

DATED 22nd August 2014

ENDERBY WHARF LLP (1)

and

ENDERBY RIVERSIDE LIMITED (2)

and

ENDERBY ISLE LIMITED (3)

and

MS
~~THE MAYOR AND BURGESSES OF THE ROYAL BOROUGH OF GREENWICH~~ (4)

DEED OF MODIFICATION TO
SECTION 106 AGREEMENT

Pursuant to Section 106 and 106A of the Town and
Country Planning Act 1990

Relating to Enderby Wharf, Christchurch Way, London
SE10 0AG

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5 Montague Close
London SE1 9BB
DX: 156810 London Bridge 5

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Winckworth
Sherwood

Solicitors and
Parliamentary Agents

THIS AGREEMENT is made the

22nd

day of

August

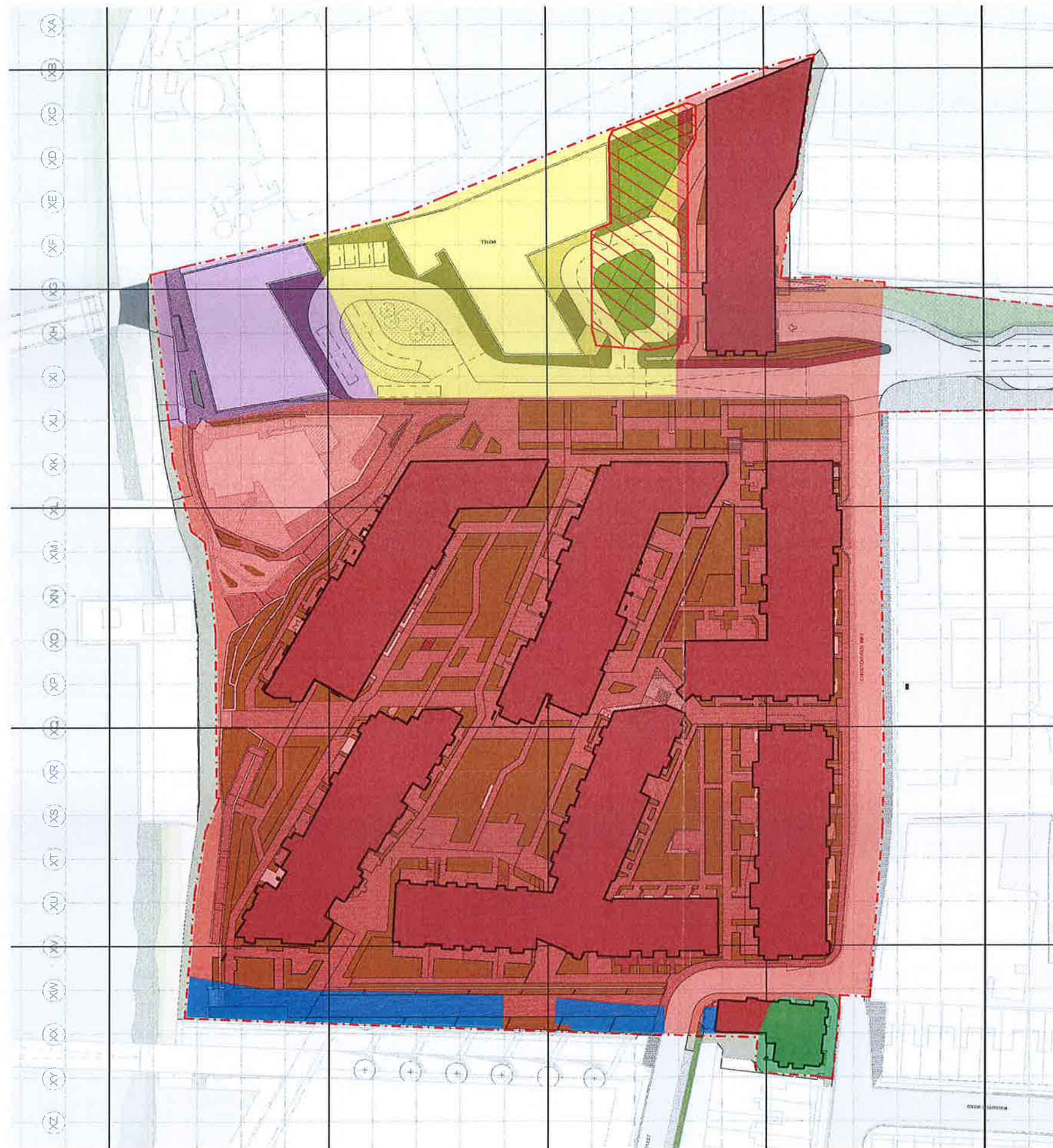
2014

BETWEEN

- (1) **ENDERBY WHARF LLP** (Company No. OC386075) the registered office of which is at Central House, 32-66 High Street, London E15 2NY (hereinafter called "**EWLLP**" which expression where the context admits shall include its successors in title) of the first part and
- (2) **ENDERBY RIVERSIDE LIMITED** (incorporated and registered in Jersey under company registration number 112966), the registered office of which is at 6th Floor, 8 Hill Street, St Helier JE2 4UA (hereinafter called "**ERL**" which expression where the context admits shall include its successors in title) of the second part; and
- (3) **ENDERBY ISLE LIMITED** (incorporated and registered in Jersey under company registration number 113606), whose registered office is at 6th Floor, 8 Hill Street, St Helier JE2 4UA (hereinafter called "**EIL**" which expression where the context admits shall include its successors in title) of the third part; and
- (4) ~~THE MAYOR AND BURGESSES~~ ^{MS} **OF THE ROYAL BOROUGH OF GREENWICH** of Town Hall Wellington Street Woolwich London SE18 6PW (hereinafter called "**the Council**" which expression shall include any successor local planning authority exercising planning powers under the Act) of the fourth part

RECITALS

- A. The Council entered into the Section 106 Agreement dated 30 March 2012 with Mason Developments Limited and Cronus Debt Limited of whom EWLLP, ERL and EIL are the successors in title as "**the Developer**" pursuant to S106 of the Town and Country Planning Act 1990 (the "**Section 106 Agreement**") relating to land at Enderby Wharf, London SE10 0AG ("**the Land**")
- B. The Council is the local planning authority for the purposes of the Act, the highway authority for the purposes of the Highways Act 1980 and the local education authority for the purposes of the Education Act 1996 for the area in which the Land is situated
- C. EWLLP is the holder of the freehold interest in the part of the Land registered with freehold Title Absolute at the Land Registry under Title Numbers TGL325472, TGL325455 and TGL364343 and the holder of a leasehold interest in the part of the Land registered with leasehold title at the Land Registry under Title Number TGL 386397 the boundaries of which freehold and leasehold interests are delineated for the purposes of identification only on Plan 1 annexed to this Modification Deed
- D. ERL is the holder of the freehold interest in the part of the Land registered with freehold Title Absolute at the Land Registry under Title Number TGL 384230 the boundaries of



FIGURES
Check all dimensions on site. Do not scale from this drawing.
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DESIGN/REVISION DESIGN
NA
PHOTOGRAPH/SCANNED INFORMATION
NA
AREA CALCULATIONS
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SUD-PARTY INFORMATION
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which are delineated for the purposes of identification only on Plan 1 annexed to this Modification Deed

- E. EIL is the holder of the freehold interest in the part of the Land registered with freehold Title Absolute at the Land Registry under Title Number TGL384229 the boundaries of which are delineated for the purposes of identification only on Plan 1 annexed to this Modification Deed
- F. On 17th October 2013 EWLLP submitted the second planning application to the Council which was given reference number 13/3025/MA ("the Second Application")
- G. The Council has resolved at a meeting of the Council's Planning Board on 3rd March 2014 to grant the Second Planning Permission subject to conditions and the Developer entering into planning obligations as hereinafter provided
- H. The Parties have now agreed to modify and to supplement the Section 106 Agreement as provided in this Modification Deed in order to reflect changes to the Development as a consequence of the Second Planning Permission and to ensure that the Section 106 Agreement applies to the Second Planning Permission.

NOW IN PURSUANCE OF THE POWERS CONTAINED in Sections 106 and S106A of the Town and Country Planning Act 1990 IT IS HEREBY AGREED AND DECLARED between the parties hereto as follows:

1. Definitions and Interpretation

- 1.1 For the purposes of this Modification Deed the following expressions shall have the following meanings:

"Developer"	means EWLLP together with ERL and EIL
"Modification Deed"	means this first deed of modification to the Section 106 Agreement entered into pursuant to Sections 106 and 106A of the Act
"Second Application"	means the application submitted by the Developer to the Council pursuant to Section 73 of the Act for design changes and other minor material amendments by way of changes to condition 1 to planning permission reference 10/3063/F and registered by the Council on 18 November 2013 with reference number 13/3025/MA
"Second Planning Permission"	means the planning permission to be granted by the Council following determination of the Second Application in the form appended at Appendix 1 to this Modification Deed
"Parties"	means the parties to this Modification Deed

"Section 106 Agreement" means the deed of planning obligation dated 30th March 2012 made between (1) Mason Developments Limited; (2) Cronus Debt Limited; and (3) the Council relating to the Land

1.2 In all other respects, definitions and expressions in this Modification Deed shall save as otherwise stated in this Modification Deed have the meanings given in Clause 1.1 of the Section 106 Agreement

1.3 Where the context so admits words in this Modification Deed shall be construed in accordance with the provisions of Clause 2 of the Section 106 Agreement

1.4 Wherever there is more than one person named as a party and where more than one party undertakes an obligation all their obligations can be enforced against all of them jointly and against each individually unless there is an express provision otherwise

2. Conditionality

2.1 This Modification Deed is conditional upon:

(i) the grant of the Second Planning Permission by the Council; and

(ii) the Implementation of the Second Planning Permission

save for the provisions in this Clause 2, Clause 3.4, 3.5, Clauses 3.6.3(a), (b), (c), (d), (e) and (k) Clause 3.7, 3.9 and Clauses 4 to 8 inclusive of this Modification Deed which shall come into effect immediately upon completion of this Modification Deed.

3. Modifications to the Section 106 Agreement

3.1 The parties to this Modification Deed hereby agree that the Section 106 Agreement shall be modified and supplemented as follows:-

3.2 Clause 1.1 of the Section 106 Agreement shall be varied by the deletion of the following definitions as stated in the Section 106 Agreement and their replacement as follows:-

"Affordable Housing Parking Spaces" shall mean the parking spaces to be laid out by the Developer in part of the two decks below the residential element of the Development (Blocks B-G) for parking of vehicles of occupiers of the Affordable Housing Units in consultation with the Council and in accordance with the Car Parking Management Plan and the requirements of paragraph 5 of Part 5 of the Third Schedule to this Deed

"First Implementation Date" shall mean the date of Implementation of Phase 1 being 31 March 2014 as notified in writing by the Developer's agent to the Council on 25 March 2014

"Planning" shall mean the full planning permission subject to conditions granted by the Council pursuant to the Planning Application in

Permission" the form set out in the Second Schedule to this Deed and the Second Planning Permission

"Riverside Walk" shall mean the section of riverside walk shown coloured green and orange on the plan numbered 5 annexed to this Deed

3.3 In Clause 1.1 of the Section 106 Agreement the following new definitions shall be added as follows:-

"Second Application" means the application submitted by the Developer to the Council pursuant to Section 73 of the Act for design changes and other minor material amendments by way of changes to condition 1 to planning permission reference 10/3063/F and registered by the Council on 18 November 2013 with reference number 13/3025/MA

"Second Planning Permission" means the planning permission to be granted by the Council following determination of the Second Application in the form appended at Appendix K to this Deed

3.4 Clause 7.8 of the Section 106 Agreement shall be deleted and replaced with the following:-

"This Deed shall not be enforceable against

owner-occupiers or tenants of Dwellings or their mortgagees nor those deriving title from them save in relation to the obligations in Part 4 of the Third Schedule to this Deed so far as they relate to use of the Affordable Housing"

3.5 Clause 16 of the Section 106 Agreement shall be deleted and replaced with the following:-

"16. NOTIFICATION

16.1 *Following the grant of the Second Planning Permission the Developer shall give at least 10 Business Days' prior written notice to the Council whether the Second Planning Permission is to be Implemented and in the event the Second Planning Permission is Implemented the Developer covenants not to further Implement planning permission reference 10/3063/F*

