LONDON BOROUGH OF NEWHAM

STRATEGIC DEVELOPMENT COMMITTEE

15th October 2019

Application Number: 19/01932/FUL

Validation Date: 6th August 2019

Location: 104-106 Broadway Stratford
London E15 1NG

Ward: Stratford And New Town

Applicants: Silver Mascot Ltd

Agent: CMA Planning

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.

Demolition of the existing building and the erection of part 4, 6 and 7 storey building for retail/commercial use at ground floor (A1/A2/A3/B1(a) and apart-hotel use on the upper floors (This application is affecting the setting of Stratford St. Johns Conservation Area and is affecting the setting of Grade II listed building, Church of St John The Evangelist and Grade II listed street furniture, the Railings of Church of St John The Evangelist)

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 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 15 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 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. Construction Logistics Plan
4. Environmental Code
5. Archaeology
6. Materials and Façade Mock-Up
7. Transport Noise
8. Details of Ventilation and Plant
9. Waste Water
10. Sound Insulation
11. Cycle Parking
12. BREEAM
13. Renewable Energy
15. Grease Traps

**S106 –Heads of Terms**

The Section 106 Legal Agreement Heads of Terms agreed between the Council and the Applicant are set out below:

1. Administrative
2. Local Labour via Workplace (construction)
3. Local Labour via Workplace (end use)
4. Zero Carbon
5. Permit Free Development

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

Originator of report: Lindsey Blecher  
Tel no: 020 337 37542  
E-mail address: lindsey.blecher@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.

London Borough of Newham
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
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**PLANNING APPLICATION FACT SHEET**

### The Site

<table>
<thead>
<tr>
<th>Address</th>
<th>104-106 Broadway, Stratford, London E15 1NG</th>
</tr>
</thead>
<tbody>
<tr>
<td>Applicant</td>
<td>Silver Mascot Ltd</td>
</tr>
<tr>
<td>Ward</td>
<td>Stratford and New Town</td>
</tr>
<tr>
<td>Local Plan allocation</td>
<td>Stratford Central Strategic Site S05</td>
</tr>
<tr>
<td></td>
<td>Stratford Metropolitan Centre</td>
</tr>
<tr>
<td></td>
<td>Stratford Metropolitan Employment Hub</td>
</tr>
<tr>
<td></td>
<td>London To Colchester Roman Road and Stratford Archaeological Priority Area</td>
</tr>
<tr>
<td></td>
<td>LBN Local Parks Open Spaces Deficiency</td>
</tr>
<tr>
<td></td>
<td>LBN Access To Nature Deficiency</td>
</tr>
<tr>
<td></td>
<td>Air Quality Management Area (30m buffer)</td>
</tr>
<tr>
<td></td>
<td>Tall Buildings Area</td>
</tr>
<tr>
<td>Conservation Area</td>
<td>Stratford St Johns Conservation Area</td>
</tr>
<tr>
<td>Listed Building</td>
<td>N/A</td>
</tr>
<tr>
<td>Setting of Listed Building</td>
<td>Affecting the setting of Grade II listed building, Church of St John The Evangelist, and Grade II listed street furniture, the Railings of Church of St John The Evangelist</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>Flood Zone 1</td>
</tr>
<tr>
<td>Other</td>
<td>Epping Forest Special Area of Conservation (SAC) Zone of Influence (3-6.2km Zone)</td>
</tr>
</tbody>
</table>

### Non-residential Uses

<table>
<thead>
<tr>
<th>Existing Use(s)</th>
<th>Existing Use / Operator</th>
<th>A1, B1(a)</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>Existing Use Class(es) sqm</td>
<td>483 sqm, 380 sqm</td>
</tr>
<tr>
<td>Proposed Use(s)</td>
<td>Proposed Use / Operator</td>
<td>B1(a), C1</td>
</tr>
<tr>
<td></td>
<td>Proposed Use Class(es) sqm</td>
<td>344 sqm B1(a), 1864 sqm (C1)</td>
</tr>
<tr>
<td>Employment</td>
<td>Existing number of jobs</td>
<td>Not Specified</td>
</tr>
<tr>
<td></td>
<td>Proposed number of jobs</td>
<td>28-32 (Planning Statement)</td>
</tr>
</tbody>
</table>

### Transportation

<table>
<thead>
<tr>
<th>Car Parking</th>
<th>No. Existing Car Parking spaces</th>
<th>6</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>No. Proposed Car Parking Spaces</td>
<td>0</td>
</tr>
<tr>
<td>Cycle Parking</td>
<td>No. Existing Cycle Parking spaces</td>
<td>0</td>
</tr>
<tr>
<td></td>
<td>No. Proposed Cycle Parking Spaces</td>
<td>11</td>
</tr>
<tr>
<td>Public Transport</td>
<td>PTAL Rating</td>
<td>6b (Excellent)</td>
</tr>
<tr>
<td>------------------</td>
<td>-------------</td>
<td>----------------</td>
</tr>
<tr>
<td>Closest Rail Station / Distance (m)</td>
<td>Maryland Station (420m), Stratford Station (500m)</td>
<td></td>
</tr>
<tr>
<td>Bus Routes</td>
<td>14 bus services available within 1-8 minute walk</td>
<td></td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Parking Controls</th>
<th>Residents Parking Zone?</th>
<th>Stratford Central RPZ</th>
</tr>
</thead>
<tbody>
<tr>
<td>RPZ Hours</td>
<td>0800 – 1830 Monday to Saturday</td>
<td></td>
</tr>
</tbody>
</table>

| Refuse/Recycling Collection | Summary of proposed refuse/recycling strategy | Internal waste store at ground floor, adjacent to the rear entrance to the site. Refuse will be collected from Grove Crescent Road, with site management ensuring bins are in correct location for collection. |

<table>
<thead>
<tr>
<th>Sustainability / Energy</th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td>BREEAM Rating</td>
<td>Excellent</td>
</tr>
<tr>
<td>Renewable Energy Source / %</td>
<td>Photovoltaic (PV) panels and air source heat pumps (ASHP). Combined 23.5% reduction over Target Emission Rate. Supplemented by s106 carbon off-set contribution.</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Public Consultation</th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td>Number of properties consulted</td>
<td>349</td>
</tr>
<tr>
<td>Expiry of consultation period</td>
<td>6&lt;sup&gt;th&lt;/sup&gt; September 2019</td>
</tr>
<tr>
<td>Number of responses</td>
<td>5</td>
</tr>
<tr>
<td>Number in support</td>
<td>0</td>
</tr>
<tr>
<td>Number of objections</td>
<td>5</td>
</tr>
<tr>
<td>Number of other representations (neither objecting or supporting)</td>
<td>0</td>
</tr>
</tbody>
</table>

London Borough of Newham
1.0 SITE & SURROUNDINGS

1.1 The application site is located at the north-eastern end of Broadway, at the corner of Salway Place, and measures approximately 30m deep by 15m wide.

1.2 The site includes a 3-storey commercial building constructed in the 1950’s, with an area of hardstanding at the rear used as car parking. The building was previously in use by Maplin’s electronic store, however, the submitted Planning Statement notes that the ground floor retail unit is currently vacant, whilst the two upper floors are currently occupied by Law Lane Solicitors.

1.3 The streetscape of the Broadway is extremely varied, and includes a mix of buildings from many eras with different heights, massings, and façade treatments.

1.4 Immediately to the south-west is the 6-storey Stratford Centre (78-102 Broadway). To the north-east is Salway Place, followed by the 5-storey Q Building (108-110 The Grove Stratford), which includes a bar/restaurant at ground floor and 27 residential flats above. To the north is an 8-storey residential building, The Richard Robert Residence.
2.0 PROPOSAL

2.1 The application seeks full planning permission for:

Demolition of the existing building and the erection of part 4, 6 and 7 storey building for retail/commercial use at ground floor (A1/A2/A3/B1(a) and apart-hotel use on the upper floors (This application is affecting the setting of Stratford St. Johns Conservation Area and is affecting the setting of Grade II listed building, Church of St John The Evangelist and Grade II listed street furniture, the Railings of Church of St John The Evangelist).
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>
<tbody>
<tr>
<td>07/00633/FUL</td>
<td>Demolition of existing commercial building and the construction of a new part 4, part 6, part 7 storey 59 No. bed hotel. Approved 14/09/2007</td>
<td>Application approved on 14/09/2007 Not implemented</td>
</tr>
<tr>
<td>07/00729/CON</td>
<td>Conservation area consent for the demolition of the existing three storey commercial building on 104-106 Broadway</td>
<td>Application approved on 14/09/2007 Not implemented</td>
</tr>
<tr>
<td>10/01860/EXTANT</td>
<td>Extension of time limit of planning permission 07/00633/FUL to 16/11/2013</td>
<td>Application approved on 16/11/2010 Not implemented</td>
</tr>
<tr>
<td>10/01817/EXTCON</td>
<td>Extension of time limit to conservation area consent 07/00729 to 22/10/2013</td>
<td>Application approved on 22/10/2010 Not implemented</td>
</tr>
</tbody>
</table>

3.3 Planning Enforcement History

3.4 A review of council records revealed there is no enforcement history relevant to the application site.

3.5 Planning Appeal History

3.6 A review of council records revealed there is no appeal history relevant to the application site.
4.0 CONSULTATION

4.1 Application Publicity

4.2 Site Notice(s) erected on Broadway on 16 August 2019, expiring on 6 September 2019.


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

4.5 A total of 349 consultation letters were sent to neighbouring properties regarding this application on 6 August 2019. The public consultation period expired on 6 September 2019.

4.6 Adjoining Properties

<p>| | |</p>
<table>
<thead>
<tr>
<th></th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td>Number of Letters Sent</td>
<td>349</td>
</tr>
<tr>
<td>Number of Responses Received</td>
<td>5</td>
</tr>
<tr>
<td>Number in Support</td>
<td>0</td>
</tr>
<tr>
<td>Number of Objections</td>
<td>5</td>
</tr>
<tr>
<td>Number of other Representations (neither objecting or supporting)</td>
<td>0</td>
</tr>
</tbody>
</table>

4.7 A total of 5 responses were received from adjoining occupiers, comprising 0 in support and 5 objecting to the application.

4.8 In summary the objections to the application relate to the following issues:

- Loss of daylight/sunlight
- Loss of privacy
- Noise and disturbance
- Outlook
- Heritage
- Public safety
- Visual amenity and design

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

<p>| Address: | Flat 20, The Q Building, 108-110 The Grove Stratford, London E15 1NR |</p>
<table>
<thead>
<tr>
<th>Details of representation:</th>
</tr>
</thead>
<tbody>
<tr>
<td>Reasons:</td>
</tr>
<tr>
<td>- daylight/sunlight</td>
</tr>
<tr>
<td>- loss of privacy</td>
</tr>
<tr>
<td>- noise and disturbance</td>
</tr>
<tr>
<td>- other</td>
</tr>
<tr>
<td>- outlook</td>
</tr>
<tr>
<td>- traffic</td>
</tr>
<tr>
<td>- use</td>
</tr>
</tbody>
</table>

Comments:

“I own a flat in the Q Building next to the proposed development and I am concerned that the proposed development is much higher than the original building. It will overlook the majority of the flats in our building and we have very large windows. It will also make our building very dark.

The noise and disruption such a large scale building would cause will also be very inconvenient. I notice the start times for building is at 8am which is still very early for 6 days a week and with flats in such close proximity to the building site.

There are also a number of social issues around the area and having short term apart-hotel lets will add to the issues as these people will not have a vested interest in keeping the area clean and tidy. We have homeless people constantly breaking into our building, sleeping in the hallways and using our building as a toilet. These issues need to be addressed before we allow more short-term residents into the area.

I hope you can consider these comments carefully”

Officer comments on representation:

Impacts to neighbouring amenity are assessed at Section 7.6 of this report.

