



**Havering**  
LONDON BOROUGH

# REGULATORY SERVICES COMMITTEE

4 April 2013

# REPORT

**Subject Heading:**

**P1901.11 – Beam Reach 8, Former  
Murex Site, Rainham**

**Extension of Time Limit of Application  
U0011.06 – (Variation of the conditions  
precedent in outline planning  
permission P2078.03 to enable the  
discharge of conditions separately on  
a phased basis in relation to each  
reserved matter approval. Conditions  
5, 7-12, 15-18, 22-24, 26, 28, 31-35 & 40)**

**Report Author and contact details:**

**Helen Oakerbee (Planning Control  
Manager) 01708 432800**

**Policy context:**

**Local Development Framework  
London Plan  
National Planning Policy**

**Financial summary:**

**None**

**The subject matter of this report deals with the following Council Objectives**

Clean, safe and green borough	<input checked="" type="checkbox"/>
Excellence in education and learning	<input type="checkbox"/>
Opportunities for all through economic, social and cultural activity	<input checked="" type="checkbox"/>
Value and enhance the life of every individual	<input type="checkbox"/>
High customer satisfaction and a stable council tax	<input type="checkbox"/>

## SUMMARY

This planning application proposes an extension of time limit for planning permission U0011.06. This planning consent resulted in an amendment to planning Permission P2078.03 to allow for the approval of details on a phased basis as the approved business park was developed over time. Officers are recommending approval subject to conditions and the completion of a Deed of Variation to the original s106 agreement dated 31 October 2005.

## RECOMMENDATIONS

That the proposal is unacceptable as it stands but would be acceptable subject to the applicant entering into a Deed of Variation under Section 106A of the Town and Country Planning Act 1990 (as amended), to vary the legal agreement completed on 31 October 2005 in respect of planning permission P2078.03 and amended by planning permission U0011.06 to vary the definition of Planning Permission which shall mean either planning permission P2078.03 as originally granted, planning permission P2078.03 as varied by Planning Permission U0011.06, or planning permission P1901.11 as proposed and set out in this report.

The developer / owner shall pay the Council's legal costs in respect of the preparation of the Deed of Variation irrespective of whether the matter is completed.

Save for the variation set out above and any necessary consequential amendments to the Section 106 agreement dated 31 October 2005 all recitals, terms, covenants and obligations in the said section 106 Agreement shall remain unchanged.

That Staff be authorised to enter into a Deed of Variation to secure the above and upon completion of that agreement, grant planning permission subject to the conditions set out below.

1. Time Limit - Application/s for approval of the reserved matters shall be submitted to the Local Planning Authority within three years from the date of this permission.

Reason: To comply with Section 92 of the Town and Country Planning Act 1990 (as amended by Section 51 of the Planning and Compulsory Purchase Act 2004).

2. Time Limit - The development to which this permission relates must be begun not later than the expiration of two years from the final approval of the reserved matters or, in the case of approval on different dates, the final approval of the last reserved matter to be approved.

Reason: To comply with Section 92 of the Town and Country Planning Act 1990 (as amended by Section 51 of the Planning and Compulsory Purchase Act 2004).

3. Approved Plans - The development hereby permitted may only be carried out in accordance with detailed plans and particulars which shall previously have been submitted to and approved by the Local Planning Authority, showing the siting, design and external appearance of the buildings, to include areas of proposed car parking the means of access thereto, and landscaping, including all matters defined as "landscaping" in the Town and Country Planning (General Development Procedure) Order (here in after called "the reserved matters").

Reason: The particulars submitted are insufficient for consideration of the details mentioned and the application is expressed to be for outline permission only.

4. Accordance with plans - The development hereby permitted shall not be carried out otherwise than in complete accordance with the approved plans, particulars and specifications.

Reason: The Local Planning Authority consider it essential that the whole of the development is carried out and that no departure whatsoever is made from the details approved, since the development would not necessarily be acceptable if partly carried out or carried out differently in any degree from the details submitted. Also, in order that the development accords with the LDF Development Control Policies Development Plan Document Policy DC61.

5. Vehicle Parking - Before any of the building(s) permitted under a reserved matters approval pursuant to planning permission P2078.03 are first occupied, provision shall be made within the site to which the approval relates for car parking at a level to be agreed in writing with the Local Planning Authority; thereafter such provision shall be made permanently available for use unless otherwise agreed in writing with the Local Planning Authority.

Reason: To ensure that car parking accommodation is made permanently available at a level agreed by the Local Planning Authority in the interests of highway safety.

6. Vehicle Parking - Before development permitted under any reserved matters permission pursuant to this permission, is first occupied, provision shall be made, on each development plot for 4% of all car parking spaces to be disabled car parking spaces in accordance with a scheme or schemes previously submitted to and agreed in writing by the Local Planning Authority and thereafter implement in accordance with the agreed scheme. Thereafter this provision shall be made permanently available for use, unless otherwise agreed in writing by the Local Planning Authority.

Reason: To ensure adequate on-site parking is available for the disabled.

7. Materials - Before any of the development permitted under a reserved matters approval pursuant to planning permission P2078.03 is commenced, samples of all materials to be used in the external construction of the building(s) to which the approval relates shall be submitted to and approved in writing by the Local Planning Authority and thereafter the development shall be constructed with the approved materials.

Reason: In order that the development accords with the LDF Development Control Policies Development Plan Document Policy DC61.

8. Landscaping - No development permitted under a reserved matters approval pursuant to planning permission P2078.03 shall take place until there has been submitted to and approved by the Local Planning Authority a scheme of hard and soft landscaping for the area covered by the approval, which shall include indications of all existing trees and shrubs on the site, and details of any to be retained, together with measures for the protection in the course of development. All planting, seeding or turfing comprised within the scheme shall be carried out in the first planting season following completion of the development or as otherwise provided for in the approved scheme and any trees or plants which within a period of 5 years from completion of the development die, are removed or become seriously damaged or diseased shall be replaced in the next planting season with others of a similar size and species, unless otherwise agreed in writing by the Local Planning Authority.

Reason: In accordance with Section 197 of the Town and Country Planning Act 1990 and to enhance the visual amenities of the development, and in order that the development accords with the LDF Development Control Policies Development Plan Document Policy DC61.

9. Loading/Unloading - Before any development permitted under a reserved matters approval pursuant to planning permission P2078.03 is first occupied, a properly hardened area shall be provided within the curtilage of the site for the loading, unloading and turning of vehicles, in accordance with details previously submitted to and agreed in writing by the Local Planning Authority. Thereafter such provision shall be made permanently available for use to the satisfaction of the Local Planning Authority unless otherwise agreed in writing with the Local Planning Authority. No loading or unloading of goods (including fuel) from vehicles arriving at or departing from the premises shall be carried out otherwise than within such area. There shall be no storage of goods or other obstructions within the approved area without prior consent in writing of the Local Planning Authority.

Reason: To avoid obstruction of the surrounding streets and to safeguard the amenities of occupiers of the neighbouring property, and in order that the development accords with LDF Development Control Policies Development Plan Document Policy DC32.

10. Wheel Wash - Before any development permitted under a reserved matters approval pursuant to planning permission P2078.03 is first commenced, details of wheel scrubbing/wash down facilities to prevent mud being deposited onto the public highway during construction works shall be submitted to and approved in writing by the Local Planning Authority. The approved facilities shall be permanently retained and used at relevant entrances to the site throughout the course of construction works.

Reason: In order to prevent materials from the site being deposited on the adjoining public highway, in the interests of highway safety and the amenity of the surrounding area, and in order that the development accords with LDF Development Control Policies Development Plan Document Policy DC32.

11. Refuse - Before any development permitted under a reserved matters approval pursuant to planning permission P2078.03 is first occupied, provision shall be made for the storage of refuse awaiting collection according to details which shall previously have been agreed in writing by the Local Planning Authority. Unless otherwise agreed

in writing these details shall include provision for underground containment and/or recyclable waste.

Reason: In the interests of amenity of occupiers of the development and also the visual amenity of the development and the locality generally, and in order that the development accords with the LDF Development Control Policies Development Plan Document Policy DC61.

12. Bus Access - Before any of the development permitted under a reserved matters approval pursuant to planning permission P2078.03 for the final phase of Zone C shown on Figure 1.2 is first occupied, a scheme to facilitate improved bus access and internal circulation, including access from both Ferry Lane and Coldharbour Lane, shall be submitted to the Local Planning Authority for approval in writing. The scheme shall be fully implemented in accordance with the approved details prior to first occupation.

Reason: To ensure that the site can be well served by public transport.

13. Bus Facilities - Before any of the development permitted under a reserved matters approval pursuant to planning permission P2078.03 for the final phase of Zone C shown on Figure 1.2 is first occupied, a scheme detailing the layout and design of the bus stops and associated shelters shall be submitted to the Local Planning Authority for approval in writing. The scheme shall be fully implemented in accordance with the approved details prior to first occupation.

Reason: To ensure that the design, location and appearance of bus stops are appropriate.

14. Construction Method Statement - Before development permitted under a reserved matters approval pursuant to planning permission P2078.03 is commenced, a scheme shall be submitted to and approved in writing by the Local Planning Authority making provision for a Construction Method Statement to control the adverse impact of the development on the amenity of the public and nearby occupiers. The Construction Method Statement shall include details of:

- a) parking of vehicles of site personnel and visitors;
- b) storage of plant and materials;
- c) dust management controls;
- d) measures for minimising the impact of noise and, if appropriate, vibration arising from construction activities;
- e) predicted noise, and if appropriate, vibration levels using methodologies and at points agreed with the Local Planning Authority;
- f) scheme for monitoring noise and if appropriate, vibration levels using methodologies and at points agreed with the Local Planning Authority;
- g) siting and design of temporary buildings;
- h) scheme for security fencing/hoardings, depicting a readily visible 24-hour contact number for queries or emergencies;
- i) details of disposal of waste arising from the construction programme, including final disposal points. The burning of waste on the site at any time is specifically precluded.

And the development shall be carried out in accordance with the approved scheme and statement.

Reason: To protect the amenities of the area, and in order that the development accords with the LDF Development Control Policies Development Plan Document Policy DC61.

15. Archaeology - No development permitted under a reserved matters approval pursuant to planning permission P2078.03 shall take place until the applicant has secured the implementation of a programme of archaeological work for the area covered by that approval, in accordance with a written scheme or investigation which has been submitted by the applicant and approved by the Local Planning Authority. The development shall only take place in accordance with the detailed scheme pursuant to this condition. The archaeological works shall be carried out by a suitably qualified investigating body acceptable to the Local Planning Authority.

