



Appeal Decision

Inquiry Held on 8-11 and 22-25 March 2022

Site visit made on 21 March 2022

by Patrick Hanna MSc MRTPI

an Inspector appointed by the Secretary of State

Decision date: 6th May 2022

Appeal Ref: APP/E5330/W/21/3288655

Evelyn House, 5-31 Eastmoor Street, Charlton, London SE7 8LX

- The appeal is made under section 78 of the Town and Country Planning Act 1990 against a refusal to grant planning permission.
 - The appeal is made by Optivo against the decision of Royal Borough of Greenwich Council.
 - The application Ref 20/2186/F, dated 22 July 2020, was refused by notice dated 22 July 2021.
 - The development proposed is demolition of existing building and construction of a part 4/part 6/part 7 storey building comprising Class C3 residential use (67 units) and Class B1 business use, with associated amenity and play space, public realm, access, car and cycle parking, refuse and recycling storage and sub-station.
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Decision

1. The appeal is allowed and planning permission is granted for demolition of existing building and construction of a part 4/part 6/part 7 storey building comprising Class C3 residential use (67 units) and Class B1 business use, with associated amenity and play space, public realm, access, car and cycle parking, refuse and recycling storage and sub-station at Evelyn House, 5-31 Eastmoor Street, Charlton, London SE7 8LX in accordance with the terms of the application Ref 20/2186/F, dated 22 July 2020, subject to the conditions in the attached schedule.

Application for costs

2. An application for costs was made by Optivo against the Royal Borough of Greenwich Council. This application is the subject of a separate Decision.

Procedural Matters

3. The inquiry was held jointly with an appeal¹ by Aitch Group (AG) for development at the adjacent site for erection of buildings between six and nine storeys in height for 188 residential units and flexible employment, community and retail floorspace. The appeal by AG is the subject of a separate decision.
4. Rule 6 status was granted to the Port of London Authority (PLA) and the Safeguarded Wharf Operators (SWO)(Aggregate Industries, Cemex, Day Group and Tarmac for the safeguarded Angerstein, Murphy's and Riverside Wharfs). PLA and SWO only participated in the obligations and conditions round table session. An additional Rule 6 party, Charlton Together (CT), took part in the inquiry but only in respect of the AG appeal.

¹ Appeal decision APP/E5330/W/21/3285177 Coopers Yard, Eastmoor Street and Westmoor Street, Charlton.

5. The Use Classes within the description are those that were in effect when the application was submitted. I have determined the appeal on this basis.
6. A planning obligation was submitted in draft form, discussed at the inquiry, and subsequently finalised. I return to the obligation below.

Main Issue

7. The main issue is the effect of the proposed development on the character and appearance of the surrounding area.

Reasons

Background

8. The appeal site contains a warehouse building occupying an area of land of some 0.24 hectares, located on the eastern edge of an industrial estate with Eastmoor Street and the linear Barrier Park beyond. To the west of the site is Westmoor Street, a key route serving the industrial estate. To the north and south are further industrial buildings. The site is adjacent to the Thames Barrier and Bowater Conservation Area (CA), with the Grade II listed 37 Bowater Road (former Seimans factory) and the non-designated heritage asset (NDHA) former Lads of the Village public house to the north east, and the NDHA former Victoria Inn public house to the south separated by existing buildings.
9. The proposal is for the erection of a building of 6 storeys (5 with recessed top storey) along Eastmoor Street and 7 storeys (6 with recessed top storey) along Westmoor Street, with an interlinking 4 storey element to the north of the site. The ground floor would contain servicing and parking areas, flanked by commercial units to both streets, with corner lobbies serving upper-level residential units and amenity areas. The proposal is for 67 (100%) affordable dwellings, with 524.4 sqm of Class B1(a), B1(b) and B1(c) uses.
10. The effect of the proposal would be to introduce new residential and commercial development into the existing industrial estate as part of a regeneration and opportunity strategy for the wider riverside area.

Policy context including the Charlton Riverside SPD

11. The development plan includes the Royal Greenwich Local Plan Core Strategy with Detailed Policies (2014)(CS) and the London Plan (2021)(LP). Consultation on the emerging Royal Borough of Greenwich Local Plan Site Allocations Proposed Submission (SAPS) concluded in December 2021, with a further round of consultation currently anticipated and submission to the Secretary of State planned later this year, thereby it attracts only limited weight.
12. All of these policy documents identify the Charlton Riverside for area wide redevelopment. Policy EA2 of the CS allocates the area as a Strategic Development Location including a new mixed use urban quarter with 3,500 to 5,000 new homes. Policy SD1 of the LP identifies the Charlton Riverside Opportunity Area (CROA) as providing an indicative capacity for 8,000 new homes and 1,000 new jobs. The SAPS currently continues to propose mixed use development, with introduction of residential use.
13. The Charlton Riverside Supplementary Planning Document (2017)(SPD), whilst pre-dating the LP, provides the development framework required by both the LP and the CS. However, the document itself acknowledges that it is guidance

- not policy, and the weight to be attached to this document is a matter of dispute between the main parties.
14. The starting point is the significant weight given to the SPD in 2020 by the Secretary of State and the Inspector in the nearby VIP appeal², and whether the SPD is out of date as a result of changes since then. That decision acknowledged that the SPD had been prepared in consultation with the local community and, for the current appeal, CT confirm that it still has the support of the community. In this regard, the SPD attracts weight from paragraph 129 of the National Planning Policy Framework (the Framework) which requires effective community engagement.
 15. Even though the new LP introduces a requirement under policy D3 to optimise site capacity through the design-led approach, as opposed to application of the former LP density matrix, the Council accept that the design-led approach is an appropriate methodology for exceeding SPD guidance. That position was further demonstrated in the first week of the inquiry when the Council's Planning Board resolved to approve a mixed-use scheme at Herringham Road³ of greater height than the SPD guidance, that exceedance being agreed as a contextual response to the site's surroundings. In my view, this approach does not render the SPD out of date, rather it emphasises the flexibility of its guidance.
 16. Whilst the emerging SAPS envisages greater heights across the Charlton Riverside than that currently proposed by the SPD, that document is not yet sufficiently advanced to significantly detract from the weight that should be afforded to the SPD. Although the SPD pre-dates national design guidance⁴, and the revised Framework emphasises the need to reuse brownfield land for new homes, neither of these create significant conflict with the vision and objectives of the SPD. Nor is the difference between the LP's indicative 8,000 units and the earlier SPD's upper range of 7,500 units significant.
 17. Whereas development of the CROA has been slow to gather momentum, with only very limited delivery of homes since its identification as an opportunity area in 2008, there are currently some 2159 homes proposed within the CROA at various stages of the planning system. That the justification for particular block heights and densities in the SPD is not documented in detail does not significantly detract from its relevance as guidance.
 18. Overall, I agree with the previous description of the SPD as well-considered and robust, and conclude that it still attracts significant weight.
 19. The SPD sets out how the transformational potential of the CROA will be delivered. The vision describes a series of new neighbourhoods shaped by the area's rich industrial heritage, characterised by medium-rise housing and family homes, integrated with modern industrial, office and creative employment. A network of streets and open spaces is intended to reflect historical patterns and encourage walking instead of using a car.

² Appeal decision APP/G6100/W/19/3233585 dated 3 June 2020 for erection of 11 buildings from 2 to 10 storeys for residential and flexible commercial uses at VIP trading and industrial estates, Anchor and Hope Lane, SE7 7TE

³ Planning application 19/3456/F hybrid planning application for up to 1212 residential units with flexible employment and community floorspace of 4 to 10 storeys in height at Herringham Road, SE7

⁴ The National Design Guide and National Model Design Code

20. This vision is underpinned by principles and objectives to deliver an additional 4,400 new jobs and 5,000 to 7,500 new homes, with 50% family housing and 35% affordable housing. There are varying descriptions of proposed development form; "low to medium rise", "medium rise rather than tower blocks", "human scale (typically varying between 3 to 6 storeys, allowing for up to 10 storeys in some areas)", and the "mid-rise" development that characterises Paris and Madrid. Development should be "high density development at a human scale, thereby creating a strong sense of place".
21. The development concept of the SPD provides a high level spatial framework. In the vicinity of the appeal site, this identifies a principal movement route along Westmoor Street, a new principal east-west route, a new local centre, and a primary strategic green link through Barrier Gardens with secondary east west green link.
22. The SPD also contains a number of development block diagrams to guide development on matters such as building height and development density, these being the key matters of dispute between the appellant and the Council.

Height and human scale

23. Figure 6.2 of the SPD provides a diagrammatic indication of a range of building heights for blocks across the CROA. The block associated with this and the adjacent appeal site indicates a height of 3 to 4 storeys. Other blocks in the proposed Woolwich Road Village East Character Area (WRVECA) are shown as being up to 4 to 5 storeys. Elsewhere, taller blocks of up to 6 storeys are shown, with up to 10 storeys at the proposed neighbourhood centre and along the riverside. The SAPS generically proposes predominantly mid-rise development of 3 to 8 storeys with potential for up to 10 storeys at identified nodes of activity.
24. When considered against Figure 6.2 in isolation, the height of the appeal proposal, at up to 6 storeys at the east of the building and 7 storeys at the west, would considerably exceed this guidance in simple numerical terms. However, the SPD should not be regarded as a constraint on development, rather it provides guidance. Indeed, the SPD states that it provides high level design principles and it instructs how the document should be used; developers are required to show how they, firstly, respond positively to the guidance and, secondly, meet the objectives of the vision of the SPD.
25. It will be seen below that, in having adopted a design-led approach, I find that the developers have responded in a broadly positive manner to the SPD. The objectives of the vision of the SPD, however, provide sometimes conflicting definitions and photographs of what new development forms should look like, and what heights they should be, as described above.
26. The SPD suggests that the townhouse typology may be appropriate, including within the WREVCA. However, this creates two key tensions. Firstly, the townhouse typology would fall short of delivering the number of homes anticipated by the SPD, as discussed further below. Secondly, due to the appeal site being within flood zone 3, the Environment Agency require that habitable accommodation be located at an average of some 5 metres above ground level, which would consequently have to be at third floor level. Accordingly, the townhouse typology is unlikely to be a realistic or optimal

option at the appeal site, which in turn affects the SPD ambitions for an intimate village feel in this location.