16.2 *The Developer covenants with the Council that it shall give prior written notice to the Council of the commencement and completion of any dates referred to in this Deed including:-*

(i) the Second Implementation Date;

(ii) Practical Completion of the 90th Private Residential Unit;

- (iii) *Occupation of the 90th 177th 327th 462nd 549th and 600th Private Residential Unit;*
- (iv) *Occupation of each of the 43rd 60th 128th and 154th Affordable Housing Units;*
- (iv) *the date of the first Occupation of Phase 1;*
- (v) *the date of the first Occupation of Phase 2;*
- (vi) *the date of grant or assignment of any leases referred to in this Deed; and*
- (vii) *any other obligation to notify the Council as referred to in this Deed”.*

3.6 The Third Schedule of the Section 106 Agreement shall be amended as follows:-

3.6.1 In Part 2:-

- (a) In paragraph 1.1(a) the reference to “Practical Completion of the 120th Private Residential Unit” shall be deleted and replaced by *“Practical Completion of the 90th Private Residential Unit”*
- (b) In paragraph 1.1(b) the reference to the “320th Private Residential Unit” shall be deleted and replaced by *“the 327th Private Residential Unit”*
- (c) In paragraph 1.1(c) the reference to “the 520th Private Residential Unit” shall be deleted and replaced by *“the 549th Private Residential Unit”*

and for the avoidance of doubt this Modification Deed shall not modify paragraph 1.1(d) in Part 2 of the Third Schedule of the Section 106 Agreement

3.6.2 In Part 4:-

- (a) Paragraph 1.2.1.1 shall be deleted and replaced by the following:-

“More than 90 Private Residential Units until 43 Affordable Housing Units have been Practically Completed and leased (under a lease of not less than 125 years) or transferred to a Registered Provider”

- (b) Paragraph 1.2.1.2 shall be deleted and replaced by the following:-

“More than 177 Private Residential Units until a total of 60 Affordable Housing Units have been Practically Completed and leased (under a lease of not less than 125 years) or transferred to a Registered Provider

- (c) Paragraph 1.2.1.3 shall be deleted and replaced by the following:-

“More than 462 Private Residential Units until a total of 128 Affordable Housing Units have been Practically Completed and leased (under a lease of not less than 125 years) or transferred to a Registered Provider”

and for the avoidance of doubt this Modification Deed shall not modify paragraph 1.2.1.4 in Part 4 of the Third Schedule of the Section 106 Agreement

3.6.3 In Part 5:-

- (a) In Paragraph 1.1.1 the words "prior to the First Implementation Date" shall be deleted and replaced by the words:-

"Within twelve months of the First Implementation Date"

- (b) In Paragraph 1.1.3 the phrase "(provided that the Developer shall not be required to carry out any such works on land outside of its control and ownership) and to complete such works which shall be completed as part of Phase 1" shall be deleted and replaced with the phrase *"(provided that the Developer shall not be required to carry out any such works on land outside of its control and ownership unless such land is adopted highway) and to commence such works within 24 months of the First Implementation Date and complete such works as part of Phase 1"*

- (c) In Paragraph 1.4 the words "an adoption agreement under section 38 of the Highways Act 1980" shall be deleted and replaced by the words:-

"a highways agreement under sections 38 and 278 of the Highways Act 1980"

and the words "the Developer shall dedicate the Riverside Walk" shall be deleted and replaced by the words:-

"the Developer shall dedicate such parts of the Riverside Walk which are within the Developer's ownership"

- (d) In Paragraph 2.1 the words "prior to the First Implementation Date" shall be deleted and replaced by the words:-

"Within six months of the First Implementation Date"

- (e) In Paragraphs 2.2 and 3.1.1 the words "prior to the First Implementation Date" shall be deleted and replaced with the words *"within 6 months of the First Implementation Date"*

- (f) Paragraph 11.3 shall be deleted and replaced as follows:-

"The Developer covenants with the Council that prior to the commencement of construction of the Skills Academy it shall submit the Skills Academy Management Plan to the Council for its approval"

- (g) Paragraph 11.4 shall be deleted and replaced as follows:-

"The Developer covenants with the Council not to occupy the Skills Academy until the Council has approved the Skills Academy Management Plan in writing such approval not to be unreasonably withheld or delayed"

- (h) Paragraph 12.1 shall be amended so that the words *"prior to the start of construction of the Development"* shall be deleted
- (i) In Paragraph 12.2 and 13.2 the words *"prior to the First Implementation Date"* shall be deleted and replaced by the words *"within three months of first Implementation of the relevant part of the Development"*
- (j) In Paragraph 12.3 the words *"prior to First Occupation of the Development"* shall be deleted and replaced by the words *"within three months of Practical Completion of the relevant part of the Development"*
- (k) Paragraph 15.1.1 shall be amended so that the words *"First Implementation Date"* shall be deleted and replaced by the words *"within nine months of the First Implementation Date"*
- (l) A new paragraph 26 shall be inserted as follows:-

"26. Historic plaque

26.1 *The Developer covenants with the Council that:*

26.1.1 *Within twenty four months of the First Implementation Date full details (including the location, size, design, materials and text) of a plaque (hereafter "the Plaque") to be situated within a publicly visible area of the Development and containing information about the history of the Land shall have been prepared by the Developer in consultation with the Greenwich Industrial History Society and the Greenwich Conservation Group and shall be submitted to the Council for its approval in writing*

26.1.2 *Phase 2 shall not be Occupied until the Plaque has been erected in accordance with the details approved by the Council pursuant to paragraph 26.1.1*

26.1.3 *The Plaque shall be retained in its approved location and regularly maintained at the Developer's cost for the duration of the Development"*

- 3.7 Paragraph 1.4.9 of Part 4 of the Third Schedule shall be amended so that the first line reads as follows:-

"Provided that the restrictions and obligations contained in Paragraphs 1.1.1 and 1.4.5 to 1.4.8 inclusive of this Part 4 of this Third Schedule shall not be binding or enforceable against:-"

- 3.8 The drawing labelled "Plan 4" which is the phasing plan appended to the Section 106 Agreement shall be removed and substituted with the revised Plan 4 attached at Appendix 2 to this Modification Deed
- 3.9 The drawing labelled "Plan 5" appended to the Section 106 Agreement being the plan showing (for the purposes of identification only) a section of the riverside walk shall be removed and substituted with the revised Plan 5 attached at Appendix 3 to this Modification Deed
- 3.10 The version of the Car Parking Management Plan appended to the Section 106 Agreement at Appendix F shall be removed and substituted with the version of the Car Parking Management Plan attached at Appendix 4 to this Modification Deed
- 3.11 The Agreed Mix set out at Appendix A of the Section 106 Agreement shall be removed and substituted with the Agreed Mix as shown in the table attached as Appendix 5 to this Modification Deed
- 3.12 A new Appendix K shall be inserted into the Section 106 Agreement containing the Second Planning Permission as attached at Appendix 1 to this Modification Deed

4. Confirmation

In all other respects the Parties to this Modification Deed affirm and confirm the content of the Section 106 Agreement.

5. Payment of Legal Costs

It is agreed that the Developer shall pay to the Council on the date of completion of this Modification Deed the reasonable legal costs of the Council in connection with the negotiation, preparation and execution of this Modification Deed

6. Registration as a Local Land Charge

The covenants in the Section 106 Agreement as modified by this Modification Deed are planning obligations for the purposes of Section 106 and Section 106A of the Act and are enforceable by the Council as provided in the Section 106 Agreement and the Council shall register this Modification Deed in its register of Local Land Charges

7. Third Parties

No third party shall have any right to enforce the terms of this Modification Deed pursuant to the Contracts (Rights of Third Parties) Act 1999 even if expressed to be for their benefit

8. Invalidity of Certain Provisions

If any term of this Modification Deed or the application thereof to any person or circumstances shall to any extent be invalid or unenforceable the same shall be severable and the remainder of this Modification Deed as to the application of such term to persons or circumstances other than those as to which it is held invalid or unenforceable shall not be affected thereby and each term and provision of this Deed shall be valid and enforced to the fullest extent permitted by law

IN WITNESS whereof these presents have been executed by the Parties hereto as a deed and delivered on the day and year first before written

APPENDIX 1

The Second Planning Permission

Louise Thayre

020 8921 5894

020 8921 5442

louise.thayre@royalgreenwich.gov.uk

Mr G Cassidy
bptw partnership
110-114 Norman Road
Greenwich
SE10 9QJ

**Directorate of Regeneration,
Enterprise & Skills**

Woolwich Centre, 5th Floor
35 Wellington Street
London SE18 6HQ

I3/3025/MA

DECISION NOTICE - PERMISSION GRANTED

Dear Sir/Madam,

**Town & Country Planning Act 1990 (As Amended)
Town & Country Planning (Development Management Procedure)(England) Order 2010
Planning (Listed Buildings and Conservation Areas) Act 1990 (As Amended)
Planning (Listed Buildings and Conservation Areas) Regulations 1990 (As Amended)**

**Site: ENDERBY WHARF (FORMER ALCATEL SITE),
CHRISTCHURCH WAY, GREENWICH, SE10**

Applicant: EWLLP

Proposal: Redevelopment of the site comprising the provision of a new jetty in the River Thames to provide docking for cruise liners and the Thames Clipper, a Cruise Liner Terminal, a 251 room hotel with conference, restaurant ancillary facilities (Use Class C1); skills academy (Use Class D1); 770 residential units (Use Class C3); commercial (Use Class B1); a crèche (Use Class D1) a gymnasium (Use Class D2); conversion and extension of Enderby House to provide tourist, community and retail facilities (Use Classes A1, A3, A4, B1, D1 and D2); the provision of vehicular access with associated servicing facilities; car, motorcycle and bicycle parking, provision of landscaping and public realm (including improvements to the Thames Walk); improvements to the river wall and other works within the river, including dredging, the provision of tidal gardens, piling, the provision of a pontoon and brow, and associated works. (THIS IS A DEPARTURE FROM THE UNITARY DEVELOPMENT PLAN)

Drawing No's: 6415_XXX_SU_500_0000 Rev P1, 6415_XXX_PL_190_0100 Rev P6,
6415_XB2_GA_106_0000 Rev P2, 6415_XB1_PL_106_0001 Rev P1,
6415_XXX_PL_106_1000 Rev P2, 6415_XXX_PL_100_0001 Rev P2,
6415_X00_PL_107_0001 Rev P4, 6415_X01_PL_106_0101 Rev P4,
6415_XXX_PL_106_0201 Rev P4, 6415_XXX_PL_106_0301 Rev P4,
6415_XXX_PL_106_0001 Rev P2, 6415_XXX_PL_106_0002 Rev P1,

