrastructure
SI12 Flood risk management
T1 Strategic approach to transport
T2 Healthy streets
T4 Assessing and mitigating transport impacts
T5 Cycling
T6 Car parking
T7 Freight and servicing
T9 Funding transport infrastructure through planning

5.7 The London Borough of Newham Local Plan (2018)

S1 Spatial Strategy and Strategic Framework
S3 Royal Docks
SP1 Borough-wide Place-making
SP2 Healthy Neighbourhoods
SP3 Quality Urban Design within Places
SP4 Tall Buildings
SP5 Heritage and other Successful Place-making Assets
SP6 Successful Town and Local Centres
SP8 Ensuring Neighbourly Development
SP7 Quality Movement Corridors and Linear Gateways
SP9 Cumulative Impact
Royal Docks Service Station

J3 Skills and Access to Employment
H1 Building Sustainable Mixed Communities
H2 Affordable Housing
SC1 Environmental Resilience
SC2 Energy & Zero Carbon
SC3 Flood Risk & Drainage
SC4 Biodiversity
INF1 Strategic Transport
INF2 Sustainable Transport
INF3 Waste and Recycling

5.8 Additional Guidance

Housing SPG, Mayor of London (March 2016);
Sustainable Design and Construction SPG (April 2014);
Use of Planning Obligations in the funding of Crossrail, and the Mayoral
Community Infrastructure Levy SPG (April 2013);
Shaping Neighbourhoods: Play and Informal Recreation SPG (September
2012);
Planning for Equality and Diversity in London SPG (October 2007); and
Accessible London: achieving an inclusive environment (October 2014).

5.9 London Plan Review

Through the course of this application, the Mayor of London’s London Plan:
The Spatial Development Strategy for Greater London (Draft for public
consultation December 2017) was published for public consultation. Having
regard to NPPF paragraph 216 the emerging document is now a material
consideration and limited weight has been given to the emerging document in
decision-making, unless other material considerations indicate that it would
not be reasonable to do so.
6.0 THE COMMUNITY INFRASTRUCTURE LEVY (CIL) REGULATIONS 2010 (AS AMENDED)

6.1 From 1<sup>st</sup> of April 2019 Mayoral CIL2 (Permissions granted on or after 1 April 2019).

6.2 The Mayor has adopted a new Charging Schedule MCIL2, which came into effect 1st of April 2019. Like MCIL1, MCIL2 will be charged on all development except for education and health.

6.3 The Mayoral rate for Newham has increased within Band 3 to £25 per sqm from £20 per sqm.

6.4 The Mayoral CIL Charging Schedule (MCIL1) (adopted 2012) and the Section 106 Crossrail Funding from Planning Obligations Supplementary Planning Guidance (adopted 2016) is superseded by the revised MCIL Charging Schedule.

6.5 The Newham Community Infrastructure Levy is chargeable in line with the Newham CIL Charging Schedule, which came into effect on 1st January 2014.

6.6 The Newham Community Infrastructure Levy was adopted by full Council on 30th September 2013, which came into effect on 1st January 2014. The Newham CIL Charging Schedule per gross internal sq. m is as follows:

<table>
<thead>
<tr>
<th>Use Class</th>
<th>Charging Zone1 – Post codes E15 (exclusive of the LLDC area), E16 and E3 (part)</th>
<th>Charging Zone 2 – Post codes E6, E7, E12, E13 and IG11 (part)</th>
</tr>
</thead>
<tbody>
<tr>
<td>Residential</td>
<td>£80</td>
<td>£40</td>
</tr>
<tr>
<td>Retail</td>
<td>£30</td>
<td>£30</td>
</tr>
<tr>
<td>Office</td>
<td>£0</td>
<td>£0</td>
</tr>
<tr>
<td>Hotel</td>
<td>£120</td>
<td>£120</td>
</tr>
<tr>
<td>Industrial</td>
<td>£0</td>
<td>£0</td>
</tr>
<tr>
<td>Student Accommodation</td>
<td>£130</td>
<td>£130</td>
</tr>
</tbody>
</table>

6.7 Under Regulation 123 of the Community Infrastructure Levy Regulations 2010 (as amended), the London Borough of Newham has published a list of infrastructure projects or types of infrastructure that it intends to be funded in whole or in part by the Newham CIL. This allows the continued use of planning obligations (S.106 agreements) for other projects or types of infrastructure. Individual developments will not be charged for the same items through S106 and CIL. The Newham Regulation 123 list can be viewed on the Council’s website.
7.0 ASSESSMENT

7.1 The key issues relevant to this application are:
- Principle of Development (7.2);
- Heritage Impact and Design (7.3);
- Affordable Housing (7.4);
- Housing Mix (7.5);
- Quality of Accommodation (7.6);
- Impact Upon Amenity (7.7);
- Transport and Travel (7.8);
- Flood Risk Management (7.9);
- Reasons for Approval (7.10)

7.2 Principle of Development
7.2.1 Chapter 5 of The NPPF sets out the Government’s objective of ‘significantly boosting the supply of new homes’. This is supported by London Plan Policy 3.3 (Increasing Housing Supply), Policy H1 (Increasing Housing Supply) in the Draft London Plan and Policies S1 (Spatial Strategy and Strategic Framework) and H1 (Building Sustainable Mixed Use Communities) in Newham’s Local Plan, which seek to prioritise the provision of new homes.

7.2.2 London Plan Policy 3.3 (Increasing Housing Supply) (Table 3.1) sets out how Councils should increase their housing stock and sets a minimum 10 year (2015 - 2025) housing supply target for Newham at 19,945 (or 1,994 units per annum). Draft London Plan Policy H1 (Increasing Housing Supply) sets a significantly higher 10 year target of 38,500 (2019/20-2028/29) (or 3,850 per annum).

7.2.3 Policy S1 (Spatial Strategy and Strategic Framework)) and Policy H1 (Building Sustainable Mixed Communities) in Newham’s Local Plan reiterate the priority of providing new homes and set a target of 43,000 new homes over a fifteen year period (2018-2033) (or 2,867 units per annum).

7.2.4 The proposed development would provide 294 homes, one less than the extant scheme, whilst bringing a vacant and derelict site back into beneficial use; making a positive contribution to housing target delivery within an existing residential environment.

7.2.5 In assessing the now extant scheme, it was noted that whilst not located within an identified Strategic Site, the site was located in an area that is undergoing significant regeneration, with large scale residential led development being brought forward on surrounding land parcels. The proposed development was considered to contribute positively to the regeneration of the area.

7.2.6 The Local Plan has since incorporated the application site within a new Strategic Site called Connaught Riverside (S23). This site allocation seeks
residential development focused at the southern section of the site; attributing greater weight to the support for the provision of 294 new residential units.

7.2.7 The principle of development is consistent with the objectives of the aforementioned policies and is considered to be acceptable.

7.3 Heritage Impact and Design

Heritage Impact

7.3.1 Section 66(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 (as amended) places a general duty on the Council as respects listed buildings in exercising its planning functions. In considering whether to grant planning permission for development which affects a listed building or its setting, the LPA shall have special regard to the desirability of preserving the building or its setting or any features of special architectural or historic interest which it possesses.

7.3.2 Detailed government policy on planning and the historic environment is provided in Chapter 16 of the NPPF. NPPF Paragraph 189 requires applicants to describe the significance of heritage assets affected by a proposal. NPPF Paragraph 190 states that ‘local planning authorities should identify and assess the particular significance of any heritage asset that may be affected by a proposal (including by development affecting the setting of a heritage asset) taking account of available evidence and any necessary expertise. They should take this assessment into account when considering the impact of a proposal on a heritage asset, to avoid or minimise conflict between the heritage asset’s conservation and any aspect of the proposal’.

7.3.3 London Plan Policy 7.8 (Heritage Assets and Archaeology) and Policies D1 (London’s Form and Characteristics) and HC1 (Heritage Conservation and Growth) in the Draft London Plan seek to protect the character, appearance and setting of heritage assets and the historic environment whilst Policies SP1 (Borough-wide Place-making) and Policy SP5 (Heritage Assets and other Successful Place-making Assets) in Newham’s Local Plan seek to ensure that development responds appropriately to the borough’s heritage assets.