27. As a consequence of these site constraints, it follows that when the SPD is taken as a whole, and bearing in mind that it represents guidance only, its general thrust can reasonably and sensibly be taken to encourage medium rise developments.
28. The existing height context for the appeal site is defined, most immediately, by the existing 2 storey former Victoria public house on Woolwich Road, and the 3 storey school on the opposite side of Barrier Park. Further afield are the 2 storey former Lads of the Village public house and the 6 storey former Siemens factory. The existing buildings within the industrial estate are mostly 1-2 storeys in height and are anticipated to be replaced by the SPD.
29. The key viewpoints from which the height of the proposal would be seen are from Barrier Park and its surrounds, and from Westmoor Street within the close surroundings of the appeal site. It is not suggested that the impact of the proposal over longer views would be harmful to any significant degree.
30. From Westmoor Street, represented by View 6⁵ at the southern end of Westmoor Street and looking north towards the site, the proposed southern elevation would be visible as a full seven stories in height. A similar view of six storeys would be seen from the southern end of Eastmoor Street. In these locations, the proposal would present a tall brick wall to the street, with no setback of the top storey, and with only some limited relief in the form of window blanks.
31. Whilst from these viewpoints the proposal would present a somewhat stark elevation to Woolwich Road, any harm caused would be largely offset by two key factors. Firstly, the ambitions of the SPD intend that the land to the south of the appeal site would be developed and even a smaller building here would considerably screen this elevation. Even if that does not happen in the short or medium term, this proposed elevation would be seen and understood as a temporary measure that is intending to accommodate future development. Secondly, the appeal site sits at a considerably lower ground level than Woolwich Road⁶, thereby limiting the effect of the height.
32. From elsewhere along Westmoor Street, the proposed parapet height of 6 storeys is, in visual terms, commensurate with the proposed status of Westmoor Street as a primary and historic route serving the riverside and wider CROA, notwithstanding that the SPD does not suggest celebrating Westmoor Street in this way. From much of the street, only the 6 storey parapet height would be seen, with the seventh storey being set back behind the parapet and out of view.
33. From Barrier Park and Eastmoor Place, View 2 and View 5 look at the site from the north and south respectively. View 2 is located within Barrier Gardens, where a number of footpaths meet and some seating is provided, and from which the appeal scheme will be effectively screened by existing structures and

⁵ Ms Livesey POE Appx 1 Updated representative views. The views in this document were taken in the full leaf of summer, however I experienced winter views on my site visit. Whilst this document was produced by Aitch Group as part of the evidence for the linked appeal scheme, it contains cumulative images of both appeal schemes and forms part of the inquiry evidence base

⁶ Approximately 5 metres (Mr Reynolds POE)

vegetation. Even from the raised grass mounds in that area, my observations are that the screening would remain effective.

34. From View 5, the whole eastern elevation will be visible, as it would be from much of Eastmoor Street itself. However, the parapet height of 5 storeys, with a recessed sixth storey, would not be overly enclosing or overbearing. Rather, it would sit comfortably with the expansiveness and openness of the park and the street and, furthermore, would confidently define the edge of the park. In doing so, this strong edge line would reinforce the suggestion in the Thames Barrier & Bowater Road Conservation Area Appraisal (2021) that the Victoria public house should be a gateway building framing the gardens and signposting the river beyond.
35. Human scale is described in the SPD, based on research by Jan Gehl. Beyond certain distances, people begin to lose clarity and certainty as to what they are seeing, and beyond 25 metres our ability to perceive facial expressions and emotions is considerably diminished. The SPD shows this diagrammatically; a person on the seventh storey of a building will typically be able to see people's faces on the other side of the street, and vice versa. On the other hand, a person on the eighth storey has a greater relationship with the sky than with people on the ground. Being a maximum of 7 storeys, the proposal broadly complies with the guidance in this respect, even though the commercial ground floor would have a taller ceiling height.
36. The proposed mansion block typology differs significantly from the Council's suggestion that the townhouse typology would provide more appropriate active frontages. Whilst the northern frontage would be largely given over to servicing and storage, the corner access lobbies to the upper residential units would address the proposed new east-west pedestrian route. Furthermore, the proposed glazed commercial frontages would provide active frontage towards Westmoor Street, Eastmoor Street and the park beyond. Overall, given the above discussed flood constraints on lower floor levels, the proposed commercial units would, in my view, provide more active and attractive frontages at a human scale than the domestic garages or storage of the townhouse typology, even if there were domestic front doors.
37. The significance of the CA at Barrier Gardens derives partly from the openness of the setting and the surrounding skyline. It would not be possible to achieve the aspirations of the SPD without introducing change to the setting of the CA. The proposal would result in the introduction of a medium rise building in an area where buildings are currently low rise. Even though the existing buildings on the appeal site are a detractor, the reduction in openness would result in a degree of harm to the significance of the CA, by way of impact upon its setting, although this would result in less than substantial harm.
38. My above findings are not altered when the proposal is considered cumulatively with the AG scheme. The clear definition of the boundary to the park and the CA would be further reinforced, with an appropriate and proportionate increase in building heights stepping away from the 2 storey Victoria Inn towards the river. From the west, the similar heights of the buildings would strengthen the definition of the primary and historic route, with the sharp rise in height confidently marking the local centre and primary road junction. Overall, the breaks between the three proposed building forms, the differing heights, and

the contrasting elevational treatments would provide sufficient variety to avoid a monolithic appearance.

Density of the proposed development

39. The SPD objectives seek to achieve high density development. In setting this guidance, direct reference is made to European cities that achieve almost double the density of London's densest boroughs. The SPD gives further guidance on density on a proposed block basis, indicating a density of up to 200 dwellings per hectare (dph) for the block containing the appeal site. This rises to up to 300 dph in other parts of the WRVECA, and up to 350 dph along the riverside.
40. The proposal is indicated as being some 281.5 dph, which clearly exceeds the SPD block guidance. However, there are two key factors which make the case for a higher density development on the site more persuasive than maintaining the levels envisioned by the SPD.
- The current LP replaces the density matrix contained within the superseded LP, and on which the SPD was predicated, with the requirement to optimise site capacity. Policy D3 of the LP requires that all development must make the best use of land by following a design-led approach that optimises the capacity of sites, including site allocations. Whilst the policy further states that higher density development should generally be promoted in sustainable locations, that is what the SPD proposes the CROA will become. Even though Public Transport Accessibility Levels (PTAL) form a part of the design-led approach, and PTAL levels would remain relatively low, the SPD highlights proposals for new bus routes to serve the area. Furthermore, PTAL is only one of the factors that should influence density.
 - Density figures provided to the inquiry by the Council⁷ indicate, albeit rather simplistically, that if each parcel were delivered at the highest figure in the SPD density range, then the greatest number of units that could be delivered in the CROA would be some 6,421. Whilst that figure falls within the target range of 5,000 to 7,500 set out in the SPD, it nonetheless demonstrates that adhering to SPD block guidance or townhouse typology would not, in light of the optimisation approach, achieve the maximum units sought by the SPD or indeed the LP's indicative site capacity of 8,000. Although the LP indicates a reduction in indicative jobs from that stated in the SPD⁸, thereby suggesting the potential to increase residential capacity, it is not clear exactly how much additional capacity would arise as a result.
41. Finally, in simple numerical terms the proposed density is less than the 318 dph of the adjacent AG appeal scheme, but the Council have not refused that higher density scheme on density grounds. Although the Council argue that excessive density leads to symptoms of overdevelopment including poor active frontages and reduced play space on site, this argument is not convincing. I have already addressed active frontages above. The play space deficiency is mitigated firstly, due to the proposal being located adjacent to the existing open space at Barrier Park and, secondly, by a contribution towards off site play equipment to be secured through the planning obligation.

⁷ Inquiry document 8

⁸ The LP cites indicative jobs capacity as 1,000, whereas the SPD indicates 4,400 jobs.

