



**LOCAL AUTHORITY REGULATION 3 APPLICATION
APPLICATION FOR PLANNING PERMISSION**

**Town and Country Planning Act 1990 (as amended)
Town and Country Planning (Development Management Procedure) (England) Order 2015
The Town and Country Planning General Regulations 1992 (as amended)**

APPLICANT:

Mr Warren Myles LB Newham - Strategic
Regeneration
Newham Dockside
1st Floor Wing
1000 Dockside Road
London
E16 2QU

AGENT:

Mrs Frances Young DLP Planning Limited
The Green House
41 - 42 Clerkenwell Green
Farringdon
London
EC1R 0DU

Part I - Particulars of Application

APPLICATION NO: 19/03281/LA3 **DATE OF APPLICATION:** 22nd November 2019

PROPOSAL: Erection of a six storey block of flats to provide 27 affordable residential units (use class c3), comprising a tenure of;
- six no. 1 bed units, five no. 2-bed units, four no. 2 bed-wheelchair units and twelve no. 3 bed units all to be provided at 'London affordable rent', with associated landscaping, boundary treatments and cycle parking.

LOCATION: Garages 2 To 16
Forest View Road
Manor Park
London

Part II - Particulars of Decision

The London Borough of Newham hereby gives notice that planning permission has been **GRANTED** for the carrying out of the development referred to in Part I hereof and as described and shown on the plan(s) and documents(s) submitted with the application, subject to conditions and reasons listed below and subject to the completion of a unilateral undertaking made pursuant to s106 of the Town and Country Planning Act 1990 (as amended):

Conditions and Reasons

1. Statutory Time Limit - Planning Permission

The development hereby permitted shall be commenced before 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 (as amended).

2. Development in accordance with Approved Plans

The development hereby approved shall only be carried out in accordance with the approved plans and documents listed below:

- Proposed Site Plan – 19083-00-003P (Revision B) – Dated: 20.01.20
- Proposed Ground Floor Plan – 19083-10-001P (Revision B) – Dated: 20.01.20
- Proposed First Floor Plan – 19083-10-002P (Revision B) – Dated: 20.01.20
- Proposed Second to Fourth Floor Plan – 19083-10-003P (Revision B) – Dated: 20.01.20
- Proposed Fifth Floor Plan – 19083-10-004P (Revision B) – Dated: 20.01.20
- Proposed Roof Plan – 19083-10-005P (Revision B) – Dated: 20.01.20
- Proposed Elevations – North Elevations – 19083-20-001P (Revision B) – Dated: 20.01.20
- Proposed Elevations – South Elevations – 19083-20-002P (Revision B) – Dated: 20.01.20
- Proposed Elevations – East & West – 19083-20-003P (Revision B) – Dated: 20.01.20
- Proposed Sections – 19083-20-101P (Revision B) – Dated: 20.01.20
- Indicative Façade Detail Sheet 1 – 19083-50-102P (Revision B) – Dated: 20.01.20
- Indicative Façade Detail Sheet 2 – 19083-50-102P (Revision B) – Dated: 20.01.20

Documents

- Design and Access Statement – produced by: newground architects – Dated: November 2019
- Drainage Strategy – produced by: Perega – Dated: 20 November 2019
- Ecological Assessment – produced by: Anna French Associates Ltd – Dated: November 2019
- Energy Statement – Produced by: CBG consultants – Dated: 20th October 2019
- Flood Risk Assessment – Produced by: Fairhurst – Dated: November 2019
- Noise and Impact Assessment – produced by KP Acoustics – Dated: 11.10.2019
- Overheating Report – Produced by: CBG Consultants – Dated: 21.11.2019
- Planning Statement – Produced by: dlp planning – Dated: November 2019
- Transport Statement – Produced by: Sanderson Associates – Dated: November 2019
- Travel Plan – Produced by: Sanderson Associates – Dated: November 2019
- Water Efficiency Calculation – Produced by: CBG Consultants – Dated: 18.11.19
- Daylight, Sunlight and Overshadowing – Produced by: XCO2 – Dated: December 2019

- Proposed Scheme – Daylight and Sunlight - Produced by: XCO2 – Dated: December 2019
- Draft Construction Management Plan – Revision A – produced by: SDD – Dated November 19 – submitted: 21 January 2020

No other drawings or documents apply.