6415_XXX_PL_106_0003 Rev P1, 6415_XXX_PL_106_0004 Rev P1,
 6415_XXX_PL_106_0005 Rev P2, 6415_XXX_PL_106_0006 Rev P2,
 6415_XXX_PL_106_0007 Rev P2, 6415_XXX_PL_106_0008 Rev P1,
 6415_XXX_PL_106_0009 Rev P2, 6415_XXX_PL_190_0001 Rev P1,
 6415_XXX_PL_190_0002 Rev P1, 6415_XXX_PL_190_0004 Rev P1,
 6415_XXX_PL_190_0005 Rev P1, 6415_XXX_PL_190_0006 Rev P1,
 6415_XXX_PL_190_0007 Rev P1, 6415_XXX_PL_190_0008 Rev P1,
 6415_XXX_PL_100_0002 Rev P1, 6415_XXX_PL_190_0003 Rev P1,
 6415_X01_PL_106_0102 Rev P2, 6415_XRF_PL_106_0202 Rev P2,
 6415_X00_PL_106_0002 Rev P2, 6415_XXX_PL_104_0001 Rev P2,
 6415_XXX_PL_104_0002 Rev P2, 6415_XXX_GA_105_0001 Rev P1,
 6415_XXX_PL_104_0007 Rev P1, 6415_XXX_PL_104_0003 Rev P1,
 6415_XXX_PL_104_0004 Rev P1, 6415_XXX_PL_104_0005 Rev P1,
 6415_XXX_PL_104_0006 Rev P1, 6415_AXX_PL_105_0001 Rev P4,
 6415_AXX_PL_105_0002 Rev P4, 6415_AXX_PL_105_0003 Rev P4,
 6415_AXX_PL_105_1001 Rev P3, 6415_AXX_PL_105_1002 Rev P4,
 6415_AXX_PL_106_2000 Rev P2, 6415_BXX_PL_105_0001 Rev P4,
 6415_BXX_PL_105_0002 Rev P3, 6415_BXX_PL_105_0003 Rev P3,
 6415_BXX_PL_105_0004 Rev P2, 6415_BXX_PL_105_1001 Rev P3,
 6415_BXX_PL_105_1002 Rev P3, 6415_BXX_PL_106_2000 Rev P1,
 6415_CXX_PL_105_0001 Rev P4, 6415_CXX_PL_105_0002 Rev P3,
 6415_CXX_PL_105_0003 Rev P3, 6415_CXX_PL_105_1001 Rev P3,
 6415_CXX_PL_105_1002 Rev P3, 6415_CXX_PL_106_2000 Rev P1,
 6415_DXX_PL_105_0001 Rev P5, 6415_DXX_PL_105_0002 Rev P4,
 6415_DXX_PL_105_0003 Rev P4, 6415_DXX_PL_105_0004 Rev P4,
 6415_DXX_PL_105_1001 Rev P4, 6415_DXX_PL_105_1002 Rev P4,
 6415_DXX_PL_106_2000 Rev P1, 6415_EXX_PL_105_0001 Rev P4,
 6415_EXX_PL_105_0002 Rev P3, 6415_EXX_PL_105_0003 Rev P3,
 6415_EXX_PL_105_1001 Rev P3, 6415_EXX_PL_105_1002 Rev P3,
 6415_EXX_PL_106_2000 Rev P1, 6415_FXX_PL_105_0001 Rev P3,
 6415_FXX_PL_105_0002 Rev P3, 6415_FXX_PL_105_0003 Rev P5,
 6415_FXX_PL_105_0004 Rev P3, 6415_FXX_PL_105_0005 Rev P3,
 6415_FXX_PL_105_0006 Rev P3, 6415_FXX_PL_105_0007 Rev P3,
 6415_FXX_PL_105_0008 Rev P3, 6415_FXX_PL_105_1001 Rev P3,
 6415_FXX_PL_105_1002 Rev P3, 6415_FXX_PL_106_2000 Rev P2,
 6415_GXX_PL_105_0001 Rev P3, 6415_GXX_PL_105_0002 Rev P3,
 6415_GXX_PL_105_0003 Rev P4, 6415_GXX_PL_105_0004 Rev P3,
 6415_GXX_PL_105_1001 Rev P5, 6415_GXX_PL_105_1002 Rev P5,
 6415_GXX_PL_106_2000 Rev P1, 6415_HXX_PL_105_0001 Rev P3,
 6415_HXX_PL_105_1001 Rev P4, 6415_HXX_PL_106_2000 Rev P2,
 7269-A-P01A Rev A, 7269-A-P02A Rev A, 7269-A-P03A Rev A,
 7269-A-P04B Rev B, 7269-A-P52C Rev C, 7269-A-P108, 7269-A-P109,
 7269-Z2-A-G200-S-AA-001 Rev01, 7269-Z2-A-G200-E-N-001 Rev01,
 7269-Z2-A-G200-E-S-001 Rev01, 7269-Z2-A-G200-S-BB-001
 Rev01, 7269-Z2-A-G200-S-BB-002 Rev01, 7269-Z3-A-G200-E-E-001 Rev02,
 7269-Z3-A-G200-P-S-AA-001 Rev02, 7269-Z3-A-Z200-X3-001,
 7269-Z3-A-Z200-X3-002, Z3-A-G200-XP-AL-001, 7269-Z4-A-G200-E-E-001 Rev01,
 7269-Z4-A-G200-E-N-001 Rev01, 7269-Z4-A-G200-E-S-001 Rev01, Tenure Mix
 Schedule, Schedule of Drawings, CIL Form, Design and Access Statement Rev B and
 Letter dated 17.10.13, Accommodation Schedule (Revised 26.02.14), RBA Acoustics
 Report – Safeguarded Wharf Statement, Illustrative Drawings:
 6415-XXX-SE-102-0020 Rev P6, 0021 Rev P6, 0022 Rev P6, 0023 Rev P4, 0024 Rev
 P6, 0025 Rev P5, 0027 Rev P5, 0028 Rev P6, 6415_XXX_PL_102_0030 Rev P1,
 6415_X00_MP_105_0001 Rev P8, Block A Daylight and Sunlight Analysis, Block F
 Daylight and Sunlight Analysis, Planning Statement, Design & Access Statement,
 Environmental Statement Volume I: Main Report, Volume II: Townscape and Visual
 Impact Assessment, Volume III: Technical Appendices, Environmental Statement
 Non-Technical Summary, Environmental Statement: Response to Scoping Opinion
 Dated 26 October 2010, Employment Land Study, Transport Assessment,
 Framework Travel Plan, Landscape and Public Realm Strategy, Energy Statement,

The Royal Borough of Greenwich as Local Planning Authority grants planning permission for the development described above and referred to in your application dated 17 October 2013.

This permission, unless otherwise stated, is subject to Section 91 of the Town and Country Planning Act (as amended), which requires that the development hereby permitted shall commence within three years of the date of this permission.

There are 71 further conditions which are set out in the schedule overleaf.

Having regards to the provisions of the London Plan Policies 7.8, 7.2, 3.5, 6.3, 6.9, 7.14, 7.15, 5.11, 7.19, 5.21, the Unitary Development Plan namely Policies C1, C3, D1, D3, D4, D5, D7, D8, D16, D18, D19, D22, D28, D30, D31, E1, E3, E5, E6, E7, E9, E11, E12, E14, E15, E17, E19, M1, M3, M6, M7, M16, M19, M21, M23, M24, M26, M27, M29, M30, M32, M33, M42, M25, H1, H1, H2, H3, H5, H7, H8, H11, H14, H15, H17, H19, O10, O15, O16, O18, O21, O24, J1, J13, J14, J15, TC16, T1, T3, W2, W3, H9, M20, M40, SC2, SD1, SE2, SH5, SJ3, SJ4, SJ5, SM2, SM5, SO2, ST1, ST2, STC2, SC1, Policies DH1, DH(b), IM(b), IM(c), DH3, DH(h), E(c), CH1, OS(f), DH4, E1., TC1., DH(i), DH(m), IM4., DH(g), E2., IM(a), E(a), E(e), H(e), IM1, TC4, OS(c), of the Core Strategy with Development Management Policies (Submission Version) September 2013, and the other material considerations, it is considered that subject to compliance with the conditions attached, the proposed development would be in accordance with policy and would not materially harm the character of the area, or the amenity of neighbouring occupiers, or highway conditions in the area.

Yours faithfully

Assistant Director

Notes

The Council in assessing the merits of this application have taken into consideration the provisions of the National Planning Policy Framework

You are reminded that you may also require approval under the Building Regulations. Advice and application forms can be obtained from Building Control at this address, by telephone on 020 8921 5413 or by emailing building.control@royalgreenwich.gov.uk

SCHEDULE OF CONDITIONS, REASONS and INFORMATIVES

Application Reference: 13/3025/MA

At: ENDERBY WHARF (FORMER ALCATEL SITE), CHRISTCHURCH WAY,
GREENWICH, SE10

Condition 1

Approved Drawings:

The development hereby permitted shall be carried out in accordance with the following approved plans:

6415_XXX_SU_500_0000 Rev P1, 6415_XXX_PL_190_0100 Rev P6,
6415_XB2_GA_106_0000 Rev P2, 6415_XB1_PL_106_0001 Rev P1,
6415_XXX_PL_106_1000 Rev P2, 6415_XXX_PL_100_0001 Rev P2,
6415_X00_PL_107_0001 Rev P4, 6415_X01_PL_106_0101 Rev P4,
6415_XXX_PL_106_0201 Rev P4, 6415_XXX_PL_106_0301 Rev P4,
6415_XXX_PL_106_0001 Rev P2, 6415_XXX_PL_106_0002 Rev P1,
6415_XXX_PL_106_0003 Rev P1, 6415_XXX_PL_106_0004 Rev P1,
6415_XXX_PL_106_0005 Rev P2, 6415_XXX_PL_106_0006 Rev P2,
6415_XXX_PL_106_0007 Rev P2, 6415_XXX_PL_106_0008 Rev P1,
6415_XXX_PL_106_0009 Rev P2, 6415_XXX_PL_190_0001 Rev P1,
6415_XXX_PL_190_0002 Rev P1, 6451_XXX_PL_190_0004 Rev P1,
6451_XXX_PL_190_0005 Rev P1, 6451_XXX_PL_190_0006 Rev P1,
6451_XXX_PL_190_0007 Rev P1, 6451_XXX_PL_190_0008 Rev P1,
6415_XXX_PL_100_0002 Rev P1, 6415_XXX_PL_190_0003 Rev P1,
6415_X01_PL_106_0102 Rev P2, 6415_XRF_PL_106_0202 Rev P2,
6415_X00_PL_106_0002 Rev P2, 6415_XXX_PL_104_0001 Rev P2,
6415_XXX_PL_104_0002 Rev P2, 6415_XXX_GA_105_0001 Rev P1,
6415_XXX_PL_104_0007 Rev P1, 6415_XXX_PL_104_0003 Rev P1,
6415_XXX_PL_104_0004 Rev P1, 6415_XXX_PL_104_0005 Rev P1,
6415_XXX_PL_104_0006 Rev P1, 6415_XXX_PL_105_0001 Rev P4,
6415_XXX_PL_105_0002 Rev P4, 6415_XXX_PL_105_0003 Rev P4,
6415_XXX_PL_105_1001 Rev P3, 6415_XXX_PL_105_1002 Rev P4,
6415_XXX_PL_106_2000 Rev P2, 6415_BXX_PL_105_0001 Rev P4,
6415_BXX_PL_105_0002 Rev P3, 6415_BXX_PL_105_0003 Rev P3,
6415_BXX_PL_105_0004 Rev P2, 6415_BXX_PL_105_1001 Rev P3,
6415_BXX_PL_105_1002 Rev P3, 6415_BXX_PL_106_2000 Rev P1,
6415_CXX_PL_105_0001 Rev P4, 6415_CXX_PL_105_0002 Rev P3,
6415_CXX_PL_105_0003 Rev P3, 6415_CXX_PL_105_1001 Rev P3,
6415_CXX_PL_105_1002 Rev P3, 6415_CXX_PL_106_2000 Rev P1,
6415_DXX_PL_105_0001 Rev P5, 6415_DXX_PL_105_0002 Rev P4,
6415_DXX_PL_105_0003 Rev P4, 6415_DXX_PL_105_0004 Rev P4,
6415_DXX_PL_105_1001 Rev P4, 6415_DXX_PL_105_1002 Rev P4,
6415_DXX_PL_106_2000 Rev P1, 6415_EXX_PL_105_0001 Rev P4,
6415_EXX_PL_105_0002 Rev P3, 6415_EXX_PL_105_0003 Rev P3,
6415_EXX_PL_105_1001 Rev P3, 6415_EXX_PL_105_1002 Rev P3,
6415_EXX_PL_106_2000 Rev P1, 6415_FXX_PL_105_0001 Rev P3,
6415_FXX_PL_105_0002 Rev P3, 6415_FXX_PL_105_0003 Rev P5,
6415_FXX_PL_105_0004 Rev P3, 6415_FXX_PL_105_0005 Rev P3,
6415_FXX_PL_105_0006 Rev P3, 6415_FXX_PL_105_0007 Rev P3,
6415_FXX_PL_105_0008 Rev P3, 6415_FXX_PL_105_1001 Rev P3,
6415_FXX_PL_105_1002 Rev P3, 6415_FXX_PL_106_2000 Rev P2,
6415_GXX_PL_105_0001 Rev P3, 6415_GXX_PL_105_0002 Rev P3,
6415_GXX_PL_105_0003 Rev P4, 6415_GXX_PL_105_0004 Rev P3,

6415_GXX_PL_105_1001 Rev P5, 6415_GXX_PL_105_1002 Rev P5,
6415_GXX_PL_106_2000 Rev P1, 6415_HXX_PL_105_0001 Rev P3,
6415_HXX_PL_105_1001 Rev P4, 6415_HXX_PL_106_2000 Rev P2,
7269-A-P01A Rev A, 7269-A-P02A Rev A, 7269-A-P03A Rev A, 7269-A-P04B Rev B,
7269-A-P52C Rev C, 7269-A-P108, 7269-A-P109, 7269-Z2-A-G200-S-AA-001 Rev01,
7269-Z2-A-G200-E-N-001 Rev01, 7269-Z2-A-G200-E-S-001 Rev01,
7269-Z2-A-G200-S-BB-001 Rev01, 7269-Z2-A-G200-S-BB-002 Rev01,
7269-Z3-A-G200-E-E-001 Rev02, 7269-Z3-A-G200-P-S-AA-001 Rev02,
7269-Z3-A-Z200-X3-001, 7269-Z3-A-Z200-X3-002, Z3-A-G200-XP-AL-001,
7269-Z4-A-G200-E-E-001 Rev01, 7269-Z4-A-G200-E-N-001 Rev01,
7269-Z4-A-G200-E-S-001 Rev01.