The design-led approach

42. The design-led approach required by policy D3 of the LP seeks to optimise site capacity by ensuring that development is of the most appropriate form and land use for the site. The design-led approach is defined as requiring consideration of design options to determine the most appropriate form of development that responds to a site's context and capacity for growth, and existing and planned supporting infrastructure capacity, and that best delivers form and layout, experience, quality and character. Whilst more detailed guidance is provided in the emerging Mayor of London's Optimising Site Capacity: A Design-led Approach London Planning Guidance (LPG), consultation only concluded in March 2022. As such, it can only be given limited weight.
43. The Design and Access Statement (DAS) submitted with the application sets out the existing local context, the emerging SPD context including other schemes within the CROA, site constraints and opportunities. The massing evolution for the appeal site shows two pre-application proposals presented to Council officers and a third scheme presented to the Design Review Panel (DRP). Following DRP comments, the design was significantly amended, with further minor modifications following public consultation. Subsequent evidence for the appeal explains the optioneering and design evolution process further, including design and contextual concepts, and fuller explanation of the massing evolution.
44. These differing designs tested various height and massing configurations, even though none of the designs are based on the SPD's suggested block height of 3 to 4 stories, or the townhouse typology. Nonetheless, the rationale of the design-led optimisation approach is to test the capacity for increased housing supply against good placemaking, as expressed in policy and the LPG. In other words, no site should be under-utilised.
45. That the appellant did not seek a further view from the DRP on the final scheme is not of real consequence, as the revised scheme was ultimately supported by the Council's planning officer. Although a better option may have been considered possible by the urban design officer, no objection was raised as the revised proposal caused only limited visual harm. These circumstances differ from the Tulip appeal⁹, where failure to take comments into account weighed against the proposal.
46. Whether or not there was sufficient information to reach a firm conclusion on the design-led approach at application stage, in dealing with this s78 appeal I am required to determine the proposal on the evidence before me now. The appellant's architectural design witness had been involved in the appeal scheme from a very early stage and throughout its evolution¹⁰, unlike either of the Council's witnesses. At the inquiry, Mr Woodford clearly described and articulated an appropriate and proportionate level of involvement in the optioneering process.
47. Furthermore, as already noted above, the Council accepts that non-compliance with the SPD would be acceptable if a design-led approach is demonstrated on a site-specific basis that produces an appropriate design. Although the Council

⁹ Appeal decision APP/K5030/W/20/3244984 Land adjacent to 20 Bury Street, London EC3A 5AX

¹⁰ With the exception of an initial capacity study by Assael which included two options of up to 10 storeys (Mr Woodford rebuttal Appx A)

are not satisfied in this respect, I find that the final building design is appropriate and has evolved through various designs to respond to its specific context.

Other design matters

48. The fear of the appeal proposal creating a harmful precedent is unfounded. It is correct that any new buildings permitted within the CROA would form part of the baseline context that any future neighbouring site would have to pay regard to. However, the appeal proposal is acceptable on its merits, following a design-led approach to optimise the provision of housing and in broad accordance with the objectives of the vision of the SPD. It follows that, although the proposal would create a precedent, it would not be a damaging one. Any future neighbouring scheme would equally need to be assessed on the same basis, and with regard to the SPD, and could be approved or refused accordingly. The SPD would continue to provide guidance for cohesive development in the area.
49. The proportion of family housing provided is not a direct consequence of height or density, as the SPD indicates that family housing can comprise apartments. Even though the landscaping of the new public realm to the north would be mostly hard surfaced, it would provide greater openness and intervisibility between Westmoor Street and the park, particularly when seen together with the proposed AG scheme to the north.

Conclusion on main issue

50. The introduction of any medium rise building into an area which is currently predominantly low rise would introduce a form of change which is in itself likely to be harmful to some degree. However, the appeal proposal must also be considered in the context of the development plan and SPD ambitions for redevelopment of the wider opportunity area, whilst also making best use of the site through the design led approach to optimisation.
51. The Council's reason for refusal cites conflict with two development plan policies. Policy D3 of the LP and policy DH1 of the CS both contain strategic or overarching requirements for development to be of a high quality of design and to demonstrate a positive contribution to the improvement of both the built and natural environments, in terms of form and layout, experience, quality and character. For the reasons given above I find no conflict with these development plan policies in this regard. I also conclude that the appellant has adequately demonstrated that a design-led approach has been taken to site optimisation, as further required by policy D3 of the LP.
52. Whilst the height and density of the proposed development would fail to comply with some specific guidance ranges provided in the SPD, the proposal would comply with the objectives of the vision of the SPD for medium rise and high density development. Even though there would be a limited adverse effect on the character and appearance of the surrounding area as a result of the change to the area, overall, the proposal represents high quality design.

The need for housing and affordable housing

53. The parties agree that the Council can currently only demonstrate a 3.15 year supply of deliverable houses, against a LP annual housing requirement of 2,824 and applying a 20% buffer. Whilst the Council argue that the level of supply is

neither chronic nor long term, the figures suggest a downward trend. Supply was 5.9 years in 2017/18, 5.5 years in 2018/19, 4.49-4.99 in 2019/20, and 4.9 in 2020/21. Whilst the pandemic may have affected recent figures, a 3.15 year supply still represents a significant current shortfall, even if 4.49-4.99 years was previously considered very small in the VIP decision. Furthermore, the Housing Delivery Test figures follow a similar trajectory, being 108% in 2018, 90% in 2019 and 2020, and most recently 80% in 2021. This indicates significant under delivery, notwithstanding that the number of permissions granted substantially exceeded delivery¹¹.

54. In terms of affordable housing, policy H3 of the CS and policy H5 of the LP require the development to provide at least 35% affordable housing, and policy H4 of the LP contains a strategic target of 50%. Furthermore, policy SD1 of the LP requires that opportunity areas such as the CROA should maximise the delivery of affordable housing. The Strategic Housing Market Assessment (2014) identifies an objectively assessed need for affordable housing in the borough of 835 homes per annum. However, over the five year period to 2018/19, an average of 440 affordable homes were delivered each year, with just 157 units in the last year of that period.
55. The Council are taking various steps to address this shortfall, most notably under the Greenwich Builds direct delivery programme, which aims to bring forward additional sites for some 1,000 affordable homes from 2023. However, even in that context, the affordable housing waiting list for the borough has grown year on year since 2016, with some 19,132 households currently registered. Even if delivery and completions of affordable units are similar to other benchmarked London boroughs, there is clearly still a significant need for both market and affordable housing in the borough.
56. The proposal is for 100% affordable housing, with all 67 units to be delivered as London Affordable Rent tenure, to be secured by the signed and completed planning obligation. The appellant, a registered housing provider, has indicated that Greater London Authority grant funding secured for the scheme requires a start on site in 2022, which suggests that delivery of the affordable units will be swift. This is not disputed by the Council. I return below to the weight to be given to the contribution to the supply of affordable houses in the borough.

Other matters

57. The Rule 6 parties have raised concerns regarding noise and the agent of change principle, that being that the party introducing the new use should be responsible for managing mitigation to enable existing uses to continue. Indeed, the proposed residential use would be located on an edge of the existing industrial estate, albeit one that is part of a regeneration and opportunity strategy for residential and mixed use development across the wider riverside area. Following negotiations between the appellants, the Council, PLA and SWO, a planning obligation and series of planning conditions have been agreed to satisfactorily address these concerns. There is no substantive evidence to cause me to reach a different conclusion.
58. A number of other appeal decisions have been put before me and cited in support of the parties' respective cases. However, each decision turns on its

¹¹ 22,087 permissions compared to 8,095 completions against a target of 10,740 over the five year period to 2018/19 (Mr Vong POE Table 2 p.23)

own evidence, as has my decision, particularly given that the circumstances of the current appeal are in large part based on the specific relationship of the site to the surrounding area and the SPD.

Planning obligation

59. The planning obligation under s106 of the Town and Country Planning Act 1990 is signed and dated 8 April 2022. It contains covenants in respect of affordable housing, transport and travel plan, education and employment training, energy and sustainability, public access way, relocation strategy, environmental health and waste management, environmental amenity policy statement, and various financial contributions. The Deed contains a 'blue pencil' clause in the event that I do not consider a particular obligation to be justified.
60. The provision of 100% affordable housing accords with the requirements of policy SD1 of the LP to maximise affordable housing in opportunity areas. All units are to be provided as London affordable rented housing units by a registered provider. Paragraphs 5.3 and 5.4 of the Third Schedule provide for reasonable and sensible endeavours for recycling of any public subsidy by the registered provider in the event that right to buy is exercised; consequently the requirement at paragraph 5.5 to pay such subsidy to the Council if not spent within 5 years is not necessary.
61. Contributions would be secured through the Charlton Riverside Road Infrastructure Charge to facilitate the new east-west route; riverside route; improvements to Eastmoor Street and Westmoor Street to facilitate public transport and pedestrian and cycle improvements; and new controlled parking zone (CPZ). Further contributions are secured for a new extended bus service to the site and cycle training; calculated on cost per unit. Further clauses deal with highways works and contributions to blue badge bay, car club space, and monitoring of travel plan. The development would be car free, with a clause for parking restrictions within the proposed CPZ. These proposed transport contributions and improvements are required to mitigate the introduction of a new residential use to the area.
62. The commitments and contributions to the Greenwich Local Labour and Business Scheme and the Business Relocation Strategy will secure local employment opportunities. Contributions to carbon offsetting, carbon monitoring (including GLA 'Be Seen' monitoring) and potential connection to a qualifying heat network will ensure the development can satisfactorily address carbon offsetting targets. Paragraph 1.4 of the Sixth Schedule secures confirmation of implementation of the energy strategy at practical completion stage, and allows a reasonable timescale for any necessary mitigation before occupation, such that the risk of vacancy is limited.
63. Rights of public access over the new east-west route would be secured, along with its maintenance, as this space would not be adopted. An environmental health and waste management clause would provide bin and recycling facilities to support the circular economy. The environmental amenity policy statement is necessary to ensure that the approved noise mitigation measures are properly installed and maintained and that residents are made aware of the mitigation and procedures in event of failure or complaint. Other financial contributions would be secured for improved off-site play facilities in order to address the shortfall in the 6+ age group, as well as improved public realm in Eastmoor Street and replacement of any removed street trees to ensure the

development integrates appropriately into its context. Monitoring and legal costs are secured to cover the Council's estimated costs.

64. For these reasons, I am satisfied that the above obligations are necessary, directly related to the development, and fairly related in scale and kind, with the exception identified. They comply with Regulation 122 of the Community Infrastructure Levy Regulations 2010 (as amended) and paragraph 57 of the Framework.