7.3.4 The application site is located within the setting of the Grade II* Listed Former St Mark’s Church and the Grade II Listed War Memorial. When assessing the now extant scheme, Officers considered that the proposals had evolved positively through the design review process and represent a high quality development. Officers agreed that the proposals made a positive contribution to the setting of the listed building and monument through its sensitive design and choice of high quality materials. The proposals represented an increase in height but the harm to the character and setting of the listed buildings was considered to be less than substantial. Officers concluded that the public benefits such as contributions towards affordable housing and rejuvenating a currently vacant site as well as making the optimum viable use of the site would outweigh the less than substantial harm to the Grade II* Listed Former St Mark’s Church and the Grade II Listed War Memorial.
7.3.5 The current proposals, which comprise amendments to the external facades of the approved building and minor adjustments to height are not in themselves considered to cause any harm to the listed buildings and remain consistent with the approved Historic Environment Assessment.

7.3.6 Historic England was consulted on the application and did not wish to offer any comments.

7.3.7 Officers have given considerable importance and weight to the desirability to preserve the setting, character and appearance of heritage assets in accordance with Section 66(1) Act 1990 (as amended). In accordance with the Council’s statutory duties and relevant policies of the development plan, the Council has had special regard to the desirability of preserving and enhancing the setting of the Grade II* Listed Former St Mark’s Church and the Grade II Listed War Memorial. Officers conclude that the proposed changes will not harm the setting of these heritage assets and agree with the conclusions in the applicant’s submission.

Design

7.3.8 Quality of design lies at the heart of the planning system and is stressed at Chapter 12 of the NPPF (Achieving well-designed places). It states that the creation of high quality buildings and places is fundamental to what the planning and development process should achieve. Good design is a key aspect of sustainable development, creates better places in which to live and work and helps make development acceptable to communities. The NPPF requires that developments are visually attractive as a result of good architecture, layout and appropriate and effective landscaping; and are sympathetic to local character and history, including the surrounding built environment and landscape setting, while not preventing or discouraging appropriate innovation or change. Further it states that permission should be refused for development of poor design that fails to take the opportunities available for improving the character and quality of an area and the way it functions.

7.3.9 Chapter 12 of the NPPF states that Local Planning Authorities should have access to, and make appropriate use of, tools and processes for assessing and improving the design of development. These are of most benefit if used as early as possible in the evolution of schemes, and are particularly important for significant projects such as large scale housing and mixed use developments. It is advised that Local Planning Authorities have regard to the outcome of these processes and recommendations made by the design review panels in assessing applications.

7.3.10 London Plan Policy 7.1 (Lifetime Neighbourhoods) provides guidance on building neighbourhoods and communities. It states that places should be designed so that their layout, tenure, and mix of uses interface with surrounding land and improve people’s access to social and community infrastructure. London Plan Policy 7.3 (Designing Out Crime) states that development should reduce opportunities for criminal behaviour and contribute to a sense of security without being overbearing or intimidating. London Plan
Policy 7.4 (Local Character) seeks high quality urban design having regard to local character, pattern and grain of existing spaces and streets. Policy 7.6 (Architecture) seeks high quality architectural design, enhanced public realm, materials to complement the local character, quality adaptable space and to optimise the potential of the site. Policy 7.7 (Location and Design of Tall and Large Buildings) refers specifically to tall buildings and requires that they relate well to the form, proportion, composition, scale and character of surroundings buildings, urban grain and public realm, particularly at street level, incorporate the highest standard of architecture and materials and have ground floor activities that provide a positive relationship to the surrounding streets.

7.3.11 The Draft London Plan, through Chapter 3 (Design) continues the support for high quality architecture and public realm, which responds to local context by delivering buildings that are positioned and of a scale, appearance and shape that response to the identify and character of the locality.

7.3.12 These aspirations are also reiterated in Policies SP1 (Borough-wide Place-making), SP2 (Healthy Neighbourhoods), SP3 (Quality Urban Design within Places) in Newham’s Local Plan which seek to secure a high quality of urban design in new buildings and spaces and expect development proposals to reduce crime, insecurity and stress. Policy SP4 (Tall Buildings) seeks to control the location and form of new tall buildings in the borough on a strategic basis to ensure they contribute to best effect in signifying regeneration and creating successful places.

7.3.13 The extant scheme went through numerous design iterations prior to determination and evolved positively in line with comments made by the Design Review Panel (DRP) and the Council’s Urban Design Manager. Initial concerns regarding the scale and density of the development in this out of centre location were eventually overcome and justified by the quality of the architecture and street frontages.

**Height and Massing**

7.3.14 The extant scheme is classified as a tall building in the context of Policy SP4. The approved development, with a maximum height of 13 storeys, was considered to be generally of a similar height as buildings located to the west of the development along North Woolwich Road, however was considered to be tall in the context of any development located to the east of the site. The tallest element of the proposed building is subservient to the adjacent buildings to the west which was considered to be a positive approach, compared to previous iterations of the scheme.

7.3.15 It was noted that the scale and massing had largely been dictated by the site context and the London City Airport safeguarding height restrictions, and also the orientation of the buildings given the potential to cause overshadowing impacts.

7.3.16 Notwithstanding the building heights of similar development proposals in this area, the scheme exceeded the relevant height guidance stipulated within Policy SP4. This policy nominates a building height of greater than 5 storeys...
as inappropriate, unless in the circumstances where there is good public transport accessibility, the building contributes to legibility, place-making, and sustainable communities, and the building is sensitively scaled according to the local and historic context. There is also the expectation that the building will meet exemplary design and management standards. An exemplar design quality and finish was therefore considered crucial to ensure that the increased development height would be acceptable at the scale proposed.

7.3.17 The S73 application proposes the removal of the north west corner of Block A which over sails the public highway from the second to the twelfth floor. The removal of this oversail affects the massing of Block A but is not considered to detract from the overall appearance of the scheme. This amendment has however, necessitated an internal reconfiguration of the units which is considered in more detail within other sections of this report.

7.3.18 In addition to the removal of the oversail the following amendments to scale and massing are also proposed;

- Block A adjusted 450mm into courtyard and within recessed bays and reduced in height by 750mm;
- Block B extended 240mm into courtyard with adjustments to recessed bays and reduced in height by 450mm;
- Block C extended 225mm into courtyard with adjustments to recessed bays and reduced in height by 550mm;
- Block D repositioned 67mm to west and 60mm to south, extended to east by 973mm and increased in height by 700mm

7.3.19 These are considered to be minor adjustments which would not detract from the scheme quality. Block D is the shortest of the four blocks and therefore would maintain a degree of subservience despite its increase in height.

7.3.20 The newly allocated Connaught Riverside (S23) Strategic Site, which the application site forms a part of, sets out indicative building heights of 6 to 8 storeys, with up to 15 storeys in key locations. Whilst overall the proposals range in height from 5 to 13 storeys, the majority of the buildings are 9 storeys and above; exceeding the indicative building heights of 6 to 8 storeys. The proposal are therefore not entirely consistent with the site allocation in this regard but on balance is considered to be acceptable.

Appearance and Materials

7.3.21 The quality of materials on a building of this scale is fundamental to achieving a high quality appearance and finish in the context of Policies 7.7 of the London Plan and SP4 of the Local Plan.

7.3.22 The extant scheme went through several iterations and following comments made by the DRP, significant improvements were made to the architecture. The application included an indicative brick type to provide assurances about

London Borough of Newham
materiality and a benchmark for quality. This was the TBS Mystique which is a high quality brick with a varied buff/stony colour and rough texture. Two mortar types were proposed, picking up on the variegated tone of the brick, to subtly change the appearance of the brick and differentiate between the brick frame and recessed panels.

7.3.23 Under the previously refused application ‘18/02905/VAR’, it was proposed to change the brick to Ibstock Ivanoe Cream which has a sand-creased texture but very little variation in colour. It was not considered to be a brick of the same quality, with the variation in colour necessary to the support the original concept of changing mortar to pick up on the varied tones. The design of the consented development was further undermined by the amendment of the boundary fence detail at plinth level from an elegant bronze coloured PPC aluminium finish to a standard gate and railing.