A condition has been added requiring a finalised Construction Logistics Plan and an Environmental Code prior to commencement.
<table>
<thead>
<tr>
<th>Address:</th>
<th>24 Blaven Path, Canning Town, London E16 4BP</th>
</tr>
</thead>
<tbody>
<tr>
<td>Date received:</td>
<td>28 August 2019</td>
</tr>
<tr>
<td>Type:</td>
<td>Online comment</td>
</tr>
<tr>
<td>Stance:</td>
<td>Objection comments</td>
</tr>
</tbody>
</table>

**Details of representation:**

**Reasons:**
- daylight/sunlight
- heritage
- loss of privacy
- noise and disturbance
- outlook
- parking
- public safety
- traffic
- use
- visual amenity/design

**Comments:**

“I work locally to the proposed apart-hotel and I strongly object to this application.

Having friends that live locally to this site, I am very concerned about how this will impact their everyday lives, from noise to excessive light to loss of privacy.

Noise: Having friends with babies and toddlers, not only will the building work affect their daily routine, but as mothers would unable to maintain the routine their children are used to, this will not only affect the children but also the mental state of the mothers who are already struggling with the pressures of a new baby. The noise of the machines whilst this building is being erected is just too close to local residents and no one was aware of the consultation, proving the notice of it was absolutely ineffective. If the apart-hotel is built, the noise pertaining from the building itself would be a nuisance and would disturb local residents day and night. The noise the delivery trucks would bring with them throughout the day and night would also become a nuisance.

Excessive light: the light radiating from the hotel during the night would be at such close proximity to the residents, it would affect them directly.
Litter: an apart-hotel would bring with it that many more visitors and that much more litter to the surrounding area and would ruin the vision of what the area currently represents, which is locaalism, local people coming together, heritage. People loitering outside hotel would result in significant littering outside the hotel premises which would have to be regularly cleaned up by Newham Council street cleaners, adding more pressure on them.

Loss of privacy: the proposed height of the building would affect every surrounding building as it would block natural light entering them, putting them in the shadow of the new proposed building. At this height, visitors to the apart-hotel would be able to directly see into the local residents' apartments, affecting their privacy at the utmost highest level. They would not be able to enjoy the view out of their windows as they currently do as they would be faced by building, unable to see beyond it.

Parking: Though the planning application is for an apart-hotel, this would bring issues in parking as their customers would look for somewhere to be able to park. This would cause the customers to park illegally as all local parking is residential or requires a permit. No proper thought has gone into how this would affect the local residents.

Loss of heritage: Height and width provided in the drawings would see this building be taller than the rest in the area, affecting the original look of the city centre. It would not be in line with any other buildings surrounding it and would stick out like a sore thumb. As the application clearly states, "This application is affecting the setting of Stratford St. Johns Conservation Area and is affecting the setting of Grade II listed building, Church of St John The Evangelist and Grade II listed street furniture, the Railings of Church of St John The Evangelist". we already have too many hotels in and around Stratford, another one is not needed as it would only negatively affect the local residents and the local area and community.

Height: A development of this magnitude will involve protracted months of noise, dust, disruption, parking problems due to numerous contractors, scaffolding, rubbish skips which are as likely to be outside residential premises as the hotel itself.
If someone has decided it's unnecessary to consult with the owners of a shared physical boundary, as they have not been informed about this proposal to begin with, then what prospect is there they will not perpetrate in other areas concerning this application?

Perhaps Planning should accept that they don't have the resources, the will, nor the wherewithal, to enforce their own procedures in a way that the
people they affect would find meaningful.

As for that one comment made during their "consultation" stating the shop was empty, if remembered correctly, it was never empty as it was Maplin before it went into administration, and then a furniture shop.

I strongly object to this proposal as this would adversely affect not only local residents and their daily lives but it would ruin the skyline we currently enjoy as the height on this proposed building would not conform to the remaining buildings.”

Officer comments on representation:

Impacts to neighbouring amenity are assessed at Section 7.6 of this report.

Design and heritage are discussed at Section 7.5 of this report.

A condition has been added requiring a finalised Construction Logistics Plan and an Environmental Code prior to commencement.

<table>
<thead>
<tr>
<th><strong>Address:</strong></th>
<th>30 The Richard Robert Residence, 7 Salway Place, Stratford, London E15 1NB</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Date received:</strong></td>
<td>28 Aug 2019</td>
</tr>
<tr>
<td><strong>Type:</strong></td>
<td>Online comment</td>
</tr>
<tr>
<td><strong>Stance:</strong></td>
<td>Objection comments</td>
</tr>
</tbody>
</table>

Details of representation:

Reasons:
- loss of privacy
- noise and disturbance
- public safety

Comments:

“As a concerned local I object to the construction of this building.”

Officer comments on representation:

Impacts to neighbouring amenity are assessed at Section 7.6 of this report.

A condition has been added requiring a finalised Construction Logistics Plan and an Environmental Code prior to commencement.
<table>
<thead>
<tr>
<th>Address:</th>
<th>3 Imperial Mews, East Ham, London E6 3DD</th>
</tr>
</thead>
<tbody>
<tr>
<td>Date received:</td>
<td>29 Aug 2019</td>
</tr>
<tr>
<td>Type:</td>
<td>Online comment</td>
</tr>
<tr>
<td>Stance:</td>
<td>Objection comments</td>
</tr>
</tbody>
</table>

**Details of representation:**

Reasons:
- access (disability)
- heritage
- noise and disturbance
- outlook
- parking
- public safety
- traffic
- visual amenity/design

**Comments:**

“As a member of the local community I object to the proposed build.

The closing down of Salway Place E15 itself would be a very difficult thing for myself as I am restricted in the distance I can travel by foot. I normally park at Stratford Picture house and for ease of access to Broadway, I walk through Salway Place. If this were to close due to the building works, this would mean I would have to walk all the way around onto Great Eastern Road, onto The Grove and then access Broadway.

Also, the proposed build would not blend into the remaining buildings and background and would make it seem out of place. The amount of anti-social behaviour this would attract is also a grave concern not only for myself, but for the local residents.

It would bring about unwanted noise and litter and that is just during the demolition/build of the hotel.

As a 68-year-old member of the local community, it would be a shame to see this building demolished as it is part of the Broadway's heritage. Myself and my children bought electronics from the shop Maplin, before it became a furniture store and completely demolishing the building would not, I think, be in the best interest of the local community and feel that Stratford has to offer.
I absolutely object to this application and hope the Council sees sense as to how adversely this will affect the lives of not only the visitors but of those that live in the heart of this community and their families.”

**Officer comments on representation:**

Impacts to neighbouring amenity are assessed at Section 7.6 of this report.

The Outline Construction Logistics Plan states that pedestrian access through Salway Place will be maintained.

A condition has been added requiring a finalised Construction Logistics Plan and an Environmental Code prior to commencement.

<table>
<thead>
<tr>
<th>Address:</th>
<th>34 The Richard Robert Residence, 7 Salway Place, Stratford, London E15 1NB</th>
</tr>
</thead>
<tbody>
<tr>
<td>Date received</td>
<td>30 Aug 2019</td>
</tr>
<tr>
<td>Type:</td>
<td>Online comment</td>
</tr>
<tr>
<td>Stance:</td>
<td>Objection comments</td>
</tr>
</tbody>
</table>

**Details of representation:**

Reasons:
- access (disability)
- daylight/sunlight
- loss of privacy
- noise and disturbance
- parking
- public safety

Comments:

“I live at 34 Richard Roberts Residence, behind the proposed site for which the application has been made and I strongly object to this application.

I am very concerned about how this will impact everyday lives of myself and that of my neighbours, from noise, no direct sunlight to loss of privacy.

Accessibility: As I am in a wheelchair, having access to Salway Place is a necessity in being able to go to office, to access local shops and services easily. Having this closed off for building works would be very detrimental to my ability of getting around and would severely affect my daily life and routine. This would make it ten times as difficult for me to be mobile.
Noise: Having neighbours with young families, the building work will affect their right "to respect for one's private and family life, which is a direct breach of Article 8 of the European convention on Human Rights. The noise of the machines whilst this building is being erected is just too close to local residents leaving next to no space between our building and that of the proposed apart-hotel. None of the residents were aware of the consultation, proving the notice of it was absolutely ineffective. If the apart-hotel is built, the noise pertaining from the building itself caused by anti-social behaviour that would be attracted to such a building, would be a nuisance and would disturb local residents day and night. The delivery trucks would be on site at whatever time it would suit them to deliver goods to the site, be that day or night, bring with them noise which would become a nuisance.

Excessive light: the light radiating from the hotel during the night would be at such close proximity to the residents, it would affect them directly.

No natural light: The proposed height of the building would completely block off the direct and natural sunlight we currently enjoy. A resident is, by law, allowed to have access to direct natural light. This right would be breached should the proposal be approved.

Litter: The number of customers the proposed building would bring would also increase litter in and around the area. This would directly impact Council's employees who have the task of keeping our area tidy, and would place more pressure on the council, and ultimately all local residents should the rate of council tax be increased.

Loss of privacy: At the proposed height of the building, visitors to the site would be able to directly see into my apartments and my flat terrace would not be a private place affecting my family privacy at the utmost highest level. My family would not be able to enjoy the view out of our balcony as currently we do as we would be faced by building, unable to see beyond it.

Parking: This would bring issues in parking as customers would look for somewhere to be able to park. No proper thought has gone into how this would affect the local residents.

Loss of heritage: The height of the proposed building would see it be taller than the rest in the area. It would not be in line with any other buildings surrounding it. It would also affect the local church, as stated in the application itself.

Neighbours to the site: No consultation with the owners of a shared physical
boundary has been arranged, as they have not been informed about this proposal to begin with. The proximity at which this site would be to Richard Robert Residence is too close and cannot be accepted as suitable. According to Caneparo Associates and their Outline Construction Logistics Plan, 3.4 clearly states Salway Place will be partially closed, causing access issues for local residents; 3.10 states "there is no on-site parking for staff and operatives will be expected to unload any materials or equipment before finding a pay and display or private off-street parking", again causing issues of noise and disruption even before work is to commence at the stated time of 8am; 3.13 states work will be carried out on weekdays between 08:00-18:00 which would disrupt local residents and the crucial picking up and dropping off of the children to school; and finally 3.14 which states there may be a requirement for vehicles to arrive and depart outside of usual traffic hours, which defeats the point made by them in 3.13

I strongly object to this proposal and ask the Council to reject this application absolutely, Hope you can keep me informed of the next steps happening on this issue.”

**Officer comments on representation:**

Impacts to neighbouring amenity are assessed at Section 7.6 of this report.

Design and heritage are discussed at Section 7.5 of this report.

Consultation letters were sent to 349 neighbouring residents on 6 August 2019. a site notice was erected on Broadway on 16 August, and a press notice was advertised in the Newham Recorder on 14 August 2019.

The Outline Construction Logistics Plan states that pedestrian access through Salway Place will be maintained.

A condition has been added requiring a finalised Construction Logistics Plan and an Environmental Code prior to commencement.