Conditions

65. A list of agreed suggested conditions was submitted, along with further comments by the Council¹², and discussed at the inquiry. Amendments have been made to the wording of some conditions for clarity, brevity, or to avoid duplication, and to ensure accordance with the tests set out in paragraph 55 of the Framework. Pre-commencement conditions have been agreed by the appellant. Reasons are also provided in the attached schedule.
66. Whilst travel plans are required by Conditions 30 and 31, monitoring has been secured by the planning obligation. Exceptional circumstances exist that justify Conditions 44 and 45 to ensure that the mixed range of uses promoted by the scheme as part of the CROA are not altered through permitted development. One proposed condition¹³ would have duplicated the requirement to retain disabled parking spaces already required by the parking design and management plan condition¹⁴, and has been omitted. Additional Condition 49 securing BREEAM standards has been included with the appellant's agreement.

Planning balance

67. Looking at the benefits of the proposal, the development would deliver 67 units of affordable housing. In the VIP appeal, 292 units of affordable housing were proposed, to which the Inspector and Secretary of State attributed significant weight. However, that amount represented 38% of the total scheme which is a substantially smaller proportion than the 100% proposed by the appeal proposal. As noted above, the LP seeks to maximise affordable housing in opportunity areas such as the CROA, and this is what the current appeal scheme offers. The site has "sweated harder"¹⁵ than other proposals in this regard and, accordingly, I attribute very significant weight to the proposed 100% provision of high quality affordable homes.
68. The proposal would provide modern flexible employment floorspace and is anticipated to provide a net gain of 37.5 jobs, which attracts moderate weight. The optimisation of a brownfield site and improvements to the public realm would significantly improve the appearance of the existing industrial area, but are at least in part a response to policy requirements and SPD guidance, such that only limited weight is afforded to this as a benefit. Construction jobs would be for a relatively short duration only, but nonetheless attract limited weight. Other infrastructure and financial contributions secured by the planning obligation are mitigation for the scheme and are therefore neutral in the planning balance.

¹² Inquiry documents 10 and 14

¹³ Suggested condition 48

¹⁴ Condition 29

¹⁵ The words of Mr Cassidy

69. Turning to harms, the proposal would cause conflict with particular aspects of the guidance contained within the SPD, but would also broadly accord with the objectives of the vision of the SPD, such that the identified conflict causes only very limited harm to the delivery of its aspirations for the CROA. The proposed development would also introduce a medium rise building into an area which is currently predominantly low rise, although the wider ambitions for the area offset this to a considerable degree. The proposal would have no more than a limited adverse effect on the character and appearance of the surrounding area. I have also found less than substantial harm to the significance of the CA, through impact on setting.
70. Section 38(6) of the Planning and Compulsory Purchase Act 2004 requires that applications for planning permission must be determined in accordance with the development plan unless material considerations indicate otherwise. The Framework also makes it clear that the planning system should be genuinely plan-led.
71. The Council's 3.15 year supply of deliverable housing sites represents a significant shortfall, and the relevant policies for the supply of housing should be considered as out-of-date according to paragraph 11(d) of the Framework. The so called 'tilted balance' is therefore triggered, and planning permission should be granted unless any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in the Framework taken as a whole.
72. In terms of Footnote 7 of paragraph 11(d) of the Framework, the less than substantial harm to the significance of the CA, through impact on setting, should be weighed against the public benefits of the proposal as required by paragraph 202 of the Framework. Paragraph 199 advises that when considering the impact of the development on the significance of designated heritage assets, great weight should be given to the asset's conservation. The public benefits identified above decisively outweigh this harm. Therefore, the application of policies in the Framework do not provide a clear reason for refusal in this regard.
73. Drawing together the above benefits and harms, the adverse effect of the proposed development would not significantly and demonstrably outweigh the benefits of the proposal, when assessed against the policies in the Framework taken as a whole. The proposal would comply with the development plan taken as a whole and there are no other material considerations to indicate a decision other than in accordance with it.

Conclusion

74. I conclude that planning permission should be granted subject to the conditions in the attached schedule.

Patrick Hanna

INSPECTOR

APPEARANCES

FOR THE APPELLANT OPTIVO

Reuben Taylor QC, instructed by Optivo

He called:

Stephen Levrant

RIBA AA FRSA Dip Cons(AA) IHBC ACArch

Pete Woodford BA(Hons) MArch ARB

Gerry Cassidy BSc MRTPI

Claire Dickinson BSc(Hons) DipCRP

Rory Stacey

Kate Goldie

Heritage Architecture

BPTW

BPTW

Quod

Solicitor (obligations session)

BPTW (conditions session)

FOR THE APPELLANT AITCH GROUP

Thomas Hill QC, instructed by Aitch Group

He called:

Simon Camp BA (Hons) Arch PgDip Arch RIBA

Judith Livesey BA MA MRTPI

Colin Pullan BA(Hons) DipUD

Gerry Cassidy BSc MRTPI

Matt Evans

David Akam

Alan Camp Architects

Lichfields

Lambert Smith Hampton

BPTW

Forsters (obligations session)

BPTW (conditions session)

FOR ROYAL BOROUGH OF GREENWICH COUNCIL

Hugh Flannaghan of Counsel, instructed by RBG

He called:

Hoa Vong MSc

Paul Reynolds BA(Hons) PGDip MA CMLI FRSA

Robert Bruce

Senior Principal Officer, RBG

Landscape Architect, Tapestry

Solicitor (obligations session)

FOR RULE 6 PARTY CHARLTON TOGETHER (FOR AITCH GROUP APPEAL ONLY)

Brenda Taggart

Rick Newman

Carol Kinna

Local resident

Local resident

Local resident

FOR RULE 6 PARTIES PORT OF LONDON & SAFEGUARDED WHARF OPERATORS (FOR BOTH APPEALS)

Michael Atkins

Tito Arowobusoye

Rachel Canman

Port Of London Authority

Firstplan

WBM

DOCUMENTS SUBMITTED DURING THE INQUIRY

1. Opening statement, Aitch Group
2. Opening statement, Optivo
3. Opening statement, RBG
4. Opening statement, CT
5. Note on Density, Pete Woodford (for Optivo appeal)
6. Errata to Proof of Evidence Judith Livesey (for Aitch Group appeal)
7. CD1.6A Extract from presentation to DRP (Feb 2020)(for Aitch Group appeal)
8. Rebuttal Note on Density, Paul Reynolds (for Optivo appeal)
9. Email dated 16 March from Rick Newman containing design questions
10. RBG response to Inspector's Obligations and Conditions Note
11. Victoria public house decision notice 20/2473/F and DAS
12. Revised draft planning obligation and Compare (for Aitch Group appeal)
13. PLA & SWO response to Inspector's Obligations and Conditions Note
14. RBG addendum to Inspector's Obligations and Conditions Note
15. BPTW response to CT design questions email (for Aitch Group appeal)
16. Hallam Land Management Ltd v SSCLG & Eastleigh BC [2018] EWCA Civ 1808
17. Rumsey v SSETR & Waverley BC [2001] 81 P & CR 32
18. Closing statement, CT
19. Closing statement, RBG
20. Closing statement, Optivo
21. Application for Costs, Optivo
22. Closing statement, Aitch Group
23. Application for Costs, Aitch Group
24. RBG responses to costs applications
25. Final costs response, Optivo
26. Final costs response, Aitch Group
27. Signed and dated s106 planning obligation, Optivo
28. Signed and dated s106 planning obligation, Aitch Group

SCHEDULE OF CONDITIONS

1. The development hereby permitted shall begin not later than three years from the date of this permission.

REASON: As required by Section 91 of the Town and Country Planning Act 1990.

2. The development hereby permitted shall be carried out in accordance with the following plans and documents:

- Site Plan with Proposed Context D 001 A
- Site Plan with Existing Context D 1000 P03
- Proposed Ground Floor Plan D 1100 P05
- Proposed First Floor Plan D 1101 P05
- Proposed Second Floor Plan D 1102 P05
- Proposed Third Floor Plan D 1103 P05
- Proposed Fourth Floor Plan D 1104 P05
- Proposed Fifth Floor Plan D 1105 P05
- Proposed Sixth Floor Plan D 1106 P05
- Proposed Roof Plan D 1107 P05
- Flat Type Key Plan D 1110 P03
- Elevation D-D D 1200 P04
- Elevation E-E D 1201 P04
- Elevation F-F D 1202 P04
- Elevation A-A D 1300 P04
- Elevation B-B D 1301 P04
- Elevation C-C D 1302 P04
- Elevation G-G D 1303 P01
- Bay Study 1 - Westmoor Corner Elevation D P04
- Bay Study 2 - Westmoor Elevation D 1401 P04
- Bay Study 3 - East/West Courtyard Elevation D P04
- Flat Type 001 D 1500 P04
- Flat Type 002 D 1501 P04
- Flat Type 003 D 1502 P04
- Flat Type 004 D 1503 P04
- Flat Type 005 D 1504 P04
- Flat Type 006 D 1505 P04
- Flat Type 007 D 1506 P04
- Flat Type 008 D 1507 P04
- Flat Type 009 D 1508 P04
- Flat Type 010 D 1509 P04
- Flat Type 011 D 1510 P04
- Flat Type 012 D 1511 P04
- Flat Type 013 D 1512 P04
- Flat Type 014 D 1513 P04
- Flat Type 015 D 1514 P04
- Flat Type 016 D 1515 P04
- Flat Type 017 D 1516 P04
- Flat Type 018 D 1517 P04
- Flat Type 019 D 1518 P04
- Flat Type 020 D 1519 P04
- Flat Type 021 D 15120 P01
- Existing Site Plan EX 000 P02
- Existing Ground Floor Plan EX 100 P03