7.3.24 Thus, the detailed design and materiality proposed development as part of the S73 application did not suitably integrate and contribute to its location and failed to deliver the added value expected of all tall buildings.

7.3.25 The material palette, including brick type, under this application has reverted to that consistent with the extant planning permission, this will be secured by condition and is therefore supported.

Layout

7.3.26 Also of great importance when considering buildings of this scale is layout and the relationship of the development with the street at ground floor level.

7.3.27 The extant scheme comprises four separate buildings arranged around a central courtyard area and addressing each of the property boundaries and street frontages. This arrangement allows each of the dwellings at ground floor level to address the relevant street frontages with regular access points. The provision of a basement car park enabled the landscaping and property frontages to address the public realm rather than car parking. The grain of the development was considered to be compatible with recently consented and constructed developments in the area.

7.3.28 The inclusion of duplexes to the ground and first floor level in the extant scheme provided active frontages, footfall around the site, convenience and a strong sense of address and was considered to be a significant attribute. Under the previously refused ‘18/02905/VAR’, the duplex units were removed from Blocks A and B which significantly reduced the extent of active frontage and footfall around the site and would have resulted in more units having ground floor bedrooms at street level; compromising privacy and reducing the extent of passive surveillance.

7.3.29 Within this current application, the duplex units have been removed from Block B only. This again reduces the extent of active frontage, although the applicant has reconfigured unit ‘B-01-GF-01’ to have a north facing living room. The reasoned justification for the retention of the majority of these north facing bed-rooms arrangement is that wholesale north facing living rooms would
mean the most active rooms would lack direct access to sunlight. As a further part of the changes to Block B, the single story units within Block B are now wheelchair adaptable.

7.3.30 While this is still regrettable, it is considered on balance acceptable when considering the consequences of the wider configuration of units due to the removal of the oversail. The inclusion of the duplex units as wheelchair adaptable is logical, and is a reasonable concession that adds value to an otherwise undesirable element of the proposal and is therefore, on balance supported.

7.3.31 The previously refused amendments also comprised the relocation of the substation from Block A to Block D, which increased the extent of inactive frontage to Block D and reduced the prominence and legibility of this core entrance in the street scene. The quality and sense of openness to core entrances in Block A had also been eroded as part of the extant proposals.

7.3.32 Within this application the substation is again moved to Block D, however the entrance to the core for Block D now sits as a buffer between this and units D-0-GF-07. A vehicular access forms a barrier between the substation and unit C-02-GF-03. This satisfactorily insulates these dwellings from potential noise or other disturbance that would potentially impact these dwellings.

7.3.33 Further to this, the wall has been brought in line with the residences in Block D, helping to enmesh into the outward facing facades of Block D and subsequently assist a more congruous design. The entrance hall to Block D has received additional facade treatment in order to retain its prominence through the use of a large glazing screen and a double height canopy that indicates the entranceway. Subsequently, these revisions overcome both the concerns regarding the potential impact upon amenity and the implications for high quality design that were incurred as part of the previously refused application and are therefore supported.

7.3.34 Thus, the alterations to the layout while still partly resulting in a scheme that erodes some of the original qualities of the extant scheme are considered on balance acceptable. Reasonable mitigation has been applied in order to make the proposals now acceptable, or to provide additional benefits.

*Landscaping*

7.3.35 The landscaping plan submitted with the extant scheme nominated public realm improvements surrounding the development addressing each of the road frontages, and those proposals were considered to be acceptable. In addition, formal landscaping and play-spaces were provided within the courtyard of the scheme in order to provide the necessary amenity spaces for residents of the proposed dwellings in accordance with the London Plan requirements. The landscaping scheme was reviewed by the Council’s Urban Design Manager and considered to be acceptable.

7.3.36 This S73 application does not propose any amendments to the landscaping and it therefore remains to be considered acceptable in this regard.
Summary

7.3.37 In relation to the extant scheme, Officers concluded that the architecture and overall design of the building had the potential to be successful and related successfully to the emerging vernacular in the vicinity of the site of robust brick buildings, however further specific details in relation to the materials and appearance was necessary in order to ensure that an exemplar design quality was achieved, to justify the increased building heights proposed. The previous application 18/02905/VAR was refused partially because it undermined these ambitions through the use of inferior materials.

7.3.38 The proposed amendments under this application revert back to the proposed design quality of the original, with regard to the materials proposed. There is an erosion of passive surveillance from the street scene from Block B through the inclusion of ground floor single storey units with south facing living rooms, that while an improvement on the previously refused scheme (18/02905/VAR) does not fully revert to the higher quality of the extant scheme. The inclusion of duplexes to Block A provides reasonably passive surveillance through the incorporation of multiple front door, kitchens and living rooms that provide passive surveillance. This is considered to be on balance acceptable when considering the reasoning and mitigation employed by the applicant and in this regard is consistent with the aforementioned policies and is supported.

7.4 Affordable Housing

7.4.1 At a national level the National Planning Policy Framework (NPPF) Chapter 5 states that local planning authorities should through their evidence base objectively assess the needs of the housing market to ensure that affordable housing is delivered. It states that planning policies should specify the type of affordable housing required, and expect it to be met on-site unless a) off-site provision or an appropriate financial contribution in lieu can be robustly justified; and b) the agreed approach contributes to the objective of creating mixed and balanced communities.

7.4.2 The London Plan requires Boroughs to seek affordable housing provision in accordance with Policy 3.9 (Mixed and Balanced Communities) which encourages mixed and balanced communities whilst Policy 3.11 (Affordable Housing Targets) identifies that there is a strategic priority for affordable family housing. Whilst acknowledging that boroughs should set their own affordable housing targets, Policy 3.11 does stipulate that 60% of the affordable housing provided should be for social/affordable rent with the other 40% for intermediate rent or sale.

7.4.3 Policy 3.12 of the London Plan (Negotiating affordable housing on individual private residential and mixed use schemes) states that:

A) The maximum reasonable amount of affordable housing should be sought when negotiating on individual private residential and mixed use schemes, having regard to:
(a) Current and future requirements for affordable housing at local and regional levels identified in line with Policies 3.8, 3.10 and 3.11 and having particular regard to the guidance provided by the Mayor through the London Housing Strategy, supplementary guidance and the London Plan Annual Monitoring Report;

(b) Affordable housing targets adopted in line with Policy 3.11;

(c) The need to encourage rather than restrain residential development (Policy 3.3);

(d) The need to promote mixed and balanced communities (Policy 3.9);

(e) The size and type of affordable housing needed in particular locations;

(f) The specific circumstances of individual sites;

(g) Resources available to fund affordable housing, to maximise affordable housing delivery output and the investment criteria set by the Mayor;

(h) The priority to be accorded to provision of affordable family housing in policies 3.8 and 3.11.

B) Negotiations on sites should take account of their individual circumstances including development viability, the availability of public subsidy, the implications of phased development including provisions for re-appraising the viability of schemes prior to implementation (‘contingent obligations’) and other scheme requirements.

C) Affordable housing should normally be provided on-site. In exceptional cases where it can be demonstrated robustly that this is not appropriate a contribution should only be accepted where this would have demonstrable benefits in furthering the affordable housing and other policies in this Plan and should be ring-fenced and, if appropriate, pooled to secure additional affordable housing either on identified sites elsewhere or as part of an agreed programme for provision of affordable housing.

7.4.4 Policy GG4 (Delivering the Homes Londoners Need) and Policy H6 (Threshold Approach to Applications) in the Draft London Plan maintain the importance of providing affordable housing and set a strategic target of 50% of all new homes to be affordable with an individual site threshold level of affordable housing set at 35%. This Policy also highlights the role played by viability in delivering affordable housing. Policy H7 (Affordable Housing Tenure) applies greater flexibility in terms of the split but still requires 30% social/affordable rent and 30% intermediate products.

7.4.5 Policy H2 (Affordable Housing) in Newham’s Local Plan reinforces the London Plan’s policy aspirations and requires that all new developments of 10 or more units provide 35-50% affordable housing on-site, subject to viability.
7.4.6 The extant scheme provides 90 affordable units which equates to 30.5% on a unit basis and 35.7% on a habitable room basis. The tenure split was 39 units for affordable rent and 51 intermediate units (shared ownership), which equated to a broadly 50:50 split when calculated on a habitable room basis and a 57:43 split in favour of the intermediate product when calculated on a unit basis.