**4.10 Statutory and Non Statutory Consultation**

**4.11 The following consultations have been undertaken:**

Cllr Joshua Garfield  
Cllr Nareser Osei  
Cllr Terrence Paul  
Designing Out Crime Officer, Metropolitan Police Service
4.12 External Consultation

4.13 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>Natural England</th>
</tr>
</thead>
<tbody>
<tr>
<td>Date received:</td>
<td>27 August 2019</td>
</tr>
<tr>
<td>Consultation response:</td>
<td></td>
</tr>
<tr>
<td></td>
<td>No comments</td>
</tr>
<tr>
<td>Officer comments on consultation response:</td>
<td>Noted</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Consultee:</th>
<th>Transport for London</th>
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<tbody>
<tr>
<td>Date received:</td>
<td>27 August 2019</td>
</tr>
<tr>
<td>Consultation response:</td>
<td></td>
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<tr>
<td>1. The site of the development is located less than 100m from The Grove (A118) which forms part of the Strategic Road Network (SRN). TfL have a duty under the Traffic Management Act (2004) to ensure that any development does not have an adverse impact on the SRN.</td>
<td></td>
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<tr>
<td>2. Travel Plan</td>
<td></td>
</tr>
<tr>
<td>TfL supports the adoption of a car-free scheme and the applicant’s objectives to further increase sustainable and active modes of travel</td>
<td></td>
</tr>
</tbody>
</table>
in line with the Mayor’s strategic target of 80% of all trips in London to be made by foot, cycle or public transport by 2041. TfL considers the approach to trip generation and modal split acceptable and in line with London Plan Policy 6.3.

3. Cycle parking

Cycle parking should be designed and laid out in accordance with the guidance contained in the London Cycling Design Standards (LCDS.) The LCDs can be found in TfL’s online Streets Toolkit at: https://tfl.gov.uk/corporate/publications-and-reports/streets-toolkit#on-this-page-2.

As according to the provisions of the LCDS, Cycle parking should be:

- Fit-for-purpose – meeting identified current and future demand, with an appropriate balance of short stay and longer-stay provision, and accommodating all types of cycle.
- Secure – stands in secure private or indoor spaces, or in visible, well-lit places that have high levels of natural surveillance.
- Well-located – convenient, accessible, as close as possible to the destination, and preferably sheltered.

Accessing the cycle parking area should involve passing through no more than two sets of doors, with a recommended minimum external door width of 2 metres. At present, residential cycle storage facilities do not appear to be easily accessible with access to the commercial cycle storage facilities via the rear-access involving passing through more than 2 sets of doors. TfL request the applicant revises plans so as to ensure that no more than 2 sets of doors must be passed through to access this cycle storage without compromising the security of the facilities.

The associated Travel Statement states that short-stay cycle parking for the retail element of the Site will be accommodated by local town centre on-street cycle parking provisions, such as those provided on Salway Place. TfL hold the view that the applicant must provide short stay provision in addition to nearby on-street provision at a rate of 1 space per 20sqm as per the Minimum cycle parking standards for A1 use outlined within draft London Plan Policy T5.

At present, there is no indication within application drawings where lockers, shower facilities and toilets for the retail/ commercial uses will be located for staff. These supporting facilities should be provided in order to comply with Draft London plan Policy 10.5.7.

Basement-level cycle parking for the C1 use is accessible via two lifts. To accommodate all types of cycle, lifts should have minimum dimensions of 1.2 by 2.3 metres, with a minimum door opening of 1000mm, and any door to a cycle parking area should be automated – push button or pressure pad operated. TfL require clarification of
the lift dimensions to ensure these access arrangements are in line with LCDS requirements.

In the event of lift facilities being out of order, cycle parking facilities must still be accessible. Therefore, TfL request that the step incline on staircase access is suitable for potential use by people using the basement cycle storage facilities.

4. CLP
Provided LB Newham are satisfied with the partial highway closure to Salway Place (LBN highway), TfL have no objections to the contents of the Construction Logistics Plan.

5. DSP
TfL require clarity regarding the number and types of vehicles that will be servicing from the front and rear of the site. It is hoped that most will be done via the rear access due to it being closer to the rear entrance of the site, however at present it is not clear.

TfL requests additional information is provided as outlined above prior to being supportive of the application.

Officer comments on consultation response:

Matters relating to transport are discussed at Section 7.7 of this report.

A condition has been added requiring full details of proposed cycle parking provisions prior to above-ground works.

Existing short-stay cycle parking in vicinity of the site confirmed as adequate by LBN Transportation Officers.

Consultee: Historic England, GLAAS
Date received: 27 August 2019
Summary of consultation response:

“Thank you for your consultation received on 08 August 2019. The Greater London Archaeological Advisory Service (GLAAS) provides archaeological advice to boroughs in accordance with the National Planning Policy Framework and GLAAS Charter.

NPPF section 16 and the London Plan (2011 Policy 7.8) make the conservation of archaeological interest a material planning consideration. NPPF paragraph 189 says applicants should provide an archaeological assessment if their development could affect a heritage asset of archaeological interest.”
The planning application lies in an area of archaeological interest. If heritage assets of archaeological interest are identified by stage 1 then for those parts of the site which have archaeological interest a stage 2 WSI shall be submitted to and approved by the local planning authority in writing. For land that is included within the stage 2 WSI, no demolition/development shall take place other than in accordance with the agreed stage 2 WSI which shall include: If you grant planning consent, paragraph 199 of the NPPF says that applicants should record the significance of any heritage assets that the development harms. Applicants should also improve knowledge of assets and make this public.

Roman pottery is recorded as being found in the close vicinity of the site, which lies near the junction of the Roman roads to both Colchester and Great Dunmow from London. The site also lies in the historic core of the post-Roman settlement of Stratford.

I have looked at this proposal and at the Greater London Historic Environment Record. I advise that the development could cause harm to archaeological remains and field evaluation is needed to determine appropriate mitigation. However, although the NPPF envisages evaluation being undertaken prior to determination, in this case consideration of the nature of the development, the archaeological interest and/or practical constraints are such that I consider a two stage archaeological condition could provide an acceptable safeguard. This would comprise firstly, evaluation to clarify the nature and extent of surviving remains, followed, if necessary, by a full investigation. I therefore recommend attaching a condition as follows:

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

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

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

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

This pre-commencement condition is necessary to safeguard the archaeological interest on this site. Approval of the WSI before works begin on site provides clarity on what investigations are required, and their timing in relation to the development programme. If the applicant does not agree to this precommencement condition please let us know their reasons and any alternatives suggested. Without this pre-commencement condition being imposed the application should be refused as it would not comply with NPPF paragraph 199. I envisage that the archaeological fieldwork would comprise the following:

Desk Based Assessment
Desk-based assessment produces a report to inform planning decisions. It uses existing information to identify the likely effects of the development on the significance of heritage assets, including considering the potential for new discoveries and effects on the setting of nearby assets. An assessment may lead on to further evaluation and/or mitigation measures.

Evaluation
An archaeological field evaluation involves exploratory fieldwork to determine if significant remains are present on a site and if so to define their character, extent, quality and preservation. Field evaluation may involve one or more techniques depending on the nature of the site and its archaeological potential. It will normally include excavation of trial trenches. A field evaluation report will usually be used to inform a planning decision (pre-determination evaluation) but can also be required by condition to refine a mitigation strategy after permission has been granted.

You can find more information on archaeology and planning in Greater London on our website

This response only relates to archaeology. You should also consult Historic England’s Development Management on statutory matters.”

Officer comments on consultation response:
The recommended conditions and informatives have been included at Appendix 1.

<table>
<thead>
<tr>
<th>Consultee:</th>
<th>Thames Water</th>
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<tbody>
<tr>
<td>Date received:</td>
<td>28 August 2019</td>
</tr>
</tbody>
</table>

Consultation response:

"Waste Comments

With the information provided Thames Water has been unable to determine the waste water infrastructure needs of this application. Thames Water has contacted the developer in an attempt to obtain this information and agree a position for SURFACE WATER drainage, but have been unable to do so in the time available and as such Thames Water request that the following condition be added to any planning permission. "No properties shall be occupied until confirmation has been provided that either:- 1. Capacity exists off site to serve the development or 2. A housing and infrastructure phasing plan has been agreed with Thames Water. Where a housing and infrastructure phasing plan is agreed, no occupation shall take place other than in accordance with the agreed housing and infrastructure phasing plan. Or 3. All wastewater network upgrades required to accommodate the additional flows from the development have been completed. Reason - Network reinforcement works may be required to accommodate the proposed development. Any reinforcement works identified will be necessary in order to avoid flooding and/or potential pollution incidents. The developer can request information to support the discharge of this condition by visiting the Thames Water website at thameswater.co.uk/preplanning. Should the Local Planning Authority consider the above recommendation inappropriate or are unable to include it in the decision notice, it is important that the Local Planning Authority liaises with Thames Water Development Planning Department (telephone 0203 577 9998) prior to the planning application approval.

With the information provided, Thames Water has been unable to determine the waste water infrastructure needs of this application. Thames Water has contacted the developer in an attempt to obtain this information and agree a position for FOUL WATER drainage, but have been unable to do so in the time available and as such, Thames Water request that the following condition be added to any planning permission. "No properties shall be occupied until confirmation has been provided that either:- 1. Capacity exists off site to serve the development, or 2. A housing and infrastructure phasing plan has been agreed with Thames Water. Where a housing and
infrastructure phasing plan is agreed, no occupation shall take place other than in accordance with the agreed housing and infrastructure phasing plan, or 3. All wastewater network upgrades required to accommodate the additional flows from the development have been completed. Reason - Network reinforcement works may be required to accommodate the proposed development. Any reinforcement works identified will be necessary in order to avoid sewage flooding and/or potential pollution incidents. The developer can request information to support the discharge of this condition by visiting the Thames Water website at thameswater.co.uk/preplanning. Should the Local Planning Authority consider the above recommendation inappropriate or are unable to include it in the decision notice, it is important that the Local Planning Authority liaises with Thames Water Development Planning Department (telephone 0203 577 9998) prior to the planning application approval.

Water Comments
There are water mains crossing or close to your development. Thames Water do NOT permit the building over or construction within 3m of water mains. If you're planning significant works near our mains (within 3m) we'll need to check that your development doesn't reduce capacity, limit repair or maintenance activities during and after construction, or inhibit the services we provide in any other way. The applicant is advised to read our guide working near or diverting our pipes.
https://developers.thameswater.co.uk/Developing-a-large-site/Planning-your-development/Working-near-or-diverting-our-pipes

If you are planning on using mains water for construction purposes, it's important you let Thames Water know before you start using it, to avoid potential fines for improper usage. More information and how to apply can be found online at thameswater.co.uk/buildingwater.

On the basis of information provided, Thames Water would advise that with regard to water network and water treatment infrastructure capacity, we would not have any objection to the above planning application. Thames Water recommends the following informative be attached to this planning permission. Thames Water will aim to provide customers with a minimum pressure of 10m head (approx 1 bar) and a flow rate of 9 litres/minute at the point where it leaves Thames Waters pipes. The developer should take account of this minimum pressure in the design of the proposed development.

Supplementary Comments
Wastewater: "We expect surface water to be attenuated to Greenfield run-off
rates following London Policy 5.13 and achieve 5l/s/ha. We require the drainage strategy to specify the point(s) of connection and peak discharge rates into the public sewer system for foul and surface water. We require demonstration of how the surface water disposal hierarchy has been implemented for the site and why connection to the combined sewer is the preferred option.”

**Officer comments on consultation response:**

Noted.

The recommended conditions and in formatives have been included at Appendix 1.

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4.14 Internal Consultation

4.15 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 Transport</th>
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<tbody>
<tr>
<td>Date received:</td>
<td>23 September 2019, 4 October 2019</td>
</tr>
</tbody>
</table>

Consultation response:

23.09.2019

“This application is for demolition of the existing building and provision of an 8 floor building comprising a 62 room apart hotel, and provision of 342 sqm of commercial floor space at ground floor, comprising two units. A previous application of similar nature (but smaller scale) was approved by 07/00633/FUL which was for a 59 bedroom hotel. This was never built out and has expired. There have been pre application proposals of a very similar nature as well.

The existing arrangement at the site is a former electrical retail unit at ground floor, and office uses on the upper floors, within a 3 storey building.