Reason 1: For the avoidance of doubt and in the interests of proper planning.

Condition 2

Environmental Impact Assessment Compliance:

The development shall be in substantial accordance with the maximum heights in the plans and drawings hereby approved.

Reason 2: To ensure that the development is carried out in accordance with the approved plans and drawings and is within the maximum height parameters as assessed in the Environmental Statement.

Condition 3

Condition 3 Mitigation Measures:

Prior to the commencement of development, a schedule setting out the Environmental Mitigation Measures presented in the Environmental Statement shall be submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in accordance with the mitigation measures set out in the Environmental Mitigation Schedule.

Reason 3: To ensure that the details of the development are within the parameters assessed in the Environmental Statement and that the development is carried out in accordance with the mitigation measures set out in the Environmental Statement in order to minimise the environmental effects of the development.

Condition 4

The land uses in respect of the development shall be carried out in substantial accordance with the layout of the development uses shown in the plans and drawings hereby approved and as set out in the Environmental Statement

Reason 4: To ensure that the land uses within the development do not have any effects which have not been assessed in the Environmental Statement.

Condition 5

The maximum amount of development as set out in the Environmental Statement shall not exceed 770 residential units and 52,886 square metres of non-residential floor space subject to the maximum limits within each of the respective use classes included in condition 6.

Reason 5: To ensure that any alteration to the layout of the development does not have any effects which have not been assessed in the Environmental Statement.

Condition 6

The maximum floor space hereby permitted within each respective use class shall not exceed 770 dwellings (Use Class C3), 52,886 square metres of non-residential floor space comprising 17,312 square metres Cruise Liner Terminal (Sui Generis) 14,474 square metres hotel (C1), 580 square metres Skills Academy (D1), 594 square metres Commercial (B1), 251 square metres Crèche (D1) 304 square metres Gymnasium (D2), 733 square metres refurbishment and extension to Enderby House (A1, A3, A4, B1, D1, and D2), 18,638 square metre basement.

Reason 6: To ensure that any alteration to the floor space of the development does not have any effects which have not been assessed in the Environmental Statement.

Condition 7

Phasing plan

Full details of the phasing of the development shall be submitted to, and approved in writing by, the Local Planning Authority prior to the commencement of the development. The development shall be carried out in accordance with the approved details.

Reason 7: The Local Planning Authority needs to be satisfied that the development of the site is undertaken in a coherent and comprehensive manner and to ensure compliance with Policies 2.13, 3.3, 4.1, 4.5, and 6.1 of the London Plan (2011), Policies D1, D7, SM5, of the Unitary Development Plan, 2006 and Policies EA3, DH1, IM1, and IM3 of the Core Strategy with Development Management Policies (Submission Version) – with Proposed Further Modifications.

Condition 8

Facing Materials

Full details including samples of all facing materials and fenestration to be used on the buildings shall be submitted to, and approved in writing by, the Local Planning Authority prior to the relevant part of the development commencing and the scheme shall thereafter be implemented in accordance with the approval.

Reason 8: In order that the Local Planning Authority may be satisfied with the external appearance of the buildings and ensure compliance with Policy 3.5 of the London Plan (2011) and policies SD1 and D1 of the Unitary Development Plan, 2006 and DH1 of the Core Strategy with Development Management Policies (Submission Version) – with Proposed Further Modifications.

Condition 9

Hard and Soft Landscaping

Full details of the open space, the design and landscaping of all un-built areas of any part of the development, including all pedestrian and cycle linkages, public art, hard and soft surfacing and means of enclosure, children's play equipment and street furniture proposed in the relevant part of the development shall be submitted to, and approved in writing by, the Local Planning Authority prior to the relevant part of the development commencing. Such a landscaping scheme shall be completed within one year of the completion of the relevant part of the development.

Reason 9: In order to improve the character and amenities of the area and ensure compliance with Policy 7.19 of the London Plan (2011) and Policies D1 and D4 of the Unitary Development Plan, 2006 and DH1 and OS (g) of the Core Strategy with Development Management Policies (Submission Version) – with Proposed Further Modifications.

Condition 10

Any trees or plants which die within a period of 5 years from the completion of the development, are removed or become seriously damaged or diseased shall be replaced in the next planting season with others of similar size and species, unless otherwise agreed in writing by the Local Planning Authority.

Reason 10: In order to improve the character and amenities of the area and ensure compliance with Policies D1, D3 and D4 of the Unitary Development Plan, 2006 and DH1 and OS (g) of the Core Strategy with Development Management Policies (Submission Version) – with Proposed Further Modifications.

Condition 11

Landscaping and Ecological Management Plan

A landscape and ecological management plan for each relevant part of the development including long term design objectives, management responsibilities and maintenance schedules for all landscape areas, other than small, privately owned, domestic gardens in the relevant part of the development shall be submitted to and approved in writing by the Local Planning Authority before the relevant part of the development commences. The landscape and ecological management plan shall be carried out as approved unless otherwise agreed in writing with the Local Planning Authority.

Reason 11: To protect/conservate the natural features and character of the area and ensure compliance with Policies D3 and D4 of the Unitary Development Plan, 2006 and DH1 of the Core Strategy with Development Management Policies (Submission Version) – with Proposed Further Modifications.

Condition 12

Demolition/Construction Method Statement

Prior to the commencement of each part of the development a demolition/construction method statement for the relevant part of the development shall be submitted to and approved in writing by, the Local Planning Authority. The method statement should include details of the following:-

- Hours of work;
- 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;
- Likely dust levels to be generated and any screening measures to be employed;
- Proposals for monitoring dust and controlling unacceptable releases;
- Wheel washing facilities and facilities for discharging the water;

The above details can be found in the Councils' Construction Site Noise Code of Practice (available from this Department), the Mayor of London's 'Control of Dust & Emissions from Construction & Demolition Best Practice Evidence November 2006 and also the BRE four part Pollution Control Guides 'Controlling particles and noise pollution from construction sites'.

Reason 12: To safeguard the amenities of neighbouring properties and the area generally and ensure compliance with Policies SE2 and E1 of the Unitary Development Plan, 2006 and E(a) of the Core Strategy with Development Management Policies (Submission Version) – with Proposed Further Modifications.

Condition 13

Monitoring dust and noise

The developer shall monitor the levels of noise and dust pollution using an objective method of measurement for each working site. The developer shall submit to the Local Planning Authority the proposed method, the frequency and location of monitoring. Baseline levels of dust and noise shall be agreed prior to the commencement of works of demolition and construction. The developer shall also agree action levels of dust pollution and noise with the Local Planning Authority. When these levels are exceeded the developer shall take action to ensure that the levels of dust and/or noise are reduced to comply with the agreed action level.

Reason 13: In the interests of the amenities of neighbouring properties and ensure compliance with Policies 7.14 and 7.15 of the London Plan (2011) and Policies SE2 and E1 of the Unitary Development Plan, 2006 and E(a) of the Core Strategy with Development Management Policies (Submission Version) – with Proposed Further Modifications.

Condition 14
Wheel Washing

During construction of the development no vehicles shall leave the site with earth, mud etc., adhering to the wheels in a quantity which may result in its being deposited on the public highway or footpath, and creating nuisance, or hazard to vehicles, or pedestrians. Suitable wheel washing equipment to avoid such problems shall be installed, operated and maintained on the site until the development is completed. The written consent of the Environment Agency shall be obtained regarding the disposal of surface water and drainage for wheel washing facilities.

Reason 14: In order to maintain the safety and amenity of users of surrounding roads and footways and ensure compliance with Policy SE2 and E1 of the Unitary Development Plan 2006 and E(a) of the Core Strategy with Development Management Policies (Submission Version) – with Proposed Further Modifications.

Condition 15
Unloading and loading

No loading or unloading of vehicles arriving at, or departing from, the premises shall be carried out except within the curtilage of the site and all activities associated with the use shall be confined to the curtilage of the site.

Reason 15: In order to safeguard the safety and amenity of users of surrounding roads the footways and ensure compliance with Policy M30 of the Unitary Development Plan, 2006.

Condition 16
Hours of operation

The demolition, earth removal, piling work and any mechanical building operations required to implement this development shall only be carried out between the hours of: -

Monday to Friday 8.00 a.m. - 6.00 p.m.

Saturdays 9.00 a.m. - 2.00 p.m.

And not at all on Sundays and Public and Bank Holidays, unless otherwise agreed in writing with the Local Planning Authority.

Reason 16: To safeguard the amenities of neighbouring properties and the area generally and ensure compliance with Policies SE2 and E1 of the Unitary Development Plan, 2006 and E(a) of the Core Strategy with Development Management Policies (Submission Version) – with Proposed Further Modifications.

Condition 17
Sound insulation

Prior to the first occupation of the relevant part of the development hereby approved, a scheme for the sound insulation to all division (walls and/or floors) separating commercial/residential areas for that part of the development shall be submitted to, and approved in writing by the Local Planning Authority. The development shall be implemented in accordance with the approved details prior to the commencement of the commercial uses.

Reason 17: To protect the amenity of the prospective occupiers of the accommodation and ensure compliance with Policy E3 of the Unitary Development Plan (2006) and E(a) of the Core Strategy with Management Policies (Submission Version) –with proposed further modifications.

Condition 18
Asbestos

Prior to commencement of any demolition/clearance work on the relevant part of the site, a type-3 Asbestos survey to include a detailed visual and intrusive investigation relating to the removal and disposal of asbestos-based materials for that part of the development shall be submitted to, and approved in writing by the Local Planning Authority. The demolition and disposal of materials from the site shall be carried out in accordance with the approved details.

Reason 18: In order to safeguard the environment, the surrounding area and prospective occupiers of the land and ensure compliance with policy E10 of the Unitary Development Plan, 2006.

Condition 19
Surface water drainage

Development shall not commence until a surface water drainage scheme for the site, based on sustainable drainage principles and an assessment of the hydrological and hydrogeological context of the development, has been submitted to and approved in writing by the Local Planning Authority. The scheme shall subsequently be implemented in accordance with the approved details before the development is completed.

Reason 19: To prevent the increased risk of flooding, both on and off site and to ensure compliance with Policy E17 and E18 of the Unitary Development Plan, 2006 and policy E2 of the Core Strategy with Development Management Policies (Submission Version) – with Proposed Further Modifications.

Condition 20
Drainage strategy

Development shall not commence until a drainage strategy detailing any on and/or off site drainage works, have been submitted to and approved in writing by, the Local Planning Authority in consultation with the sewerage undertaker. No discharge of foul or surface water from the site shall be accepted into the public system until drainage works referred to in the strategy have been completed.

Reason 20: The development may lead to sewage flooding; to ensure that sufficient capacity is made available to cope with the new development; and in order to avoid adverse environmental impact upon the community and to ensure compliance with Policy E17 and E18 of the Unitary Development Plan, 2006 and policy E2 of the Core Strategy with Development Management Policies (Submission Version) – with Proposed Further Modifications.

Condition 21
Piling Method statement:

No impact piling shall take place until a piling method statement (detailing the 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 damage to subsurface water and sewage infrastructure, and programme for the works) has been submitted to and approved in writing by the Local Planning Authority in consultation with the relevant water or sewerage undertaker. Any piling must be undertaken in accordance with the terms of the approved piling method statement.

Reason 21: The proposed works will be in close proximity to underground water and sewage utility infrastructure. Piling has the potential to impact on local underground water and sewerage utility infrastructure and ensure compliance with Policy 5.21 of the London Plan (2011) and Policies E11 and E17 of the Unitary Development Plan, 2006 and E(e) of the Core Strategy with Development Management Policies (Submission Version) – with Proposed Further Modifications.