Reason: To ensure that the development is undertaken in accordance with the approved drawing(s) and document(s) 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 above ground works Conditions

3. Soft Landscaping Plan

Prior to the commencement of above ground works, a schedule of soft landscaping improvements, including a replacement tree planting scheme and any measure to promote on-site biodiversity, will be required to be submitted to and approved in writing by the Local Planning Authority. The soft landscaping features as shown on the approved plans shall be carried out in the first planting season following the completion of the development. Any trees, shrubs or plants that die within a period of five years from the completion of the development or are removed and/or become seriously damaged or diseased in that period, shall be replaced (and if necessary continue to be replaced) in the first available planting season with others of similar size and species, unless the Local Planning Authority gives prior written permission for any variation.

Reason: To ensure a high quality landscape treatment of the site is achieved which will enhance the character, appearance and biodiversity of the site and the local area.

4. Details of Collapsible Balustrade

No above ground works shall commence under details of the proposed collapsible balustrade have been submitted to and approved by the Local Planning Authority.

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

5. Control of Dust and Emissions from Construction and Demolition

The demolition and construction approved by this planning consent shall be undertaken in accordance with the Greater London Authority and London Councils “the Control of Dust and Emissions from Construction and Demolition SPG”.

Reason: To protect the environment.

6. Cycle Parking Facilities

No above ground works shall commence until and unless details for the provision secure, integrated, and accessible cycle parking facilities have been submitted to and approved in writing by the Local Planning Authority. Such provisions shall be made/constructed prior to the first occupation of the building(s) and shall thereafter be made permanently available for the occupants of the building(s).

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

7. Sound Insulation

Prior to the commencement of above ground works on the development hereby permitted, details of the proposed sound insulation scheme to be implemented between the residential accommodation on Level 4 and the roof terraces on Level 5 shall be submitted to and approved by the Local Planning Authority. Details should include airborne and impact sound insulation. The developer shall certify to the local planning authority that the noise mitigation measures agreed have been installed. The approved scheme is to be completed prior to occupation of the development and shall be permanently maintained thereafter.

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

8. Noise and Vibration

Prior to the commencement of above ground works on the development hereby permitted the developer shall submit to the local planning authority a further report to demonstrate the glazing and building fabric meets the specifications set out in the submitted acoustic report. The report shall be reviewed by the local planning authority and the approved scheme shall be implemented by the developer.

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

9. Acoustic report (Re Heat Pumps)

Prior to the commencement of above ground works on the development hereby permitted, an acoustic report shall be submitted to and approved by the Local Planning Authority. All 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 effected property. Where it is considered impractical to meet this noise standard the report should detail mitigation measures taken to reduce noise to a minimum. The approved scheme shall be implemented prior to occupation of the development and shall be permanently maintained thereafter. The developer shall certify to the local planning authority that the noise mitigation measures agreed have been installed.

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

10. Contamination

a). Prior to the commencement of above ground works on the development, an investigation into ground conditions shall be undertaken in accordance with the Model Procedures for the Management of Land Contamination, Environment Agency, Contaminated Land Report 11. The report of the investigation and proposals for any remediation required shall be submitted to and approved in writing by the Local Planning Authority.

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

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

Please see the informative(s) below for further advice and information.

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

Prior to first occupation and/or use Conditions

11. Secure by design

Prior to the first occupation of each building or part of a building or use, a 'Secured by Design' accreditation shall be obtained for the relevant Secured by Design guide(s) or alternatively achieve Secured by Design standards to the satisfaction of the Metropolitan Police. Details of which shall be provided in writing to the Local Planning Authority prior to first habitation or use. All security features are to be fully retained and maintained for the lifetime of the development.

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

12. Delivery and Servicing Plan

The development hereby permitted shall not be first occupied unless and until a fully detailed Delivery and Servicing Plan (DSP) has been submitted to and approved in writing by the Local Planning Authority. The development shall only be constructed in accordance with the approved details.