The site is located to the west side of The Broadway, immediately south of the junction with Salway Place. It has a PTAL value of 6B which is considered ‘excellent’ access to public transport services. 14 bus services are accessible within 1 to 8 minutes’ walk of the site, Stratford station is 9 minutes away and Maryland station 4 minutes away. It is located with the Stratford Central RPZ, which has operating hours of 0800 – 1830 Monday to Saturday.
The site is also adjacent to the recently completed works on the Stratford Gyratory removal scheme.

A Transport Statement accompanies the application, along with an outline Construction Logistics Plan and travel plan. The main transport observations and comments are as follows;

Access Arrangements
The site is very well located with what is considered ‘excellent ‘access to public transport services. There will be foot and cycle access off of the Grove and from Salway Place, and vehicle access via Great Eastern Street to Salway Road/Salway Place

Transportation impacts
There will be an uplift in person trips from the site compared to existing. The Transport Statement details that the net increase of trips in the AM peak (0800 – 0900) will be 31 outbound and 1 inbound, and 14 inbound with 5 inbound in the PM peak hour (1700 – 1800). Given the excellent accessibility, this is of no consequence in highway and public transport network and capacity terms. The predominant modes of transport to and from the development will be public transport and walking.

Car and cycle parking
The development is proposed as a car free development, and this will be appropriate given the excellent public transport accessibility and close location to shops and services in Stratford Town Centre. There are 12 No. blue badge bays located in Salway Road a short walk from the development site providing opportunity for blue badge holders staying or visiting to park.

The draft London Plan requires 1 space per 20 bedrooms for long stay cycle parking and 1 space per 50 bedrooms for short stay visitors for the hotel, and for the A1/A2/A3/B1 use there is a threshold of requirement from 100sqm area up and the requirement varies across the different use classes. The applicant is proposing 8 spaces to be located in the basement for the aparthotel component of the development, and 3 for the retail commercial use, to be located in a separate cycle store on the ground floor. Being internally located security should not be an issue, however full details of the proposed arrangements for the cycle parking will be required to confirm the system intending to be used, and a dimensioned drawing should be provided to confirm the spacing and manoeuvring space around the cycle parking meets the manufacturer’s installation specifications. This information can be covered by condition for approval prior to commencement of the works.
For the aparthotel cycle parking in the basement, it is understood that the applicant has confirmed that the internal dimensions of the lifts will be sufficient for comfortably accommodating cycles and riders with minimum internal dimensions of 1.2 by 2.3 metres, and a minimum door opening width of 1000mm.

With the recent gyratory removal scheme, there is now additional cycle parking within the public realm, as well as the 6 Sheffield Stands in Salway Place.

Subject to satisfactory review of the proposed cycle parking arrangements, Transportation are comfortable with the proposed cycle parking proposals as they exceed London Plan standards and there is cycle parking available in the public realm.

Delivery and servicing arrangements/refuse and recycling collections
The TS comments that servicing activity will be undertaken with similar arrangements to the existing site. Deliveries will be able to be transferred through Salway Place to the site, or from on-street loading bays present on The Grove. Vehicles up to and including a 7.5T box van will be utilised for servicing activity. For the aparthotel it is anticipated that generally deliveries will be made by small to medium sized light goods vans and that these will require limited waiting times to allow for loading and unloading only. The TS details that the aparthotel will generate 2 to 3 servicing trips per day, to include daily laundry visits plus catering and other consumables. The TS also predicts up to 4 servicing trips a day to the commercial/retail component of the development. Therefore, there will likely be up to 6/7 servicing visits a day. Compared to the existing arrangement at the site this is an uplift of 5/6 visits a day, and this is not considered problematical.

For refuse and recycling collections, again it is expected that the arrangements will be as existing, and the bin stores are located to the rear of the development to enable collection from Salway Place. This is acceptable to Transportation however colleagues in the Waste team will need to confirm their satisfaction with the proposed arrangements.

Construction Phase
An outline Construction Logistics Plan has been submitted with the application. This document provides a commentary on the proposed working arrangements to demolish the existing building and construct the new development. It confirms details such as the programme for the works (21 month construction period), and it is intended that the construction site will be serviced from Salway Place, whilst utilising a partial road closure and
maintaining the pedestrian/footway route. This CLP comments that there will be 2 phases of work and that all traffic movements associated with the construction works will take place off peak, and be overseen by traffic marshalls. All materials will be able to be stored within the site, and the appropriate measures will be used to deal with any dirt or dust nuisance on the Highway.

The Council’s Network Management Team have had this outline CLP forwarded to them for comment and they may add to the comments given above. In any instance, the applicant must acknowledge and understand that full Highways approval is required and needs to be obtained from the Network Management Team prior to the commencement of any construction works at the site, and also that there is another site close by that will need to use the same access arrangements from Salway Place which may prevent access for a period of time. Should this application be granted consent the applicant will need to engage with The Network Management Team once a contractor is appointed, to discuss the detailed proposals for accessing and servicing the construction of the development as part of the process of obtaining the necessary highways approvals and consents.

Conclusion
This application is for demolition of the existing building and provision of an 8 floor building comprising a 62 room apart hotel, and provision of 342 sqm of commercial floor space at ground floor, comprising two units. From the Transportation perspective, the site has excellent access to public transport services, and the additional person and servicing trips will not create any adverse impacts. The proposed arrangements for delivery and servicing trips are acceptable and the cycle parking proposed again acceptable subject to review of the detailed proposals (covered by condition). Should the consent be granted approval, the applicant must engage with the Council’s Network Management Team prior to the commencement of any construction works at the site, to agree an acceptable method of working for the build out and to obtain the necessary highways approvals and consents. The applicant must note that another development site close by will need to utilise the same access arrangements and therefore it is highly likely that only one of the development sites will be able to be built out at any one time.

Subject to satisfactory review of the proposed cycle parking arrangements, Transportation does not object to the application.”

04.10.2019

Requested s106 head of term for permit free development, including £2000 administration fee.
**Officer comments on consultation response:**

Matters related to Transport are discussed at Section 7.5 of this report.

The recommended conditions have been combined and included at Appendix 1.

The recommended head-of-term has been included at Appendix 2.

<table>
<thead>
<tr>
<th>Consultee:</th>
<th>LBN Economic Regeneration</th>
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<tbody>
<tr>
<td><strong>Date received:</strong></td>
<td>30 September 2019</td>
</tr>
</tbody>
</table>

**Summary of consultation response:**

No objection subject to heads of terms for:

- Local Labour (End Use Phase), including contribution of £221,410
- Local Labour (Construction Phase), including contribution of £75,912

**Officer comments on consultation response:**

Employment is discussed at Section 7.7 of this report.

Recommended Heads of Terms included at Appendix 2

<table>
<thead>
<tr>
<th>Consultee:</th>
<th>LBN Design Manager</th>
</tr>
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<tbody>
<tr>
<td><strong>Date received:</strong></td>
<td>24 September 2019</td>
</tr>
</tbody>
</table>

**Consultation response:**

“There have been several pre-application meetings regarding the redevelopment of this site, as well as a design review panel meeting. The applicant has responded positively to our comments and the design has improved as a result. I have no objection to the design of the proposed building which will enhance the character and appearance of the St John’s Conservation Area.

If you are minded to recommend approval I would suggest the following condition:

1. Sample of materials to be submitted to and approved by the LPA. This should include a full scale mock-up panel of a 1st floor, Broadway elevation window bay.”
Consultee: LBN Environmental Health
Date received: 4 September 2019
Consultation response:
No objections in principle, but conditions are recommended to control likely loss of amenity.

Suggested conditions:
- Grease Trap (A3 and Food Factories)
- Details of ventilation/plant/etc.
- Sound Insulation
- Transportation Noise
- Acoustic report
- Environmental Code - Detailed

Suggested informatives:
- Lifting Operations and Lifting Equipment Regulations
- Sound Insulation.
- Food Law Requirements
- Air Quality Management Area
- Air pollution and noise from demolition or construction sites.

Officer comments on consultation response:
Impacts to neighbouring amenity discussed at Section 7.6 of this report.
Recommended conditions included at Appendix 1

4.16 Design Review Panel

4.17 The application was presented to the Council’s Design Review Panel (DRP) on 8 May 2019. The report from the DRP is set out below.
Proposal: Demolition of existing building and erection of a new part 4, 6 and 7 storey building providing apart-hotel rooms and new commercial space.

Panel Members:

Toby Johnson (Chair)
Andrew Matthews
Carla Smyth

Summary:

We welcomed the opportunity to review these proposals and thanked the applicant for a clear presentation. The redevelopment of this site will have a key role in drawing life into the Cultural Quarter from the Broadway and vice versa, and we are supportive of proposals to intensify the use of site and maximise active frontages along the Broadway and Salway Place.

We acknowledged that the proposed building heights and massing reflect an earlier consented development on the site, but felt the building appeared slightly too tall for its plot and in the context of the adjacent buildings on the Broadway. There is a fine grain and a human scale about this part of the Broadway, reflecting the historic burgage plots, that has been lost in the newer parts of the town centre and care is needed in terms of how these sites are developed to ensure this historic grain remains evident and that a human scale is retained. The tallest part of the building would ideally be reduced by one storey, but a wider analysis of the site, context and the history of the street may help provide a justification for the heights proposed. A tripartite approach to the elevation and the establishment of a clear base, middle and top could also help reduce the apparent scale of the building and establish a more successful relationship with its immediate neighbours.

The significance of the site linking two important parts of the old town centre demands a special architectural response and while the emerging architectural language has the potential to be successful, presently the building looks rather generic and more richness and detail should be introduced.

We made the following detailed points for consideration and action by the design team:

Layout

We are supportive of the proposals to intensify the use of the site and the inclusion of commercial floor space at ground floor level to create active frontages to the Broadway and Salway Place. We enjoyed the tightness of the alley and think that the building proximities will create quite an exciting urban intensity.
The commercial units look very shallow and it is important the spaces are usable and attractive to tenants so that they contribute to the vitality of the town centre and active frontages. Ways of increasing the depths should be explored, such as omitting the poorly appointed ground floor bedrooms to gain commercial space. Capacity for extraction ducts going up to roof level should also be accommodated.

Scale and Massing

The overall heights and the stepped and staggered massing reflect that of the previously consented scheme but we felt that six storeys on the Broadway frontage would feel more comfortable due the width of the plot and the relationship with adjacent buildings. The amount of accommodation is bulking the scheme out and the proposition could be significantly improved if there is the flexibility to refine the massing. In any event a wider street elevation would be helpful to see the proposal in the context of the rest of the Broadway

Appearance

Our reservations about the scale of the building may, to some extent, also be a product of the architecture, which is quite tough and monumental for this relatively small building plot. Establishing a finer grain and a clearer tripartite articulation of base, middle and top may help overcome some of our concerns about scale.

The simple, gridded architecture is a reasonable starting point but this feels rather generic and more richness, detail and craft should also be introduced within the modules of the grid. The detail of the angled windows to Salway Place will be very important and should be carefully considered and quite simple.