Reason: Important archaeological remains may exist on the site. Accordingly the Local Planning Authority wishes to secure the provision of archaeological investigation and the subsequent recording of the remains prior to development, in accordance with the guidance contained in the NPPF.

16. Foundation Design - No work permitted under a reserved matters approval pursuant to planning permission P2078.03 on the site covered by the approval shall take place until a detailed design and method statement for the foundation design and all new ground works has been submitted to and approved in writing by the Local Planning Authority.

Reason: To minimise the damage to any archaeological resource and to prevent pollution of the ground water.

17. Contaminated Land - Prior to the commencement of any works pursuant to a reserved matters approval pursuant to planning permission P2078.03 the developer shall submit for the written approval of the Local Planning Authority in respect of the area covered by the approval:

- a) A phase II (site investigation) report (A phase I report having been submitted). This is an intrusive site investigation including factors such as chemical testing, quantitative risk assessment and a description of the sites ground conditions. An updated site conceptual model should be included showing all the potential pollutant linkages and an assessment of risk to identified receptors.
- b) A Phase III (risk management strategy) report if the phase II Report confirms the presence of a significant pollutant linkage requiring remediation.

The report will comprise of two parts:

Part A - A remediation scheme which will be fully implemented before any construction activity is commenced. Any variation to the scheme shall be submitted to and agreed in writing with the Local Planning Authority in advance of works being undertaken. The remediation scheme is to include consideration and proposals to deal with situations where, during works on site, contamination is encountered which has not previously been identified. Any further

contamination shall be fully assessed and an appropriate remediation scheme submitted to the Local Planning Authority for written approval.

- c) Part B - Following completion of the remediation works a remediation validation report shall be submitted demonstrating that the works have been carried out satisfactorily and remediation targets have been achieved. Any exceedences in target values should be justified within the report.

If during development works any contamination should be encountered which was not previously identified and is derived from a different source and/or of a different type to those included in the contamination proposals, then revised contamination proposals shall be submitted to the LPA; and

If during development work, site contaminants are found in areas previously expected to be clean, then their remediation shall be carried out in line with the agreed contamination proposals.

Reason: To prevent the pollution of the water environment and to protect those engaged in construction and occupation of the development.

18. Floodlighting - Before any of the development permitted under a detail approval pursuant to this permission is first occupied, details of any floodlighting and other artificial lighting adjacent to any existing or proposed watercourses or river corridor proposed to be erected shall be submitted to the Local Planning Authority for approval. The works shall be carried out in accordance with the approved details prior to the first occupation.

Reason: To ensure that the light spillage does not adversely affect amenity and nature conservation interests.

19. Storage - No goods or materials shall be stored on site unless such goods or materials are screened from view to the complete satisfaction of the Local Planning Authority in areas and to a height previously agreed in writing with the Local Planning Authority.

Reason: To preserve the visual amenity of the development site.

20. Use Restriction - No more than 30% of the total site area in either Zone C or in Zones A and B combined, identified in figure 1.2 shall be developed for B8 uses.

Reason: To maximise the employment potential of the site.

21. Fire Hydrants - No development permitted under a reserved matters approval pursuant to planning permission P2078.03 shall be commenced until such time as a scheme has been submitted to and approved in writing by the Local Planning Authority detailing the location and detail of fire hydrants on the site. Prior to the first occupation of the facility, such hydrants shall be installed and maintained.

Reason: To ensure that adequate provision is made for fire protection on the site.

22. Site Security - Prior to the first occupation of any of the buildings permitted as part of reserved matters approval pursuant to planning permission P2078.03, a scheme of site security for the development shall be submitted to and approved in writing occupation of any of the buildings and thereafter continuously maintained to the satisfaction of the Local Planning Authority.

Reason: In the interests of public safety and sustainability.

23. Buffer Zone - Before any development permitted under a reserved matters approval pursuant to planning permission P2078.03 for the final phase of Zone C shown on Figure 1.2 is commenced a 5 metre vegetated buffer zone shall be provided, of locally native plant species, of UK genetic provenance, between the development and the ditch alongside Coldharbour Lane. This buffer zone shall be measured from the top of the bank and shall be free of structures, hardstanding (including parking and access) and fences.

Reason: To maintain the character of the watercourse and provide undisturbed refuges for wildlife using the river corridor.

24. Environmental Mitigation Measures - The development shall be carried out in accordance with the environmental standards, mitigation measures, requirements and methods of implementing the development contained in the environmental statement relevant to the development and appendices thereto, submitted in September 2004, the development specification and framework and any Regulation 19 submission documents, unless and to the extent that such standards, measures, requirements and methods are altered by the express terms of this permission and the approved strategies, frameworks, protocols and other documents to be submitted pursuant to it.

Reason: To ensure the development is carried out in accordance with the assessment carried out as part of the environmental statement and the mitigation measures proposed therein.

25. Ecological Measures - No development permitted under a reserved matters approval pursuant to planning permission P2078.03 shall commence until details of the measures to be provided within the development area to mitigate for the loss of habitat, including the proposed nature conservation zone shall be submitted to and approved in writing by the Local Planning Authority. The scheme shall include measures to protect and enhance existing habitats wherever feasible including the creation of water features and provide the maximum benefit to wildlife using them. The scheme shall be fully implemented in accordance with the approved details within 6 months of the first occupation of any of the buildings permitted under the approval.

Reason: To enhance the nature conservation interests of the site.

26. Drainage - Surface water source control measures, including any attenuation and storage works shall be carried out in accordance with details which shall be submitted to and approved in writing by the Local Planning Authority before development under any reserved matters approval pursuant to planning permission P2078.03 commences.



Reason: To prevent the increased risk of flooding, improve water quality and in order that the development accords with the LDF Development Control Policies Development Plan Document Policy DC61.

27. Design - The development of each Zone of the site covered by planning permission P2078.03 shall only be carried out in accordance with a design strategy for the whole of that Zone which shall previously have been submitted to and approved in writing by the Local Planning Authority. The strategy shall include details of the design principles to be followed throughout the development and the design relationship between the various phases of the development, including building heights. It shall also include details of the types of materials, colours and external finishes to be used.

Reason: To ensure that the scheme achieves a high standard of design overall and that the individual phases relate to each other in a coherent way.

28. Road Layout - Before the development hereby permitted is first commenced details of the design and layout of all road junctions with Coldharbour Lane and Ferry Lane shall be submitted to and approved in writing by the Local Planning Authority. The approved junctions shall be constructed prior to the occupation of any of the buildings hereby permitted or as otherwise allowed for.

Reason: In the interests of highway safety.

29. Building Heights - No buildings constructed under this permission shall exceed 20 metres above ground level.

Reason: To ensure that there is a consistency of appearance in the interests of amenity.

30. Ground Levels - No development permitted under a reserved matters approval pursuant to planning permission P2078.03 shall commence until details of the proposed finished ground levels for the area covered by the approval have been submitted to and approved in writing by the Local Planning Authority. Where relevant, the effects of ground raising and alterations to the profile of the embankments on the stability of the flood defences shall be fully justified by calculation as necessary. The development shall proceed in accordance with the agreed details.

Reason: To maintain the structural integrity of the tidal flood defences and prevent the increased risk of flooding.

31. Flood Defences - The development of the final phase of Zone C shown on Figure 1.2 shall not commence until the following details have been submitted to and approved in writing by the Local Planning Authority:

- a) A scheme to demonstrate the feasibility of raising the flood defences by 600mm including an option for an earth embankment raising solution within the layout.
- b) Details of gating, roads, paths, ramps, steps, drainage channels and other facilities for the purposes of accessing the site and tidal flood defences.

Reason: To demonstrate that the structural integrity of the tidal flood defences can be maintained and allow for modifications in the light of natural deterioration and climate change to prevent the increased risk of flooding.

32. Flood Risk - No development permitted under a reserved matters approval pursuant to planning permission P2078.03 shall be occupied until a scheme for the evacuation and protection on site of people employed or visiting that phase of the development in accordance with the findings of a detailed Flood Risk Assessment examining the effects of flooding from a breach in the tidal flood defences has been submitted to and approved in writing by the Local Planning Authority.

Reason: To minimise risks from tidal flooding.

33. Groundwaters - Before the development permitted under a reserved matters approval pursuant to planning permission P2078.03 is commenced a detailed site investigation for the area covered by the approval shall be carried out to establish if the site is contaminated to assess the degree and nature of the contamination present, and to determine its potential for the pollution of the water environment. The method and extend of this site investigation shall be agreed with the Local Planning Authority prior to commencement of work. Details of appropriate measures to prevent pollution of groundwater and surface water, including provisions for monitoring, shall then be submitted to and approved in writing by the Local Planning Authority before development commences. The development shall then proceed in strict accordance with the measures approved.

Reason: To prevent pollution of the water environment.

34. Drainage - Before development permitted under a reserved matters approval pursuant to planning permission P2078.03 is commenced a detailed Remediation Strategy and Method Statement shall be developed giving details of appropriate measures to prevent pollution of ground water and surface water, including provision for monitoring surface and groundwater where appropriate and remedial target values shall be submitted to, and approved in writing by the Local Planning Authority. The development of the area covered by the approval shall then proceed in strict accordance with the measures approved. A final Remediation Validation Report shall be submitted detailing the final remedial target values and any variance in actual soil contamination concentrations. Any exceedances in target values should be justified within the report.

Reason: The prevent pollution of the water environment.

35. Drainage - The construction of the surface and foul drainage system for each area covered by a reserved matters approval pursuant to planning permission P2078.03 shall be carried out in accordance with details submitted to and approved in writing by the Local Planning Authority before the commencement of that phase of the development.

Reason: To prevent pollution of the water environment.

36. Drainage - No soakaways shall be constructed in contaminated ground.

Reason: To prevent pollution of ground water.

37. Buffer Zone - A 16 metre undeveloped vegetated buffer zone shall be provided of locally native plant species, of UK genetic provenance, alongside the Thames and Rainham Creek and a 5 metre vegetated buffer zone alongside any other watercourses (including ditches). These buffer zones shall be measured from the top of the bank and shall be free of structures, hard standing, car parking and fences.

Reason: To maintain the character of the watercourse and provide undisturbed refuges for wildlife using the river corridor.