7.4.7 In assessing the extant application, the Council commissioned an independent assessment of the viability by BNP Paribas. It concluded that the Applicant’s affordable housing offer was broadly reasonable. Both parties’ consultants agreed that the affordable housing values were for affordable rent £180 psf of gross internal area and shared ownership £385 psf of gross internal area. Thus, the Council insisted that the units are transferred to an RP in accordance with the agreed values. For the avoidance of doubt the transfer price was agreed at £6,961,180 for the affordable rented units and £14,492,940 for the shared ownership.

7.4.8 The previously refused application 18/02905/VAR proposed three additional affordable rent units, one of which would be family sized, which equated to an increase from 30.5% to 31.5% affordable housing on a unit basis and from 35.7% to 37.1% on a habitable room basis. This would have resulted in the tenure split being marginally improved to 55:45 in favour of the intermediate product when calculated on a unit basis.

7.4.9 The previously refused application 18/02905/VAR was also accompanied by a Financial Viability Assessment and was the subject of an independent assessment carried out by BNP Paribas. Whilst the applicant concluded that the scheme providing 31.5% affordable housing was unviable against the viability benchmark, BNP Paribas advised that the scheme generated a surplus of £1,998,159 against the viability benchmark. BNP Paribas also undertook an analysis of the proposed development based upon the previous viability benchmark that assumed open storage. This scheme generated a surplus of £345,405 that could be used to provide additional on-site affordable housing. The scheme therefore failed to provide the maximum reasonable amount of affordable housing taking into account viability.

7.4.10 Further, BNP Paribas had advised that, taking into account the size of the proposed development, a full itemised cost plan should have been submitted for both the consented and the proposed development. The cost plans were requested from the applicant but, despite having implemented the extant consent and currently being on site, the plans were not forthcoming. In the absence of these cost plans, the applicant had further failed to adequately demonstrate that the shortfall in affordable housing is fully justified in the context of viability.

Original Affordable Housing Offer

7.4.11 The current S73 application originally proposed four additional affordable housing units (3 x affordable rent units and 1 x shared ownership unit), with the total being 52 shared ownership units and 42 affordable rent units, which
equated to an increase from 30.5% to 32% affordable housing on a unit basis and from 35.7% to 37.1% on a habitable room basis over the extant scheme. This results in a tenure split reflecting that of the previously refused scheme of 55:45 in favour of the intermediate product when calculated on a unit basis. This is an improvement over the extant scheme which was approved with a ratio of 57:43 in favour of shared ownership.

7.4.12 The applicant had concluded within their submitted viability report, that the scheme was less viable than the extant scheme when providing an affordable housing quota of 31.9%. This was confirmed through the BNP Paribas assessment, which concluded that the scheme generated a residual land value of -£17,738,668. Officers were therefore satisfied that the scheme provided the maximum amount of affordable housing.

7.4.13 Officers wrote to the applicants on 7th August 2019, stating that genuinely affordable social rent units would be preferable to the proposed quantum of affordable rent, as was made clear during pre-application discussions on the 10th April 2019.

7.4.14 The described affordable housing offer was presented to Strategic Development Committee on the 11th September, where the Committee resolved to defer the determination of the application to allow for a revised tenure for London Affordable rent to be submitted by the applicant.

Updated Affordable Housing Offer

7.4.15 Following the Committee meeting the revised offer to swap ‘affordable rent’ for London Affordable rent’ was made by the applicants.

7.4.16 The ratio and amount remain the same as previously presented at 45% (London) affordable and 55% intermediate, which remains an improvement in tenure mix over the extant scheme.

7.4.17 BNP Paribas were consulted regarding the London Affordable rental tenure, who advised that the proposed 52 shared ownership and 42 London affordable rent generates a residual land value of -£4,896,994. This proposal is less viable than the extant scheme and generates a deficit of £633,885 against the viability benchmark of -£ 4,263,109. Officers remain satisfied that the proposed revision provide the maximum amount of affordable housing possible, and is compliant with national and regional policy.

7.4.18 On balance the proposed offer is policy compliant and reflects the revised offer discussed by Committee Members on the 11th September. The proposed offer will make a meaningful contribution, over that of the previously deferred offer, towards affordable homes within the borough through the provision of a more affordable rental tenure, and is therefore supported.

7.5 Housing Mix
7.5.1 The NPPF speaks of the importance of ensuring that the size and type of new housing meets local need.
7.5.2 London Plan Policy 3.8 (Housing Choice) states that residential development should offer genuine housing choice, in particular with regards to the range of housing size and type. This ambition to deliver an appropriate mix of housing is supported by Policy H12 (Housing Size Mix) in the Draft London Plan.

7.5.3 Policy S1 (Spatial Strategy and Strategic Framework) in Newham’s Local Plan sets out the ambition to prioritise quality new family housing over smaller residential units to rebalance the borough’s housing stock and reduce population churn. Policy H1 (Building Sustainable Mixed Communities) in Newham’s Local Plan highlights the importance of stabilising the community in Newham so that people stay in the borough, bring up families and have a stake in the borough’s future. This policy requires 39% of new homes to be 3 bedroom for families but also recognises that when considering housing mix, regard should be had to scheme viability.

7.5.4 The amendments to the housing mix are shown in the table below;

<table>
<thead>
<tr>
<th></th>
<th>Extant</th>
<th>18/02905/VAR</th>
<th>19/01752/VAR</th>
<th>Increase/Reduction</th>
</tr>
</thead>
<tbody>
<tr>
<td>Studios</td>
<td>19 (6.5%)</td>
<td>32 (10.8%)</td>
<td>16 (5.4%)</td>
<td>Minus 3 (1.1%)</td>
</tr>
<tr>
<td>1 Bedroom</td>
<td>148 (50.2%)</td>
<td>127 (43.1%)</td>
<td>148 (50.3%)</td>
<td>No Change (0%)</td>
</tr>
<tr>
<td>2 Bedroom</td>
<td>51 (17.2%)</td>
<td>60 (20.3%)</td>
<td>54 (18.4%)</td>
<td>Additional 3 (1.2%)</td>
</tr>
<tr>
<td>3 Bedroom</td>
<td>77 (26.1%)</td>
<td>76 (25.8%)</td>
<td>76 (25.9%)</td>
<td>Minus 1 (0.2%)</td>
</tr>
</tbody>
</table>

7.5.5 Previous application, 18/02905/VAR, was refused due to an increase in studio units from 6.5% to 10.8% compared to the extant scheme due to studio units not being considered acceptable as they do not provide any flexibility for a change in personal circumstances and do not enable individuals to bring up families. Thus many people would choose not to stay for extended periods of time. These units often experience much higher turnover than larger residential units and this churn of residents has a detrimental impact on the quality of residential areas and is in direct contradiction of the objectives of Policy H1 to build sustainable mixed communities.

7.5.6 In comparison with the extant permission across all the buildings, Block A gains sixteen one bed flats whilst losing eleven two bed flats and four studios that results in a total gain of one dwelling. Block B loses three one beds and eight three beds whilst gaining thirteen two beds that results in a total increase in three dwellings. Block C loses thirteen one bed dwellings and gains 1 one two bed and six three bed units and loses six units in total. Block D results in the least change and only gains one additional three bed dwelling. It is evident that much of the alterations and reconfigurations are occurring within Blocks A, B and C whereas Block D remains mostly unchanged.

7.5.7 The proposed amendments under this application reduce the total number of studio units from 19 (6.5% of the total mix) within the extant permission down
to 16 (5.4%), which is welcomed. Regrettably 1 x three bed unit has been omitted from this application when compared with the extant consent, though it is noted that the overall percentage remains at 26%.

7.5.8 On balance the amendments are considered acceptable. Whilst noting the overall loss of one 1 x 3 bedroom unit when compared to the extant scheme, it should also be highlighted that the affordable rent housing would benefit from an increase in 1 x 3 bedroom units when compared with the extant scheme. The amendments overall are considered to be reasonable measures to account for the loss of the oversail that on balance retain the overall quality of the original application.