Reason: To ensure that vehicle movements associated with the use hereby permitted remains consistent and that the use shall not represent any unacceptable level of vehicle movements such that the safety of pedestrians shall be unduly prejudiced.

13. Carbon Emissions

The development shall achieve carbon emission reduction savings of no less than 61%, over the Target Emissions Rate in Building Regulations (2013) in accordance with the submitted documents.

Prior to first occupation of the development, a statement with supporting evidence shall be submitted to and approved in writing by the Local Planning Authority to demonstrate that the above has been achieved.

Reason: To ensure the optimum energy and resource efficiency measures, low carbon and on site renewable energy generation.

Monitoring & Management Conditions

14. Construction Management Plan

Within 4 weeks of the date of this decision, the applicant shall make contact with the Council's Network Management Team to discuss all matters pertaining to details within the submitted document Draft Construction Management Plan Revision A prepared by DLP Planning Ltd dated November 2019 – submitted 21 January 2020.

Save for the matters outlined in the bullet points below, all works undertaken with respect to the development hereby approved (including demolition), shall be undertaken at all times in accordance with the submitted document Draft Construction Management Plan Revision A prepared by DLP Planning Ltd dated November 2019 – submitted 21 January 2020.

- Site specific non-road mobile vehicles.

Reason: To ensure that works do not prejudice the ability of neighbouring occupiers' reasonable enjoyment of their properties, to ensure that works shall not represent any unacceptable level of vehicle movements such that the safety of pedestrians or other road users shall be unduly prejudiced.

15. Site specific non-road mobile vehicles, Air Quality

During onsite construction works, all non-road transportable industrial equipment or vehicles which are fitted with an internal diesel powered compression ignition engine between 37 and 560KW and not intended for transporting goods or passengers on roads are required to meet Stage IIIB of EU Directive 97/68/E and be NRMM registered. Such vehicles must be run on ultra low sulphur diesel (also known as ULSD 'cleaner diesel' or 'green diesel'). "Ultra low sulphur diesel" means fuel meeting the specification within BS EN 590. Where these standards are succeeded, they should be applied when reasonable but not later than 1 year after.

Exemptions to these standards may be granted for specialist equipment or for equipment with alternative emission reduction equipment or run on alternative fuels. Such exemptions shall be applied for in writing to the LPA in advance of the use of such vehicles, detailing the reasons for the exemption being sought and clearly identifying the subject vehicles. Exemptions that are granted will be in writing and such vehicles must not be used until written exemption has been received by the applicant.

No vehicles or plant to which the above emission standards apply shall be on site, at any time, whether in use or not, unless it complies with the above standards, without the prior written consent of the local planning authority.

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

16. Impact Piling

No impact piling shall be permitted during the construction of this development without the written permission of the local planning authority.

Reasons: To ensure that the development does not prejudice the enjoyment of neighbouring occupiers of their properties.

17. Materials and Details

Notwithstanding the material samples provided, the external surfaces of the development hereby approved shall be completed in accordance with the materials and details listed below:

Brickwork

Main brick: Michelmersh Freshfield Lane – Selected Light – standard bond with soldier course to window heads and below copings

Accent brick (to entrance areas): stack bonded glazed brickwork EH Smith Oyster pink

Special bricks: to all non 90 degree corners and window heads

Air Bricks: (Whole House Vent intake/extract) masonry to match brick colour

Mortar: proprietary mix, flush pointing

Windows and doors

Proprietary composite system colour coated aluminium external and painted timber internal. Slim profile frame. No visible weep holes or visible trickle ventilation.