38. Buffer Zone - All buildings shall be set back from all watercourses at appropriate distances to eliminate the impact of shading on the water and its corridor.

Reason: To ensure that shade cast by the buildings will not reduce the ecological value of the river corridor by limiting light levels and temperatures, thus limiting plant growth and reproduction, and affecting the life-cycles of wildlife.

39. Landscape Management Plan - No development permitted under a reserved matters approval pursuant to planning permission P2078.03 shall be commenced until a landscape management plan, including long term design objectives, management responsibilities and maintenance schedules for all landscaped areas within that phase of the development has been submitted to and approved in writing by the Local Planning Authority. The landscape management plan shall be carried out as approved.

Reason: To protect/conservate the natural features and character of the area.

40. Sustainable Energy Strategies - No development permitted under a reserved matters approval pursuant to planning permission P2078.03 shall be commenced until such time as a scheme has been submitted to and approved in writing by the Local Planning Authority detailing the sustainable energy strategies to be applied to the development. The energy strategies should be in accordance with London Plan policy 5.2 and meet the carbon reduction targets set out in that policy .

Reason: In accordance with Policy 5.2 of the London Plan.

41. Secured by Design - No development permitted under a reserved matters approval pursuant to planning permission P2078.03 shall be commenced until such time as a scheme has been submitted to and approved in writing by the Local Planning Authority detailing the measures to be incorporated into the development demonstrating how the principles and practices of the 'Secured by Design' scheme have been included. The development shall be carried out in accordance with the approved details, and shall not be occupied or used until written confirmation of compliance with the agreed details has been submitted to and approved in writing by the LPA.

Reason: In the interest of creating safer, sustainable communities, reflecting guidance set out in the National Planning Policy Framework, Policy 7.3 of the London Plan, and Policies CP17 'Design' and DC63 'Delivering Safer Places' of the LBH LDF.

## **INFORMATIVES**

1. Note for condition 30. The maximum level of ground raising shown on the outline proposals is 2.4m above ODN. It is anticipated that changes to the embankments as shown on drawing number 6283/Cross Sections would necessitate additional stability measures to be put in place.

2. Note for condition 37 The 16m Environment Agency Byelaw margin is measured from the landward foot of any embankment and is not necessarily that shown in blue on drawing number 62083/FIRGURE 5, particularly in the region of section K-K.

3. Under the terms of the Water Resources Act 1991 and the Land Drainage Byelaws 1981, the prior written consent of the Environment Agency is required for any proposed works or structures either affecting or within 16 metres of the tidal flood defence structure. Contact I Blackburn on 020 8305 4013 for further details.

4. The statutory tidal flood defence level, which is 7.1 metres above ODN at this site, must be maintained at all times, with temporary works if necessary. Contact I Blackburn on 020 8305 4013 for further details.

5. The development of the site is likely to damage archaeological remains. The applicant should therefore submit detailed proposals in the form of an archaeological project design. The design should be in accordance with the appropriate English Heritage Guidelines.

6. The Local Planning Authority wishes to ensure that archaeological remains on this site are preserved in situ. The detailed proposals should include appropriate drawings, notes and method statements showing how the objective of in situ preservation is to be achieved.

7. In aiming to satisfy condition 41 the applicant should seek the advice of the Police Crime Prevention Design Advisor. The services of the local Police CPDA are available free of charge through Havering Development and Building Control. It is the policy of the local planning authority to consult with the Borough CPDA in the discharging of community safety condition(s).

8. The applicant is advised that planning approval does not constitute approval for changes to the public highway. Highway Authority approval will only be given after suitable details have been submitted, considered and agreed. The Highway Authority requests that these comments are passed to the applicant. Any proposals which involve building over the public highway as managed by the London Borough of Havering, will require a licence and the applicant must contact StreetCare, Traffic & Engineering on 01708 433750 to commence the Submission/ Licence Approval process.

#### 9. Reason for Approval:

The proposed development is considered to be in accordance with the aims, objectives and provisions of DC9, DC32, DC33, DC49, DC50, DC52, DC54, DC56, DC58, DC59, DC61, DC63, and DC72 of the LDF Core Strategy and Development Control Policies Development Plan Document.

Note: A fee is required when submitting details pursuant to the discharge of conditions. In order to comply with the Town and Country Planning (Fees for Applications, Deemed Applications, Requests and Site Visits) (England) Regulations 2012, which came into force from 22.11.2012, a fee of £97 per request or £28 where the related permission was for extending or altering a dwellinghouse, is needed.

## Planning Obligations

The planning obligations recommended in this report have been subject to the statutory tests set out in Regulation 122 of the Community Infrastructure Levy Regulations 2010 and the obligations are considered to have satisfied the following criteria:-

- (a) Necessary to make the development acceptable in planning terms;
- (b) Directly related to the development; and
- (c) Fairly and reasonably related in scale and kind to the development.

## Approval Following Revision

Statement Required by Article 31 (cc) of the Town and Country Planning (Development Management) Order 2010: Improvements required to make the proposal acceptable were negotiated and submitted, in accordance with paragraphs 186-187 of NPPF.

# REPORT DETAIL

## 1. Site Description

- 1.1 The Site, which is designated in the LDF as a Strategic Industrial Location, is located within an existing industrial area to the south west of Rainham Village. Parts of the site adjoin Rainham Creek and the River Thames, which are designated in the LDF as Metropolitan Sites of Nature Conservation Importance.

## 2. Description of Proposal

- 2.1 Planning permission P2078.03 granted outline consent for the development of a business park for B1b, B1c, B2 and B8 uses. It was originally envisaged that the applicant, the London Development Agency (now the Greater London Authority), would apply for the approval of details. However, it was subsequently decided that it

would be more expedient for individual developers to apply for the approval of details, as and when it was proposed to develop particular phases of the overall development.

- 2.2 Planning permission U0011.06 allowed for the approval of details relating to P2078.03 to be determined on a phased basis, as and when given phases came forward for development. Planning permission U0011.06 effectively expired in January 2012 prior to the completion of the business park development. The application under consideration proposes an extension of time for planning permission U0011.06 to allow more time for reserved matters and other detail approval applications to be submitted for the outstanding phases of the development.

### **3. Relevant History**

- 3.1 The previous planning decisions of most relevance to the proposal are as follows:

U0011.06 - Variation of the conditions precedent in outline planning permission P2078.03 to enable the discharge of conditions separately on a phased basis in relation to each reserved matter approval.

Conditions 5, 7-12, 15-18, 22-24, 26, 28, 31-35 & 40 – Approved.

P2078.03 - Outline application for a business park for B1b, B1c, B2 and B8 uses – Approved.

### **4. Consultations/Representations**

- 4.1 Notification letters were sent to 165 neighbouring properties. No representations were received.

- 4.2 Comments have been received from the following consultees:

Greater London Authority – No objections. Condition recommended.

Transport for London – No objections.

Crime Prevention Design Advisor - No objections; condition recommended.

### **5. Relevant Policies**

- 5.1 The following policies of the LDF Core Strategy and Development Control Policies DPD ("the LDF") are of relevance:

DC9 Strategic Industrial Location

DC32 - Road Network

DC33 - Car Parking

DC49 Flood Risk

DC50 Sustainable Design and Construction

DC52 Water supply, drainage and quality

DC54 Contaminated Land

DC56 Light

DC58 - Biodiversity and Geodiversity

DC59 - Biodiversity in New Developments

DC61 - Urban Design

## 5.2 The London Plan

Policy 5.2

## 5.3 National Planning Guidance

National Planning Policy Framework ("the NPPF")

## 6.1 Staff Comments

6.1.1 The main issue to consider as part of the assessment of this application is the extent to which there have been significant changes of circumstances since planning permission U0011.06 was granted. Material changes to the local, regional, and national planning policies have occurred since this planning consent was considered and the originally approved scheme therefore needs to be considered in the light of these changes and any other material considerations.

6.1.2 The planning report produced by the London Thames Gateway Development Corporation in relation to planning application U0011.06 is appended to this report (Appendix 1.)

## 6.2 Principle of Development

6.2.1 The proposal concerns the extension of time of a previously granted planning permission. It is considered that the development of a business park at the site continues to be acceptable in principle.

## 6.3 Planning Considerations

6.3.1 Whilst new planning policies have been adopted at the local, regional, and national levels since planning permission U0011.06 was granted, the proposal has been reconsidered in the light of the current planning policy context, and all other material considerations, and is considered to be acceptable in relation to design and visual, amenity, highways, flood risk, ecology, and other considerations. It is recommended that those conditions imposed on planning permission U0011.06 be employed in this instance, subject to their modification, as necessary, to reflect the current planning policy context.

6.3.2 Two additional conditions are also recommended to reflect changes to the planning policy context. The Greater London Authority has recommended a condition requiring the approval of details relating to the proposed use of sustainable energy measures in accordance with London Plan policy 5.2. The Council's Crime Prevention Design Advisor has recommended a condition requiring the approval of details relating to the measures proposed to design out crime. It is recommended that these conditions be imposed should planning permission be granted.

## 7. Conclusion

7.1 The application under consideration has been assessed in accordance with planning policy and guidance. The proposed development is considered to be acceptable having had regard to Policies DC9, DC32, DC33, DC49, DC50, DC52, DC54, DC56, DC58, DC59, DC61, DC63, and DC72 of the LDF, and all other material considerations, subject to the afore mentioned conditions and the completion of a legal agreement.

## IMPLICATIONS AND RISKS

### **Financial implications and risks:**

None.

### **Legal implications and risks:**

Legal resources will be required to prepare and complete the legal agreement.

### **Human Resources implications and risks:**

None.

### **Equalities implications and risks:**

The Council's planning policies are implemented with regard to equality and diversity. The development includes a mix of unit types and includes the provision of an element of affordable housing, thus contributing to the provision of mixed and balanced communities.

## BACKGROUND PAPERS

Planning application P1901.11, including all submitted information.