The gable end at the corner of the Broadway and Salway Place has an important townscape role in terms of successfully turning the corner and emphasising the route through to the Cultural Quarter. This should be clearly articulated from the rear section of the building and the change in plane hinted at in the elevation needs to be real and meaningful in three dimensions. The relationship between the main gable element and the appendage to the rear at 4th floor level and above is not yet successfully resolved. The rear end gable is also an element of townscape importance. These components require particular attention and should be refined and developed to create a more distinctive and memorable architecture.
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:


2.15 Town centres
3.1 Ensuring equal life chances for all
3.2 Improving health and addressing health inequalities
4.1 Developing London’s economy
4.2 Offices
4.3 Mixed use development and offices
4.5 London’s visitor infrastructure
4.7 Retail and town centre development
4.8 Supporting a successful and diverse retail sector and related facilities and services
5.2 Minimising carbon dioxide emissions
5.3 Sustainable design and construction
5.5 Decentralised energy networks
5.6 Decentralised energy in development proposals
5.7 Renewable energy
5.9 Overheating and cooling
5.10 Urban greening
5.11 Green roofs and development site environs
5.12 Flood risk management
5.13 Sustainable drainage
5.14 Water quality and wastewater infrastructure
5.15 Water use and supplies
5.17 Waste capacity
6.9 Cycling
6.10 Walking
6.13 Parking
7.1 Lifetime neighbourhoods
7.2 An inclusive environment
7.3 Designing out crime
7.4 Local character
7.5 Public realm
7.6 Architecture
7.7 Location and design of tall buildings
7.8 Heritage assets and archaeology
7.9 Heritage-led regeneration
7.14 Improving air quality
7.15 Reducing and managing noise, improving and enhancing the acoustic environment and promoting appropriate soundscapes
7.19 Biodiversity and access to nature

5.5 The London Plan: The Spatial Development Strategy for Greater London (Draft for Consultation December 2017 with minor suggested changes July 2018)

Policy GG1 Building strong and inclusive communities
Policy GG2 Making the best use of land
Policy GG3 Creating a healthy city
Policy GG5 Growing a good economy
Policy GG6 Increasing efficiency and resilience
Policy SD6 Town centres
Policy D1 London’s form and characteristics
Policy D2 Delivering good design
Policy D3 Inclusive design
Policy D7 Public realm
Policy D8 Tall buildings
Policy D9 Basement development
Policy D10 Safety, security and resilience to emergency
Policy D11 Fire safety
Policy E7 Intensification, co-location and substitution of land for industry, logistics and services to support London’s economic function
Policy E8 Sector growth opportunities and clusters
Policy E9 Retail, markets and hot food takeaways
Policy E10 Visitor infrastructure
Policy E11 Skills and opportunities for all
Policy HC1 Heritage conservation and growth
Policy G5 Urban greening
Policy G6 Biodiversity and access to nature
Policy SI1 Improving air quality
Policy SI2 Minimising greenhouse gas emissions
Policy SI7 Reducing waste and supporting the circular economy
Policy SI8 Waste capacity and net waste self-sufficiency
Policy T2 Healthy Streets
Policy T4 Assessing and mitigating transport impacts
Policy T5 Cycling
Policy T6 Car parking
Policy T6.2 Office parking
Policy T6.4 Hotel and leisure uses parking
Policy T6.5 Non-residential disabled persons parking

5.6 Newham Local Plan (2018)

S1 Spatial Strategy and Strategic Framework
S2 Stratford and West Ham
SP1 Borough-wide Place-making
SP2 Healthy Neighbourhoods
SP3 Quality Urban Design within Places
SP4 Tall Buildings
SP5 Heritage & other Successful Place-making Assets
SP6 Successful Town and Local Centres
SP7 Quality Movement Corridors & Linear Gateways
SP8 Ensuring Neighbourly Development
SP9 Cumulative Impact
J1 Business and Jobs Growth
J2 Providing for Efficient Use of Employment Land
J3 Skills and Access to Employment
SC1 Environmental Resilience
SC2 Energy & Zero Carbon
SC3 Flood Risk & Drainage
SC4 Biodiversity
SC5 Air Quality
INF2 Sustainable Transport
INF3 Waste and Recycling
INF9 Infrastructure Delivery

5.7 Additional Guidance

Accessible London: Achieving an Inclusive Environment (October 2014)
Site Layout Planning for Daylight and Sunlight – A Guide to Good Practice (2011)
Sustainable Design and Construction SPG (April 2014);
Planning for Equality and Diversity in London SPG (October 2007)

5.8 London Plan Review

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 1st 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>
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</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);
- Employment (7.3);
- Tall Buildings (7.4);
- Design and Heritage (7.5);
- Impact upon Amenity (7.6);
- Transport and Travel (7.7);
- Access (7.8);
- Energy / Sustainability (7.9);
- Biodiversity / Ecology (7.10);
- Conclusions (7.11);
- Reasons for Approval (7.12)

7.2 Principle of Development

7.2.1 The National Planning Policy Framework (NPPF) at Chapter 6 states that “Planning policies and decisions should help create the conditions in which businesses can invest, expand and adapt.” Chapter 7 states that Planning policies and decisions should “support the role that town centres play at the heart of local communities, by taking a positive approach to their growth, management and adaptation.”

7.2.2 The London Plan at Policy 2.15 states that development proposals should accommodate economic growth “through intensification and selective expansion in appropriate locations”, and should “support and enhance the competitiveness, quality and diversity of town centre retail, leisure, employment, arts and cultural, other consumer services and public services.” Policy 4.7 states that “retail, commercial, culture and leisure development should be focused on sites within town centres”.

7.2.3 The Draft London Plan, at Policy SD6 states that town centres should be enhanced as “…hubs for a diverse range of uses including employment, business space, shopping, culture, leisure, night-time economy, tourism, civic, community, social, infrastructure and residential development”. Meanwhile, Policy GG2 identifies the importance of making efficient use of land, stating that those involved in planning and development must “Proactively explore the potential to intensify the use of land including public land, to support additional homes and workspaces, promoting higher density development, particularly on
sites that are well-connected by public transport, walking and cycling, applying a design-led approach."

7.2.4 The site is located within the Stratford Metropolitan Centre. The Local Plan at Policy S2 states that Stratford will “provide major employment and business opportunities derived from its international, regional and local connectivity, quality of environment and strategic retail growth (including a significant amount of higher order comparison goods), tourism and visitor economy including food, drink, arts and cultural, quality leisure and evening and night-time activity, and significant healthcare and education facilities (including higher and further education), together with the extensive service sector supporting these.”

7.2.5 The site is also located within the Stratford Central (S05) strategic site which is allocated for: “Renewal and reconfiguration of the existing retail offer, with scope for expansion of mainly comparison floorspace (in accordance with the requirements of Policy INF5) together with other town centre and residential uses and environmental quality, character and permeability improvements.

New Apart-Hotel Use

7.2.6 London Plan Policy 4.5 sets an objective of 40,000 net additional hotel bedrooms by 2036.

7.2.7 Draft London Plan Policy SD6 also states that “Tourist infrastructure, attractions and hotels in town centre locations, especially in outer London, should be enhanced and promoted.” Policy E10 states that The role of apart-hotels and short-term lettings should be supported whilst ensuring that they do not compromise housing provision.

7.2.8 The Local Plan at Policy SP6 supports provision of visitor and cultural attractions and facilities within town centres. This is reinforced by Policy S2 states that Stratford will “provide major employment and business opportunities.

7.2.9 The proposed scheme includes a 62 room apart-hotel across levels 1-6. This new use will provide 13 single rooms and 49 double rooms, adding to a total of 111 bed-spaces. Officers consider that the proposed apart-hotel use accords with the policy objectives, seeking to deliver a sufficient supply of hotel bedrooms in London. The use is also considered consistent with spatial policies which seek a wide mixture of commercial uses within town centre.
areas. Further, the provision of a new apart-hotel use within Stratford accords with Local Plan objectives for both Stratford Metropolitan Centre and the Stratford Central Strategic Site, particularly noting the support for tourism and the visitor economy in this area.

**New Commercial Uses**

7.2.10 The Local Plan at Policy SP6 emphasises the importance of “maintaining a robust retail core whilst ensuring a variety of unit sizes”.

7.2.11 The Local Plan at Policy J2 states that proposals should “achieve more efficient use of employment land to support economic growth sectors and wider growth needs”.

7.2.12 The proposals include the provision of two commercial units located on the ground floor and basement of the building. Unit 1 fronts Salway Place and includes 175sqm of floor space within use classes A1/A2/A3/B1(a). Unit 2 fronts Broadway and includes 169sqm of floor space within use class A1.

7.2.13 Officers consider that the proposed mixed-use development accords with identified policy objectives for the efficient use of employment land. Further, the proposed units include a range of use classes which are appropriate for town centre locations, whilst preserving the flexibility to decrease the chances of prolonged vacancy. The proposed use classes also accord with the identified priorities for the Stratford Central (S05) strategic site.

**Loss of Office Space**

7.2.14 The proposed development will include the loss of 483 sqm of A1 floor-space and 380 sqm of B1(a) floor-space.

7.2.15 The proposed scheme provides 344 sqm of floor space within use classes A1/A2/A3/B1(a). However, it is not certain that this floor-space will include B1(a) use.

7.2.16 The London Plan, Draft London Plan, and Local Plan direct new office uses towards Stratford. However, the loss of the above-mentioned floor space is considered acceptable on the basis that redevelopment provides for more efficient use of the site.
7.3 **Employment**

7.3.1 Local Plan Policy J3 requires all major development to help ensure that Newham residents have access to work and share in the increasing wealth associated with the expanding local and London-wide economy. To this end, proposals are expected to demonstrate a commitment to improved education, skills and training provision and removal of barriers to work for Newham residents. Policy J3 includes a target for Newham residents to occupy 35% of construction phase jobs and 50% of all end-use jobs, typically through a tariff-based contribution and an Employment Strategy, cognisant of proposed construction methods and sectoral specialisms and subject to viability.

7.3.2 The submitted Planning Statement specifies that “the proposed commercial units are likely to provide between 16 and 20 Full Time Equivalent (FTE) jobs and the proposed hotel is likely to generate 12 jobs, giving a total of between 28 and 32 FTE jobs.” The Planning Statement also notes the importance of promoting local employment through engagement with Workplace, and states that the applicant is willing to provide “a reasonable financial contribution towards training”.

7.3.3 The Council’s Economic Regeneration officers were consulted on the application and recommended s106 obligations relating to promoting local labour via Workplace, and local goods and services. Financial contributions were recommended based on employment levels at construction and end-use phase.

7.3.4 Officers have secured the recommended provisions for local skills and training, and Local Labour via Workplace within the heads of terms at Appendix 2.

7.4 **Tall Buildings**

7.4.1 Policy 7.7 of the London Plan requires formal applications for tall buildings to include urban design analysis, whilst Policy D8 of the Draft London Plan seeks to ensure that tall buildings are appropriately located and designed to a high standard.

7.4.2 Policy SP4 of the Local Plan notes that increased densities in the right locations will generally be encouraged, but also requires tall buildings, through
their location, height, and form, to promote regeneration and creation of successful places.

7.4.3 The proposed building is part 4, 6 and 7 storeys in height and is therefore required to satisfy the above-mentioned tall-building policies.

7.4.4 The Stratford Central Strategic Site is identified in the Local Plan as suitable for "Indicative building heights of 20 plus storeys: stepping down to low (4-5 storey) and mid rise (6 to 8) at the site margins, with particular sensitivity to the St Johns and University Conservation areas and Listed Buildings along the High Street/Broadway."

7.4.5 The proposed building is located approximately 55 metres from the Church of St John the Evangelist, and approximately 15 metres from the railings of the Church of St John the Evangelist, and is also within the St John's conservation area. The application was therefore advertised as affecting the setting of a Grade II listed building and Grade II listed street furniture.

7.4.6 The proposal first presented in pre-application meetings under 18/03048/PREAPP was for a building of 9 storeys. However, this was reduced to seven storeys in response to the LBN Design Managers comments, and prior to presentation to the DRP.

7.4.7 The DRP reviewed the proposed seven storey building and stated that "the tallest part of the building would ideally be reduced by one storey, but a wider analysis of the site, context and the history of the street may help provide a justification for the heights proposed."

7.4.8 The submitted Design and Access Statement and Planning Statement provide a detailed justification for the proposed scale of the development, including an appraisal of the surround building heights.

7.4.9 The immediate context includes 5 storey buildings to the north-east and south west, and an eight-storey building to the north-west. Officers consider that the proposed scale is appropriate, noting the surrounding built form, Strategic Site allocation, excellent transport connectivity, and the high quality design of the building.