Condition 22
Water infrastructure

Development shall not commence until impact studies of the existing water supply infrastructure have been submitted to and approved in writing by, the Local Planning Authority (in consultation with Thames Water). The studies should determine the magnitude of any new additional capacity required in the system and a suitable connection point.

Reason 22: To ensure that the water supply infrastructure has sufficient capacity to cope with the/this additional demand.

Condition 23

Archaeological recording

No development shall take place within the application site until the developer has secured the implementation of a programme of archaeological recording of the standing historic building(s), in accordance with a written scheme of investigation which has been submitted to and approved in writing by the Local Planning Authority.

Reason 23: The historic building(s) is/are of intrinsic archaeological interest and any alteration or demolition of the historic structure(s) should be recorded before it/they are damaged or destroyed by the development and ensure compliance with Policy 7.8 of the London Plan (2011) and Policies D30 and D31 of the Unitary Development Plan, 2006 and Policy DH(m) of the Core Strategy with Development Management Policies (Submission Version) – with Proposed Further Modifications.

Condition 24

Archaeological programme

No demolition shall take place within the site until the applicant has secured the implementation of a programme of archaeological work in accordance with a written scheme of investigation which has been submitted to and approved in writing by the Local Planning Authority.

Reason 24: The site lies within an area where archaeological remains have been identified and any archaeological remains therein should be retrieved or recorded before they are damaged or destroyed due to the development and ensure compliance with Policy 7.8 of the London Plan (2011) and Policies D30 and D31 of the Unitary Development Plan, 2006 and Policy DH(m) of the Core Strategy with Development Management Policies (Submission Version) – with Proposed Further Modifications.

Condition 25

Written scheme of investigation

No development shall take place until the applicant has secured the implementation of a programme of archaeological work in accordance with a written scheme for investigation which has been submitted by the applicant and approved in writing by the Local Planning Authority. The development shall only take place in accordance with the approved detailed scheme pursuant to this condition. The archaeological works shall only be carried out by a suitably qualified investigating body acceptable to the Local Planning Authority.

Reason 25: The development of this site is likely to damaged archaeological remains. The applicant should therefore submit detailed proposals in the form of an archaeological project design in accordance with English Heritage guidelines and ensure compliance with Policy 7.8 of the London Plan (2011) and Policies D30 and D31 of the Unitary Development Plan, 2006 and Policy DH(m) of the Core Strategy with Development Management Policies (Submission Version) – with Proposed Further Modifications.

Condition 26
Foundation Detailing

No work on site shall take place until a detailed design and method statement for the foundation design and all new ground works has been submitted to and approved in writing by the Local Planning Authority. The development shall be implemented in accordance with the details approved.

Reason 26: The Local Planning Authority wishes to ensure that archaeological remains on the site are preserved in situ and ensure compliance with Policy 7.8 of the London Plan (2011) and Policies D30 and D31 of the Unitary Development Plan, 2006 and Policy DH(m) of the Core Strategy with Development Management Policies (Submission Version) – with Proposed Further Modifications.

Condition 27
Construction Logistics Plan and Delivery and Servicing Plan

The development shall not commence on the site until a detailed Construction Logistics Plan (CLP) and a Delivery and Servicing Plan (DSP) has been submitted to, and approved in writing by, the Local Planning Authority. The CLP and DSP shall in all respects be implemented in accordance with the details approved pursuant to this condition.

Reason 27: In order to safeguard residential amenity and pedestrian and traffic safety and ensure compliance with Policy 6.3 of the London Plan (2011) and Policy E7 of the Unitary Development Plan, 2006.

Condition 28
Water Transport Strategy

Prior to commencement of development works on site, a water transport strategy that seeks to maximise the use of the River Thames for the transport of construction and waste materials to and from the site shall be submitted to and approved in writing by the Local Planning Authority and the strategy shall be implemented in accordance with the approved details.

Reason 28: In order to encourage the sustainable use of adjacent waterways and to maintain the safety and amenity of users of surrounding roads and footways, in accordance with policy 6.11 of the London Plan (2011) and policy M1 of the Unitary Development Plan, 2006.

Condition 29
Car Park Management Plan

The relevant part of the development hereby approved shall not be occupied until a car park management plan relating to that part of the development has been submitted to, and approved in writing by, the Local Planning Authority. The car park management plan shall be carried out as approved.

Reason 29: To ensure that safe and secure off-street parking is maintained and managed to the satisfaction of the Council and ensure compliance with Policy M23 of the Unitary Development Plan, 2006.

Condition 30
Residential car parking spaces

The car parking spaces provided for the residential units shall be maintained and no development, whether or not permitted by the Town and Country Planning (General Permitted Development) Order 1995 (or any order revoking and re-enacting that order with or without modification) shall be carried out so as to interfere with such use of the parking spaces.

Reason 30: In order to safeguard the safety and amenity of users of surrounding roads the footways and ensure compliance with policy M25 of the Unitary Development Plan, 2006.

Condition 31
Cycle parking

Full details of facilities for parking of cycles within the relevant part of the site shall be submitted to, and approved in writing by, the Local Planning Authority prior to the commencement of the relevant part of the development and once approved shall be fully implemented before the premises in each part of the development are first occupied. The details shall include provision for visitors and commercial/retail units including the location of shower, locker and changing facilities.

Reason 31: To promote sustainable travel and to ensure compliance with Policy 6.9 of the London Plan (2011) and Policy M32 of the Unitary Development Plan, 2006 and IM4 and IM(c) of the Core Strategy with Development Management Policies (Submission Version) – with Proposed Further Modifications.

Condition 32
Disabled Parking Bays

Details of parking bays suitable for wheelchair users shall be submitted to, and approved by, the Local Planning Authority prior to the commencement of the relevant part of the development. The parking bays shall be laid out permanently in accordance with the approved details.

Reason 32: To comply with Policy M27 of the Unitary Development Plan, 2006.

Condition 33

Details of access arrangements – mobility

Full details of access arrangements for each part of the development for people with mobility difficulties shall be submitted to, and approved by, the Local Planning Authority prior to the commencement of the relevant part of the development. The development shall be completed in accordance with the details approved. For the avoidance of doubt this shall include large scale plans illustrating the different gradients on all routes to and through the site.

Reason 33: To facilitate movement by those with mobility difficulties and to comply with Policy 7.2 of the London Plan (2011) and Policy SD1 and D1 of the Unitary Development Plan, 2006 and DH1 of the Core Strategy with Development Management Policies (Submission Version) – with Proposed Further Modifications.

Condition 34

Living roofs

The detailed design of the green/brown roofs shall be submitted to and approved in writing by the Local Planning Authority before development commences. This shall include their design philosophy, dimensions, materials and planting and maintenance regime. The green/brown roofs shall then be constructed in accordance with the approved details.

Reason 34: To ensure the green roofs are designed with maximum benefits for biodiversity, amenity value where applicable, surface water drainage and thermal efficiency and to comply with Policy 5.11 of the London Plan (2011) and Policies E17 and D3 of the Unitary Development Plan, 2006 and Policies DH1 and E(f) of the Core Strategy with Development Management Policies (Submission Version) – with Proposed Further Modifications.

Condition 35

Lifetime Homes/Wheelchair Housing

All dwellings hereby approved shall be constructed to Lifetime Homes standard and 10% of all dwellings shall be built to full wheelchair standards. Full details shall be submitted to, and approved in writing by, the Local Planning Authority prior to the commencement of the relevant phase of the development. The development shall be implemented in accordance with the approved details.

Reason 35: To comply with Policy 7.2 of the London Plan (2011) and Policy H17 of the Unitary Development Plan, 2006 and DH1 of the Core Strategy with Development Management Policies (Submission Version) – with Proposed Further Modifications.

Condition 36
Secure by design

Full details of proposed measures to achieve 'Secured by Design' certification for each phase of the development shall be submitted to, and approved in writing by, the Local Planning Authority prior to the commencement of work for each phase of the development. The development shall be implemented in accordance with the details approved. 'Secured by Design' Certification shall be obtained for the development hereby permitted, a copy of which must be submitted to, and approved in writing by, the Local Planning Authority within 3 months of the completion of the relevant part of the development.

Reason 36: In order to provide a safe and secure environment and ensure compliance with policy D7 of the Unitary Development Plan, 2006 and CHI of the Core Strategy with Development Management Policies (Submission Version) – with Proposed Further Modifications.

Condition 37
Refuse and Recycling

Full details of the refuse storage and recycling facilities and refuse collection arrangements for any part of the development shall be submitted to, and approved in writing by the Local Planning Authority prior to the commencement of the relevant part of the development. The storage and recycling facilities shall in all respects be constructed in accordance with the approved details before the building is first occupied.

Reason 37: In order that the Council may be satisfied with the details of the proposal and ensure compliance with Policy 5.16 of the London Plan (2011) and Policy SD1, D1 and E15 of the Unitary Development Plan, 2006 and DHI of the Core Strategy with Development Management Policies (Submission Version) – with Proposed Further Modifications.

Condition 38
Finish Floor Levels

Finished floor levels for residential units shall be set above 2.6m AOD, as stated in the flood risk assessment by Water Environment ref. 09027 issued October 2010.

Reason 38: To minimise the flood risk to people in the event of a failure of the Thames Tidal defences and to provide all dwellings with a temporary flood refuge and ensure compliance with policy E18 of the Unitary Development Plan, 2006 and E2 of the Core Strategy with Development Management Policies (Submission Version) – with Proposed Further Modifications.

Condition 39
Flood Defences

Prior to the commencement of development a scheme of works for the construction of new structurally independent flood defences with a crest level of 5.83 m AOD, including the construction details, temporary works, timing and phasing of the works shall be submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in accordance with the approved details.

Reason 39: To ensure the development and Greenwich Peninsula continue to be protected from tidal flood risk and taking account of future climate change and ensure compliance with policy E18 of the Unitary Development Plan, 2006 and E2 of the Core Strategy with Development Management Policies (Submission Version) – with Proposed Further Modifications.

Condition 40
Mitigation and compensation of habitat

No development shall take place until a scheme for the provision and management of compensatory habitat creation has been submitted to and agreed in writing by the Local Planning Authority and implemented as approved.

The scheme should provide details of designs for the ecological enhancements proposed across the site, particularly the inter-tidal terracing. This should include detailed designs, materials, details of required retaining structures, method of construction and planting details. Thereafter the development shall be implemented in accordance with the approved scheme.

Reason 40: Development that encroaches on the river Thames has a potentially severe impact on its ecological value. Government policy in Planning Policy Statement 9 states that where proposed development would cause significant adverse impacts on biodiversity interests, which cannot be prevented or adequately mitigated against, appropriate compensatory measures should be sought.

Condition 41

Hydrodynamic Modelling

Prior to commencement of any construction in the river Thames, hydrodynamic modelling shall be submitted to and approved in writing by the Local Planning Authority. This should assess the impact of the proposed structures in the river, including all piles, the proposed dredging and worst case scenarios for moored vessels. The results of this study should feed into the mitigation and compensation measures submitted as part of recommended condition 40. The development shall be carried out in accordance with the approved hydrodynamic modelling.

Reason 41: To ensure there is no detrimental impact on the river Thames foreshore, including the potential for erosion of the foreshore which may have the ability to undermine the flood defence toe. The modelling should determine whether the jetty and presence of large vessels for long periods of time will result in a change in hydrodynamics at this location, and if deposition and scour will occur. The results of the modelling should be used to inform the detailed design of structures in the river Thames and to assess the need for future maintenance dredging and ensure compliance with policy E18 of the Unitary Development Plan, 2006 and E2 of the Core Strategy with Development Management Policies (Submission Version) – with Proposed Further Modifications.

Condition 42

Dredging

Prior to the commencement of any dredging, details of the proposed dredging shall be submitted to and approved in writing by the Local Planning Authority. This should include a detailed plan of the dredge area with information on proposed pre and post dredge depths, methodology, details of how pollution will be minimised and a monitoring plan of affected sediments. The dredging works shall subsequently only be implemented in accordance with the approved details.

Reason 42: To ensure the impact on the River Thames ecology and water quality is assessed and minimised and ensure compliance with policy E18 of the Unitary Development Plan, 2006.