## Appendix 1

### PLANNING APPLICATION FOR DETERMINATION BY THE LTGDC DELEGATED DECISION BY THE DIRECTOR OF PLANNING



<b>APPLICATION NO:</b>	U0011.06/LBHG
<b>LOCATION:</b>	Easter Park, Beam Reach 8A, Formally the Murex site, Ferry Lane, Rainham RM13
<b>PROPOSAL:</b>	Variation of conditions 5, 7, 8, 9, 10, 11, 12, 13, 14, 15, 16, 17, 18, 22, 23, 24, 26, 27, 28, 31, 32, 33, 34, 35, 36 and 40, attached to outline planning permission P2078.03 granted on 31.10.2005 to enable the discharge of conditions separately on a phased basis.
<b>APPLICANT:</b>	London Development Agency

<b>DATE CONSULTATIONS EXPIRED:</b>	<b>LB : Havering</b>
<b>OVERALL EXPIRY DATE:</b>	
<b>TARGET DECISION DATE</b>	11/12/2006
<b>1. LB COMMENTS</b>	
1.1 The London Borough of Havering supports the proposal to vary conditions attached to outline planning permission P2078.03 granted on 31.10.2005 under section 73 of the Town and Country Planning Act 1990 (as amended), as an appropriate approach to the phased development of the Beam Reach 8 site.	
<b>2. OTHER REPRESENTATIONS</b>	
2.1 The Environment Agency has raised no objections to the proposed variations, recognising that its original requirements in relation to the river wall could not be met by the developer of the Easter Park site. The Agency is satisfied that the construction of the foul and surface water system can only be implemented on a phased basis.	

### **3. RELEVANT POLICIES:**

#### **3.1 The London Plan: Spatial Development Strategy for Greater London, Feb 2004**

- 2A.1 Sustainability criteria
- 2A.2 Opportunity Areas (6 – London Riverside)
- 2A.7 Strategic Employment Locations
- 3B.1 Developing London's economy
- 3B.5 Strategic Employment Locations
- 3C.1 Integrating transport and development
- 3C.2 Matching development to transport capacity
- 3C.3 Sustainable transport in London
- 3C.22 Parking strategy
- 3D.12 Biodiversity and nature conservation
- 4A.12 Water Quality
- 4A.16 Contaminated Land
- 4B.1 Design principles for a compact city

4B.14 Archaeology  
4C.2 Context for sustainable growth  
4C.3 The natural value of the Blue Ribbon Network  
4C.6 Flood plains  
4C.8 Sustainable drainage  
4C.31 River, brooks and streams  
5C.1 The strategic priorities for East London  
5C.2 Opportunity Areas in East London

3.2 London Borough of Havering Unitary Development Plan, adopted March 1993:

EMP1 Rainham Employment Area  
ENV8 Contaminated Sites  
ENV 25 River Thames Area of Special Character  
TRN2 Effect of Development on Public Transport and Roads  
TRN3 Public Transport for New Developments  
TRN11 Public Transport  
TRN12 Bus Facilities

3.3 LDF Core Policies - Submission Development Plan Document, dated November 2006:

CP10 Sustainable Transport  
CP15 Environmental Management  
CP17 Design

3.4 LDF Development Control Policies - Submission Development Control Document, dated November 2006:

DC9 Main employment areas  
DC49 Flood Risk  
DC50 Sustainable Design and Construction  
DC52 Water supply, drainage and quality  
DC54 Contaminated Land  
DC56 Light  
DC61 Urban Design

3.5 SPD

Sustainable Construction (Havering)

3.6 Other Relevant Planning Policy documents & SPG:

- An Urban Strategy for London Riverside, adopted July 2002.
- The London Plan: Sub-Regional Development Framework, East London, dated May 2006.
- Planning Policy Statement (PPS) 25: Development and Flood Risk.

#### **4. OFFICER REPORT**

4.1 This application has been made by Hamilton Architects on behalf of the London Development Agency (LDA) under section 73 of the Town & Country Planning Act 1990, which pertains to the determination of applications to develop land without compliance with conditions previously attached.

4.2 Part (2) (a) of section 73 provides that, "On such an application the local planning authority

shall consider only the question of the conditions subject to which planning permission should be granted, and if they decide that planning permission should be granted subject to conditions differing from those subject to which the previous permission was granted, or that it should be granted unconditionally, they shall grant planning permission accordingly”.

- 4.3 **Background:** Outline planning permission (ref: P2078.03) was granted for the redevelopment of the site (which comprises of four zones, A, B, C and D) on the 31<sup>st</sup> October 2005, subject to 40 conditions and a Planning Obligation agreement under section 106 of the Town and Country Planning Act 1990. All reserved matters are required to be submitted within three years of this date. The conditions did not take into account of the likely phased nature of the development.
- 4.4 At the time of writing this report the LDA were in breach of the Planning Obligation Agreement attached to P2078.03.
- 4.5 Zone A = 1.5 hectares; Zone B = 3.5 hectares; Zone C = 11.9 hectares; Zone D = 1.9 hectares.
- 4.6 Zones A and B lie adjacent to Rainham Creek. These sites are currently occupied by various open storage uses and are likely to be the last plots to be developed within the site.
- 4.7 Zone C has been further subdivided into smaller land parcels. Part of Zone C, adjacent to the Tilda Rice plant, has been developed under a stand alone planning application as the first phase of the redevelopment of the site and is now known as ‘House of Hill’. The second phase of the development within Zone C is now known as ‘Easter Park’ and is presently nearing completion. The area of land between House of Hill and Easter Park is likely to be the next phase of development. The developers of Easter Park have made submissions pursuant to the planning conditions attached to P2078.03, but it has not been possible to fully discharge them all because the wording used in the conditions does not allow for their phased discharge. The developers of Easter Park do not have control of land outside of the land parcel they are developing and it is not known what form of development the remainder of the site will comprise of, or when any such development will happen.
- 4.8 It is intended that a road link between Ferry Lane and Coldharbour Lane will run alongside Zone C. LTGDC are currently considering a separate, stand alone, planning application to complete this section of road under reference LTGDC-06-007-PP.
- 4.9 Zone D is a former land fill site that was acquired by the LDA. The LDA and LB Havering have previously agreed that this zone is not suitable for built development due to heavy site contamination issues. It is understood that LB Havering and the LDA have agreed that the site may be used at a later date as an overspill car park to accommodate vehicles from Zone C temporarily, until public transport infrastructure and services are implemented. A public transport contribution of £175,000 and a Staff Travel Plan are required from the LDA in line with the requirements of the s106 attached to P2078.03.
- 4.10 This application seeks to vary 26 of the 40 conditions attached to planning permission P2078.03, to allow phased development of the site in accordance with London Plan and UDP objectives. Variation of the conditions will enable the developers of Easter Park and any subsequent developers that come forward, to discharge the conditions. It would also avoid a situation where the outline planning permission was not fully implemented, leaving the developer potentially without a valid planning permission.
- 4.11 **Details of the proposed changes to conditions:** A list of the conditions attached to planning consent P2078.03 and the proposed variations are appended to this report as APPENDIX 1.

4.12 This application is referable to the Mayor of London because it falls within Category 3B and 1C of the Town and Country Planning (Mayor of London) Order 2000.

## 5. RELEVANT PLANNING HISTORY

- 5.1 U0001.06 – Current planning application for the formation of a new road linking the southern end of Ferry Lane with Coldharbour Lane.
- 5.2 LTGDC-07-065-AOD - Approval of details pursuant to condition 19 attached to outline planning application P2078.03 dated 31<sup>st</sup> October 2005, with regard to the development site within Zone C being developed by Easter Properties and being the site to which reserved matters approval U0003.06 relates only. Details approved 10.04.2007.
- 5.3 LTGDC-07-066-AOD - Approval of details pursuant to condition 33 attached to outline planning application P2078.03 dated 31<sup>st</sup> October 2005, with regard to the development site within Zone C being developed by Easter Properties and being the site to which reserved matters approval U0003.06 relates only. Details approved 10.04.2007.
- 5.4 LTGDC-06-020-PP – Approval of details pursuant to conditions 7, 10, 11, 12, 15, 17, 19, 23, 27, 34, 35 and 40 in so far as they relate to the development permitted under reserved matters approval U0003.06 (e.g. the Easter Park part of the site only). Details approved 14.12.2006.
- 5.5 Amended drawings showing minor revisions to the elevations and the proposed external materials of Easter Park, agreed in writing by LB Havering on LTGDC's behalf.
- 5.6 P1737.04 – Planning permission granted on 23.12.2004 for the erection of an industrial storage warehouse building with ancillary offices, car parking and service yard (House of Hill);
- 5.7 U0003.06 – Planning permission granted on 28.04.2006 for the revision of details approved under reserved matters application ref: P1922.05 dated 10.02.2006;
- 5.8 P1914.05 – Planning permission granted on 14.02.2006 for the formation of a new road linking the south end of Ferry Lane with Cold Harbour Lane;
- 5.9 P1922.05 – Planning permission granted on 10.02.2006 for the construction of 23 new light industrial/warehouse units with ancillary offices and associated forecourt facilities - Classes B1c, B2 and B8 (Easter Park); and
- 5.10 P2078.03 – Outline planning permission granted on 31.10.2005 subject to conditions and a s106 agreement for a business park for B1b, B1c, B2 and B8 uses.

## 6. MAIN ISSUES

- 6.1 The main issues are:
- (i) to have regard to the provisions of section 73 of the Town and Country Planning Act 1990;
  - (ii) re-assessment of environmental issues;
  - (iii) whether the objectives of the original planning conditions can be achieved through the development of the site on a phased basis;
  - (iv) whether the conditions as proposed would retain appropriate controls over the development;
  - (v) whether the requirements for protecting the river defences and introduction of improved public transport access to the site could still be achieved; and
  - (vi) consideration of a 'fresh' Planning Obligation Agreement (in the form of a Deed), in respect of this s73 application.