7.5 Design and Heritage

7.5.1 Chapter 12 of the NPPF states that design quality should be considered throughout the evolution and assessment of individual proposals.
7.5.2 Policy 7.1 of the London Plan states that the design of new developments should help reinforce the character and accessibility of the area. Policy 7.4 additionally requires development to have regard to the form, function, and structure of an area, and the scale, mass, and orientation of surrounding buildings. Policy 7.6 encourages the use of high-quality materials and design appropriate to the local context. The above policies are maintained within Draft London Plan Policies D1, D2 and D3.

7.5.3 Policies SP1 and SP3 of the Local Plan state that high-quality development will be expected, which respects the positive elements and distinctive features of the Borough. Policy SP4 seeks to control the location and form of new tall buildings.

7.5.4 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.

7.5.5 In accordance with Section 72 Planning (Listed Buildings and Conservation Areas) Act 1990, in the assessment of the proposal the Council has paid special attention to the desirability of preserving or enhancing the character or appearance of that area.

7.5.6 The proposed building is part 4, part 6 and part 7-storeys in height. Two commercial units are provided at ground-floor and basement level. One unit fronts Broadway and the other fronts Salway Place, resulting in 100% active frontages. Entrance to the apart-hotel is from Broadway.

7.5.7 The proportions of the proposed shopfronts and hotel entrance have been designed to directly correspond with the adjacent buildings to ensure consistency across the wider street frontage.

7.5.8 An early iteration of the scheme was presented to the Design Review Panel on 8 May 2019. The full DRP comments are included at Section 4.17 of this report. The DRP encouraged reduction of the maximum building height from seven to six storeys to better reflect the history and character of the area.

7.5.9 The DRP also made the following recommendations:
establishment of a clear base, middle and top;
more architectural richness and detail was necessary.
explore ways of increasing the depths of commercial units, such as omitting the poorly appointed ground floor bedrooms
the detail of the angled windows to Salway Place will be very important and should be carefully considered and quite simple.
The gable end at the corner of the Broadway and Salway Place should be clearly articulated from the rear section of the building and the change in plane hinted at in the elevation needs to be real and meaningful in three dimensions.

7.5.10 In response to the DRP comments, the proposal was revised as follows:
removal of ground floor bed spaces
basement and ground floor commercial areas increased in size
more efficient layout of the core and circulation
reconfiguration of floor plans and reduction of rooms with windows on to light well
creation of a distinct top, middle and base to the Broadway elevation
additional architectural detail added to façades

7.5.11 The Council’s Design Manager was consulted on the submitted application and commented that “The applicant has responded positively to our [the Design Manager and DRP’s] comments and the design has improved as a result. I have no objection to the design of the proposed building which will enhance the character and appearance of the St John’s Conservation Area.

7.5.12 Officers consider that the form of the proposed building has improved successfully through the reapplication process. The building now includes a well-defined base, middle and top which, and creates positive impact on the street scape. The use of high-quality durable materials is supported, and the increased activation at ground floor on both the Broadway and Salway Place elevations is welcomed.

7.5.13 It is considered that the development is not harmful to the setting of Stratford St. Johns Conservation Area and the setting of Grade II listed building, Church of St John The Evangelist and Grade II listed street furniture, the Railings of Church of St John The Evangelist.
7.5.14 In order to secure the indicated design quality, officers have included a condition requiring submission of material samples, and a mock-up of the Broadway elevation. These details will be required prior to commencement of the above ground work.

7.5.15 The applicant has submitted a Daylight and Sunlight assessment prepared by XC02, relating to the internal conditions of the proposed development, which demonstrates adequate daylight and sunlight levels for the proposed use.

7.5.16 Officers consider that the scheme accords with policy objectives for built heritage and high quality design in the borough.

7.6 Impact upon amenity

7.6.1 Policy 7.6 of the London Plan requires that proposed buildings do not cause unacceptable harm to the amenity of surrounding properties. This requirement is maintained in policies D1 and D2 of the Draft London Plan.

7.6.2 Policy SP8 of the Local Plan states that all proposals are expected to achieve neighbourliness throughout the lifecycle of the development.

7.6.3 The application site is located within a high density area of the borough, presenting a risk of undue impacts to neighbouring amenity.

7.6.4 The Council has received five objections to the scheme, which include noise and disturbance at both construction and end use stage, loss of light, loss of privacy, light pollution, loss of access through Salway Place, and social issues arising from the proposed short-term letting. These potential impacts are discussed below.

Noise and Disturbance (Construction)

7.6.5 Several of the complaints received centred on potential noise and disturbance at construction phase.

7.6.6 The applicant submitted an Outline Construction Logistics Plan prepared by Caneparo Associates. The report identifies a range of strategies to reduce noise and vibration arising from construction works. All plant will be fitted with exhaust mufflers and noise suppression kits, and hand operated tools and equipment will be effectively silenced. Contact details for the Project Manager will be displayed at the Site and published on any temporary licenses granted by the Council (such as for hoarding or scaffolds).
7.6.7 LBN Environmental Health officers have reviewed the application and consider that a detailed Environmental Code is necessary to protect the amenity of neighbouring residents during the works. Officers have accordingly included a condition requiring submission of an Environmental Code prior to commencement of the development.

7.6.8 Subject to the conditions at Appendix 1, officers consider that noise and disturbance arising from demolition and construction works will be reduced to an acceptable level.

*Noise and Disturbance (End Use)*

7.6.9 Officers note that the scheme has been designed to provide acceptable internal noise levels within the development, and that the proposed mitigation measures will help to mitigate any impacts from the site to neighbouring amenity.

7.6.10 The applicant submitted an Acoustic Design Statement prepared by Airo, which identifies the existing noise levels at the site. The report concludes that the site is classified as low risk during the day and medium risk at night in respect of noise. A ProPG Stage 2 assessment found that internal noise levels could be achieved to accord with BS8233, by relying on high specification double glazing within the worst-affected elevations.

7.6.11 The Council’s Environmental Health officers recommended conditions to safeguard against undue noise levels associated with the proposed development, including details of ventilation and plant noise, and details of the proposed sound insulation scheme.

7.6.12 Officers have included the recommended conditions at Appendix 1. It is considered that the recommended conditions will be sufficient to ensure acceptable noise levels within the proposed building, as well as mitigating any noise impacts to neighbouring properties.

*Loss of Privacy*

7.6.13 A resident of the Q Building, located directly across Salway Place objected to the potential loss of privacy, stating that the building would “overlook the majority of the flats in our building and we have very large windows.”

7.6.14 Officers note that the building has been carefully designed to minimise the privacy impacts associated with the close-relationship with adjoining buildings. The elevation fronting Salway Place includes off-set windows, significantly
reducing the risk of overlooking whilst preserving a high-quality environment within the apart-hotel rooms.

7.6.15 Officers have also considered potential overlooking of residential units within the Richard Robert Residence. The potential for overlooking toward these units has been significantly reduced through careful design of the scheme. The north-western elevation of the building does not include any windows from ground to third floor. The only windows substantially facing this building are located within are in the upper floors, and are significantly set-back.

7.6.16 Officers have considered the potential for loss of privacy at neighbouring properties and consider that the proposed building reduces over-looking to an acceptable level.

Light Pollution

7.6.17 The objection comments received raised concerns in relation to light pollution arising from the site at end-user phase. The applicant has submitted an external lighting plan specifying wall-mounted, low-lux down-lighting around the building perimeter, bulkhead lights above the entrance to each unit and the apart-hotel entrance, and wall mounted down-lighting above the refuse door. Emergency low level downlights are proposed at roof level, however these are for maintenance purposes only.

7.6.18 Officers note that the proposed lighting scheme has been carefully designed to minimise light-pollution from the site, and consider that the lighting scheme will not cause undue impacts to neighbouring amenity.

Daylight and Sunlight

7.6.19 Objections have been received in relation to the loss of natural light at neighbouring properties, including the Q Building, located directly across Salway Place.

7.6.20 The Applicant has submitted a daylight and sunlight assessments prepared by XC02. The assessments has been undertaken in accordance with the BRE “Site Layout Planning for Daylight and Sunlight, A Guide to Good Practice” (2011).

7.6.21 The applicant has relied on the “mirror image” approach, set out in the BRE guide as follows: “to ensure that new development matches the height and proportions of existing buildings, the VSC and APSH targets for these
windows could be set to those for a ‘mirror image’ building using the same height and size, an equal distance away on the other side of the boundary”.

7.6.22 Daylight impacts have been assessed for 70 windows within neighbouring properties, with findings summarised as follows:

- 8 out of 70 windows passed the 25-degree line test;
- 8 of the remaining 62 windows achieved VSCs greater than 27%;
- 15 windows achieved relative VSCs over 0.8 of their former values;
- 1 window achieved a relative VSC over 0.7 of its former value;
- 35 windows attained relative VSCs over 0.8 of their mirror image;
- The remaining 3 windows did not pass the criteria due to site and design constraints

7.6.23 Sunlight impacts were assessed for 40 windows (those facing within 90 degrees of due south), with findings summarised as follows:

- 2 of the 45 windows passed the 25-degree line test.
- 7 of the remaining 43 windows satisfied the BRE with APSH results greater than 25% and WPSH greater than 5%, or of at least 0.8 of their former existing value with the proposed scheme in place;
- 3 windows achieved an APSH and WPSH of at least 0.6 of their former existing value;
- 6 windows achieved less than 4% reduction in annual sunlight. The remaining 27 windows are located on the flank wall of the Q Building do not meet BRE guidelines.

7.6.24 Officers note that the proposed development will result in derogations from the BRE guidelines. The worst affected residential properties are likely to be those within the Q Building, where the 27 windows fronting Salway Place will received considerably reduced daylight and sunlight relative to the current site configuration.

7.6.25 The applicant states that these impacts are concomitant with the density, and character of the area, and have noted that the BRE guidelines should not be applied rigidly.

7.6.26 The DRP considered the proximity of the proposed development to neighbouring buildings and were supportive of the tight urban grain which
would be created, noting in particular that the narrowness of Salway Place contributed to character of the area.

7.6.27 The identified daylight and sunlight impacts are considered to be consistent with the high density nature of the area. The scale and massing of the building is also considered to make efficient use of the site. Officers also note the employment benefits, design improvements and increased activation created by the scheme. Further, the scale of the building is within the parameters set in the Local Plan for the Stratford Central Strategic Site.

7.6.28 Officers have weighed the findings of the daylight and sunlight assessment against the benefits of the development as a whole. On balance, the benefits of the development, including high quality design, increased employment, and local regeneration, are considered to outweigh the identified daylight and sunlight impacts in this instance.

Summary

7.6.29 In summary, officers have given detailed consideration to the potential impacts to neighbouring amenity at both the construction and end use phases, and noted the concerns raised within the five objection comments. Subject to the conditions listed at Appendix 1, Officers consider that the scheme will not cause unacceptable impacts to neighbouring amenity.

7.7 Transport and Travel

7.7.1 The applicant has submitted a Transport Statement prepared by Caneparo Associates, accompanied by a Delivery and Service Plan, Outline Construction Logistics Plan, and Draft Employee Travel Plan.

7.7.2 The included trip generation assessment forecasts an increase of 32 trips during the AM peak and increase of 19 trips during the PM peak, which are not anticipated to have a material impact on the local public transport network.

7.7.3 LBN Transport Officers were consulted on the scheme and confirmed that the number of additional trips generated were considered to be acceptable, noting the site’s excellent public transport connectivity (PTAL 6B).

Car Free Development

7.7.4 The proposed development is car free, with a net loss of six car parking spaces at the site.
7.7.5 Transport Officers have confirmed the acceptability of a car free development in this location, noting the excellent public transport accessibility and close location to shops and services in Stratford Town Centre. Transport Officers have recommended inclusion of a s106 head of term preventing the issue of business parking permits and requiring a monitoring fee of £2,000. Officers have accordingly included the s106 head of term at Appendix 2.