7.6 Quality of accommodation

7.6.1 Minimum internal space standards are stipulated in the Technical Housing Standards – Nationally Described Space Standards which was published by the Department for Communities and Local Government (DCLG) in March 2015 and London Plan Policy 3.5 (Quality and Design of Housing Developments).

7.6.2 Part 2 of the GLA’s Housing SPG provides advice on the quality expected from new housing developments with the aim of ensuring it is “fit for purpose and spacious enough to accommodate the changing needs of occupants throughout their lifetime”. The document supports Policy 3.5 within the London Plan but provides more specific advice on matters such as internal space standards and layouts, the need for sufficient privacy, sunlight and daylight, dual aspects and noise. It also provides advice on entrances and approaches, design of open space and approaches to dwellings. This guidance has subsequently been consolidated into Policy D4 (Housing Quality and Standards) of the Draft London Plan.

7.6.3 With specific regard to inclusivity and accessibility, London Plan Policy 3.8 (Housing Choice) requires 10% of units to be designed to Part M4(3) Wheelchair user dwellings standard of the building regulations and the remaining 90% are required to be built to Part M4(2) Accessible adaptable dwellings standards of the building regulations. This is repeated in Policy D5 (Accessible Housing) of the Draft London Plan and supported by Policy H1 (Building Sustainable Mixed Communities) in Newham’s Local Plan.

7.6.4 All units continue to meet the minimum internal space standards and provide private amenity space in the form of balconies and terraces. Compared to the extant scheme the proposed S73 offers 160 dual aspect units (54%), this is seven more than the extant scheme which reached 51.9%. All of the 76 family units are dual aspect as was in the extant permission. The application has been accompanied by a BRE Daylight and Sunlight Assessment which demonstrates that the new units will continue to receive adequate levels of natural light. Overall this is an improvement over the extant scheme in this regard and is supported.
7.6.5 The provision of additional ground floor bedrooms as a result of the removal of duplex units would compromise the privacy of some future occupants, but given the presence of other ground floor bedrooms in the extant scheme is not considered to warrant a refusal of the application on these grounds.

7.6.6 The 10% wheelchair user dwellings would be relocated to the lower floors which is considered to be acceptable whilst the remaining 90% of units would be accessible and adaptable in accordance with Part M4(2) of the Building Regulations.

7.7 Impact upon amenity
7.7.1 Chapter 12 of the NPPF details that new development should always seek to secure high quality design and a good standard of amenity for all existing and future occupants of land and buildings.

7.7.2 London Plan Policies 7.1 (Lifetime Neighbourhoods) and 7.6 (Architecture) state that development should not cause unacceptable harm to neighbouring residential buildings in relation to loss of privacy and overlooking. Policies SP1, SP2, SP3 and H1 in Newham’s Local Plan seek a high standard of design and quality in the buildings and spaces created. Meanwhile Policy SP8 in the Local Plan seeks to ensure neighbourly development and places particular emphasis on adequate access to daylight and sunlight.

7.7.3 The proposals, given the separation from surrounding residential properties as well as the modest adjustment to heights of the blocks, would not materially affect the amenities of neighbouring occupiers and are therefore consistent with the objectives of the aforementioned policies. It is also noted that no objections have been received from neighbouring occupiers.

7.8 Transport and Travel
7.8.1 The NPPF Chapter 9 emphasises the role transport policies have to play in achieving sustainable development and that people should have real choice in how they travel. Developments should be located and designed to give priority to pedestrian and cycle movements, and have access to high quality public transport facilities, and consider the needs of people with disabilities and reduced mobility.

7.8.2 The London Plan seeks to shape the pattern of development by influencing the location, scale, density, design and mix of land uses such that it helps to reduce the need to travel by making it safer and easier for people to access jobs, shops, leisure facilities and services by public transport, walking and cycling. London Plan Policy 6.1 (Strategic Approach) seeks to promote sustainable modes of transport and accessibility, and reduce the need to travel by car. London Plan Policy 6.3 (Assessing Effects of Development on Transport Capacity) also requires transport demand generated by new development to be within the relative capacity of the existing highway network. These aspirations are reiterated in Policies T1 (Strategic Approach to Transport), T2 (Healthy Streets), T3 (Transport capacity, connectivity and safeguarding) and T4 (Assessing and Mitigating Transport Impacts) in the Draft London Plan.
7.8.3 With specific regard to accessibility, London Plan Policy 6.13 (Parking) stipulates the requirement for providing car parking for disabled people, whilst Policy 3.5 (Quality and Design of Housing Developments) refers to the importance of taking account of the needs of disabled people when designing new development. This is supported in the GLA’s Accessible London and Housing SPGs. Policy T6.1 (Residential Parking) in the Draft London Plan goes further and for a development of this size requires at least one designated disabled persons parking bay per dwelling for 3% of dwellings to be available at the outset. It also requires proposals to demonstrate how the remaining bays to a total of one per dwelling for 10% of dwellings can be requested and provided when required as designated disabled parking in the future. The policy stipulates that all disabled persons parking bays associated with residential development must be for residents use only ((M4(2) or M4(3) dwellings), must not be allocated to specific dwellings and must be located to minimise the distance between disabled persons parking bays and the relevant block entrance or lift core.

7.8.4 Policy INF2 (Sustainable Transport) in Newham’s Local Plan, seeks to secure a more sustainable pattern of movement in Newham, maximising the efficiency and accessibility of the Borough’s transport network on foot, cycle and public transport in order to reduce congestion. Meanwhile Policy SP8 (Ensuring Neighbourly Development) seeks to ensure a high standard of access, egress and circulation for all, including through the provision for waste, recycling and bicycle storage facilities; the siting of parking provision and design legibility.

7.8.5 The extant scheme was accompanied by a Transport Assessment which demonstrated that the site is conveniently located close to an array of local amenities and offers good accessibility by public transport, being situated in close proximity to Pontoon Dock DLR Station, and with bus services accessible within 250 metres. The site also offers good walking and cycling accessibility. The vehicle trip generation assessment carried out as part of the Transport Assessment demonstrated that the residential development will facilitate a significant reduction in vehicle trips compared to the former Petrol Filling Station use.

7.8.6 The current S73 application has been accompanied by a Transport Technical Note which states that the analysis and conclusions in the original Transport Assessment remain valid and unaffected by the current proposals.

7.8.7 The proposals reduce the number of units by one, and thus do not affect the trip generation. The overall car parking provision has been reduced from 121 to 106 spaces which is a minor alteration and is considered to be a positive step towards encouraging sustainable modes of transportation. Furthermore, cycle parking provision has been increased by one unit total over the previously refused 18/02905/VAR.

7.8.8 The previously refused application 18/02905/VAR also comprised alterations to the layout of the basement car park which had implications for the position...
of the disabled parking spaces and associated accesses to the building cores. These amendments were necessitated by the reorganisation of internal columns as well as to take account of a water main diversion and the provision of perimeter basement walls.

7.8.9 TfL, as supported by LBN’s Transport Planners, had raised concerns about this amendment. It was noted that while the same number of blue badge parking spaces were provided, the arrangement of the spaces and access zone around them differed significantly from the consented scheme.

7.8.10 Within the currently submitted application, the Blue Badge Parking Bays have been apportioned around the basement, while there is still cluster underneath the Block B core. This is considered to be on balance acceptable as Block B contains the majority of the wheelchair adaptable units. The pepper-potting of the remaining Blue Badge Parking bays sufficiently reduces the distance of travel for wheelchair users within the other blocks.

7.8.11 The reasons for refusal regarding the provision of Blue Badge Spaces and the rationalisations of movement within the basement are considered to have been successfully overcome and as such this application is supported with regard to transportation.