- 6.2 Regard has been had to the provisions of section 73 of the Town and Country Planning Act 1990.
- 6.3 The 'original' application was accompanied by an Environmental Statement. As the effect of a successful section 73 application is the grant of a new planning permission, then, if approved, this will be development consent and will require re-assessment of the environmental issues. Regulation 3(2) of the Town and Country Planning (Environmental Impact Assessment) Regulations 1999 provides that the relevant authority shall not grant planning permission or an EIA Development unless it has first taken the environmental information into consideration. It also provides that the relevant authority must state in its decision that it has taken such environmental information into consideration. Accordingly, the current section 73 application needs screening, to consider whether it is "EIA Development".
- 6.4 London Borough of Havering prepared a screening opinion, dated 24<sup>th</sup> December 2007, which concluded that the additional impacts arising from the section 73 application to vary the timing of the approval of details submitted pursuant to conditions would be insignificant. Therefore, the conclusion of the screening opinion was that further Environmental Assessment would not be required.
- 6.5 The original intention of the outline application was to allow for a phased development of brownfield land in accordance with London Plan and Havering UDP policies, including interim planning guidance for London Riverside. It was anticipated at the time outline planning permission was granted that the main site preparation works would be undertaken by the owner, the London Development Agency in advance of any development. However, this proved not to be the case. Therefore, in order to ensure that the site can be developed in accordance with policy the proposed amendments are considered necessary and appropriate.
- 6.6 There have been no objections to the changes, including from the Environment Agency who is satisfied that flood defence and drainage issues can be satisfactorily addressed. Road access to facilitate future bus routes will be provided through the determination of an outstanding planning application (U0001.06).
- 6.7 The changes to the conditions will ensure that the policy objectives, including those of the Havering submission DPD can be met.
- 6.8 The s106 attached to P2078.03 sets planning obligations requiring £175,000 (one hundred and seventy five thousand pounds) towards public transport (clause 6.1), the submission of a scheme for environmental and habitat improvement works, and a Staff Travel Plan from the LDA. The LDA are in breach of that 'Agreement'.
- 6.9 If the Corporation's Authorised Delegated Officer resolves to grant permission pursuant to the s73 application, then a fresh outline planning permission will be granted (whilst the 2005 permission and the 2005 Agreement will remain intact and unamended). Accordingly, it will be necessary for the LDA (and any other parties with an interest in the application site) to enter into a new section 106 agreement with the Corporation (as local planning authority) in respect of this s73 Application.
- 6.10 LTGDC have provided the LDA with a draft section 106 agreement in respect of this section 73 application. The following heads of terms are suggested:
- £180,500\* (One hundred and eighty thousand, five hundred pounds) Public Transport Contribution towards the provision of and improvement of public transport by way of a regular peak-time bus service serving the Development;
  - Staff Travel Plan to reduce the use of private motor vehicles attending the Development;
  - Establishment and maintenance of a River Thames Walkway (by foot, wheelchair and bicycle)

along the following routes:

- on land between the end of footpath 266 northwards along the eastern bank of Rainham Creek and then eastwards to Ferry Lane; and
- on land between Coldharbour Lane and the River Thames.
- Submission of the River Thames Walkway strategy for Local Planning Authority approval, to include an indicative timetable for delivery and details of negotiations with affected landowners, by 30 April 2008; and
- Review of the level of car parking in relation to the Development (within 12 months of a regular peak time bus service serving the Development) followed by implementation of the reduction in car parking spaces as the Local Planning Authority sees fit within three months of the Local Planning Authority giving notice of its requirements to the LDA.

(\*The LDA deposited the £175,000 Public Transport Contribution that should have been made in accordance with the original s106 into an interest-bearing account and that current total is now £180,500)

6.11 The LDA have confirmed the above heads of terms are acceptable.

## **7. CONCLUSION**

- 7.1 The proposed variations to the conditions appropriately address the issue of a phased development of the Beam Reach 8a site, allowing details to be submitted and discharged on a phased basis.
- 7.2 The proposed variations to the conditions are found to accord with the objectives for the redevelopment of the site as set out in the London Plan, LB Havering UDP, emerging LDF Core Strategy and Development Control Policies DPD. The protection of the river defences, land drainage and the provision of public transport will also continue to be met.
- 7.3 LTGDC Officers agree that further Environmental Assessment is not required in line with Havering's screening opinion (dated 27<sup>th</sup> December 2007).
- 7.4 In accordance with part (2) (a) of section 73 of the Town and Country Planning Act 1990, LTGDC should grant planning permission. Any such planning permission should be accompanied by a fresh section 106 agreement in respect of this section 73 application.

## **8. RECOMMENDATION**

- 8.1 The Authorised Delegated Officer is recommended to resolve to grant planning permission to vary the conditions attached to P2078.03 as set out in APPENDIX 1 to this report in accordance with part (2) (a) of section 73 of the Town and Country Planning Act 1990, subject to the satisfactory completion of a legal agreement under s106 of the Act and referral to the Mayor of London.

CASE OFFICER: Amanda Reid

DATE: 04/01/2008

AGREED BY PLANNING OR DELEGATED OFFICER:

DATE:

CASE NO: LTGDC-06-130-PP

APPLICATION NO.: U0011.06/LBHG



## APPENDIX 1.

<b>Condition as approved on planning consent P2078.03</b>	<b>Proposed varied condition</b>
<p><b>1.</b> The development hereby permitted may only be carried out in accordance with detailed plans and particulars which shall previously have been submitted to and approved by the Local Planning Authority, showing the siting, design and external appearance of the buildings, to include areas of proposed car parking the means of access thereto, and landscaping, including all matters defined as “landscaping” in the Town and Country Planning (General Development Procedure) Order (here in after called “the reserved matters”).</p> <p>Reason: The particulars submitted are insufficient for consideration of the details mentioned and the application is expressed to be for outline permission only.</p>	<p><b>1.</b> No variation proposed.</p>
<p><b>2.</b> Application/s for approval of the reserved matters shall be submitted to the Local Planning Authority within three years from the date of this permission.</p> <p>Reason: To comply with Section 92 of the Town and Country Planning Act 1990 (as amended by Section 51 of the Planning and Compulsory Purchase Act 2004).</p>	<p><b>2.</b> No variation proposed.</p>
<p><b>3.</b> The development to which this permission relates must be begun not later than the expiration of two years from the final approval of the reserved matters or, in the case of approval on different dates, the final approval of the last reserved matter to be approved.</p> <p>Reason: To comply with Section 92 of the Town and Country Planning Act 1990 (as amended by Section 51 of the Planning and Compulsory Purchase Act 2004).</p>	<p><b>3.</b> No variation proposed.</p>
<p><b>4.</b> The development hereby permitted</p>	<p><b>4.</b> No variation proposed.</p>



<p>shall not be carried out otherwise than in complete accordance with the approved plans, particulars and specifications.</p> <p>Reason: The Local Planning Authority consider it essential that the whole of the development is carried out and that no departure whatsoever is made from the details approved, since the development would not necessarily be acceptable if partly carried out or carried out differently in any degree from the details submitted. Also, in order that the development accords with Unitary Development Plan policy ENV1.</p>	
<p><b>5.</b> Before the building(s) hereby permitted are first occupied, provision shall be made within the site for car parking at a level to be agreed in writing with the Local Planning Authority, thereafter such provision shall be made permanently available for use unless otherwise agreed in writing with the Local Planning Authority.</p> <p>Reason: To ensure that car parking accommodation is made permanently available at a level agreed by the Local Planning Authority in the interests of highway safety.</p>	<p><b>5.</b> Before any of the building(s) permitted under a reserved matters approval pursuant to planning permission P2078.03 are first occupied provision shall be made within the site to which the approval relates for car parking at a level to be agreed in writing with the Local Planning Authority; thereafter such provision shall be made permanently available for use unless otherwise agreed in writing with the Local Planning Authority.</p> <p>Reason: To ensure that car parking accommodation is made permanently available at a level agreed by the Local Planning Authority in the interests of highway safety.</p>
<p><b>6.</b> Before development permitted under any reserved matters permission pursuant to this permission, is first occupied, provision shall be made, on each development plot for 4% of all car parking spaces to be disabled car parking spaces in accordance with a scheme or schemes previously submitted to and agreed in writing by the Local Planning Authority and thereafter implement in accordance with the agreed scheme. Thereafter this provision shall be made permanently available for use, unless otherwise agreed in writing by the Local Planning Authority.</p>	<p><b>6.</b> No variation proposed.</p>

<p>Reason: To ensure adequate on-site parking is available for the disabled.</p>	
<p><b>7.</b> Before any of the development hereby permitted is commenced, samples of all materials to be used in the external construction of the building(s) shall be submitted to and approved in writing by the Local Planning Authority and thereafter the development shall be constructed with the approved materials.</p> <p>Reason: To ensure that the appearance of the proposed development will harmonise with the character of the surrounding area, and that the development accords with the Unitary Development Plan policy ENV1.</p>	<p><b>7.</b> Before any of the development permitted under a reserved matters approval pursuant to planning permission P2078.03 is commenced, samples of all materials to be used in the external construction of the building(s) to which the approval relates shall be submitted to and approved in writing by the Local Planning Authority and thereafter the development shall be constructed with the approved materials.</p> <p>Reason: To ensure that the appearance of the proposed development will harmonise with the character of the surrounding area, and that the Development accords with Unitary Development Plan policy ENV1.</p>
<p><b>8.</b> No development shall take place until there has been submitted to and approved by the Local Planning Authority a scheme of hard and soft landscaping, which shall include indications of all existing trees and shrubs on the site, and details of any to be retained, together with measures for the protection in the course of development. All planting, seeding or turfing comprised within the scheme shall be carried out in the first planting season following completion of the development or as otherwise provided for in the approved scheme and any trees or plants which within a period of 5 years from completion of the development die, are removed or become seriously damaged or diseased shall be replaced in the next planting season with others of a similar size and species, unless otherwise agreed in writing by the Local Planning Authority.</p> <p>Reason: In accordance with Section 197</p>	<p><b>8.</b> No development permitted under a reserved matters approval pursuant to planning permission P2078.03 shall take place until there has been submitted to and approved by the Local Planning Authority a scheme of hard and soft landscaping for the area covered by the approval, which shall include indications of all existing trees and shrubs on the site, and details of any to be retained, together with measures for the protection in the course of development. All planting, seeding or turfing comprised within the scheme shall be carried out in the first planting season following completion of the development or as otherwise provided for in the approved scheme and any trees or plants which within a period of 5 years from completion of the development die, are removed or become seriously damaged or diseased shall be replaced in the</p>