7.7.6 Transport officers noted that twelve blue-badge parking spaces are located in Salway Road, a short walk from the development, and consider that these are sufficient to meet any increase in demand arising from the proposed development.

**Cycle Parking**

7.7.7 Eight cycle parking spaces are provide at basement level for users of the aparthotel, with a further 3 spaces in a separate store within Unit 1 (A1/ A2/ A3/ B1(a)). LBN Transport Officers confirmed that this was sufficient to meet Draft London Plan standards for long-stay spaces.

7.7.8 TFL officers were consulted on the application and noted that the lifts were too small to comfortably accommodate cycles. The applicant accordingly increased the lift dimensions to exceed the minimum internal dimensions of 1.2 by 2.3 metres, and a minimum door opening width of 1000mm.

7.7.9 TFL officers also requested inclusion of short-stay cycle parking in line with Draft London Plan requirements. However, LBN Transport Officers considered that existing cycle parking provisions in the vicinity of the site would remain sufficient for short-stay use, noting that the gyratory removal scheme has resulted in additional cycle parking within the nearby public realm.

7.7.10 LBN Transport officers requested further details of access arrangements and a dimensioned drawing to confirm the spacing and manoeuvring space around the cycle parking. Officers have accordingly added a condition requiring submission of cycle parking these details prior to above-ground works.

**Delivery and Servicing**

7.7.11 The submitted Delivery and Servicing Plan specifies that deliveries will occur from Salway Place or existing on-street loading bays on The Grove. Refuse and recycling collections will be from Salway Place, with site management responsible from taking the bins form the bin-store to the collection location.
The development is expected to generate 6-7 servicing trips per day across all uses.

7.7.12 LBN Transport officers have reviewed the Delivery and Servicing arrangements, and have noted that the predicted uplift in visits would not significantly impacts the road network.

Construction Phase
7.7.13 LBN Transport officers have noted that the site location presents significant logistical challenges during the demolition and construction phase, noting the confined site area, and limitations on vehicle access.

7.7.14 The submitted Outline Construction Logistics Plan sets out that the construction site will be serviced from Salway Place, and will require a partial road closure, maintaining the pedestrian route.

7.7.15 LBN Transport officers have emphasised the importance of engagement with Council’s Network Management Team prior to the commencement of construction works, once a lead contractor is appointed. Transport Officers have stated that a nearby development site will need to utilise the same access routes, and that it is highly likely that only one of the development sites will be able to be built out at any one time.

7.7.16 Officers have included a condition requiring a finalised construction logistics plan prior to commencement of the development. This will require the applicant to engage with the Network Management team in order to resolve both the construction logistics and timing of the development.

Summary
7.7.17 Subject to the recommended conditions at Appendix 1, officers consider that the scheme will not create any undue impacts on the surrounding road network.

7.8 Accessibility
7.8.1 London Plan Policy 4.5 and Draft London Plan Policy E10 support hotel developments providing 10 per cent of new bedrooms to be wheelchair-accessible.

7.8.2 The submitted Planning Statement commits to providing 5 accessible bedrooms, out of a total of 62 bedrooms. This equates to a rate of 8%, falling marginally short of the above policy targets.
7.8.3 The proposed number of accessible units is marginally beneath policy requirements, however officers do not consider this to warrant refusal of the application.

7.9 Energy/sustainability
7.9.1 Policy SI2 of the Draft London Plan sets a Zero-Carbon target for all major development, along with a hierarchy of carbon reduction measures to meet these targets. Policy SC2 of the Local Plan requires all new major development to be built in line with the London Plan Zero-Carbon target.

7.9.2 The applicant has submitted an Energy Statement prepared by environmental consultants, XCO2. The report proposes energy-saving measures including improved fabric thermal performance, air tightness improvements, and reducing the need for artificial lighting. Additionally, renewable energy will be generated at the site through the use of photovoltaic panels and air-source heat pumps.

7.9.3 In total, the proposed scheme will achieve a saving of 40% of regulated CO2 emissions, relative to the target emission rate under Part L of the Building Regulations 2013.

7.9.4 To secure the targeted energy savings, Officers have included a condition requiring the proposed 2.85 kWp (15 sqm) photovoltaic array to be installed and operational before first use of the development.

7.9.5 In addition to Zero-Carbon targets, The Local Plan at Policy SC1, Table 11 states that all major applications that are not solely residential new build must achieve a BREEAM rating of Excellent. The submitted Planning Statement specifies that the building will meet this requirement, and Officers have accordingly secured a BREEAM excellent rating through planning condition.

7.10 Biodiversity
7.10.1 Draft London Plan policy G5 and Local Plan Policy SC4 require developments to deliver a net gain in biodiversity value.

7.10.2 The proposed development includes sedum roofs, with the upper most sedum roof including co-located Photovoltaic Panels.

7.10.3 Noting the current absence of vegetation at the site, Officers consider that the proposed green roof will be sufficient to deliver a net gain in biodiversity.
7.11 Conclusions

7.11.1 Officers have considered the scheme in detail and are satisfied that the proposed mixed-use scheme accords with policy objectives for efficient use of land, the Strategic Site allocation, and relevant spatial policies. The development will contribute 62 new apart-hotel rooms to the borough, whilst the proposed commercial units will help to activate the ground-floor.

7.11.2 Redevelopment of the site will generate approximately 28-32 new full-time-equivalent jobs, and the applicant has committed to supporting local employment and supply chains via Workplace.

7.11.3 The design of the scheme has improved through the pre-application process, and has responded positively to recommendations from the DRP.

7.11.4 The scheme results in reduced daylight and sunlight to surrounding properties, particularly residential units within the Q Building, directly across Salway Place. Officers have noted comments from the Design Manager and DRP supporting the contribution to a tight urban grain, and have concluded that the loss of amenity is acceptable on balance.

7.11.5 Officers are also satisfied that the proposal complies with policy objectives regarding tall buildings, transport, energy and sustainability, and biodiversity. Officers have recommended conditions, and s106 heads of terms, where necessary to make the scheme acceptable in planning terms.

7.12 Reasons for Approval

7.12.1 In deciding to grant planning permission, the Council found the proposal to be acceptable following careful consideration of the relevant provisions of the National Planning Policy Framework, the Development Plan and all other relevant material considerations. The Council is satisfied that any potential material harm in terms of the impact of the proposal on the surrounding area would reasonably be mitigated through compliance with the listed conditions and associated legal agreement.
1.0  APPENDIX 1: CONDITIONS AND INFORMATIVES

Conditions

1. Time

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

Reason: to comply with the requirements of Section 91 of the Town and Country Planning Act 1990.

2. Approved documents

All works are to be undertaken in accordance with the following drawings and documents:

Drawings
- 3465_PL(20)001; Location Plan; 21.06.2019
- 3465_PL(20)02; Existing site and demolition plan; 21.06.2019
- 3465_PL(20)03; Site plan with ground floor plan; 21.06.2019
- 3465_PL(20)101_A; Basement floor plan; 25.09.2019
- 3465_PL(20)102_A; Ground floor plan; 25.09.2019
- 3465_PL(20)103_A; First floor plan; 25.09.2019
- 3465_PL(20)104_A; Second - Third floor plan; 25.09.2019
- 3465_PL(20)105_A; Fourth - Fifth floor plan; 25.09.2019
- 3465_PL(20)106_A; Sixth floor plan; 25.09.2019
- 3465_PL(20)107_A; Roof plan; 25.09.2019
- 3465_PL(20)108; Lighting strategy approach; 21.06.2019
- 3465_PL(20)200; South east / North elevation; 21.06.2019
- 3465_PL(20)201; North west / South west elevation; 21.06.2019
- 3465_PL(20)202; South - east elevation; 21.06.2019
- 3465_PL(20)203; North elevation; 21.06.2019
- 3465_PL(20)204; North-west elevation; 21.06.2019
- 3465_PL(20)205; South-east elevation; 21.06.2019
- 3465_PL(20)300; Section AA; 21.06.2019
- 3465_PL(20)301; Section BB; 21.06.2019
- 3465_PL(20)302; Section CC; 21.06.2019
- 3465_PL(20)303; Section DD; 21.06.2019
- 3465_PL(20)304; Section EE; 21.06.2019
- 3465_PL(20)305; Detail section A; 21.06.2019
- 3465_PL(20)306; Detail section B; 21.06.2019
- 3465_PL(20)307; Detail section C; 21.06.2019
- 3465_PL(20)308; Detail section D; 21.06.2019
- 3465_PL(20)400; Existing survey - basement; 21.06.2019
- 3465_PL(20)401; Existing survey - ground floor; 21.06.2019
- 3465_PL(20)402; Existing survey - first floor; 21.06.2019
- 3465_PL(20)403; Existing survey - side elevation; 21.06.2019
Reason: To ensure that the development is undertaken in accordance with the approved drawings and documents to ensure that the finished appearance of the development will enhance the character and visual amenities of the area and to satisfactorily protect the residential amenities of nearby occupiers.

Prior to commencement conditions:

3. Construction Logistics Plan

Notwithstanding the submitted Outline Construction Logistics Plan, the development hereby permitted shall not commence unless and until a finalised Construction Logistics Plan has been submitted to and approved in writing by the Local Planning Authority. The submitted Construction Logistics Plan shall include:

- an assessment of the cumulative impacts of construction traffic;
- details of the likely volume of construction trips and any mitigation measures
- site access arrangements
- booking systems
- construction phasing
- vehicular routes, including routes to site for construction traffic and deliveries
- road cleaning and wheel washing facilities
- scope for load consolidation to reduce generated road trips;
- full breakdown of the timing and details of construction works and their impacts on the public highway and private roads and upon transport infrastructure and operations
- proposed temporary parking suspensions and any temporary parking solutions
- protection of vulnerable road users such as cyclists and pedestrians on the public highway and private roads including FORS accreditation.

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

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

It is necessary for this condition to prevent the commencement of development until the requirements of the condition have been met because the timing of compliance is fundamental to the decision to grant planning permission.

4. Environmental Code

The development hereby permitted shall not commence unless an Environmental Code has been submitted to and approved in writing by the local planning authority, in respect of such matters as are likely to cause nuisance to adjoining occupiers. Details should include any demolition, ground works, (including decontamination), construction and access to the site, hours of operation, noise, dust, smoke, road cleaning, odour control, wheel washing and any other matters relevant to this particular site. The environmental code shall be adhered to for the duration of the construction works.

Reasons: To ensure that the construction does not prejudice the ability of neighbouring occupier’s reasonable enjoyment of their properties.

It is necessary for this condition to prevent the commencement of development until the requirements of the condition have been met because the timing of compliance is fundamental to the decision to grant planning permission.

5. Archaeology

The development hereby permitted shall not commence unless a stage 1 written scheme of investigation (WSI) has been submitted to and approved in writing by the local planning authority. For land that is included within the WSI, no demolition or development shall take place other than in accordance with the agreed WSI, and the programme and methodology of site evaluation and the nomination of a competent person(s) or organisation to undertake the agreed works.

If heritage assets of archaeological interest are identified by stage 1 then for those parts of the site which have archaeological interest a stage 2 WSI shall be submitted to and approved by the local planning authority in writing. For land that is included within the stage 2 WSI, no demolition/development shall take place other than in accordance with the agreed stage 2 WSI which shall include:
A. The statement of significance and research objectives, the programme and methodology of site investigation and recording and the nomination of a competent person(s) or organisation to undertake the agreed works.

B. The programme for post-investigation assessment and subsequent analysis, publication & dissemination and deposition of resulting material. This part of the condition shall not be discharged until these elements have been fulfilled in accordance with the programme set out in the stage 2 WSI.

Reason: to safeguard any heritage assets of archaeological interest at the site.