System: Leiab Royal

Colour: RAL 7038 (Agate Grey)

Full brick reveals to all windows - with window set behind brickwork

Proprietary lintel system with brick slip hanger & soldier course to all window soffits

System: IG Lintels (or similar)

Sills: Made to measure precast reconstituted stone with fall and drip

Sizes: full width of opening in one piece

Finish: medium honed

Entrance doors: Solid flush external entrance doors with glazed sidelight – PPC aluminium facing with plain profile – with simple brushed stainless steel ironmongery (handles/locks) – colour: RAL 7038 (Agate Grey) Postboxes: SafetyLetterBox Company Com 1 mailboxes recessed in wall

Copings

Made to measure precast reconstituted stone, flush with brick exterior with fall and drip towards roof – to all parapets, terraces and façade bays

Sizes: lengths to be maximised to reduce joints and fixings

Finish: medium honed

Metalwork

Factory colour coated galvanised steel balustrades and gate, comprising steel flats to top/bottom/sides and circular vertical steel infill rods at 100mm max spacings

Colour: to match window colour - RAL 7038 (Agate Grey)

Paviors

High quality concrete paviors (to front and rear garden areas);

Hardscape - Kellen, Breccia Colour – Bianco

Any variation to the above shall be submitted to the Local Planning Authority for approval in writing.

Reason: to ensure development is of high design quality

Informatives

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

1. Working with the applicant

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

2. Community Infrastructure Levy (CIL)

This development may be considered a chargeable development. The Mayor of London's CIL and the Newham CIL charging schedules currently apply in the London Borough of Newham.

Refer to the planning portal for general CIL information:

<http://www.planningportal.gov.uk/planning/applications/howtoapply/whattosubmit/cil>

For further information please email: cil@newham.gov.uk

3. Secure by Design

The applicant must seek the advice of the Metropolitan Police Service Designing Out Crime Officers (DOCOs). The services of MPS DOCOs are available free of charge and can be contacted via docomailbox.ne@met.police.uk or 0208 217 3813.

4. Land Contamination

For advice and information upon contaminated land site investigation, risk assessment and implementing a remediation strategy it is recommended that the developer contacts the Environmental Control Unit, Housing & Public Protection, First Floor, West Wing, Newham Dockside, Dockside Road, London E16 2QU Tel 020 3373 0643. The Unit has produced a leaflet 'Developing Contaminated Sites' which can be downloaded free from www.newham.gov.uk. The developer shall notify the Council's Development Control and the Environmental Control Unit of the start dates and programme of site investigations and any subsequent remediation works.

For the site investigation, risk assessment and remediation strategy reference should be made to:

- Model Procedures for the Management of Land Contamination, Environment Agency Contaminated Land Report 11. This document can be downloaded free from www.environment-agency.gov.uk
- BS 10175: Investigation of potentially contaminated sites – Code of Practice
- Building Regulations 2010 APPROVED DOCUMENT C Site preparation and resistance to contaminants and moisture: C1 Site preparation and resistance to contaminants.

If the site investigation reveals land contamination the associated report must include the results of a source-pathway-receptor environmental risk assessment with regard to the current use and proposed development.

If the site investigation discovers organic containing natural soils or made ground then monitoring of potential ground gases, over a suitable period of time, will be required in order to determine the requirement for gas mitigation measures in the development.

If the site is located in a groundwater protection zone or if groundwater is encountered during the site investigation then the groundwater should also be tested for contamination. The Local Planning Authority may require more detailed groundwater monitoring to be undertaken on the advice of the Environment Agency.

A remediation scheme should include, where necessary, a long-term commitment to maintenance of any works and measures required by the Local Planning Authority or the Environment Agency.

Remediation capping layers based upon 'Cover systems for land regeneration' BR 465 by the Building Research Establishment will not be accepted, as this is not approved by the Environment Agency.

No soils, or infill materials should be imported onto the site unless they have been satisfactorily proven to be uncontaminated and present no risks to human health, planting and the environment. A declaration to this effect, together with acceptable documentary evidence to confirm the origin of all imported soils and infill materials, supported by appropriate chemical analysis test results, should be obtained and copies may be requested by the Local Planning Authority.

Anyone procuring analytical services must ensure that the data supplied to the Local Planning Authority meets the requirements in the Monitoring Certification Scheme (MCERTS). Laboratories undertaking the chemical testing of soil must be accredited, the analytical methods should be appropriate and fit for the purpose of the parameter being investigated and the sampling procedures and the audit trail should also conform.