7.9 Flood Risk Management

7.9.1 Objective 155 of the NPPF states that inappropriate development in areas at risk of flooding should be avoided by directing development away from areas at highest risk, but where development is necessary, making it safe without increasing flood risk elsewhere. It continues by stating that when determining planning applications, local planning authorities should only consider development appropriate in areas at risk of flooding where, informed by a site-specific flood risk assessment following the Sequential Test, and if required the Exception Test, it can be demonstrated that: within the site, the most vulnerable development is located in areas of lowest flood risk unless there are overriding reasons to prefer a different location; and development is appropriately flood resilient and resistant, including safe access and escape routes where required, and that any residual risk can be safely managed, including by emergency planning; and it gives priority to the use of sustainable drainage systems.

7.9.2 London Plan Policy 5.12 (Flood Risk Management) states that development proposals must comply with flood risk assessment and management requirements set out in national policy. The development must also have regard to measures proposed in Thames Estuary 2100 and Catchment Flood Management Plans. Developments which are required to pass exception testing will need to address flood resilient design and emergency planning. Policy 5.13 (Sustainable Drainage) seeks that development utilise Sustainable Urban Drainage. The above polices are reinforced in the Draft London Plan at Chapter 9.

7.9.3 Policy SC3 (Flood Risk and Drainage) in Newham’s Local Plan states that developments must be shown to be flood resistant. It also states that...
developments should aim to reduce surface run-off to greenfield rates through the maximisation of the use of SUDS, to provide sustainable design for new major development.

7.9.4 The site is located within Flood Zone 2 and 3 and is also partially within a Critical Drainage Area. The extant scheme was accompanied by a Flood Risk Assessment which satisfactorily demonstrated the development would not be at an unacceptable risk of flooding and would not increase flood risk elsewhere.

7.9.5 The current application has been accompanied by an updated Flood Risk Assessment. As in the case of the extant scheme, a sustainable drainage scheme will be secured by condition.

7.10 Reasons for Approval

7.10.1 Officers have considered the application with regard to the national planning policy framework (NPPF) and the Development Plan which consists of London Plan (consolidated with alterations since 2011, published March 2016), the London Plan (draft for public consultation December 2017) together with the London Borough of Newham Local Plan (November 2018). Officers have had regard to other material considerations including representations received from statutory and non-statutory consultees.

7.10.2 The proposed application is considered to have successfully overcome the reasons for refusal as stated within application 18/02905/VAR.

7.10.3 The proposal now better represents the value expected of tall buildings, the design and materiality now relate better to the street scape than what was previously proposed under 18/02905/VAR, the inclusion of bedrooms facing the street are still not considered ideal, however are considered on balance acceptable when considering the inclusion of outdoor amenity space. The proposals are considered to be acceptable in design terms and overcome the reasons for refusing application 18/02905/VAR.

7.10.4 The financial viability assessment submitted with the application satisfactorily demonstrate that 31.9% affordable housing is the maximum achievable on this site.

7.10.5 The reduction of studio units and the changes to mix of tenures of affordable housing to incorporate an additional three bed affordable units is considered to have successfully overcome the third reason for refusal. The overall housing mix is now considered contributory to the need to support stable cohesive communities and provide places where people wish to stay and provides on balance better mixed and balanced communities and overcomes the reasons for refusing application 18/02905/VAR.

7.10.6 The proposed design of the basement is now considered acceptable with regard to the placement of the Blue Badge spaces. It is now considered that adequate accessibility of the Blue Badge spaces is better achievable from all
blocks which has overcome the reasons for refusing application 18/02905/VAR.

7.10.7 Subject to the conditions and the completions of a deed of variation to the S106 Agreement, the application is acceptable and supported by officers.

7.10.8 Where an application under S73 is granted, the effect is the issue of a fresh grant of planning permission. The same conditions are applied to 17/00363/FUL dated 12\textsuperscript{th} October 2017 are attached, this is with the exception of condition 2 as sought by this application. A number of other conditions have been amended to reflect that details have since been submitted and approved since the extant consent was granted. An additional condition relating to requirement to achieve Secured by Design accreditation has also been imposed.
8.0 APPENDIX 1: CONDITIONS AND INFORMATIVES

Conditions

1. Time

The development to which this permission relates must be commenced no later than 12th October 2020.

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

2. Approved documents

All works are to be completed in accordance with the following document and drawings:

1288 PL-099_Rev E - Basement Plan, Prepared by Buj Architects 13/19
1288 PL-100_Rec C – Ground Floor Plan, Prepared by Buj Architects 03/19
1288 PL-101_RevC - First Floor Plan, Prepared by Buj Architects 03/19
1288 PL-102_Rev B – Second Floor Plan, Prepared by Buj Architects 03/19
1288 PL-103_Rev B – Third Floor Plan, Prepared by Buj Architects 03/19
1288 PL-104_Rev B – Fourth Floor Plan, Prepared by Buj Architects 03/19
1288 PL-105_Rev-B – Fifth Floor Plan, Prepared by Buj Architects 03/19
1288 PL-106_Rev-B – Sixth Floor Plan, Prepared by Buj Architects 03/19
1288 PL-109_Rev_B – Ninth Floor Plan, Prepared by Buj Architects
1288 PL-110_Rev_B – Tenth Floor Plans, Prepared by Buj Architects 03/19
1288 PL-111_Rev_B - Eleventh Floor Plan, Prepared by Buj Architects
1288 PL-112_RevB – Twelfth Floor Plan, Prepared by Buj Architects
1288 PL-113_Rev_C – Roof Plan - Prepared by Buj Architects 03/19
1288 PL-200_Rev_C – North Elevation – Prepared by Buj Architects 01/17
1288 PL-201_Rev_B – West Elevation, Prepared by Buj Architects 01/17
1288 PL-202_Rev_C – South Elevation, Prepared by Buj Architects 01/17
1288 PL-203_Rev-B – East Elevation, Prepared by Buj Architects 01/17
1288 Pl-204_RevB – Courtyard North Elevation Block B South Elevation, Prepared by Buj Architects
1288 PL-205_Rev_B – Courtyard West Elevation Block A East Elevation, Prepared by Buj Architects 01/17

Prior to above ground works conditions:

3. Details/ Sample of Materials

No above ground façade works shall be commenced unless and until details and samples of all external surfaces have been submitted to and approved in writing by the Local Planning Authority. This shall include a physical mock up of a typical window bay showing full details of brickwork bond, mortar, window and reveal details which shall be erected on site and be approved in writing by the Local Planning Authority.
Reason: To ensure a satisfactory standard of external appearance of the development. The development shall only be constructed and retained in accordance with the approved details.

4. Details of Balconies and Communal Entrances

No above ground works shall be commenced on the relevant phase of the development unless and until details and specification of balconies, communal entrances, vehicular entrance, duplex entrances and typical bay at a scale of 1:20 for the development have been submitted to and approved in writing by the Local Planning Authority.

The development shall only be constructed in accordance with the approved details.

Reason: To ensure a satisfactory standard of external appearance of the development.

5. Designing out Crime

a) Prior to the commencement of above ground works of each building or part of a building, details shall be submitted to and approved, in writing, by the Local Planning Authority to demonstrate that such building or such part of a building can achieve full ‘Secured by Design’ Accreditation. The development shall only be carried out in accordance with the approved details.

b) Prior to the first occupation of each building or part of a building or use, ‘Secured by Design’ certification shall be obtained for such building or part of such building or use.

Reason: In the interest of creating safer, sustainable communities.

Prior to first occupation/use conditions

6. Car Parking Management Plan

No residential unit hereby permitted shall be first occupied unless and until a Car Parking Management Plan (CPMP) has been submitted to and approved in writing by the Local Planning Authority. The submitted CPMP must include details on how car parking spaces will be allocated; and, The approved CPMP shall be fully implemented and retained for the life of the development and reviewed annually.

Reason: To ensure that all aspects of parking provision are appropriately managed and controlled and to minimise potential impacts on the road network.
7. **Servicing and Delivery Plan**

No residential unit hereby permitted shall be first occupied unless and until a Servicing and Delivery Plan has been submitted to and approved in writing by the Local Planning Authority for approval; and, The approved Servicing and Delivery Plan shall be fully implemented and retained for the life of the development.

Reason: To proactively manage deliveries and servicing to reduce the number of trips (especially around peak hours) identify where safe loading/unloading can take place and ensure safe and efficient servicing and delivery with this scheme.