It is necessary for this condition to prevent the commencement of development until the requirements of the condition have been met because the timing of compliance is fundamental to the decision to grant planning permission.

Prior to above ground works conditions:

6. Materials and Façade Mock-Up

No above ground works shall commence until samples of the materials to be used in the construction of the external surfaces of the development hereby permitted have been submitted to and approved in writing by the Local Planning Authority.

This should include a full scale mock-up panel of a 1st floor, Broadway elevation window bay, to be inspected on site.

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

Reason: To ensure that the finished appearance of the development will respect the character and visual amenities of the local area.

7. Transport Noise

Prior to the commencement of above ground works on the development hereby permitted, a sound insulation scheme, based on the results and recommendations within the AIRO Acoustic Design Statement, reference REG/7241, dated 19th June 2019, shall be submitted to and approved by the Local Planning Authority. These measures are to include the specifications of the external facades, including all glazing and ventilation. Submissions shall include the noise mitigations’ manufacturers’ acoustic test data showing the required level of mitigation can be achieved for both LAeq and LAmax parameters.

Noise mitigation measures should produce internal noise levels specified in BS8233. The 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 the
occupation of the development and shall be permanently maintained
thereafter. The developer shall certify to the local planning authority that the
noise mitigation measures agreed have been installed.

Reasons: To protect the amenity of future occupants.

8. Details of Ventilation and Plant

A) Prior to the commencement of above ground works on the development
hereby permitted full details of the routing of mechanical ventilation and the
passive provision of associated ducting for all commercial units shall be
provided to and approved by the Local Planning Authority. The approved
scheme shall be installed and commissioned prior to occupation of the
development and shall be permanently maintained in proper working order
thereafter.

B) Prior to the occupation of any unit within the development for Class A3
(food and drink) purposes full details of any mechanical ventilation or other
plant associated with each such unit shall be submitted to and approved by
the Local Planning Authority. Such details to include full specifications of all
filtration, deodorising systems, noise output and termination points. Particular
attention shall be given to the potential high-level discharge of kitchen extract
air and the discharge of toxic or odoriferous extract air where a high level of
discharge is usually essential. The approved ventilation equipment and other
plant shall be installed and commissioned prior to occupation of the
development and shall be permanently maintained in proper working order
thereafter. Reference shall be had to now withdrawn Guidance on the Control
of Odour and Noise from Commercial Kitchen Exhaust Systems published by

Reasons: To protect the amenity of future occupants and/or neighbours.

Prior to first occupation/use conditions:

9. Waste Water

The development shall be occupied until confirmation has been provided that
either:
1. Wastewater capacity exists off site to serve the development; or,
2. A housing and infrastructure phasing plan has been agreed with Thames
Water. Where a housing and infrastructure phasing plan is agreed, no
occupation shall take place other than in accordance with the agreed housing
and infrastructure phasing plan; or,
3. All wastewater network upgrades required to accommodate the additional
flows from the development have been completed.

Reason: Network reinforcement works may be required to accommodate the
proposed development.

10. Sound Insulation
Prior to the occupation of the development hereby permitted a scheme of sound insulation shall be designed and installed between residential and non-residential uses such that the sound insulation provided shall meet the following standards.

- International Organization for Standardization Noise Rating curves (NR)
- NR 25 in bedrooms (2300 to 0700)
- NR 30 in all habitable rooms (0700 to 2300)

If there is a distinguishable tone the NR curves should be reduced to NR 20 and NR 25 respectively. Noise Rating curves should be measured as a 15 minute linear Leq at the octave band centre frequencies 31.5 Hz to 8 kHz.

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

Reasons: To protect the amenity of future occupants.

11. Cycle Parking

The development hereby permitted shall not be first occupied unless and until details of the proposed cycle parking have been submitted to and approved in writing by the Local Planning Authority. This should include:

- access arrangements
- detailed specifications of cycle stands
- detailed layout of cycle stores, showing separation distances

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

Reason: To ensure high-quality provision of cycle spaces is made within the site and to encourage sustainable modes of transport.

12. BREEAM

The development hereby approved shall not be occupied until certification has been submitted to and approved in writing by the Local Planning Authority which confirms that the development achieves a minimum BREEAM assessment rating of ‘Excellent’.

Reason: To ensure that the development achieves a high level of sustainability.

13. Renewable Energy

The development hereby approved shall not be occupied until confirmation of installation of photovoltaic panels and air-source heat pumps has been submitted to and approved in writing by the Local Planning Authority. The photovoltaic panels and air-source heat pumps must be capable of delivering the carbon-dioxide savings specified in the approved Energy Statement.

Reason: To ensure that the development achieves a high level of sustainability.
**Monitoring:**


Prior to the installation of any mechanical plant on the development hereby permitted, an acoustic report shall be submitted to and approved by the Local Planning Authority. Plant operation and activity on site shall not give rise to a BS4142 rating level greater than the background level at the nearest or worst affected property. Where it is considered impractical to meet this noise standard the report should detail mitigation measures taken to reduce noise to a minimum.

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

Reasons: To protect the amenity of future occupants and neighbours.

15. Grease Traps

Prior to their installation, full details of any grease trap(s) or grease digester system(s) to be installed for any commercial kitchen shall be submitted to and approved by the Local Planning Authority. Details should include plan and sectional drawings with measured drain sizes and invert levels, full manufacturers specifications etc.

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

Reasons: To protect the amenity of future occupants and/or neighbours.

**Informatives**

1. Lifting Operations and Lifting Equipment Regulations 1998 (LOLER)

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

Note: Compliance with Planning Law does not automatically mean that you will comply with more specific Health and Safety Law requirements.

2. Food Law Requirements

The kitchen and other food areas of the premises need to comply in full with:
a) EU 852/2004 as enforced by the Food Hygiene (England) Regulations 2006  
b) EU 178/2002 as enforced by the General Food Regulations 2004  
c) The Food Premises Registration Regulations 1991, (under these regulations there is a requirement to register with the Environmental Health Service at least 28 days prior to opening. This form is accessible from Newham’s website).

All structural finishes and equipment must comply with the catering Guide(industry) to Good Hygiene Practice ; Chadwick House Group ltd

Particular Requirements of the Hygiene Legislation Include:

a) Sufficient internal and external hygiene refuse storage capacity. The external store should be capable of accommodating standard Council wheeled bins of a total capacity appropriate to the scale of the business. External bins should not be placed in a position where they are likely to cause an obstruction  
b) Provision of double sink and wash-hand basin in main food preparation area  
c) Hot water supply to all wash-hand basins and sinks should preferably be from a gas fired balanced flue instant water heater.  
d) Sufficient refrigeration and freezer capacity.  
e) Sufficient hot food storage / display/capacity (if applicable).  
f) Kitchen layout to facilitate separation of raw and cooked food handling and preparation.  
g) Adequate artificial lighting levels throughout, achieved by means of fluorescent tube lights, (minimum wattage 40 watts) fitted with diffusers.  
h) Sufficient general ventilation to all rooms  
i) Extraction ventilation to food preparation areas/rooms must be capable of maintaining at least 20 air changes per hour.  
j) Creation of a lobby between the WC and the food rooms  
k) All structural finishes, work surfaces and equipment to be of durable, smooth and impervious materials.

Further details in respect of food requirements are available from The London Borough of Newham, Housing and Public Protection, Food Safety Unit, tel.: 020 8430 2000 Ext. 37709, food@newham.gov.uk or www.newham.gov.uk

Compliance with Planning Law does not automatically mean that you will comply with these more specific Food law requirements.

3. Air Quality Management Area

The proposed development lies adjacent to Newham’s Air Quality Management Area that was declared in March 2002. When deciding upon ventilation to the building you should consider how to reduce exposure to road traffic pollution. For details of the area, the review and assessment of air quality in Newham and the Action Plan that sets out how the Council will act to
tackle air pollution the applicant should contact Public Protection (Pollution Control Unit) at Pollution Control Unit, Housing & Public Protection, Third Floor, West Wing, Newham Dockside, Dockside Road, London E16 2QU Tel 020 3373 0643.

4. Air pollution and noise from demolition or construction sites.

Smoke.
Bonfires should not be used on any construction or demolition sites. Burning materials causes smoke that will contain carbon monoxide, particles and a range of noxious compounds. A bonfire will add to the background level of air pollution, which can cause adverse health affects to persons on site and beyond the site boundary. The smoke, smell and smuts from bonfires can also cause annoyance to neighbours and bonfires may get out of control and become dangerous.

The Clean Air Act 1993 makes it an offence to burn any material that results in the emission of dark smoke on industrial or trade premises (including demolition sites), with a maximum fine of £20,000.

The Environmental Protection Act 1990 gives Local Authorities and the Environment Agency the power to control smoke arising from burning waste on site. In cases where complaints have been received, or the Council has reason to believe that burning is to take place and nuisance is likely to occur, an Abatement Notice may be served prohibiting nuisance and specifying steps to be taken to minimise further problems. If the requirements of the notice are not satisfied the local authority can enforce by taking legal proceedings.

Dust.
Dust from demolition and construction work can also damage health and impact upon quality of life by leaving deposits on cars, windows and property. These impacts can be reduced through using measures such as:
• Using water sprays or sprinklers to suppress dust during dust generating activities such as filling skips, breakout of concrete and managing stock piles
• Washing the wheels of vehicles leaving the site if they are carrying mud or debris.
• Erecting solid barriers to the site boundary.
• Ensuring that lorries leaving the site carrying debris or waste are properly covered.
• Cleaning the road and footpath near the site entrance as required.

Where disk cutters are to be used they should have a dust bag, have water suppression or the working area should be wet prior to use of the machinery. Where demolition or construction is due to occur over greater than one week the contractor should provide the local authority with a dust management protocol. This should detail the identification of dust generating activities, their location, duration and the means by which the dust shall be suppressed. Under the Environmental Protection Act 1990 dust from a demolition or construction sites may, like smoke, be a statutory nuisance. As above the
local authority may serve an abatement notice on the person responsible and take legal proceedings if the notice is not complied with.

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

In addition, the GLA Best Practice Guide for dust, currently in draft format, is seen as the most comprehensive dust management protocol. Contractors should be aware of its details regarding the efficient management of dust and particulate on site.
http://www.london.gov.uk/mayor/environment/air_quality/construction-dust.jsp

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

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

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

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

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

6. General
Please note that if you are carrying out demolition works you may need to notify the council as required by the Building Act 1984. This enables the council to protect public safety and ensure that adjoining premises and the site are made good on completion of the demolition. For further information
contact London Borough of Newham Council Building Control Service on 020 8430 2000 or Email: reception.bco@newham.gov.uk
2.0 APPENDIX 2: HEADS OF TERMS

1. Administrative

Payment of the Council’s reasonable professional and legal costs, whether or not the agreement completes.

Payment of the Council’s reasonable fees in monitoring and implementing the S106 payable on completion of the legal agreement.

Indexing – All contributions payments to be index linked from the date of the decision to grant planning permission to the date on which payment is made, using BCIS index.

2. Local Labour – Construction

Local Labour, local goods and services. Financial contribution of £75,912, payable on implementation of the development.

3. Local Labour – End Use

Local Labour, local goods and services. Financial contribution of £50,608, payable on implementation of the development.

4. Energy – Carbon Offsetting

Carbon Offsetting payable at a rate of £60 per tonne for 30 years – worked out at £34,740. Payable on implementation of the development.

5. Permit Free Development

Permit Free Agreement for the restriction on applications for car parking permits (with respect to surrounding RPZ’s) associated with the commercial uses (business permits) and administration of monitoring fee payable at £2,000 payable on completion of the Legal Agreement.
3.0 APPENDIX 3: PROPOSED PLANS AND IMAGES

Site Location

Proposed Ground Floor

London Borough of Newham
Proposed First Floor

Proposed Broadway Elevation

London Borough of Newham
CGI of Proposed Scheme