<p>of the Town and Country Planning Act 1990 and to enhance the visual amenities of the development, and the development accords with the Unitary Development Plan policy ENV1.</p>	<p>next planting season with others of a similar size and species, unless otherwise agreed in writing by the Local Planning Authority.</p> <p>Reason: In accordance with Section 19 of the Town and Country Planning Act 1990 and to enhance the visual amenities of the development, and the development accords with Unitary Development Plan policy ENV1.</p>
<p><b>9.</b> Before the building(s) hereby permitted is first occupied, the area set aside for car parking shall be laid out and surfaced to the satisfaction of the Local Planning Authority and retained permanently thereafter for the accommodation of vehicles visiting the site and shall not be used for any other purpose.</p> <p>Reason: To ensure that car parking accommodation is made permanently available to the standards adopted by the Local Planning Authority in the interest of highway safety, and that the development accords with the Unitary Development Plan policy TRN18.</p>	<p><b>9.</b> Before any development permitted under a reserved matters approval pursuant to planning permission P2078.03 is first occupied, the area set aside for car parking shall be laid out and surfaced to the satisfaction of the Local Planning Authority and retained permanently thereafter for the accommodation of vehicles visiting the site and shall not be used for any other purpose.</p> <p>Reason: To ensure that car parking accommodation is made permanently available to the standards adopted by the Local Planning Authority in the interest of highway safety, and that the development accords with the Unitary Development Plan policy TRN18.</p>
<p><b>10.</b> Before the building(s) hereby permitted is first occupied, a properly hardened area shall be provided within the curtilage of the site for the loading, unloading and turning of vehicles, in accordance with details previously submitted to and agreed in writing by the Local Planning Authority. Thereafter such provision shall be made permanently available for use to the satisfaction of the Local Planning Authority unless otherwise agreed in writing with the Local Planning Authority. No loading or unloading of goods (including fuel) from vehicles arriving at or departing from the premises shall be carried out otherwise than within such area. There shall be no</p>	<p><b>10.</b> Before any development permitted under a reserved matters approval pursuant to planning permission P2078.03 is first occupied, a properly hardened area shall be provided within the curtilage of the site for the loading, unloading and turning of vehicles, in accordance with details previously submitted to and agreed in writing by the Local Planning Authority. Thereafter such provision shall be made permanently available for use to the satisfaction of the Local Planning Authority unless otherwise agreed in writing with the Local Planning Authority. No loading or</p>

<p>storage of goods or other obstructions within the approved area without prior consent in writing of the Local Planning Authority.</p> <p>Reason: To avoid obstruction of the surrounding streets and to safeguard the amenities of occupiers of the neighbouring property, and in order that the development accords with Unitary Development Plan policy TRN2.</p>	<p>unloading of goods (including fuel) from vehicles arriving at or departing from the premises shall be carried out otherwise than within such area. There shall be no storage of goods or other obstructions within the approved area without prior consent in writing of the Local Planning Authority.</p> <p>Reason: To avoid obstruction of the surrounding streets and to safeguard the amenities of occupiers of the neighbouring property, and in order that the development accords with Unitary Development Plan policy TRN2.</p>
<p><b>11.</b> Before the development hereby permitted is first commenced, details of wheel scrubbing/wash down facilities to prevent mud being deposited onto the public highway during construction works shall be submitted to and approved in writing by the Local Planning Authority. The approved facilities shall be permanently retained and used at relevant entrances to the site throughout the course of construction works.</p> <p>Reason: In order to prevent materials from the site being deposited on the adjoining public highway, in the interests of highway safety and the amenity of the surrounding area, and in order that the development accords with Unitary Development Plan policies ENV1 and TRN2.</p>	<p><b>11.</b> Before any development permitted under a reserved matters approval pursuant to planning permission P2078.03 is first commenced, details of wheel scrubbing/wash down facilities to prevent mud being deposited onto the public highway during construction works shall be submitted to and approved in writing by the Local Planning Authority. The approved facilities shall be permanently retained and used at relevant entrances to the site throughout the course of construction works.</p> <p>Reason: In order to prevent materials from the site being deposited on the adjoining public highway, in the interests of highway safety and the amenity of the surrounding area, and in order that the development accords with Unitary Development Plan policies ENV1 and TRN2.</p>
<p><b>12.</b> Prior to the first occupation of the development hereby permitted, provision shall be made for the storage of refuse awaiting collection according to details which shall previously have been agreed in writing by the Local Planning Authority. Unless otherwise agreed in writing these</p>	<p><b>12.</b> Before any development permitted under a reserved matters approval pursuant to planning permission P2078.03 is first occupied, provision shall be made for the storage of refuse awaiting collection according to details which</p>

<p>details shall include provision for underground containment or recyclable waste.</p> <p>Reason: In the interests of amenity of occupiers of the development and also the visual amenity of the development and the locality generally, and in order that the development accords with Unitary Development Plan policy ENV1 and Interim Planning Guidance.</p>	<p>shall previously have been agreed in writing by the Local Planning Authority. Unless otherwise agreed in writing these details shall include provision for underground containment and/or recyclable waste.</p> <p>Reason: In the interests of amenity of occupiers of the development and also the visual amenity of the development and the locality generally, and in order that the development accords with Unitary Development Plan policy ENV1 and Interim Planning Guidance.</p>
<p><b>13.</b> Before any of the development permitted under a detailed approval pursuant to this permission is first occupied, a scheme to facilitate improved bus access and internal circulation, including access from both Ferry Lane and Coldharbour Lane, shall be submitted to the Local Planning Authority for approval in writing. The scheme shall be fully implemented in accordance with the approved details prior to first occupation.</p> <p>Reason: To ensure that the site can be well served by public transport.</p>	<p><b>13.</b> Before any of the development permitted under a reserved matters approval pursuant to planning permission P2078.03 for the final phase of Zone C shown on Figure 1.2 is first occupied, a scheme to facilitate improved bus access and internal circulation, including access from both Ferry Lane and Coldharbour Lane, shall be submitted to the Local Planning Authority for approval in writing. The scheme shall be fully implemented in accordance with the approved details prior to first occupation.</p> <p>Reason: To ensure that the site can be well served by public transport.</p>
<p><b>14.</b> Before any of the development permitted under a detail approval pursuant to this permission is first occupied, a scheme detailing the layout and design of the bus stops and associated shelters shall be submitted to the Local Planning Authority for approval in writing. The scheme shall be fully implemented in accordance with the approved details prior to first occupation.</p> <p>Reason: To ensure that the design, location and appearance of bus stops are appropriate.</p>	<p><b>14.</b> Before any of the development permitted under a reserved matters approval pursuant to planning permission P2078.03 for the final phase of Zone C shown on Figure 1.2 is first occupied, a scheme detailing the layout and design of the bus stops and associated shelters shall be submitted to the Local Planning Authority for approval in writing. The scheme shall be fully implemented in accordance with the approved details prior to first occupation.</p>

	Reason: To ensure that the design, location and appearance of bus stops are appropriate.
<p><b>15.</b> Before development is commenced, a scheme shall be submitted to and approved in writing by the Local Planning Authority making provision for a Construction Method Statement to control the adverse impact of the development on the amenity of the public and nearby occupiers. The Construction Method Statement shall include details of:</p> <ul style="list-style-type: none"> <li>a) parking of vehicles of site personnel and visitors;</li> <li>b) storage of plant and materials;</li> <li>c) dust management controls;</li> <li>d) measures for minimising the impact of noise and, if appropriate, vibration arising from construction activities;</li> <li>e) predicted noise, and if appropriate, vibration levels using methodologies and at points agreed with the Local Planning Authority;</li> <li>f) scheme for monitoring noise and if appropriate, vibration levels using methodologies and at points agreed with the Local Planning Authority;</li> <li>g) siting and design of temporary buildings;</li> <li>h) scheme for security fencing/hoardings, depicting a readily visible 24-hour contact number for queries or emergencies;</li> <li>i) details of disposal of waste arising from the construction programme, including final disposal points. The burning of waste on the site at any time is specifically precluded.</li> </ul> <p>And the development shall be carried out in accordance with the approved scheme and statement.</p> <p>Reason: To protect residential amenity, and in order that the development accords with Unitary Development Plan policy</p>	<p><b>15.</b> Before development permitted under a reserved matters approval pursuant to planning permission P2078.03 is commenced, a scheme shall be submitted to and approved in writing by the Local Planning Authority making provision for a Construction Method Statement to control the adverse impact of the development on the amenity of the public and nearby occupiers. The Construction Method Statement shall include details of:</p> <ul style="list-style-type: none"> <li>a) parking of vehicles of site personnel and visitors;</li> <li>b) storage of plant and materials;</li> <li>c) dust management controls;</li> <li>d) measures for minimising the impact of noise and, if appropriate, vibration arising from construction activities;</li> <li>e) predicted noise, and if appropriate, vibration levels using methodologies and at points agreed with the Local Planning Authority;</li> <li>f) scheme for monitoring noise and if appropriate, vibration levels using methodologies and at points agreed with the Local Planning Authority;</li> <li>g) siting and design of temporary buildings;</li> <li>h) scheme for security fencing/hoardings, depicting a readily visible 24-hour contact number for queries or emergencies;</li> <li>i) details of disposal of waste arising from the construction programme, including final disposal points. The burning of waste on the site at any time is specifically precluded.</li> </ul> <p>And the development shall be carried out in accordance with the approved</p>

<p>ENV1.</p>	<p>scheme and statement.</p> <p>Reason: To protect the amenities of the area, and in order that the development accords with Unitary Development Plan policy ENV1.</p>
<p><b>16.</b> No development shall take place until the applicant has secured the implementation of a programme of archaeological work in accordance with a written scheme or investigation which has been submitted by the applicant and approved by the Local Planning Authority. The development shall only take place in accordance with the detailed scheme pursuant to this condition. The archaeological works shall be carried out by a suitably qualified investigating body acceptable to the Local Planning Authority.</p> <p>Reason: Important archaeological remains may exist on the site. Accordingly the Local Planning Authority wishes to secure the provision of archaeological investigation and the subsequent recording of the remains prior to development, in accordance with the guidance and model condition sent out in PPG16.</p>	<p><b>16.</b> No development permitted under a reserved matters approval pursuant to planning permission P2078.03 shall take place until the applicant has secured the implementation of a programme of archaeological work for the area covered by that approval, in accordance with a written scheme or investigation which has been submitted by the applicant and approved by the Local Planning Authority. The development shall only take place in accordance with the detailed scheme pursuant to this condition. The archaeological works shall be carried out by a suitably qualified investigating body acceptable to the Local Planning Authority.</p> <p>Reason: Important archaeological remains may exist on the site. Accordingly the Local Planning Authority wishes to secure the provision of archaeological investigation and the subsequent recording of the remains prior to development, in accordance with the guidance and model condition sent out in PPG16.</p>
<p><b>17.</b> No work on the site shall take place until a detailed design and method statement for the foundation design and all new ground works has been submitted to and approved in writing by the Local Planning Authority.</p> <p>Reason: To minimise the damage to any archaeological resource and to prevent pollution of the ground water.</p>	<p><b>17.</b> No work permitted under a reserved matters approval pursuant to planning permission P2078.03 on the site covered by the approval shall take place until a detailed design and method statement for the foundation design and all new ground works has been submitted to and approved in writing by the Local Planning Authority.</p> <p>Reason: To minimise the damage to</p>