8. **CCTV and Lighting for Cycle Storage**

No residential within the development hereby permitted shall be first occupied unless and until details of the proposed cycle parking for the development, including CCTV and lighting for the cycle storage area, have been submitted to and approved in writing by the Local Planning Authority.

Upon completion of the development a minimum of 466 cycle spaces shall be provided, and those cycle spaces shall be retained and usable for the lifetime of the development.

Reason: To ensure reasonable provision of cycle spaces is made within the site for the parking of bicycles and to encourage sustainable modes of transport.

9. **Noise Report**

No residential unit hereby permitted shall be first occupied unless and until a noise report demonstrating how the future occupiers are to be protected from external noise has been submitted to and approved in writing by the Local Planning Authority.

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

Noise mitigation measures should produce internal noise levels specified in BS8233 (Good). Any mechanical ventilation system shall meet or exceed the specifications set out in clause 6, schedule 1 of the Noise Insulation Regulations 1975 with regard to acoustic performance and airflow rates. Alternative schemes that meet the above noise and ventilation standards can be considered. The approved scheme is to be completed prior to first occupation of the development and shall be permanently maintained thereafter.

Reason: To protect the amenity of future occupants and/or neighbours.
10. Waste Management Strategy

No residential unit shall be first occupied unless and until a waste management strategy has been submitted to and approved in writing by the Local Planning Authority. The approved waste management strategy shall be implemented prior to first occupation and shall be retained thereafter.

Reason: To ensure a satisfactory waste disposal strategy is implemented.

11. Car Parking Provision

No residential unit shall be first occupied unless and until 20% of car parking provision accommodates electric vehicle charging infrastructure, with a further 20% allocated for passive provision. The electric vehicle charging infrastructure shall be retained for the lifetime of the development.

Reason: To provide charging facilities for electric vehicles and to encourage the uptake of electric vehicles.

Compliance Conditions

12. Ofcom Site Frequencies

Site operatives must have technically or geographically assigned frequencies by Ofcom and ensure these do not conflict with the frequencies operated by DLR for the running of the railway.

Reason: To ensure the development does not interfere with the safe operation of the railway.

13. Rainwater Pipes, Flues and Grills

No rainwater pipes, flues or grills, other than those shown on the approved plans shall be visible on any publicly visible elevation.

Reason: To ensure a satisfactory standard of external appearance of the development.

14. Control of Dust and Emissions

All construction works shall be carried out in compliance with London Plan SPG ‘The Control of Dust and Emissions During Construction and Demolition’. Published by GLA (July 2014).

Reason: To safeguard the public from dust and emissions during construction.

15. Accessible and Adaptable Dwellings

90% of the residential units hereby approved shall conform to the requirements of Category M4(2) ['Accessible and Adaptable Dwellings'] of Schedule 1 to the Building Regulations 2010 (HM Government 2015).
Reason: To ensure the accessibility of the residential dwellings hereby approved.

16. **Wheelchair adaptable Dwellings**

10% of the residential units hereby approved shall conform to the requirements of Category M4 (3) [“Wheelchair User Dwellings”] of Schedule 1 to the Building Regulations 2010 (HM Government 2015).

Reason: To ensure the accessibility of the residential dwellings hereby approved.

17. **Piling**

The development hereby approved shall be carried out in accordance with the details of piling approved on the 8th May 2018 under application reference 18/00090/AOD or any subsequent alternative approval of details as approved in writing by the Local Planning Authority.

Reason: The proposed works will be in close proximity to underground sewerage utility infrastructure. Piling has the potential to impact on local underground sewerage utility infrastructure. The applicant is advised to contact Thames Water Developer Services on 0800 009 3921 to discuss the details of the piling method statement.

18. **Construction Logistics Plan**

The development hereby approved shall be carried out in accordance with the construction logistics plan approved on the 18th September 2018 under application reference 18/01968/AOD or any subsequent alternative approval of details as approved in writing by the Local Planning Authority.

Reason: To safeguard against adverse impacts on the free flow of traffic on local roads and the amenities of the area.

19. **Crane Construction Methodology**

The development hereby approved shall be carried out in accordance with the details of crane construction methodology approved on the 12th September 2018 under application reference 18/02092/AOD or any subsequent alternative approval of details as approved in writing by the Local Planning Authority.

Reason: The site is in close proximity to Docklands Light Railway and to safeguard train infrastructure safety.

20. **Docklands Light Railway Radio Impact Survey**

A) The development hereby approved shall be carried out in accordance with the radio impact survey approved on the 12th July 2018 under application...
reference 18/00090/AOD or any subsequent alternative approval of details as approved in writing by the Local Planning Authority.

B) Upon implementation of the development and at interim stages after implementation until completion of the superstructures, a radio impact survey shall be undertaken and submitted to the Local Planning Authority for approval in writing in consultation with Docklands Light Railway, to assess the impact of the development on the DLRL radio signal.

C) Upon completion of the superstructures within the development the applicant shall submit a Completed Development Radio Impact Survey to the Local Planning Authority for approval in writing in consultation with Docklands Light Railway, to assess the impact of the development on the DLRL radio signal. Should the development be found to have impact on the radio signal, no development shall take place until a scheme of mitigation has been agreed in writing with Docklands Light Railway and implemented.

Reason: The site is in close proximity to Docklands Light Railway and to safeguard train infrastructure safety.

21. Written Scheme of Investigation

The development hereby approved shall be carried out in accordance with the Written Schemes of Investigation approved on the 8th May 2018 under application reference 18/00090/AOD and on the 11th September 2018 under application reference 18/02479/AOD or any subsequent alternative approval of details as approved in writing by the Local Planning Authority.

Reason: In the interests of preserving archaeological assets.

22. Foundation Design

The development hereby approved shall be carried out in accordance with the details of foundation design approved on the 2nd October 2018 under application reference 18/02478/AOD or any subsequent alternative approval of details as approved in writing by the Local Planning Authority.

Reason: In the interests of preserving archaeological assets.

23. Surface Water Drainage Strategy

a) The development hereby approved shall be carried out in accordance with the surface water drainage strategy approved on the 20th April 2018 under application reference 18/00726/AOD or any subsequent alternative approval of details as approved in writing by the Local Planning Authority.

b) The approved Surface Water Drainage Scheme shall be implemented as so approved and in accordance with the outline principles and standards in the Flood Risk Assessment Report (January 2017) submitted by the Applicant and shall be completed to the satisfaction of the Local Planning Authority prior to the occupation of the development; and,
c) A verification report stating what works have been undertaken and confirming that the Surface Water Drainage Scheme has been completed shall be submitted to and approved in writing by the Local Planning Authority prior to occupation of the Development.

Reason: To safeguard the public from surface water flood risk, protect the environment and respond to climate change.

   A) The development hereby approved shall be carried out in accordance with the details of remediation for ground contamination approved on the 22nd May 2018 under application reference 18/00421/AOD or any subsequent alternative approval of details as approved in writing by the Local Planning Authority.

   B) All works approved shall be undertaken to the satisfaction of the Local Planning Authority.

   C) As soon as reasonably practicable, and before the occupation of any remediated area of the site, a validation report shall be submitted to and approved in writing by the Local Planning Authority. The submission shall state what works were undertaken and that the remedial scheme was completed in accordance with the approved remediation strategy.

Reason: To safeguard the public, the environment and surface and groundwater as this site may have or is known to have been used in the past for activities that are likely to have resulted in it being contaminated with material that is potentially harmful to humans.

25. Air Pollution

   The development hereby approved shall be carried out and permanently maintained thereafter in accordance with the details mitigation for air pollution approved on the 20th April 2018 under application reference 18/00726/AOD or any subsequent alternative approval of details as approved in writing by the Local Planning Authority.

Reason: To protect the amenity of future occupants and/or neighbours and in the interest of the declared Air Quality Management Area.
Informatives

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

1. In dealing with this application, Newham Council has implemented the requirements of the National Planning Policy Framework and the Town and Country Planning (Development Management Procedure) (England) Order 2015 to work with the applicant in a positive and proactive manner. As with all applicants, the Council has made available detailed advice in the form of our statutory policies, and all other Council guidance, as well as offering a full pre-application advice service, so as to ensure that the applicant has been given every opportunity to submit an application which is likely to be considered favourably.