Supporting reports should be prepared by appropriately qualified professionals. All reports should be sent directly to the planning case officer in the Development Control Unit. For each application at least two copies of each report should be submitted in hard copy format plus a further copy in electronic

format. The planning case officer will forward the reports on to the appropriate consultees for comment. Applicants are advised against entering into direct negotiation with either the Environmental Control Unit, Environment Agency or any other Council department consultees without notifying the planning case officer.

5. Explosive Ordnance

The property lies within an area of the borough that has been identified as being at potential risk from buried explosive ordnance due to wartime bombing. It is recommended that professional advice is obtained and a risk assessment undertaken to identify and analyse any threat posed by ordnance before works commence.

6. Sound Insulation

The sound insulation between flats in this development must meet or exceed the standards set out in approved Document E of the Building Regulations. Reference should be had to the Council's Building Control Department or an approved building inspector.

7. Stacking Informative (1st to 2nd and 4th to 5th floors)

The relative internal arrangement of the flats is not ideal. We would usually recommend that 'like for like' rooms are positioned adjacent to and above one another so as reduce the potential for later noise problems.

8. 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.

9. Housing Ventilation

The mechanical ventilation to the bathrooms should comply with Part F of the Building Regulations 2010. (This also works for utility rooms)

Where the kitchen areas form part of a living room they should be provided with mechanical extract ventilation (or other approved alternative to a window opening) to prevent transmission of water vapour and odours to the living areas.

Kitchens without windows should have mechanical ventilation to comply with the latest Building Regulations.

10. Asbestos – Construction/Demolition Law Requirements (Health & Safety)

This application may involve the disturbance of asbestos bearing materials. The Control of Asbestos Regulations 2012 will apply whenever asbestos is present, even if the asbestos is in the form of cement sheeting, guttering or flues. The Regulations require anyone who owns, occupies or has any

other responsibility for a premises to either manage that asbestos or co-operate with another party to ensure it is managed. This includes demolition contractors.

Where asbestos is present the Control of Asbestos Regulations 2012 will apply whether or not the whole project is subject to the Construction (Design and Management) Regulations 2015 (CONDRAM), which govern health and safety through all stages of a construction project.

To ensure compliance with the Control of Asbestos Regulations 2012 it is likely that a “Demolition and Refurbishment survey” of the building to be demolished or undergoing major refurbishment will be necessary. Such a survey should be carried out in accordance with the Health and Safety Executive (HSE) guidance document HSG 264 ‘The survey Guide’. ISBN: 9780717663859.

Even if the only asbestos found to be present is chrysotile “white” asbestos cement sheeting there are still controls that need to be followed. There is specific guidance from the HSE on dealing with this material. All contractors, whether or not they be licensed asbestos contractors, need to follow this guidance explicitly.

The removal of asbestos at a site can cause local concern. It is therefore recommended that before works commence you give appropriate notification to local residents and businesses that includes information upon the project’s compliance with HSE guidance and Health and Safety law. This may avoid unnecessary complaints to the HSE and the demands upon resources of the enforcing authority and your own organisation from any resulting investigation.

Further information is also available from the Health and Safety Executive “Infoline” Tel: 0845 345 0055 For the guidance document HSG 264 see: www.hse.gov.uk/pubns/books/hsg264.htm

11. 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 The control of dust and emissions during construction and demolition spg is seen as the most comprehensive dust management protocol. Contractors should be compliant with its details regarding the efficient management of dust and particulate on site.

<https://www.london.gov.uk/what-we-do/planning/implementing-london-plan/supplementary-planning-guidance/control-dust-and>

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 *Code of practice for noise and vibration 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.

General.

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

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

information contact London Borough of Newham Council Building Control Service on 020 8430 2000 or Email: reception.bco@newham.gov.uk

If you have any queries about air pollution or noise from construction or demolition sites please telephone or email Public Protection on 0208 430 3820 or pollution.inquiry@Newham.gov.uk.

Summary of Policies and Reasons

In deciding to grant planning permission in this instance, 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 proposals impact on the surrounding area would reasonably be mitigated through compliance with the conditions listed above.