- Existing Site Section EX 200 P03
- Existing Elevations EX 300 P03
- Air Quality Assessment Ref: AQ106923R2
- Arboricultural Impact Assessment Ref: 200219-1120-AIA-V2
- Arboricultural Impact Plan drwg no: 1120-AIP-002-RevB
- Archaeological Desk-Based Assessment FINAL, 17 July 2020
- Built Heritage Statement Ref: JAC26217, July 2020
- Built Heritage Statement Addendum Ref: JAC26217, 18 Jan 2021
- Daylight and Sunlight Report v1, July 2020
- Delivery and Servicing Plan, July 2020
- Design and Access Statement Rev P03
- Energy Statement Issue 2, July 2020
- Energy Statement Addendum, Nov 2020
- Fire Statement Reference SC20085 Rev R02
- Flood Risk/Sustainable Urban Drainage Systems Assessment v1.2
- Health Impact Assessment v2
- Internal Sunlight Addendum to Daylight and Sunlight Report v1, Nov 2020
- Market Report, 16 July 2020
- Noise Impact Assessment Ref: AC106928-1R3
- Outline Construction Logistics Plan & Construction and Site Waste Management Plan, July 2020
- Phase 1 Geo-Environmental Site Assessment Ref: 1CO106706/P1/R1
- Phase 2 Geo-Environmental Site Assessment Ref: 1CO106706/P2/R3
- Planning Statement v1
- Play Space Note, 04 Feb 2021
- Preliminary Ecological Appraisal Ref: 1CO108833EC1R1
- Schedule of Accommodation Rev I
- Statement of Community Involvement v1
- Sustainability Statement: BREEAM Rev 02
- Transport Statement, July 2020
- Travel Plan, July 2020 R04-JP-TfL
- Transport Response Note R05-JP-RBG
- Transport Response Note
- Utilities Report Ref: 168889644_1
- Utilities Drainage Water Searches Ref: LLE.10196.0109

REASON: In the interests of good planning and to ensure that the development is carried out in accordance with the approved documents, plans and drawings submitted with the application.

3. No development shall commence until a Demolition and Construction Method Statement (DCMS) has been submitted to and approved in writing by the local planning authority for a management scheme to control and minimise emissions of pollutants from and attributable to the demolition on the site and construction of the development. The DCMS shall include details of:
 - an addendum to the Preliminary Ecological Appraisal including Extended Phase 1 Habitat Survey demonstrating the details of all features of ecological value on the site and especially covering the Eastmoor Street SINC site and setting out measures for their protection during demolition and construction works;
 - details to protect established vegetation, if required;

- any mitigation measures identified therein shall be implemented in accordance with the approved details prior to the commencement of any works on site;
- a risk assessment and a method statement in accordance with the control of dust and emissions from Construction and Demolition Best Practice Guidance published by the Greater London Authority;
- site hoarding;
- wheel washing including location and equipment to be used;
- dust suppression methods to be used including details of equipment during the different stages of the development;
- confirmation if a mobile crusher will be used on site and if so, a copy of the permit and intended dates of operation;
- site plan identifying location of site entrance, exit, wheel washing, hard standing, hoarding (distinguishing between solid hoarding and other barriers such as Heras and Monarflex sheeting), stock piles, dust suppression, location of water supplies and location of nearest neighbouring receptors;
- haulage routes;
- likely noise levels to be generated from plant;
- details of any noise screening measures;
- proposals for monitoring noise and procedures to be put in place where agreed noise levels are exceeded;
- where works are likely to lead to vibration impacts on surrounding residential properties, proposals for monitoring vibration and procedures to be put in place if agreed vibration levels are exceeded. Note: it is expected that vibration over 1mm/s measured as a peak particle velocity would constitute unreasonable vibration; and
- adherence to Considerate Constructors Scheme. Reference shall be made to the Council's Construction Site Noise Code of Practice and Pollution Control Guides.

The construction process shall be carried out in accordance with the approved details.

REASON: In order to safeguard the amenities, health and safety of neighbouring properties and occupiers and of the surrounding area.

4. No development shall commence until a detailed Construction Logistics and Travel Plan (CLTP) has been submitted to and approved in writing by the local planning authority in consultation with Transport for London. The CLTP shall include the following:
 - measures to promote the use of sustainable travel (including public transport, walking, cycling and use of the river) and monitoring arrangements;
 - measures to dissuade construction workers from parking in the vicinity of the development;
 - measures that are to be implemented to reduce the impact of the proposed construction on the surrounding transport network and how the Mayor's Vision Zero principles will be met;
 - measures to include any potential conflicts with the proposed walking and cycling improvements along the A206 should the timescale for these works overlap with the construction of the development; and
 - confirmation that contact has been made with the operators of safeguarded wharves to assess the potential for the use of water freight in the supply chain and details of the outcome of such discussions.

The development shall be implemented in full accordance with the approved CLTP.

REASON: In order to safeguard pedestrian and traffic safety and promote sustainable travel.

5. No development shall commence until a preliminary risk assessment to identify the risks associated with unexploded ordnance (UXO) threat of the site shall have been submitted to and approved in writing by the local planning authority. Any preliminary risk assessment of UXO hazards must be undertaken in compliance with current guidance for managing UXO risks (e.g.C681). The investigation shall include, but not be limited to:

- Home Office WWII Bomb Census Maps;
- WWII and post-WWII aerial photography;
- Official Abandoned Bomb Register;
- LCC Bomb Damage maps;
- Information gathered from the National Archives at Kew; and
- Historic UXO information.

Should the preliminary risk assessment identify the need for further investigation, the following shall be submitted to and approved, in writing, by the local planning authority.

- a Detailed Risk Assessment and Intrusive UXO Survey, based on the above preliminary risk assessment to characterise the site and provide information for a detailed assessment of the risk to all receptors that may be affected, including those off site.
- following the results and outcomes of the Preliminary and Detailed Risk Assessments, a Risk Mitigation Plan giving full details of the mitigation measures required and how they are to be undertaken. This requires the provision of both a Mitigation Implementation and Verification Plan.
- details attaining to Operational UXO Emergency Response Plan and UXO Safety & Awareness Briefings.

The identified mitigation must be carried out in accordance with the approved details.

Once the mitigation works approved above have been completed, a Verification Report (VR) shall be submitted to and approved, in writing, by the local planning authority. The VR shall demonstrate that the mitigation works have been completed, along with any requirements for longer-term monitoring of risks, maintenance and arrangements for contingency action.

REASON: In the interests of public safety.

6. No development shall commence until details of all non-road mobile plant and machinery (NRMM) to be used at the demolition and construction phases shall have been submitted to and approved in writing by the local planning authority. Evidence is required to meet Stage IIIA of EU Directive 97/68/ EC for both NO_x and PM. All NRMM to be used on the site of net power between 37kW and 560 kW must have been registered at <http://nrmm.london> (or any subsequent website) and proof of registration must be submitted to the local planning authority prior to the commencement of any works on site. The NRMM used during the demolition and construction phases must be carried out in accordance with the approved details. An inventory of all NRMM must be kept

on site during the course of the demolitions, site preparation and construction phases.

REASON: To protect local air quality.

7. No development shall commence excluding demolition until a preliminary risk assessment to deal with the risks associated with contamination of the site shall have been submitted to and approved in writing by the local planning authority. The preliminary risk assessment shall identify:
- all previous uses;
 - potential contaminants associated with those uses;
 - a conceptual model of the site indicating sources, pathways and receptors; and
 - potentially unacceptable risks arising from contamination at the site.
- Should the preliminary risk assessment identify the need for further investigation, no development shall commence except demolition until the following shall have been submitted to and approved in writing by the local planning authority:
- a site investigation scheme, based on the above preliminary risk assessment, to characterise the site and provide information for a detailed assessment of the risk to all receptors that may be affected, including those off site;
 - the results of the site investigation and the detailed risk assessment referred to in the above site investigation scheme and, based on these, an options appraisal and remediation strategy giving full details of the remediation measures required and how they are to be undertaken; and
 - a verification plan providing details of the data that will be collected in order to demonstrate that the works set out in the remediation strategy in the above results of the site investigation and the detailed risk assessment are complete and identifying any requirements for longer term monitoring of pollutant linkages, maintenance and arrangements for contingency action.

REASON: In order to ensure potential sources of contamination associated with historical uses of the site are further investigated to ensure that there is not an unacceptable risk to health and controlled waters.

8. No development other than demolition shall commence until a written scheme of investigation (WSI) has been submitted to and approved by the local planning authority in writing. For land that is included within the WSI, no development other than demolition shall take place other than in accordance with the agreed WSI, which shall include the statement of significance and research objectives; the programme and methodology of site investigation and recording and the nomination of a competent person(s) or organisation to undertake the agreed works; and the programme for post-investigation assessment and subsequent analysis, publication & dissemination and deposition of resulting material. No demolition or development shall take place other than in accordance with the WSI.

REASON: In order to protect heritage assets of archaeological interest that may survive on the site.

9. No piling shall take place until a Piling Method Statement (detailing the depth and type of piling to be undertaken and the methodology by which such piling will be carried out, including measures to prevent and minimise the potential for damage to subsurface sewerage infrastructure, and the programme for the

works) shall have been submitted to and approved in writing by the local planning authority in consultation with Thames Water. Any piling must be undertaken in accordance with the terms of the approved piling method statement.

REASON: In order to minimise disturbance of any existing contamination and the protection of groundwater in the underlying Principal and Secondary Aquifers.