2. This development will attract a charge under the Mayor of London’s CIL, which in the London Borough of Newham is a flat rate charge of £20 per gross internal square metre of additional floor space (Zone 3 borough). For more information on the Mayor of London’s CIL please see www.london.gov.uk/publication/mayoralcommunity-infrastructure-levy. To view the CIL regulations and for more information on CIL in general please see the Communities and Local Government CIL webpage on www.communities.gov.uk/planningandbuilding/planningsystem/communityinfrastructurelevy.

If no one has yet assumed liability for this site please fill out an Assumption of Liability Form found on the Planning Portal website at http://www.planningportal.gov.uk/planning/applications/howtoapply/whattosubmit/cil. If no liability to pay the CIL is assumed, the liability defaults to the landowner. The Council will issue a separate Liability Notice confirming the levy which must be paid.

Be advised that if you wish to make a claim for relief, this needs to be made before the development is commenced, please see the Claiming Exemption or Relief Form also on the Planning Portal. Failure to request exemptions or reliefs prior to the commencement of development forfeits this provision. You are also required to notify the Council prior to commencement of the development, please see the Commencement Notice Form also on the Planning Portal. Failure to notify the Council of the commencement of this development could incur a 20% surcharge of the liable amount or £2500.00, whichever is the lower amount.

There are penalties in the Community Infrastructure Levy Regulations 2010 (as amended) if no one assumes liability and a Commencement Notice is not submitted to the Council. It is an offence for a person to knowingly or recklessly supply information which is false or misleading in a material respect to a collecting or charging authority in response to a requirement under the
Community Infrastructure Levy Regulations (2010) as amended (regulation 110, SI 2010/948). A person guilty of an offence under this regulation may face unlimited fines, two years imprisonment, or both.

All notices related to CIL or any enquiries in this regard should be sent to CIL@newham.gov.uk or for the attention of Principal Investment Officer, Planning Policy, Geospatial and Investment Team, Newham Dockside, 1000 Dockside Road, London E16 2QU.

3. The Applicant should be advised that if the flats are to be rented out they will need to contact the Property Licensing team 020 3373 1950 or propertylicensing@newham.gov.uk in this regard.

4. All Noise-Sensitive developments Within Designated Full Use London City Airport Noise Contours

The development hereby permitted is located within the designated full use noise contours for operations at London City Airport, under planning permission 13/01228/FUL. These contours are forecast noise levels for the Airport when eventually operating at permitted capacity. Specifically, the permitted development falls within the 57 dB contour. For the comfort of any future residential occupiers of this development, it is recommended that the following sound insulation advice is considered in the detailed design of the development. For other noise-sensitive developments such as schools and hospitals it is recommended that building specific guidance (such as BB93 and/or HTM08-01) should be followed taking into account the above contours.

Noise-sensitive developments are defined in the S106 Agreement attached to planning permission 13/01228/FUL.

Noise mitigation measures should comply with recommended internal noise levels specified in BS8233:2014. The noise mitigation measures need to include appropriate ventilation, in line with Building Regulations Approved Document F requirements, that does not compromise the façade insulation or the resulting internal noise level. If applicable, any room should be assessed with relevant ventilation (e.g. trickle ventilators) open during assessment.

For residential developments within the Airport’s 57 dB contour it is recommended that either additional acoustic mechanical ventilation is provided or an assessment is made to ensure summer overheating risks are controlled to an acceptable level. The mechanical ventilation should ideally meet specifications set out in clause 6, Schedule 1 of the Noise Insulation Regulations 1975 with regard to acoustic performance (except when operating in purge mode) and airflow rates. Alternative mechanical ventilation units that provide similar noise and ventilation standards could be considered.

For external amenity areas, including gardens and balconies, it would be beneficial if the design incorporates measures to mitigate forecast noise levels in at least part of the available area. Guidance set out in BS8233:2014 should be followed.
Full use contours can be found on the Council’s website at:

https://www.newham.gov.uk/Pages/Services/Local-plan.aspx#Airportsafeguarding

5. Major Developments within Designated Full Use London City Airport Noise Contours - Summer Overheating
Dynamic thermal modelling should be undertaken to avoid overheating and to demonstrate compliance with the CIBSE TM59/TM52/CIBSE 2015 Guide ‘A’ guidance standards.
For residential developments within the Airport’s 63 dB contour it is recommended that the above modelling should assume that windows to habitable rooms will be closed due to external noise levels.
The above should be taken into consideration alongside other relevant conditions and/or informatives placed on this permission.
9.0 APPENDIX 2: HEADS OF TERMS

The extant planning permission 17/00363/FUL was approved on 12th October 2017 following completion of a Section 106 Agreement dated 12th October 2017 (“Principle Agreement”). No substantive changes are proposed to the Principle Agreement attached to 17/00363/FUL. In this case, a modification under section 106A of the Town and Country Planning Act 1990 (“the Act”) is required to associate this planning permission pursuant to s73 of the Act (if granted) to the Principle Agreement.

This is because where an application under Section 73 of the Act is granted the effect is the grant of a new planning permission. The Principle Agreement is to be varied by a Deed of Variation to be agreed between the Council and the Applicant on the terms set out below:

The Applicant commits to cover the Council’s reasonable legal fees for the drafting of a Deed of Variation to the Principle Agreement whether or not the matter proceeds to completion; and

Provide affordable housing in accordance with the accommodation schedule set out at Appendix 4.

A Deed of Variation to the Principle Agreement attached to planning permission 17/00363/FUL dated 12th October 2017, is completed to ensure that the obligations contained within the extant planning permission are also carried forward to planning permission 19/01752/VAR (if granted), to ensure that the variations, as approved, including those to affordable housing tenure are reflected within the Principle Agreement.
• APPENDIX 3: PROPOSED PLANS AND IMAGES

1288 PL-099_Rev E - Basement Plan, Prepared by Buj Architects 13/19

1288 PL-100_Rec C – Ground Floor Plan, Prepared by Buj Architects 03/19
Royal Docks Service Station

1288 PL-101_RevC - First Floor Plan, Prepared by Buj Architects 03/19

1288 PL-102_Rev B – Second Floor Plan, Prepared by Buj Architects 03/19

London Borough of Newham
1288 PL-109_Rev_B – Ninth Floor Plan, Prepared by Buj Architects

1288 PL-110_Rev_B – Tenth Floor Plans, Prepared by Buj Architects 03/19

London Borough of Newham
Royal Docks Service Station

1288 PL-111_Rev_B - Eleventh Floor Plan, Prepared by Buj Architects

1288 PL-112_RevB – Twelfth Floor Plan, Prepared by Buj Architects

London Borough of Newham
1288 PL-201_Rev_B – West Elevation, Prepared by Buj Architects 01/17

1288 PL-202_Rev_C – South Elevation, Prepared by Buj Architects 01/17
1288 PL-203_Rev-B – East Elevation, Prepared by Buj Architects 01/17

1288 PL-204_RevB – Courtyard North Elevation Block B South Elevation, Prepared by Buj Architects

London Borough of Newham
1288 PL-205_Rev_B – Courtyard West Elevation Block A East Elevation, Prepared by Buj Architects 01/17
### Appendix 4: Accommodation Schedule (received 12th September)

#### TOTAL Residential Units

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<tr>
<th>Residential</th>
<th>Unit No.</th>
<th>Studio</th>
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<th>2 Bed</th>
<th>3 Bed</th>
<th>Number of Habitable Rooms</th>
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| Mix: | 100% | 5% | 50% | 18% | 28% | Net To Gross: 1 |

#### TOTAL Private Units

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| Mix: | 100% | 8% | 58% | 12% | 6% | 12% | 4% | 100% | 0% | 42% | 0% | 31% | 2% | 19% | 2% |

#### TOTAL Shared Ownership

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| Mix: | 100% | 0% | 42% | 10% | 31% | 2% | 19% | 2% |

#### TOTAL London Affordable Rent

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| Mix: | 100% | 2% | 26% | 12% | 2% | 21% | 33% | 2% | 100% | 2% | 26% | 12% | 2% | 21% | 33% | 2% |