	any archaeological resource and to prevent pollution of the ground water.
<p><b>18.</b> Prior to the commencement of any works pursuant to this permission the developer shall submit for the written approval of the Local Planning Authority:</p> <ul style="list-style-type: none"> <li>a) A phase II (site investigation) report. This is an intrusive site investigation including factors such as chemical testing, quantitative risk assessment and a description of the sites ground conditions. An updated site conceptual model should be included showing all the potential pollutant linkages and an assessment of risk to identified receptors.</li> <li>b) A Phase III (risk management strategy) report if the phase II Report confirms the presence of a significant pollutant linkage requiring remediation.</li> </ul> <p>The report will comprise of two parts:</p> <ul style="list-style-type: none"> <li>c) A remediation scheme which will be fully implemented before any construction activity is commenced. Any variation to the scheme shall be submitted to and agreed in writing with the Local Planning Authority in advance of works being undertaken. The remediation scheme is to include consideration and proposals to deal with situations where, during works on site, contamination is encountered which has not previously been identified. Any further contamination shall be fully assessed and an appropriate remediation scheme submitted to the Local Planning Authority for written approval.</li> <li>d) Following completion of the remediation works a remediation validation report shall be submitted demonstrating that the works have</li> </ul>	<p><b>18.</b> Prior to the commencement of any works pursuant to a reserved matters approval pursuant to planning permission P2078.03 the developer shall submit for the written approval of the Local Planning Authority in respect of the area covered by the approval:</p> <ul style="list-style-type: none"> <li>d) A phase II (site investigation) report. This is an intrusive site investigation including factors such as chemical testing, quantitative risk assessment and a description of the sites ground conditions. An updated site conceptual model should be included showing all the potential pollutant linkages and an assessment of risk to identified receptors.</li> <li>e) A Phase III (risk management strategy) report if the phase II Report confirms the presence of a significant pollutant linkage requiring remediation.</li> </ul> <p>The report will comprise of two parts:</p> <ul style="list-style-type: none"> <li>f) A remediation scheme which will be fully implemented before any construction activity is commenced. Any variation to the scheme shall be submitted to and agreed in writing with the Local Planning Authority in advance of works being undertaken. The remediation scheme is to include consideration and proposals to deal with situations where, during works on site, contamination is encountered which has not previously been identified. Any further contamination shall be fully assessed and an</li> </ul>



<p>been carried out satisfactorily and remediation targets have been achieved. Any exceedences in target values should be justified within the report.</p> <p>Reason: To prevent the pollution of the water environment and to protect those engaged in construction and occupation of the development.</p>	<p>appropriate remediation scheme submitted to the Local Planning Authority for written approval.</p> <p>g) Following completion of the remediation works a remediation validation report shall be submitted demonstrating that the works have been carried out satisfactorily and remediation targets have been achieved. Any exceedences in target values should be justified within the report.</p> <p>Reason: To prevent the pollution of the water environment and to protect those engaged in construction and occupation of the development.</p>
<p><b>19.</b> Before any of the development permitted under a detail approval pursuant to this permission is first occupied, details of any floodlighting and other artificial lighting adjacent to any existing or proposed watercourses or river corridor proposed to be erected shall be submitted to the Local Planning Authority for approval. The works shall be carried out in accordance with the approved details prior to the first occupation.</p> <p>Reason: To ensure that the light spillage does not adversely affect amenity and nature conservation interests.</p>	<p><b>19.</b> No variation proposed.</p>
<p><b>20.</b> No goods or materials shall be stored on site unless such goods or materials are screen from view in areas and to a height previously agreed in writing with the Local Planning Authority.</p> <p>Reason: To preserve the visual amenity of the development site.</p>	<p><b>20.</b> No variation proposed.</p>
<p><b>21.</b> No more than 30% of the total site area in either Zone C or in Zones A and B combined, identified in figure 1.2 shall be developed for B8 uses.</p>	<p><b>21.</b> No variation proposed.</p>

<p>Reason: To maximise the employment potential of the site.</p>	
<p><b>22.</b> No work on the construction of the building shall be commenced until such time as a scheme has been submitted to and approved in writing by the Local Planning Authority detailing the location and detail of fire hydrants on the site. Prior to the first occupation of the facility, such hydrants shall be installed and maintained.</p> <p>Reason: To ensure that adequate provision is made for fire protection on the site.</p>	<p><b>22.</b> No development permitted under a reserved matters approval pursuant to planning permission P2078.03 shall be commenced until such time as a scheme has been submitted to and approved in writing by the Local Planning Authority detailing the location and detail of fire hydrants on the site. Prior to the first occupation of the facility, such hydrants shall be installed and maintained.</p> <p>Reason: To ensure that adequate provision is made for fire protection on the site.</p>
<p><b>23.</b> Prior to the first occupation of any of the buildings forming part of this development, a scheme of site security for the development shall be submitted to and approved in writing occupation of any of the buildings and thereafter continuously maintained to the satisfaction of the Local Planning Authority.</p> <p>Reason: In the interests of public safety and sustainability.</p>	<p><b>23.</b> Prior to the first occupation of any of the buildings permitted as part of reserved matters approval pursuant to planning permission P2078.03, a scheme of site security for the development shall be submitted to and approved in writing occupation of any of the buildings and thereafter continuously maintained to the satisfaction of the Local Planning Authority.</p> <p>Reason: In the interests of public safety and sustainability.</p>
<p><b>24.</b> Prior to the first occupation of any building forming part of the development a 5 metre vegetated buffer zone shall be provided, of locally native plant species, of UK genetic provenance, between the development and the ditch alongside Coldharbour Lane. This buffer zone shall be measured from the top of the bank and shall be free of structures, hardstanding (including parking and access) and fences.</p> <p>Reason: To maintain the character of the watercourse and provide undisturbed refuges for wildlife using the river corridor.</p>	<p><b>24.</b> Before any development permitted under a reserved matters approval pursuant to planning permission P2078.03 for the final phase of Zone C shown on Figure 1.2 is commenced a 5 metre vegetated buffer zone shall be provided, of locally native plant species, of UK genetic provenance, between the development and he ditch alongside Coldharbour Lane. This buffer zone shall be measured from the top of the bank and shall be free of structures, hardstanding (including parking and access) and fences.</p>

	Reason: To maintain the character of the watercourse and provide undisturbed refuges for wildlife using the river corridor.
<p><b>25.</b>The development shall be carried out in accordance with the environmental standards, mitigation measures, requirements and methods of implementing the development contained in the environmental statement relevant to the development and appendices thereto, submitted in September 2004, the development specification and framework and any Regulation 19 submission documents, unless and to the extent that such standards, measures, requirements and methods are altered by the express terms of this permission and the approved strategies, frameworks, protocols and other documents to be submitted pursuant to it.</p> <p>Reason: To ensure the development is carried out in accordance with the assessment carried out as part of the environmental statement and the mitigation measures proposed therein.</p>	<b>25.</b> No variation proposed.
<p><b>26.</b> Before the development hereby permitted is first commenced details of the measures to be provided within the development area to mitigate for the loss of habitat, including the proposed nature conservation zone shall be submitted to and approved in writing by the Local Planning Authority. The scheme shall include measures to protect and enhance existing habitats wherever feasible including the creation of water features and provide the maximum benefit to wildlife using them. The scheme shall be fully implemented in accordance with the approved scheme prior to first occupation.</p> <p>Reason: To enhance the nature conservation interests of the site.</p>	<b>26.</b> No development permitted under a reserved matters approval pursuant to planning permission P2078.03 shall commence until details of the measures to be provided within the development area to mitigate for the loss of habitat, including the proposed nature conservation zone shall be submitted to and approved in writing by the Local Planning Authority. The scheme shall include measures to protect and enhance existing habitats wherever feasible including the creation of water features and provide the maximum benefit to wildlife using them. The scheme shall be fully implemented in accordance with the approved details within 6 months of the first occupation of any of the buildings permitted under the approval.

	Reason: To enhance the nature conservation interests of the site.
<p><b>27.</b> Surface water source control measures, including any attenuation and storage works shall be carried out in accordance with details which shall be submitted to and approved in writing by the Local Planning Authority before development commences.</p> <p>Reason: To prevent the increased risk of flooding, improve water quality and in order that the development accords with Unitary Development Plan policy ENV1.</p>	<p><b>27.</b> Surface water source control measures, including any attenuation and storage works shall be carried out in accordance with details which shall be submitted to and approved in writing by the Local Planning Authority before development under any reserved matters approval pursuant to planning permission P2078.03 commences.</p> <p>Reason: To prevent the increased risk of flooding, improve water quality and in order that the development accords with Unitary Development Plan policy ENV1.</p>
<p><b>28.</b> The development hereby permitted shall only be carried out in accordance with a design strategy for the whole of the development which shall previously have been submitted to and approved in writing by the Local Planning Authority. The strategy shall include details of the design principles to be followed throughout the development and the design relationship between the various phases of the development, including building heights. It shall also include details of the types of materials, colours and external finishes to be used.</p> <p>Reason: To ensure that the scheme achieves a high standard of design overall and that the individual phases relate to each other in a coherent way.</p>	<p><b>28.</b> The development of each Zone of the site covered by planning permission P2078.03 shall only be carried out in accordance with a design strategy for the whole of that Zone which shall previously have been submitted to and approved in writing by the Local Planning Authority. The strategy shall include details of the design principles to be followed throughout the development and the design relationship between the various phases of the development, including building heights. It shall also include details of the types of materials, colours and external finishes to be used.</p> <p>Reason: To ensure that the scheme achieves a high standard of design overall and that the individual phases relate to each other in a coherent way.</p>
<p><b>29.</b> Before the development hereby permitted is first commenced details of the design and layout of all road junctions with Coldharbour Lane and Ferry Lane shall be submitted to and approved in</p>	<p><b>29.</b> No variation proposed.</p>