10. No development shall commence excluding demolition until a detailed surface water drainage scheme shall have been submitted to and approved in writing by the local planning authority in consultation with the lead local flood authority. The scheme shall address the following matters:
- capacity exists off site to serve the development;
 - provide an updated drainage layout plan confirming details of the invert level and sizes of the attenuation SuDS, the location and invert level of the HydroBrake, and post development discharge rates in accordance with the supporting calculations;
 - provide confirmation that Thames Water has consented to the proposed discharge point and discharge rates;
 - no drainage systems for the infiltration of surface water drainage into the ground are permitted other than with the express written consent of the Local Planning Authority, which may be given for those parts of the site where it has been demonstrated that there is no resultant unacceptable risk to controlled waters.

The approved scheme shall be implemented prior to the first occupation of the development.

REASON: To prevent the increased risk of flooding, both on and off site and to protect the underlying groundwater from the risk of pollution.

11. Prior to the commencement of above ground works full details of the proposed new vehicular access shall have been submitted to and approved in writing by the local planning authority. These details shall include specifications for all proposed surface materials and (should the scheme be implemented in advance of any development on the adjacent site to the north) details of the interface between the access within the application site and the adjacent site so as to ensure a consistent approach. The development hereby approved shall not be occupied until the vehicular access required to serve the development hereby permitted has been constructed in full accordance with the approved details.

REASON: In order to ensure that satisfactory means of access is provided and to provide a satisfactory appearance to the new link.

12. Prior to the commencement of above ground works drawings illustrating that (i) 90% of all dwellings in the development comply with Building Regulation requirement M4(2) 'accessible and adaptable dwellings', and (ii) 10% of all dwellings in the development comply with Building Regulation requirement M4(3)(2)(b) 'wheelchair user dwellings', shall have been submitted to and approved in writing by the local planning authority in consultation with the Council's Housing Occupational Therapist. The development shall be carried out and retained for the lifetime of the development in accordance with the approved details.

REASON: In order to ensure provision of accessible and adaptable buildings.

13. Prior to the commencement of above ground works full details of the refuse storage, recycling facilities and refuse collection arrangements shall have been submitted to, and approved in writing by, the local planning authority. Such details shall include but are not limited to:

- separate storage areas for bulk storage and bin storage;
- turning areas to allow the refuse trucks to move in forward motion when entering and exiting the road;
- provision of bin storage for each non-residential unit; including location of any communal collection points for each of the units; details of any enclosures to be provided for all of the external communal collection points;
- details of management arrangements for movement of refuse to any collection points.

The storage and recycling facilities shall in all respects be constructed in accordance with the approved details before the relevant part of the development is first occupied and maintained for the lifetime of the development.

REASON: To ensure appropriate refuse and recycling commitments.

14. Prior to the commencement of above ground works details and samples for all materials, including walls, roofs, windows and doors, sills and lintels, balconies, balustrades, visible pipes, grids and louvers, outdoor pavements, stairs, gates, boundary walls and fences (where required) to be used for the external surfaces of the buildings and hard surfaced areas shall have been submitted to and approved in writing by the local planning authority. The submitted details shall include the following:

- brick bonding and brick, including banding and crown detail (annotated plans at a scale of not less than 1:20). The principal material shall be full brick and brick slip systems will not be accepted as these are considered to be of a lower quality and durability;
- external windows, spandrel panels, balconies, doors, screens, louvres, grilles and balustrading (annotated plans at a scale of not less than 1:10);
- depth of window reveals and soffits (annotated plans at a scale of not less than 1:20);
- rainwater goods (annotated plans at a scale of not less than 1:10). No visible water plant, pipes or gutters shall be installed which were not included in the submitted drawings for this planning application;
- the details shall show all joints between different materials and components, including walls, roofs, doors, windows, sills, lintels and fasciae, balconies, soffits and balustrades, external ramps, steps, pavements, boundary walls, gates, and fences;
- shop fronts, entrances and openings (annotated elevations and section details at a scale of not less than 1:20);
- sections of the landscaped areas of the scheme, showing the interface between soft and hard surface, the rainwater drainage strategy and associated technical solutions, and the interface between different pavements, the street, and the proposed buildings.

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

REASON: To protect the character and appearance of the wider area, including the setting of the Thames Barrier and Bowater Road Conservation Area.

15. Prior to the commencement of above ground works details relating to the design of all residential entrances including entrance doors, gates, entry control system, display of postal numbers and position of letter box facility shall have been submitted to and approved in writing by the local planning authority. The approved measures shall be implemented prior to the first occupation of the development and retained for the lifetime of the development.

REASON: To ensure that the external appearance of the entrances are 'tenure blind' and contribute to social inclusion.

16. Prior to the commencement of above ground works details of security measures to minimise the risk of crime and to meet the specific security needs of the development in accordance with the principles and objectives of Secured by Design shall have been submitted to and approved in writing by the local planning authority. The development shall be implemented in accordance with the approved details prior to occupation.

REASON: In the interests of public safety.

17. Prior to commencement of above ground works, notwithstanding the Energy Statement Issue 2 (July 2020) and Energy Statement Addendum (November 2020), a Revised Energy Strategy (RES) shall have been submitted to and approved in writing by the local planning authority. The RES shall:
- be based on connection of all residential and/or non-residential buildings to the site wide district heating network served by either: (a) heating/cooling imported into the site or (b) a single on-site energy centre based on low carbon heat sources;
 - provide technical details for all technologies proposed including but not limited to types of refrigerants proposed for the technology and heat network, efficiencies of systems, refrigerant leak detector and refrigerants' Global Warming Potential etc;
 - maximise onsite renewable energy generation, subject to operational plant requirements and overshadowing constraints, including a minimum capacity of 73kWp solar Photovoltaic system;
 - provide accredited SAP and SBEM modelling output reports for each stage of the Energy Hierarchy;
 - provide details of the plant room and equipment, including size, layout and location, details of the flue and thermal stores (if available);
 - provide details of the technologies and associated equipment to serve the energy requirements of the development;
 - include a schematic and details of the pipe network for the connection of the residential and/or non-residential components into the site wide heat network;
 - include details showing how the non-residential units will be designed with appropriate connections to allow space heating to be provided by the onsite or offsite district heating network;
 - include details of how the facility has been designed to allow for the future connection of the development to an offsite heat network and/or private wite network;

- provide evidence that any gas boilers required to serve the energy requirements of the development are of UltraLow NOx with maximum NOx Emissions of 40mgNOx/kWh;
- evidence investigation of ways of heat exported to neighbouring sites and briefings of discussions with sites in close proximity;
- provide details and evidence to demonstrate that the onsite district heating network, if an onsite standalone system is proposed, and secondary distribution heat network shall be designed in accordance with Heat Networks: Code of Practice for the UK (based on the latest technical guidance), Heat Trust Standards and Heat Network (Metering and Billing) Regulations (HNMBR).

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

REASON: To ensure that the development hereby approved is energy efficient and to contribute to the avoidance of need for new fossil fuel or other primary energy generation capacity and to reduce emissions of greenhouse gases and to minimise the impact of building emissions on local air quality in the interests of health.

18. Prior to commencement of above ground works an Ecological and Landscape Management Plan (ELMP) shall have been submitted to and approved in writing by the local planning authority, including long term design objectives, management responsibilities and maintenance schedules for all landscaped areas and demonstration that an Urban Greening Factor score of 0.4 has been achieved for the approved site. Development proposals must ensure no net loss of biodiversity and wherever possible, make a positive contribution to the protection, enhancement, creation and management of biodiversity including the creation of an ecological corridor such as tree lines and hedgerows to provide important commuting habitats. The ELMP shall include details from a suitably qualified ecologist specifying how the landscape features have been developed for biodiversity and ecological enhancement. The mitigation and enhancement should include the following:

- native and/or nectar producing and/or deciduous plant and tree species of high ecological value, preferably of local provenance;
- diversity grassland areas such as lawns with low growing native herbs, unmown grass verges, wildflower mixes on amenity and recreational open spaces and/or meadow areas;
- percentage of native habitat species proposed for the site (a target of 75% native to 25% non-native plant species should be utilised where possible);
- dense areas of shrubbery;
- habitat areas identified in the Greenwich Biodiversity Action Plan;
- where habitats are created as mitigation for development, management plans for the habitat shall also be provided detailing how the areas are to be managed in the longer term.

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

REASON: To ensure the protection of wildlife and supporting habitat, to prevent the spread of invasive plants and to secure opportunities for the enhancement of the ecological value of the site.

19. Prior to commencement of above ground works a detailed Landscaping Strategy and Management Plan, based on the principles secured within the

Landscape Strategy within the Design and Access Statement Rev P03, for all the hard and soft landscaping of any part of the site not occupied by buildings including details of:

- management responsibilities and maintenance schedules;
- how the landscaping features have been developed for biodiversity and ecological enhancement;
- lighting fixtures and location, including hours of operation;
- children's play areas including play equipment and safety measures;
- open space / amenity areas;
- areas of paving;
- pedestrian / cycle linkages;
- street furniture;
- wayfinding;
- materials;
- boundary treatments; and
- planting specification

shall have been submitted and approved in writing by the local planning authority. All hard-landscaping works which form part of the approved scheme shall be completed prior to occupation of the development. All planting, seeding or turfing comprised in the landscaping scheme shall be carried out in the first planting and seeding seasons following the occupation of the buildings or the completion of the development, whichever is the sooner. Any trees or plants which within a period of 5 years from the completion of the development die, are removed or become seriously damaged or diseased, shall be replaced in the next planting season with others of similar size and species.

REASON: In the interests of the appearance of the surrounding area and to ensure the development provides a high quality environment for future occupiers.