Condition 43

Method Statement to work on the River

Prior to commencement of works in the River Thames, a working method statement to cover all works within the River Thames shall be submitted to and agreed in writing by the Local Planning Authority. Thereafter the development shall be carried out in accordance with the approved scheme and any subsequent amendments shall be agreed in writing with the Local Planning Authority. The method statement should include:

- The timing of works;
- Methods used for all river works;
- Machinery (location and storage of plant, materials and fuel, access etc.);
- Protection of areas of ecological sensitivity and importance; and
- Site supervision.

Reason 43: The construction phase of any proposed development affecting the river poses significant risks to the habitat and fish species in this area of the Thames. The risks can be minimised depending on methods and timing the works outside the most sensitive times of year and ensure compliance with policy D3 and O18 of the Unitary Development Plan, 2006 and OS(g) and OS4 of the Core Strategy with Development Management Policies (Submission Version) – with Proposed Further Modifications.

Condition 44

Riparian life saving equipment

Full details of riparian life saving equipment (such as grab chains, access ladders and life buoys) to be installed along the river edge to a standard recommended in the 1991 Hayes Report shall be submitted to and approved in writing by, the Local Planning Authority prior to the first occupation of the development. The riparian life saving equipment shall be implemented in accordance with the approved details.

Reason 44: For the safety of residents and users of the area and compliance with D7 of the Unitary Development Plan (2006) and Policy CH1 of the Draft Core Strategy (2013).

Condition 45

Accessibility Management Plan

An Accessibility Management Plan detailing how the accessible hotel rooms will be maintained and managed shall be submitted to and approved in writing by the Local Planning Authority prior to the occupation of the hotel.

Reason 45: To facilitate movement by those with mobility difficulties and to comply with Policy 7.2 of the London Plan (2011) and Policy SD1 and D1 of the Unitary Development Plan, 2006 and DH1 of the Core Strategy with Development Management Policies (Submission Version) – with Proposed Further Modifications.

Condition 46
Changing Places WC

Full details of the siting and specifications for the 'Changing Places' WC to be located in the hotel shall be submitted to and approved in writing by, the Local Planning Authority prior to the commencement of the hotel. The development shall be implemented in accordance with the approved details.

Reason 46: To facilitate movement by those with mobility difficulties and to comply with Policy 7.2 of the London Plan (2011) and Policy SD1 and D1 of the Unitary Development Plan, 2006 and DH1 of the Core Strategy with Development Management Policies (Submission Version) – with Proposed Further Modifications.

Condition 47
Retention of existing river structures

Full details of the existing river structures to be retained as part of the development including any stepped access to the foreshore shall be submitted to and approved in writing by the Local Planning Authority prior to the commencement of the relevant part of the development. The detail shall include how the structures will be made publicly accessible.

Reason 47: In order to ensure compliance with London Plan policy 7.27 (2011).

Condition 48
Evacuation Plan

Prior to the commencement of each phase of the development an evacuation plan covering flood evacuation and escape routes, signage within and outside buildings, ability to recover/pump out water and flood proofing of plant to all areas of the relevant part of the site shall be submitted to and approved in writing by the Local Planning Authority.

Reason 48: To minimize risks the risk of flooding to users of the building and comply with Policy E17 and E18 of the Unitary Development Plan, 2006 and E2 of the Core Strategy with Development Management Policies (Submission Version) – with Proposed Further Modifications.

Condition 49
Barrier to Christchurch Way

Full details of the barrier mechanism to be installed at Christchurch Way and Banning Street shall be submitted to and approved in writing by the Local Planning Authority prior to the commencement of the development. The details shall include access arrangements for cyclists and pedestrians, safety measures and management plan.

Reason 49: In order to safeguard residential amenity and pedestrian and traffic safety and ensure compliance with policies E7 and M1 of the Unitary Development Plan, 2006.

Condition 50***Coach Management Plan***

The relevant part of the development hereby approved shall not be occupied until a coach management plan (to include details of coach waiting areas) relating to that part of the development has been submitted to, and approved in writing by, the Local Planning Authority. The development shall be carried in accordance with the details approved.

Reason 50: In order to safeguard residential amenity and pedestrian and traffic safety and ensure compliance with policies E7 and M1 of the Unitary Development Plan, 2006.

Condition 51***External lighting***

Full details of lighting and external illumination for the relevant part of the development shall be submitted to, and approved in writing by, the Local Planning Authority prior to the commencement of the relevant part of the development.

Reason 51: In order to safeguard the general amenities of the local area, safety of vessels navigating the River Thames and to ensure compliance with policies D3 and D7 of the Unitary Development Plan, 2006 and DH1 of the Core Strategy with Development Management Policies (Submission Version) – with Proposed Further Modifications.

Condition 52

Unless otherwise approved by the Local Planning Authority, there should be no direct lighting of the watercourse, particularly on the piers and riverside paths. Indirect lighting on these is acceptable, but the light should not fall directly upon the water.

Reason 52: Direct lighting of watercourses can inhibit, or prevent migration of certain fish species.

Condition 53***Habitat Surveys:***

Prior to demolition and construction works commencing on the relevant part of the site, species and habitat surveys for that part of the site shall be submitted to and approved by the Local Planning Authority. Any mitigation measures identified therein shall be implemented in accordance with the approved details.

Reason 53: To ensure retention of habitats or mitigation for the loss of habitats and to comply with policy O24 of the Unitary Development Plan, 2006.

Condition 54
Contamination:

Prior to the commencement of development approved by this planning permission (or such other date or stage in development as may be agreed in writing with the Local Planning Authority), the following components of a scheme to deal with the risks associated with contamination of the site shall each be submitted to and approved, in writing, by the Local Planning Authority:

- 1) A site investigation scheme, based on previous reports to provide information for a detailed assessment of the risk to all receptors that may be affected, including those off site.
- 2) The site investigation results and the detailed risk assessment (1) 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.
- 3) A verification plan providing details of the data that will be collected in order to demonstrate that the works set out in (2) are complete and identifying any requirements for longer-term monitoring of pollutant linkages, maintenance and arrangements for contingency action.

Any changes to these components require the express consent of the Local Planning Authority. The scheme shall be implemented as approved.

Reason 54: Previous ground investigations undertaken at the site recorded elevated total and leachable concentrations of metals, PAH and TPH within the soil at the site and elevated dissolved phase metals, PAH and TPH within the groundwater. According to PPS 23, where contamination is known or suspected, or where the development will create new pathways by which existing contaminants might reach receptors and whether it will introduce new vulnerable receptors, the applicant should provide a preliminary risk assessment comprising: a desk study, walk over site reconnaissance and conceptual site model identifying potential pollutant sources, pathways and receptors as a basis for assessing the risk to controlled waters and ensure compliance with Policy 5.21 of the London Plan (2011) and Policy E11 of the Unitary Development Plan, 2006 and E(e) of the Core Strategy with Development Management Policies (Submission Version) – with Proposed Further Modifications.

Condition 55

Verification Report

Prior to occupation of any part of the permitted development, a verification report demonstrating completion of the works set out in the approved remediation strategy and the effectiveness of the remediation for that part of the development shall be 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 55: Depending on the outcome of any ground investigation and subsequent risk assessment, it may be necessary for remediation to be carried out. If this is the case, it will be necessary to demonstrate that any work has been carried out effectively and the environmental risks have been satisfactorily managed and ensure compliance with Policy 5.21 of the London Plan (2011) and Policy E11 of the Unitary Development Plan, 2006 and E(e) of the Core Strategy with Development Management Policies (Submission Version) – with Proposed Further Modifications.

Condition 56

Unexpected Contamination

If, during development, contamination not previously identified is found to be present at the site then no further development (unless otherwise agreed in writing with the Local Planning Authority) shall be carried out until the developer has submitted, and obtained written approval from the Local Planning Authority for, an amendment to the remediation strategy detailing how this unsuspected contamination shall be dealt with.

Reason 56: Groundwater quality needs to be protected. Any visibly contaminated or odorous material encountered on the site during the development work, must be investigated. The Planning Authority must be informed immediately of the nature and degree of contamination present and to comply with Policies E11 of the Unitary Development Plan, 2006 and E(e) of the Core Strategy with Development Management Policies (Submission Version) – with Proposed Further Modifications.

Condition 57

Plant

Full details of the type of plant (i.e. CHP, Hotel, AC plant) to be used in the development shall be submitted to and approved in writing by the Local Planning Authority prior to the occupation of the relevant part of the development. The details shall demonstrate that the plant noise limit of 10db below recorded background noise levels will be met together with any mitigation measures. The scheme shall be implemented in accordance with the approved details.

Reason 57: In order to safeguard the amenities of neighbouring properties and the area generally and ensure compliance with Policies SE2 and E1 of the Unitary Development Plan, 2006 and E(a) of the Core Strategy with Development Management Policies (Submission Version) – with Proposed Further Modifications.

Condition 58

Commercial and Licensed Premises

A noise impact assessment to highlight any potential noise problems and suitable mitigation relating to the operational use of the commercial and/or licensed premises shall be submitted to, and approved in writing by, the Local Planning Authority prior to the occupation of the relevant commercial/retail units. The approved mitigation scheme shall be implemented in accordance with the approved details prior to the occupation of the commercial/licensed premises.

Reason 58: In order to safeguard the amenities of neighbouring properties and the area generally and ensure compliance with Policy E1 & SE2 of the Unitary Development Plan, 2006 and E(a) of the Core Strategy with Development Management Policies (Submission Version) – with Proposed Further Modifications.

Condition 59

Noise Impact Assessment – Service/Delivery Vehicles

A noise impact assessment of the delivery/service vehicles generated by the development (i.e. service vehicles for the hotel, service vehicles and passenger traffic for the cruise liner, Alcatel vehicles) affecting residential units inside and outside of the development (to include the proposed residents Block A, D and G) and suitable mitigation measures shall be submitted to and approved in writing by the Local Planning Authority prior to the commencement of the relevant part of the development. The approved mitigation measures must be implemented prior to the occupation of non-residential units.

Reason 59: In order to safeguard the amenities of neighbouring properties and the area generally and ensure compliance with Policy E1 & SE2 of the Unitary Development Plan, 2006 and E(a) of the Core Strategy with Development Management Policies (Submission Version) – with Proposed Further Modifications.

Condition 60**Noise Mitigation – Façade Sound Insulation**

Prior to the commencement of the relevant part of the development, a scheme of acoustic window insulation and mechanical ventilation shall be submitted to, and approved in writing by, the Local Planning Authority. The detailed proposals shall comply fully with provisions of BS 8233:1999 and that internal values for living rooms and bedrooms meet the 'Good' standard. All works forming part of the approved scheme shall be completed to the satisfaction of the Local Planning Authority before any part of the development is occupied.

Reason 60: In order to safeguard the amenities of residential properties and ensure compliance with Policy E1 & SE2 of the Unitary Development Plan, 2006 and E(a) of the Core Strategy with Development Management Policies (Submission Version) – with Proposed Further Modifications.

Condition 61**Mechanical Ventilation**

Prior to the commencement of the relevant part of the development, full details of mechanical ventilation and odour control measures for that part of the site shall be submitted to and approved in writing by the Local Planning Authority. The agreed measures shall be implemented prior to the first occupation of the relevant part in the development and thereafter maintained.

Reason 61: In the interest of the prospective occupiers of the land and ensure compliance with Policy 7.14 of the London Plan (2011) and Policy SE2 of the Unitary Development Plan (2006) and E(a) of the Core Strategy with Development Management Policies (Submission Version) – with Proposed Further Modifications.

Condition 62**Temporary Landscaping**

Full details of the temporary landscaping measures proposed adjacent to Block A shall be submitted to and approved in writing by the Local Planning Authority prior to the commencement of the relevant part of the development. The approved landscaping scheme shall be completed prior to the first occupation of the residential development.

Reason 62: In order to improve the character and amenities of the area and ensure compliance with Policies D1 and D4 of the Unitary Development Plan, 2006.

Condition 63
Pedestrian Audit

Prior to the commencement of the relevant part of the development a pedestrian audit for that part of the site shall be submitted to and approved in writing by the Local Planning Authority. The audit shall identify areas for improvements to the pedestrian environment. The development shall be carried out in accordance with the approved audit.

Reason 63: In order to improve the pedestrian environment of the area and ensure compliance with Policies D1 and M33 of the Unitary Development Plan, 2006.