The following policies are of particular relevance to this decision and for the imposition of the abovementioned conditions:

National Planning Policy Framework (NPPF) (MHCLG, February 2019)

The London Plan: Spatial Development Strategy for London (GLA, consolidated with alterations since 2011, published March 2016)

Policy 1.1 - Delivering the strategic vision and objectives for London

Policy 2.9 - Inner London

Policy 3.1 - Ensuring equal life chances for all

Policy 3.3 - Increasing housing supply

Policy 3.4 - Optimising housing potential

Policy 3.5 - Quality and design of housing developments

Policy 3.8 - Housing choice

Policy 3.9 - Mixed and balanced communities

Policy 3.10 - Definition of affordable housing

Policy 5.3 - Sustainable design and construction

Policy 5.10 - Urban greening

Policy 5.17 - Waste capacity

Policy 6.1 - Strategic approach

Policy 6.3 - Assessing effects of development on transport capacity

Policy 6.9 - Cycling

Policy 6.10 - Walking

Policy 6.13 - Parking

Policy 7.1 - Lifetime neighbourhoods

Policy 7.2 - An inclusive environment

Policy 7.3 - Designing out crime

Policy 7.4 - Local character

Policy 7.5 - Public realm

Policy 7.6 - Architecture

Policy 7.8 - Heritage assets and archaeology

Policy 7.14 - Improving air quality

Policy 7.15 - Reducing and managing noise, improving and enhancing the acoustic environment and promoting appropriate townscapes

Policy 7.19 - Biodiversity and access to nature

Draft London Plan – Intend to Publish Version December 2019

Having regard to NPPF paragraph 48 The Mayor of London's Draft London Plan: The Spatial Development Strategy for Greater London is a material consideration and appropriate weight will be

given to its policies and suggested changes in decision-making, unless other material considerations indicate that it would not be reasonable to do so.

Policy GG1 - Building strong and inclusive communities
Policy GG2 - Making the best use of land
Policy GG3 - Creating a healthy city
Policy GG4 - Delivering the homes Londoners need
Policy D1 - London's form, character and capacity for growth
Policy D2 – Infrastructure requirements for sustainable densities
Policy D3 – Optimising site capacity through the design-led approach
Policy D4 – Delivering good design
Policy D5 – Inclusive design
Policy D6 – Housing Quality Standards
Policy D7 – Accessible Housing
Policy D8 – Public Realm
Policy D11 – Safety, security and resilience to emergency
Policy D12 – Fire Safety
Policy D14 - Noise
Policy H1 - Increasing housing supply
Policy H2 - Small sites
Policy H4 – Delivering affordable housing
Policy H5 – Threshold approach to applications
Policy H6 – Affordable housing tenure
Policy H7 – Monitoring of affordable housing
Policy H10 – Housing size mix
Policy H12 - Housing size mix
Policy S3 – Education and childcare facilities
Policy G1 - Green infrastructure
Policy G5 - Urban greening
Policy G6 - Biodiversity and access to nature
Policy SI7 - Reducing waste and supporting the circular economy
Policy SI8 - Waste capacity and net waste self-sufficiency
Policy T1 - Strategic approach to transport
Policy T2 - Healthy Streets
Policy T3 - Transport capacity, connectivity and safeguarding
Policy T4 - Assessing and mitigating transport impacts
Policy T5 - Cycling
Policy T6 - Car parking

London Borough of Newham Local Plan 2018

Policy S1 - Spatial Strategy and Strategic Framework
Policy S6 - Urban Newham
Policy SP1 - Borough-wide Place-making
Policy SP2 - Healthy Neighbourhoods
Policy SP3 - Quality Urban Design within Places
Policy SP8 - Ensuring Neighbourly Development
Policy H1 - Building Sustainable Mixed Communities
Policy H2 - Affordable Housing
Policy SC1 - Environmental Resilience
Policy SC3 - Flood Risk and Drainage
Policy SC4 - Biodiversity
Policy INF1 - Strategic Transport
Policy INF2 - Sustainable Transport
Policy INF3 - Waste and Recycling

Additional Guidance:


DCLG Technical Housing Standards (nationally described space standard) (DCLG, March 2015) (as amended)

Housing Supplementary Planning Guidance (GLA, March 2016, Updated August 2017)

The London Borough of Newham 'Interim Habitats Funding Statement' (April 2019)

Dated: 04.02.2020

Signed:

A handwritten signature in black ink that reads "Amanda Reid". The signature is written in a cursive style with a horizontal line above the first name.