<p>writing by the Local Planning Authority. The approved junctions shall be constructed prior to the occupation of any of the buildings hereby permitted or as otherwise allowed for.</p> <p>Reason: In the interests of highway safety.</p>	
<p><b>30.</b> No buildings constructed under this permission shall exceed 20 metres above ground level.</p> <p>Reason: To ensure that there is a consistency of appearance in the interests of amenity.</p>	<p><b>30.</b> No variation proposed.</p>
<p><b>31.</b> The development hereby permitted shall not commence until details of the proposed finished ground levels have been submitted to and approved in writing by the Local Planning Authority. The effects of ground raising and alterations to the profile of the embankments on the stability of the flood defences shall be fully justified by calculation as necessary. The development shall proceed in accordance with the agreed details.</p> <p>Reason: To maintain the structural integrity of the tidal flood defences and prevent the increased risk of flooding.</p>	<p><b>31.</b> No development permitted under a reserved matters approval pursuant to planning permission P2078.03 shall commence until details of the proposed finished ground levels for the area covered by the approval have been submitted to and approved in writing by the Local Planning Authority. Where relevant, the effects of ground raising and alterations to the profile of the embankments on the stability of the flood defences shall be fully justified by calculation as necessary. The development shall proceed in accordance with the agreed details.</p> <p>Reason: To maintain the structural integrity of the tidal flood defences and prevent the increased risk of flooding.</p>
<p><b>32.</b> The development hereby permitted shall not commence until the following details have been submitted to and approved in writing by the Local Planning Authority:</p> <p>a) A scheme to demonstrate the feasibility of raising the flood defences by 600mm including an option for an earth embankment raising solution within the layout.</p>	<p><b>32.</b> The development of the final phase of Zone C shown on Figure 1.2 shall not commence until the following details have been submitted to and approved in writing by the Local Planning Authority:</p> <p>c) A scheme to demonstrate the feasibility of raising the flood defences by 600mm including an option for an earth</p>

<p>b) Details of gating, roads, paths, ramps, steps, drainage channels and other facilities for the purposes of accessing the site and tidal flood defences.</p> <p>Reason: To demonstrate that the structural integrity of the tidal flood defences can be maintained and allow for modifications in the light of natural deterioration and climate change to prevent the increased risk of flooding.</p>	<p>embankment raising solution within the layout.</p> <p>d) Details of gating, roads, paths, ramps, steps, drainage channels and other facilities for the purposes of accessing the site and tidal flood defences.</p> <p>Reason: To demonstrate that the structural integrity of the tidal flood defences can be maintained and allow for modifications in the light of natural deterioration and climate change to prevent the increased risk of flooding.</p>
<p><b>33.</b> The development hereby permitted shall not commence until, a scheme for the evacuation and protection on site of people in accordance with the findings of a detailed Flood Risk Assessment examining the effects of flooding from a breach in the tidal flood defences has been submitted to and approved in writing by the Local Planning Authority.</p> <p>Reason: To minimise risks from tidal flooding.</p>	<p><b>33.</b> No development permitted under a reserved matters approval pursuant to planning permission P2078.03 shall be occupied until a scheme for the evacuation and protection on site of people employed or visiting that phase of the development in accordance with the findings of a detailed Flood Risk Assessment examining the effects of flooding from a breach in the tidal flood defences has been submitted to and approved in writing by the Local Planning Authority.</p> <p>Reason: To minimise risks from tidal flooding.</p>
<p><b>34.</b> Before the development is commenced a detailed site investigation shall be carried out to establish if the site is contaminated to assess the degree and nature of the contamination present, and to determine its potential for the pollution of the water environment. The method and extend of this site investigation shall be agreed with the Local Planning Authority prior to commencement of work. Details of appropriate measures to prevent pollution of groundwater and surface water, including provisions for monitoring, shall then be submitted to and approved in writing by the Local Planning</p>	<p><b>34.</b> Before the development permitted under a reserved matters approval pursuant to planning permission P2078.03 is commenced a detailed site investigation for the area covered by the approval shall be carried out to establish if the site is contaminated to assess the degree and nature of the contamination present, and to determine its potential for the pollution of the water environment. The method and extend of this site investigation shall be agreed with the Local Planning Authority prior to commencement of</p>

<p>Authority before development commences. The development shall then proceed in strict accordance with the measures approved.</p> <p>Reason: To prevent pollution of the water environment.</p>	<p>work. Details of appropriate measures to prevent pollution of groundwater and surface water, including provisions for monitoring, shall then be submitted to and approved in writing by the Local Planning Authority before development commences. The development shall then proceed in strict accordance with the measures approved.</p> <p>Reason: To prevent pollution of the water environment.</p>
<p><b>35.</b> Before the development is commenced a detailed Remediation Strategy and Method Statement shall be developed giving details of appropriate measures to prevent pollution of ground water and surface water, including provision for monitoring surface and groundwater where appropriate and remedial target values shall be submitted to, and approved in writing by the Local Planning Authority. The development shall then proceed in strict accordance with the measures approved. A final Remediation Validation Report shall be submitted detailing the final remedial target values and any variance in actual soil contamination concentrations. Any exceedances in target values should be justified within the report.</p> <p>Reason: The prevent pollution of the water environment.</p>	<p><b>35.</b> Before development permitted under a reserved matters approval pursuant to planning permission P2078.03 is commenced a detailed Remediation Strategy and Method Statement shall be developed giving details of appropriate measures to prevent pollution of ground water and surface water, including provision for monitoring surface and groundwater where appropriate and remedial target values shall be submitted to, and approved in writing by the Local Planning Authority. The development of the area covered by the approval shall then proceed in strict accordance with the measures approved. A final Remediation Validation Report shall be submitted detailing the final remedial target values and any variance in actual soil contamination concentrations. Any exceedances in target values should be justified within the report.</p> <p>Reason: The prevent pollution of the water environment.</p>
<p><b>36.</b> The construction of the surface and foul drainage system shall be carried out in accordance with details submitted to and approved in writing by the Local Planning Authority before the development commenced.</p>	<p><b>36.</b> The construction of the surface and foul drainage system for each area covered by a reserved matters approval pursuant to planning permission P2078.03 shall be carried out in accordance with details submitted to and approved in writing</p>

<p>Reason: To prevent pollution of the water environment.</p>	<p>by the Local Planning Authority before the commencement of that phase of the development.</p> <p>Reason: To prevent pollution of the water environment.</p>
<p><b>37.</b> No soakaways shall be constructed in contaminated ground.</p> <p>Reason: To prevent pollution of ground water.</p>	<p><b>37.</b> No variation proposed.</p>
<p><b>38.</b> A 16 metre undeveloped vegetated buffer zone shall be provided of locally native plant species, of UK genetic provenance, alongside the Thames and Rainham Creek and a 5 metre vegetated buffer zone alongside any other watercourses (including ditches). These buffer zones shall be measured from the top of the bank and shall be free of structures, hard standing, car parking and fences.</p> <p>Reason: To maintain the character of the watercourse and provide undisturbed refuges for wildlife using the river corridor.</p>	<p><b>38.</b> No variation proposed.</p>
<p><b>39.</b> All buildings shall be set back from all watercourses at appropriate distances to eliminate the impact of shading on the water and its corridor.</p> <p>Reason: To ensure that shade cast by the buildings will not reduce the ecological value of the river corridor by limiting light levels and temperatures, thus limiting plant growth and reproduction, and affecting the life-cycles of wildlife.</p>	<p><b>39.</b> No variation proposed.</p>
<p><b>40.</b> No development approved by this permission shall be commenced until a landscape management plan, including long term design objectives, management responsibilities and maintenance schedules for all landscape areas has been submitted to and approved in writing by the Local Planning Authority. The</p>	<p><b>40.</b> No development permitted under a reserved matters approval pursuant to planning permission P2078.03 shall be commenced until a landscape management plan, including long term design objectives, management responsibilities and maintenance schedules for all</p>



<p>landscape management plan shall be carried out as approved.</p> <p>Reason: To protect/conserv e the natural features and character of the area.</p>	<p>landscaped areas within that phase of the development has been submitted to and approved in writing by the Local Planning Authority. The landscape management plan shall be carried out as approved.</p> <p>Reason: To protect/conserv e the natural features and character of the area.</p>
<b>Informatives</b>	
<p><b>1.</b> Note for condition 1. The maximum level of ground raising shown on the outline proposals is 2.4m above ODN. It is anticipated that changes to the embankments as shown on drawing number 6283/Cross Sections would necessitate additional stability measures to be put in place.</p>	<p><b>1.</b> No variation proposed.</p>
<p><b>2.</b> Note for condition 2. The 16m Environment Agency Byelaw margin is measured from the landward foot of any embankment and is not necessarily that shown in blue on drawing number 62083/FIRGURE 5, particularly in the region of section K-K.</p>	<p><b>2.</b> No variation proposed.</p>
<p><b>3.</b> Under the terms of the Water Resources Act 1991 and the Land Drainage Byelaws 1981, the prior written consent of the Environment Agency is required for any proposed works or structures either affecting or within 16 metres of the tidal flood defence structure. Contact I Blackburn on 020 8305 4013 for further details.</p>	<p><b>3.</b> No variation proposed.</p>
<p><b>4.</b> The statutory tidal flood defence level, which is 7.1 metres above ODN at this site, must be maintained at all times, with temporary works if necessary. Contact I Blackburn on 020 8305 4013 for further details.</p>	<p><b>4.</b> No variation proposed.</p>
<p><b>5.</b> The development of the site is likely to damage archaeological remains. The</p>	<p><b>5.</b> No variation proposed.</p>

<p>applicant should therefore submit detailed proposals in the form of an archaeological project design. The design should be in accordance with the appropriate English Heritage Guidelines.</p>	
<p><b>6.</b> The Local Planning Authority wishes to ensure that archaeological remains on this site are preserved in situ. The detailed proposals should include appropriate drawings, notes and method statements showing how the objective of in situ preservation is to be achieved.</p>	<p><b>6.</b> No variation proposed.</p>
<p><b>7.</b> The London Borough of Havering fully supports the Secured by Design award scheme and seeks to encourage accreditation. It is recommended that the applicant works towards achieving these standards in progressing this proposal. This is a national police initiative backed by the Home Office Crime Reduction Unit designed to encourage the building industry to adopt crime prevention measures to assist in reducing the opportunity for crime and the fear of crime and creating a safer, more sustainable and secure environment.</p>	<p><b>7.</b> No variation proposed.</p>
<p><b>8.</b> Reason for Approval:</p> <p>The proposal is considered to be in accordance with the aims and objectives of policies EMP1, ENV1, TRN2 and TRN18 of the Havering Unitary Development Plan. It also accords with the Council's Interim Planning Guidance for an Urban Strategy for London Riverside and is considered to accord with the provisions of PPG25.</p>	<p><b>8.</b> No variation proposed.</p>