Condition 64
Revised Junction Layout:

Prior to the commencement of the relevant part of the development, detailed drawings of the revised junction to Blackwall Lane including the Safety Audit shall be submitted to and approved in writing by the Local Planning Authority. The scheme shall be implemented in accordance with the approved details.

Reason 64: In order to maintain safety for all road users and to ensure compliance with policy M19 of the Unitary Development Plan, 2006.

Condition 65
Traffic Calming Measures:

Full details of traffic calming measure to the roads within the relevant part of the site shall be submitted to and approved in writing by the Local Planning Authority prior to the commencement of the relevant part of the development. The scheme shall be implemented in accordance with the approved details.

Reason 65: In order to maintain safety for all road users and to ensure compliance with policy M19 of the Unitary Development Plan, 2006.

Condition 66
Installation of a taxi rank

Prior to the commencement of the relevant part of the development, a revised plan detailing the hotel drop off area to incorporate a specific taxi rank facility, which shall include a taxi management plan, shall be submitted to and approved in writing by the Local Planning Authority. The scheme shall be implemented in accordance with the approved details.

Reason 66: In order to safeguard residential amenity and pedestrian and traffic safety and ensure compliance with policies E7 and M1 of the Unitary Development Plan, 2006.

Condition 67
Green Wall

Prior to the commencement of the relevant part of the development full details of the green wall between block A and the hotel shall be submitted to and approved in writing by the Local Planning Authority and implemented in accordance with the approved details prior to the occupation of the relevant part of the development.

Reason 67: In order to improve the character and amenities of the area and ensure with Policy 7.19 of the London Plan (2011) and Policies D1 and D4 of the Unitary Development Plan, 2006 and DH1 of the Core Strategy with Development Management Policies (Submission Version) – with Proposed Further Modifications.

Condition 68
Application Boundary

Notwithstanding the details hereby approved, the application site boundary for the purposes of this permission is as shown on drawing number 6415_XXX_SU_500_0000 Rev P1.

Reason 68: For the avoidance of doubt and in the interests of proper planning.

Condition 69
Children's Play Area

Full details of the children's play area and play equipment proposed for the residential amenity area shall be submitted to, and approved in writing by, the Local Planning Authority prior to the first occupation of the development. The play area and play equipment shall be fully implemented in accordance with the approved details prior to the occupation of the development and shall be retained in perpetuity thereafter.

Reason 69: In order to ensure that sufficient on-site play facilities are provided for the future occupiers of the development and to ensure compliance with Policy H12 of the Unitary Development Plan 2006 and DH1 of the Core Strategy with Development Management Policies (Submission Version) – with Proposed Further Modifications.

Condition 70

Prior to the commencement of the relevant part of the development, a detailed section drawing through the roof edge for the relevant residential building shall be submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in accordance with the approved details.

Reason 70: In order that the Local Planning Authority may be satisfied with the external appearance of the buildings and ensure compliance with Policy 3.5 of the London Plan (2011) and policies SD1 and D1 of the Unitary Development Plan, 2006 and DH1 of the Core Strategy with Development Management Policies (Submission Version) – with Proposed Further Modifications.

Condition 71

Prior to first occupation of the residential units in Block A, a scheme for testing the internal noise environment of the units, to demonstrate compliance with the standards required by Condition 60 have been met, shall be submitted to and approved in writing by the Local Planning Authority and the scheme for testing shall thereafter be implemented.

Reason 71: To safeguard the amenities of future residents, neighbouring properties and the area generally and ensure compliance with Policy 7.15 of the London Plan (2011) Policy E1, E3 and SE2 of the Unitary Development Plan, 2006 and E(a) of the Core Strategy with Development Management Policies (Submission Version) – with Proposed Further Modifications.

Informative(s)

1. Under the terms of the Water Resources Act 1991 and the Land Drainage Byelaws 1981, the prior written consent of the Environment Agency is required for any proposed works or structures in, under, over or within 8 metres of the brink of the River Thames main river and any proposed works or structures either affecting or within 16 metres of the tidal flood defence structure. Contact Robert Williams on 0207 091 4016 for further details.
2. The Development Industry Code of Practice principles should be incorporated into the Remedial Strategy, in particular when there is an intention to re-use excavated material: <http://www.environmentagency.gov.uk/static/documents/PS006.pdf>
3. Contaminated soil that is excavated, recovered or disposed of, is controlled waste. Therefore, its handling, transport, treatment and disposal is subject to waste management legislation, which includes:
 - Duty of Care Regulations 1991
 - Hazardous Waste (England and Wales) Regulations 2005
 - Environmental Permitting (England and Wales) Regulations 2010
 - Developers should ensure that all contaminated materials are adequately characterised both chemically and physically, and that the permitting status of any proposed off site operations is clear. If in doubt, the Environment Agency should be contacted for advice at an early stage to avoid any delays.
4. With regard to surface water drainage it is the responsibility of a developer to make proper provision for drainage to ground, water courses or a suitable sewer. In respect of surface water it is recommended that the applicant should ensure that storm flows are attenuated or regulated into the receiving public network through on or off site storage. When it is proposed to connect to a combined public sewer, the site drainage should be separate and combined at the final manhole nearest the boundary. Connections are not permitted for the removal of Ground Water. Where the developer proposes to discharge to a public sewer, prior approval from Thames Water Developer Services will be required. They can be contacted on 0845 850 2777.

5. A Trade Effluent Consent will be required for any Effluent discharge other than a 'Domestic Discharge'. Any discharge without this consent is illegal and may result in prosecution. (Domestic usage for example includes - toilets, showers, washbasins, baths and canteens). Typical Trade Effluent processes include: - Laundrette/Laundry, PCB manufacture, photographic/printing, food preparation, abattoir, farm wastes, vehicle washing, metal plating/finishing, cattle market wash down, chemical manufacture, treated cooling water and any other process which produces contaminated water. Pre-treatment, separate metering, sampling access etc, may be required before the Company can give its consent. Applications should be made to Waste Water Quality, Crossness STW, Belvedere Road, Abbeywood, London. SE2 9AQ. Telephone: 020 8507 4321.
6. Thames Water would recommend that petrol/oil interceptors be fitted in all car parking/washing/repair facilities. Failure to enforce the effective use of petrol/oil interceptors could result in oil-polluted discharges entering local watercourses.
7. Where a developer proposes to discharge groundwater into a public sewer, a groundwater discharge permit will be required. Groundwater discharges typically result from construction site dewatering, deep excavations, basement infiltration, borehole installation, testing and site remediation. Groundwater permit enquiries should be directed to Thames Water's Risk Management Team by telephoning 020 8507 4890 or by emailing wwriskmanagement@thameswater.co.uk. Application forms should be completed on line via www.thameswater.co.uk/wastewaterquality. Any discharge made without a permit is deemed illegal and may result in prosecution under the provisions of the Water Industry Act 1991.
8. This response applies to the completed structures as specified in the planning application. In the event that during construction, crane or scaffolding is required at a higher elevation than that of the planned development, then their use must be subject to separate consultation.
9. Any changes to the height or exact location of the development must be re-submitted to London City Airport for re-assessment given the proximity to the airfield.
10. Under the terms of the Water Resources Act 1991 and the Land Drainage Byelaws 1981, the prior written consent of the Environment Agency is required for any proposed works or structures either affecting or within 16 metres of the tidal flood defence structure. Contact Robert Williams on 0203 263 8089 for further details.
11. The EA are pleased that the developer has provided plans and sections demonstrating how the proposed new alignment of the flood defence could interact with the new and existing buildings. They show that adequate space can be provided from the new buildings to enable the acceptable design of the new flood defence. The proximity to

the Enderby House basement will require careful design at the detailed design stage. The EA advise that these drawings do not need to be in the approved drawings list because some flexibility may be needed during the detailed design stages. However, this flexibility must be considered in the context of the principles concerning the design of the new flood defence outlined below, concerning Condition 39:

- The flood defence structure should not extend over a basement.
- There should be sufficient space for the detailed design of the flood defence to be a separate structure to existing and new buildings and the basements.
- The offset between the new flood defence structures and the building structure should be maximised to allow space for future maintenance, repair, raising or renewal of the flood defences.

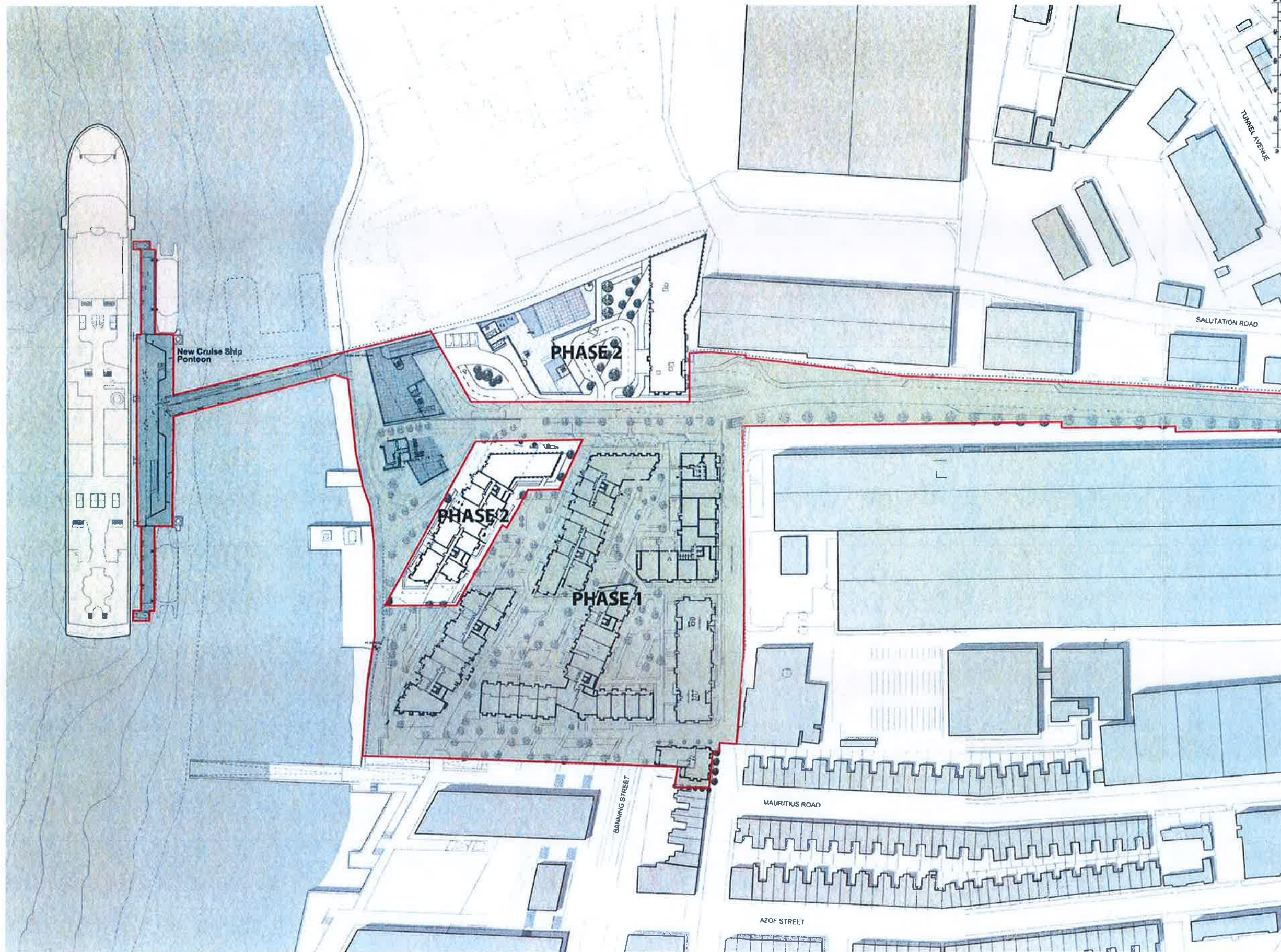
Therefore, the EA would advise against the applicant providing detailed flood defence designs that involve structures being closer to the buildings than shown in the drawings provided (specifically HLM drawing 6415_XXX_PL_102_0030 dated 21/2/2014 and HLM drawing 6415_X00_MP_105_0001 dated 17/2/2014).