Amanda Reid

Director of Planning and Development, Chief Planning Officer

London Borough of Newham

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

TOWN AND COUNTRY PLANNING ACT 1990 (as amended)

Applicant's Rights following the Grant or Refusal of permission

1. Appeals to the Secretary of State

Should you (an applicant/agent) feel aggrieved by the decision of the council to either refuse permission or to grant permission subject to conditions, you can appeal to the Secretary of State for the Ministry of Housing, Communities and Local Government – Section 78 of the Town and Country Planning Act 1990 / Sections 20 and 21 of the Planning (Listed Building and Conservation Areas) Act 1990. Any such appeal must be made within the relevant timescale for the application types noted below, beginning from the date of the decision notice (unless an extended period has been agreed in writing with the council):

- **Six months:** Full (excluding Householder and Minor Commercial applications), listed building, conservation area consent, Section 73 'variation/removal', Section 73 'minor-material amendment', extension of time, and prior approval applications.
- **12 weeks:** Householder planning, Householder prior approval and Minor Commercial applications.
- **8 weeks:** Advertisement consent applications.
- **No timescale:** Certificate of lawful development (existing/proposed) applications.

Where an enforcement notice has been issued the appeal period may be significantly reduced, subject to the following criteria:

- The development proposed by your application is the same or substantially the same as development that is currently the subject of an enforcement notice: **28 days of the date of the application decision.**
- An enforcement notice is served **after the decision on your application** relating to the same or substantially the same land and development as in your application and if you want to appeal against the council's decision you are advised to appeal against the Enforcement Notice and to do so before the Effective Date stated on the Enforcement Notice.

Appeals can be made online at: <https://www.gov.uk/planning-inspectorate>.

If you are unable to access the online appeal form, please contact the Planning Inspectorate to obtain a paper copy of the appeal form on tel: 0303 444 5000.

The Secretary of State can allow a longer period for giving notice of an appeal, but will not normally be prepared to use this power unless there are exceptional/special circumstances.

The Secretary of State can refuse to consider an appeal if the council could not have granted planning permission for the proposed development or could not have granted it without the conditions it imposed, having regard to the statutory requirements and provisions of the Development Order and to any direction given under the Order. In practice, it is uncommon for the Secretary of State to refuse to consider appeals solely because the council based its decision on a 'direction given by the Secretary of State'.

If you intend to submit an appeal that you would like examined by inquiry then you must notify the Local Planning Authority and Planning Inspectorate (inquiryappeals@planninginspectorate.gov.uk) at least 10 days before submitting the appeal. Further details are on GOV.UK

2. Subsequent Application Fees

No planning fee would be payable should a revised planning application be submitted within 12 months of the decision. This 'fee waiver' is permitted only where the new application meets the following criteria:

- the applicant is the same as the applicant of the original application
- site boundary is the same as the site boundary of the original application
- the nature of development remains the same.

3. Purchase Notices

Should either the council or the Secretary of State refuse permission or to grant permission subject to conditions, the owner may claim that the land cannot be put to a reasonably beneficial use in its existing state nor through carrying out of any development which has been or could be permitted. In such a case, the owner may serve a purchase notice on the council. This notice will require the council to purchase the owner's interest in the land in accordance with the provisions of Part IV of the Town and Country Planning Act 1990 and Section 32 of the Planning (Listed Buildings Conservation Areas) Act 1990.

4. Compensation

In certain circumstances compensation may be claimed from the Council if permission is refused or granted subject to condition(s) by the Secretary of State on appeal or on reference to the Secretary of State. These circumstances are set out in Section 114 and related provisions of the Town and Country Planning Act 1990 and Section 27 of the Planning (Listed Buildings and Conservation Areas) Act 1990.