20. If more than one year passes between the most recent bat survey and the commencement of development involving tree works, an updated bat survey must be undertaken immediately prior to tree works by a licensed bat worker. Evidence that the survey has been undertaken and any necessary mitigation measures implemented shall have been submitted to and approved in writing by the local planning authority prior to the commencement of tree works relating to each phase.

REASON: In the interests of protecting biodiversity.

21. Prior to the commencement of any above ground works in connection with the development hereby permitted full details of any mitigation measures demonstrating that the following Noise Criteria A to F will be met, including a requirement for windows to be fixed shut where required to meet the criteria and where relevant details of any alternative means of ventilation or cooling, shall have been submitted to and approved in writing by the local planning authority (in consultation with the Port of London Authority and Safeguarded Wharf Operators).
- Criterion A. Noise levels in bedrooms at night under whole dwelling ventilation rates shall not exceed 30 dB LAeq,8h and shall not exceed 45 dB L_{Amax,f} more than 10-15 times per night for regular noise sources. Regular noise sources include sources which commonly occur at, or in the vicinity of, the site, as opposed to one-off events, or special occasions which could

- result in higher than typical site noise levels. The limits include all external noise sources and building services noise if applicable.
- Criterion B. Noise levels in habitable rooms during the day under whole dwelling ventilation rates shall not exceed 35 dB LAeq,16h. The limit includes all external noise sources and building services noise if applicable.
 - Criterion C. The low frequency noise level at the 63 Hz octave-band, due to operations at the Safeguarded Wharves including dredgers operating at a cumulative maximum, shall not exceed 50 dB Leq,63Hz,15min inside any habitable room at any time under whole dwelling ventilation rates.
 - Criterion D. Noise levels in bedrooms at night under higher ventilation rates (above the extract and whole dwelling ventilation rates set out in the Building Regulations 2010 Approved Document F) such as may be required for mitigation against overheating, shall not exceed 35 dB LAeq,8hour. Criterion D does not apply to purge ventilation. This limit applies to rooms that are exposed to façade noise levels due to operations at the Safeguarded Wharves including dredgers at or above 50 dB LAeq,15min and/or 65 dB Leq,63Hz.
 - Criterion E. Noise levels in living rooms during the day under higher ventilation rates (above the extract and whole dwelling ventilation rates set out in the Building Regulations 2010 Approved Document F) such as may be required for mitigation against overheating, shall not exceed 40 dB LAeq,16hour. Criterion E does not apply to purge ventilation. This limit applies to rooms that are exposed to façade noise levels due to operations at the Safeguarded Wharves including dredgers at or above 55 dB LAeq,15min and/or 65 dB Leq,63Hz.
 - Criterion F. The rating levels according to BS 4142: 2014 +A1: 2019 on balconies due to all industrial and wharf sources operating at a cumulative maximum shall not be more than 5 dB above pre-existing background levels at all times. For public / private outdoor areas (i.e. gardens and balconies) the upper guideline value for noise levels shall be as specified within BS8233:2014. i.e.; LAeq 55 dB [BS 8233:2014 'upper guideline value']. The mitigation shall be installed in accordance with the approved details prior to the first occupation of the residential units hereby permitted.

REASON: In order to protect the amenity of future occupants of the development and to minimise the potential for conflict with the nearby safeguarded wharves.

22. Prior to commencement of above ground works water efficiency calculations shall have been submitted to and approved in writing by the local planning authority to meet water efficiency standards with a maximum water use of 105 litres of water per person per day for the residential and BREEAM Excellent standard for the 'Wat 01' BREEAM water category for the non-residential. The water efficiency measures shall be fully implemented in accordance with the approved details prior to the occupation of the development and shall be retained for the lifetime of the development.

REASON: To ensure the sustainable use of water.

23. Prior to commencement of above ground works, a detailed scheme of noise insulation measures for all divisions walls and/or floors separating the flexible employment floorspace/flexible retail and community floorspace and residential areas shall have been submitted to and approved in writing by the local planning authority. The scheme of noise insulation measures shall be prepared

by a suitably qualified consultant/engineer and shall demonstrate that the proposed sound insulation will achieve a level of protection which is at least +5dB above the Approved Document E standard dwelling houses and flats for airborne sound insulation and -5dB for impact sound insulation. The approved scheme shall be implemented prior to the first use of the relevant floorspace and be permanently retained thereafter.

REASON: In the interests of future residential occupiers of the accommodation.

24. Prior to the commencement of development, other than demolition and groundworks, details of the proposed means of screening to the northern site boundary shall have been submitted to and approved in writing by the local planning authority. The screening shall be installed in accordance with the approved details prior to the first occupation of the residential units hereby permitted and shall remain in place until such a time as the scrap yard on the adjacent site has ceased to operate.

REASON: In the interests of visual amenity and to ensure a satisfactory environment for future occupants of the development.

25. Prior to occupation of the development a contamination Verification Report demonstrating completion of the works set out in the approved Remediation Strategy and the effectiveness of the remediation shall have been submitted to and approved in writing by the local planning authority. The report shall include results of sampling and monitoring carried out in accordance with the approved verification plan to demonstrate that the site remediation criteria have been met. It shall also include any plan (a long-term monitoring and maintenance plan) for longer-term monitoring of pollutant linkages, maintenance and arrangements for contingency action, as identified in the verification plan, and for the reporting of this to the local planning authority.

REASON: In the interest of public health and safety.

26. Prior to occupation of the development detailed drawings showing the proposed privacy film / obscure glazing to protect the privacy of occupiers as shown on the approved plans together with additional measures to prevent overlooking between windows and balconies in units 17 and 20; 23 and 26; 31 and 34; 37 and 40 and to protect the privacy within the units which have windows which adjoin the fourth floor link shall have been submitted to and approved in writing by the local planning authority. The approved measures shall be installed prior to the first occupation of the residential units hereby permitted and shall be maintained for the lifetime of the development.

REASON: In order to protect the privacy of future occupants of the development and to provide a satisfactory standard of residential amenity.

27. Prior to occupation of the development a Delivery and Servicing Plan shall have been submitted to and approved in writing by the local planning authority. The plan shall demonstrate the expected number and time of delivery and servicing trips to the site, with the aim of reducing the impact of servicing activity. The plan shall include details of the proposed delivery and servicing arrangements for the following two scenarios (i) the application site being developed out first; (ii) the adjoining site being developed out first. The plan shall include details of measures for the management of vehicle movements within the proposed new access road. The approved Delivery and Servicing Plan shall be implemented in

full accordance with the approved details from the first occupation of the development and shall be adhered to for the lifetime of the development.

REASON: In order to ensure satisfactory vehicle management.

28. Prior to occupation of the development full details of the cycle parking facilities shall be submitted to and approved in writing by the Local Planning Authority. A minimum of 123 residential and 10 commercial secure and dry cycle parking spaces shall be provided within the development as indicated on the plans hereby approved. All cycle parking spaces shall be provided and made available for use prior to occupation of the relevant block and maintained thereafter.

REASON: In order to facilitate sustainable travel.

29. Prior to occupation of the development a Parking Design and Management Plan shall have been submitted to and approved in writing by the local planning authority. The Parking Design and Management Plan must include at least the following details:

- details of the layout and controls of means of entry to the car park and secure cycle storage areas;
- the proposed allocation of and arrangements for the management of parking spaces including disabled parking bays serving the residential development and details to demonstrate how a further seven percent of residential dwellings will be provided with a disabled person parking space should demand arise;
- conditions of use and monitoring of the parking to be provided, including the car club bays and Blue Badge parking;
- the provision of electric vehicle charging points including both active and passive provision in accordance with adopted London Plan Guidance including how passive provision will be brought to active use;
- the enforcement of unauthorised parking; and
- the safety and security measures to be incorporated within the development to ensure the safety of car/cycle parking areas

The Parking Design and Management Plan as approved shall be implemented prior to occupation of the relevant part of the development and shall thereafter be retained and maintained in accordance with the approved details for the lifetime of the development.

REASON: To ensure safe and secure off-street parking is maintained.

30. Prior to occupation of the development a detailed site specific Residential Travel Plan, in accordance with Transport for London's document 'Travel Planning for New Development in London' shall have been submitted to and approved in writing by the local planning authority. The Travel Plan shall specify initiatives to be implemented by the development to promote and maximise the use of sustainable travel to and from the site by a variety of non-car means (including public transport, walking and cycling) and shall set measures to ensure compliance with the Travel Plan objectives. The development shall operate in full accordance with all measures identified within the Travel Plan from first occupation.

REASON: In order to facilitate and promote sustainable travel.

31. Prior to occupation of the non-residential areas of the development a detailed site-specific Framework Commercial Travel Plan for that part, in accordance

with Transport for London's document 'Travel Planning for New Development in London' shall have been submitted to and approved in writing by the local planning authority. The Travel Plan shall specify initiatives to be implemented by the development to promote and maximise the use of sustainable travel to and from the site by a variety of non-car means (including public transport, walking and cycling) and shall set measures to ensure compliance with the Travel Plan objectives. The development shall operate in full accordance with all measures identified within the Travel Plan from first occupation of the non-residential areas of the development.

REASON: In order to facilitate and promote sustainable travel.

32. Prior to occupation of the development, notwithstanding the submitted Flood Risk Assessment, a Flood Evacuation Plan detailing how occupants will be made aware of flood risks, the implementation of flood warning systems and the proposed evacuation procedures for the development shall have been submitted to and approved in writing by the local planning authority. The measures included in the approved Flood Evacuation Plan shall be put in place prior to the first occupation of the development and maintained for the lifetime of the development.

REASON: To mitigate against the consequences of flooding.

33. Prior to occupation of the non-residential areas of the development a detailed marketing strategy for the commercial units hereby permitted shall have been submitted to and approved in writing by the local planning authority. The Marketing Strategy shall include details of the following:

- means of advertising / media to be used;
- duration and timing of the marketing campaign;
- how marketing will be targeted to likely occupiers;
- proposed rent levels;
- management arrangements;
- terms on which the units are to be offered; and
- any incentives to expedite the letting of units.

The commercial units shall be marketed in accordance with the approved Marketing Strategy.

REASON: To minimise risk of vacancy.

34. Prior to occupation or commencement of use of any of the commercial uses hereby permitted, full details of hours of operation including but not limited to time of receiving deliveries or servicing shall have been submitted to and approved in writing by the local planning authority. The uses shall thereafter be carried out in strict accordance with the approved details.

REASON: To safeguard the amenities of neighbouring properties, particularly residential properties and the surrounding area.

35. Prior to occupation of the non-residential areas of the development a scheme demonstrating how provision will be made for the future installation of mechanical ventilation equipment or other plant associated with the non-residential units shall have been submitted to and approved in writing by the local planning authority. No use involving the preparation of hot food shall commence until full details of any mechanical ventilation or other plant associated with the commercial operation of the building (including details of

external appearance) shall have been submitted to and approved in writing by the local planning authority. Details should include full specifications of all filtration, deodorising systems, noise output and termination points. Particular consideration should be given to the high-level discharge of kitchen extract air/ the discharge of toxic or odoriferous extract air where a high level of discharge is usually essential. The approved scheme shall be completed prior to occupation of the development and shall be permanently maintained thereafter. Reference shall be had to Guidance on the Control of Odour and Noise from Commercial Kitchen Exhaust Systems published by DEFRA.

REASON: In the interest of the amenity of future residential occupiers of the development and surrounding area.

36. (a) Prior to the first occupation of the development hereby permitted, a scheme for testing the noise environment of the units, to demonstrate compliance with Criteria A to F of Condition 21 shall have been submitted to and approved in writing by the local planning authority (in consultation with the Port of London Authority and Safeguarded Wharf Operators).
(b) Prior to the first occupation of the development hereby permitted the scheme for noise testing required by part (a) above shall have been implemented and the results submitted and approved in writing by the local planning authority (in consultation with the Port of London Authority and the Safeguarded Wharf Operators).

REASON: In order to protect the amenity of future occupants of the development and to minimise the potential for conflict with the nearby safeguarded wharfs.

37. Prior to the first occupation of the development hereby permitted an Operational Management Plan to address potential noise nuisance or noise environmental health impacts shall have been submitted to and approved in writing by the local planning authority setting out the following:
- a commitment from the owner of the development to ensure that the approved mitigation set out in the Noise Impact Assessment Reference: AC106928-1R3 dated 20.01.2021, submitted with the planning application (and any additional mitigation measures approved under Condition 21 above) is installed properly, is maintained in perpetuity and is correctly repaired in the event of failure, paying reference to any relevant British Standards adopted at the date of this planning permission; and
 - the operational management measures to be adopted by occupiers of the commercial units within the development to avoid noise and disturbance impacts of loading and servicing on residents of the development.
- Thereafter the Operational Management Plan shall be implemented and retained as approved.

REASON: In order to protect the amenity of future occupants of the development and to minimise the potential for conflict with the nearby safeguarded wharfs.

38. Full details of the children's play areas (as shown in drawing 18-088 D1101 Rev P05), play equipment and safety measures proposed for the development shall have been submitted to and approved in writing by the local planning authority prior to the first occupation of the development. This shall include the provision of a minimum of 280 square metres of play space for children under

5 years old. The play areas and play equipment shall be fully implemented in accordance with the approved details prior to the occupation of the development and shall be retained for the lifetime of the development.

REASON: In order to ensure that sufficient on-site play facilities are provided for the future occupiers of the development

39. The commercial units hereby permitted shall be completed to an enhanced shell specification (to a weathertight standard, including facades, glazing, doors, louvres and a screed floor) prior to the first occupation of the residential units hereby permitted.

REASON: To ensure the delivery of employment generating floorspace within the development and to facilitate the occupation of such floorspace.

40. Within three months of completion of the development, the following information in compliance with the Condition 17 revised Energy Strategy, the Energy Statement Issue 2 (July 2020) and the Energy Statement Addendum (Nov 2020) shall have been submitted to and approved in writing by the local planning authority:

- final technical information and evidence including commissioning of installation of the renewable/low carbon technologies;
- the resulting scheme, along with machinery/apparatus location, specification and operational details of renewable/low carbon technologies and Energy Centre/ Centralised plant room/District Heating Network;
- a management plan for the operation of the renewable/low carbon technologies;
- a servicing plan including times, location, frequency, method of servicing of the renewable/low carbon technologies;
- evidence that energy efficient appliances and other appropriate measures have been incorporated to reduce the energy demand and unregulated energy usage;
- thermal bridging calculations for both residential and non-residential components, 'As Built' SAP Thermal Bridging (residential) and SAP Overheating (residential) modelling output reports to confirm that the psi value has been reduced (psi-value less than 0.15) and Criterion 3 of the Building Regulations Part L 2013; and
- details and evidence of a post-commissioning assessment, completed by an independent assessor, for either connection to an offsite local low carbon energy network or installation of an energy centre to provide the space heating/ hot water/ cooling, certifying that either the offsite connection or the onsite standalone energy servicing strategy has been well designed in line with Part A, runs efficiently, has reliability of supply, a reasonable customer tariff and appropriate management and maintenance arrangements are in place.

The development shall be carried out in accordance with the approved scheme, and the necessary equipment to allow connection of the development to the onsite energy centre or to the offsite local energy network shall be installed and operational prior to the first occupation of the development.

REASON: To ensure that the development hereby approved is energy efficient and to contribute to the avoidance of need for new fossil fuel or other primary energy generation capacity and to reduce emissions of greenhouse gases and

to minimise the impact of building emissions on local air quality in the interests of health.

41. The demolition, earth removal, piling work and any mechanical building operations required to implement the development shall only be carried out between the hours of 0800 - 1800 on Mondays to Fridays, and 0800 - 1300 on Saturdays, and not at all on Sunday and Public and Bank Holidays.

REASON: To safeguard the amenities of neighbouring properties and the surrounding area.

42. If during development contamination not previously identified is found to be present at the site then no further development shall be carried out until a remediation strategy shall have been submitted to and approved by the local planning authority detailing how this contamination shall be dealt with and obtained written approval from the local planning authority. The remediation strategy shall be implemented as approved.

REASON: To ensure any unsuspected contamination is appropriately remediated.

43. All removal of trees, hedgerows, shrubs, scrub or tall herbaceous vegetation shall be undertaken between September and February inclusive. If this is not possible then a suitably qualified ecologist shall check the areas concerned immediately prior to the clearance works to ensure that no nesting or nestbuilding birds are present. If any nesting birds are present then the vegetation shall not be removed until the fledglings have left the nest.

REASON: In order to protect biodiversity.

44. Notwithstanding the provisions of The Town and Country Planning (General Permitted Development) (England) Order 2015 (or any Order revoking and re-enacting that Order with or without modification), no part of the non residential floorspace within the development shall be used as a dwellinghouse within Class C3 of the Town and Country Planning (Use Classes) Order 1987 (as amended).

REASON: In order to ensure that satisfactory provision of employment generating floorspace is maintained.

45. Notwithstanding the provisions of The Town and Country Planning (General Permitted Development) (England) Order 2015 (or any Order revoking and re-enacting that Order with or without modification) the ground floor commercial units hereby permitted shall be used only for the following purposes:
- offices to carry out any operational or administrative functions;
 - research and development of products or processes;
 - industrial processes.

REASON: In order to ensure the satisfactory provision of employment generating floorspace for small and medium sized businesses.

46. Noise levels from any plant associated with the development hereby permitted shall not exceed 10 dB below the existing background level (LA90 15min) when measured at one metre from the façade of the nearest noise sensitive premises.

REASON: In order to safeguard the amenities of residential properties.

47. Should roller doors be installed to any of the commercial units hereby permitted full details of the proposed doors including material, finish and colour shall be submitted and approved in writing by the LPA prior to their installation and the doors shall be installed in accordance with the approved details and maintained thereafter.

REASON: In order to protect the character and appearance of the wider area (including the Thames Barrier and Bowater Road Conservation Area).

48. The development must be carried out in strict accordance with the provisions of the Fire Statement Reference SC20085 Rev R02 prepared by OFR Fire Consultants dated 20.06.202.

REASON: To ensure that the development incorporates necessary fire safety measures in the interests of public safety.

49. (a) Within three months of the completion of each of the new non-residential units, interim BREEAM (or subsequent scheme) assessments achieving a BREEAM Very Good level and copy of the summary score sheets and related Design Certificates all verified by the BRE shall have been submitted to and approved in writing by the local planning authority.
(b) Within three months of first occupation of each of the new non-residential units, post construction BREEAM (or subsequent scheme) stage assessments, copies of the summary score sheets and related Certification all verified by the BRE with a copy of a signed legal green fit-out agreement confirming that the approved non-residential units within each block have been designed and fitted out to beyond best practice energy demand reduction measures, and incorporate energy efficient systems for heating and cooling and water efficient equipment that will conform to the revised energy strategy approved as part of Condition 17 above shall have been submitted to and approved in writing by the local planning authority.

REASON: In the interest of addressing climate change and securing sustainable development.

End of Schedule