12. A further advisory note concerning Condition 39 relates to the timing for the construction of the new flood defences. Throughout pre-application discussions with the applicants our understanding was that the new flood defences would be delivered early within the build process. The EA are concerned that the delivery of the defences at a late stage within the construction process for the works approved under 10/3063/F and 13/3025/MA would create an unacceptable risk of non-delivery of this essential infrastructure. Large projects are constructed over years with possible changes in the economic conditions. This creates a risk that the new defences that are needed to defend the development for its lifetime and the existing built environment are not delivered.

APPENDIX 2

Phasing Plan

(Revised Plan 4)



Notes
Check all dimensions of site. Do not scale from this drawing.
Report any discrepancies and omissions to HLM Architects.
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OF BUILDING TECH DESIGN
LHM Architects reserves the design shown as subject to detailed site survey, investigation, and approval by the Local Authority, and the construction and approval of the various relevant Local Authority, Effluent, Building Underpinning, Fire Officer, Engineer and the like. They are responsible, jointly and severally, for the design and construction of the site. They are responsible, jointly and severally, for the design and construction of the site. They are responsible, jointly and severally, for the design and construction of the site.

PHOTOGRAPHIC SURVEY INFORMATION
All the drawings in this drawing are based on aerial photography and ground survey information.

AREA CALCULATIONS
All the areas shown in this drawing are based on aerial photography and ground survey information.

PHASE 1
PHASE 2

19/12/13 CR RC
20/11/13 CR RC
22/11/13 MP CR
Rev: Design team Date: Dm: C/H

Revisions

Project

ENDERBY WHARF

Client

ENDERBY WHARF LLP

Title

PLAN 4 PHASING PLAN

Drawing No	Revision
6416_X00_PL_107_0002	P3
Scale @ A1	Drawn
1:750	MP
Date	Checked
22/11/2013	HLM

HLM

1. HLM 001/107/0002
2. HLM 002/107/0002
3. HLM 003/107/0002
4. HLM 004/107/0002

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10/10/13

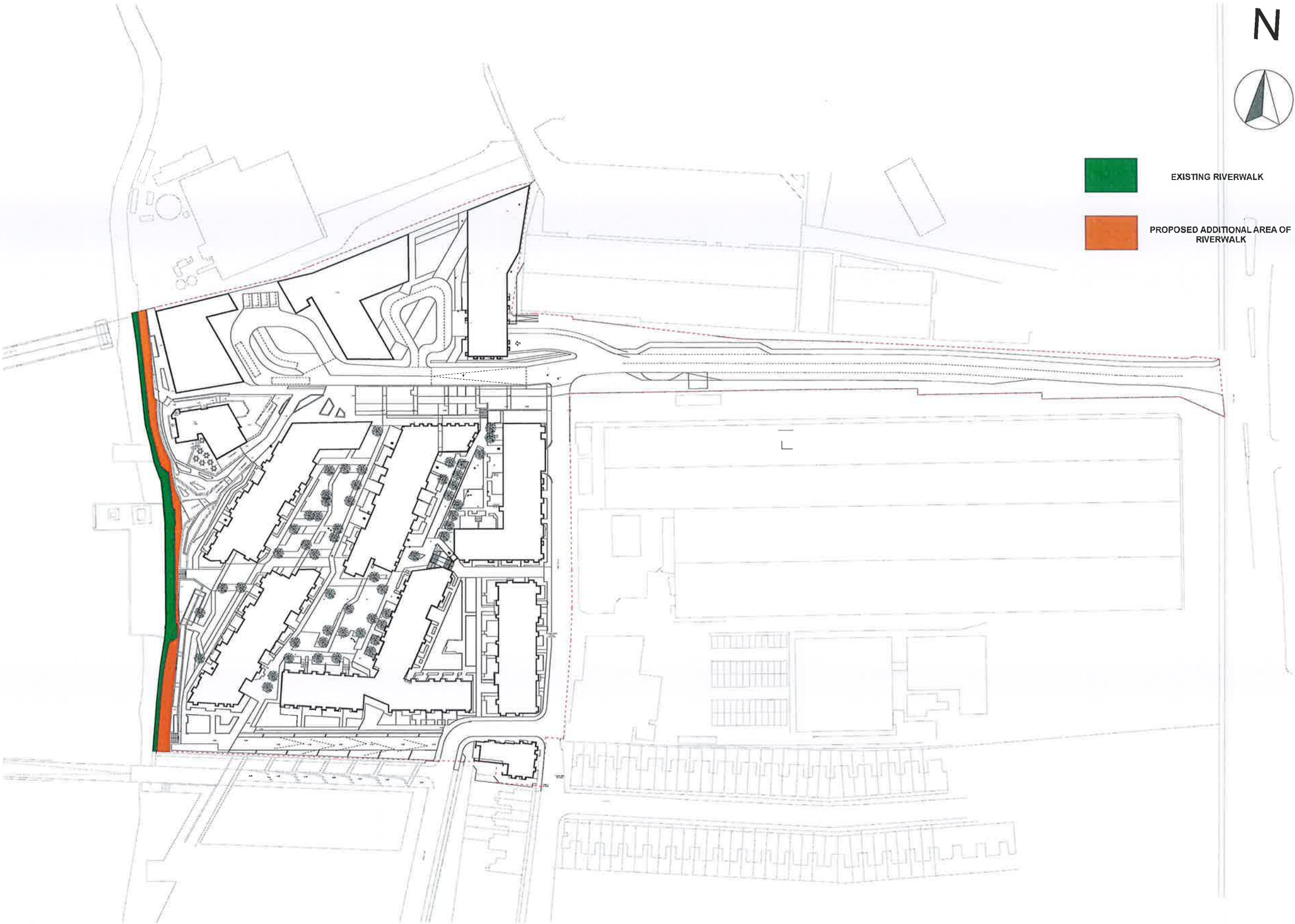
APPENDIX 3

Riverside Walk Plan

(Revised Plan 5)

Notes

Check all dimensions on site. Do not scale from this drawing
Report any discrepancies and omissions to HLM Architects
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EXISTING RIVERWALK



PROPOSED ADDITIONAL AREA OF RIVERWALK



DESIGN/SKETCH DESIGN
N/A
PHOTOCOPIED/SCANNED INFORMATION
N/A
AREA CALCULATIONS
N/A
3RD PARTY INFORMATION
N/A

P4	Landscape BW - ISSUED FOR COMMENT	24/06/14	AC	RC
P3	ISSUED FOR COMMENT	20/06/14	AC	RC
P2	Proposed additional area of riverwalk shown	20/06/14	AC	RC
P1	PRELIMINARY ISSUED FOR COMMENT	18/06/14	AC	RC
Rev	Description	Date	Drn	Chk

Revisions

Project

ENDERBY WHARF

Client

ENDERBY WHARF LLP

Title

PLAN 5 - EXISTING AND PROPOSED RIVERWALK

Drawing No. Revision

6415_XXX_SK_106_0003 P4

Scale @ A3 Drawn

1:1500 AC

Date Checked

18/06/2014 HLM



architecture landscape & urban design interior design environment
regional office : Ground Floor, 46 Loman Street, London, SE1 0EH
London Sheffield Glasgow Belfast Cardiff Plymouth Johannesburg Pretoria Abu Dhabi

APPENDIX 4

Car Parking Management Plan

There are 557 single car parking spaces within the Development which includes 5 Car Club spaces.

There are 770 Dwellings, 616 private for sale, 46 Affordable Housing Intermediate Units and 108 Affordable Housing Rental Units subject to paragraph 3 of Part 4 of the Third Schedule of this Deed. The Development will also include a mix of non-residential use, including a hotel, restaurants, health club, offices, retail units and workshops. It is anticipated that the 557 car parking spaces will be allocated as set out in the following table:

Land use	Proposed Number of Spaces
Terminal	15
Residential (Affordable Dwellings)	108
Residential (Private Dwellings)	339 down to 288 (a possible 51 to go to the Hotel)
Hotel	75 up to 126 (a possible 51 to come from Residential (Private Dwellings))
Skills Academy	6
Office	6
Creche	3
Gym	0
Car Club	5
TOTAL	557

The overall car parking ratio for the residential element of the Development will be no more than 0.58 spaces per Dwelling. The mechanism for parking allocation would be explained in the sales particulars to prospective purchasers. For the 770 dwellings there will be a maximum allocation of 447 parking spaces. Measures to deal with misuse or fraud will be developed by the management company (which will be responsible for the car park's operation) and the Developer, and these will be included in the detailed CPMP submitted to the Council for approval.

Of the 447 residential spaces, 339 will be allocated for the private dwellings, 108 spaces will be allocated to the Affordable Housing Units. If future operators of the hotel require further spaces then up to a maximum of 51 spaces (at the discretion of the Developer) will be taken from the 339 spaces allocated to Private Residential Units and allocated to the hotel (see table above). Spaces will be allocated on a permit basis the details of which shall be set out in the detailed CPMP to be submitted to the Council for approval.

If, at any time, any of those 108 spaces allocated to the Affordable Housing Units is not required by an occupant of an Affordable Housing Unit, then the Management Company shall be permitted to allow occupiers of the Private Residential Units to rent or licence such spaces on a temporary basis. If at any time an Affordable Housing Unit becomes vacant and is subsequently re-occupied, the new occupants of that Affordable Housing shall be given the opportunity to use a car parking space, provided that the previous occupant of that Affordable Housing Unit shall first have surrendered any parking permit or electronic access card. The detailed CPMP will include a mechanism for residents of Affordable Housing units to request a permit at a later stage, in the event that they decline the initial offer to use a parking space provided spaces are available.

5 spaces will be allocated for a Car Club (as noted in the table above). The management company and Developers shall provide 5 electric recharging points, including for use by Car Club vehicles. Although the Developers and management company will not be required to provide additional Car Club Parking spaces, they may choose to do so if other spaces are under-used.

Any non-authorised parking within the Development will be wheel clamped by the Management Company's authorised licensed wheel clamping company. Details of clamp removal procedures and release times would be dealt with by a signage within the car park. A charge will be made for wheel clamping removal. A clear explanation of clamp removal procedure and estimated time release will be included in the detailed CPMP submitted for approval and will form part of Good Estate Management practice in consultation with the Royal Borough of Greenwich.

Unless otherwise agreed with the Council 1 short term (i.e. up to 2 hours) parking space per residential block will be allocated for residents to load and unload or drop off. The management company or Developer will monitor this during regular patrols. Details of these spaces, and the enforcement of time limits, will be included in the detailed CPMP.

There are 31 disabled spaces within the total number of spaces and of these 31 spaces 11 will be allocated to the 11 Affordable Housing Rental Units which are to be constructed in compliance with the Greenwich Council Housing Services Wheelchair Unit Site Brief. Disabled spaces will be allocated to persons with a valid disability permit when their "Right to Park" licence is granted. If, subsequently, they vacate the dwelling, the Developer/management company will (if necessary) re-allocate the space to another qualifying disabled person through the licensing arrangements. These spaces will be designed to the appropriate size and specification for disabled space (which are bigger than standard spaces) and each space will be submitted and approved as part of the detailed CPMP. Any extra disabled parking space demand generated by the development will be accommodated within the car park with re-allocation of other space as necessary.

The management company will use reasonable endeavours to make future occupants of the Development aware that they will not be eligible for parking permits in the CPZ. This will be detailed in the lease agreement for the properties. However, ultimately this will be a matter of their own inquiries before purchase (carried out in the usual way by a buyer's solicitor).

Annual monitoring and review of the spaces needs to be undertaken and this will be included in the detailed CPMP.

Complaints would be dealt with by the management company or agent. The detailed CPMP will include details of the process available to residents who have a complaint about parking space allocation and will be dealt with in accordance with Best Practice Estate Management. If there is regularly found to be more spaces than needed, other uses of the spaces should be explored.

Proposals for the provision of motorcycle parking space will also be included in the detailed CPMP.

APPENDIX 5

Revised Affordable Housing Mix

Appendix A

Agreed Mix

Affordable Housing Rental Units

- 1 Unless Otherwise agreed in writing with the Council the agreed mix for the provision of Affordable Housing Rental Units within the Development shall be as follows:-

HOUSE TYPE	NO. UNITS
1 bed	18
2 bed	28
3 bed	32
4 bed	30
5 bed	0
6 bed	0
Total	108

Affordable Housing Intermediate Units

- 1 Unless otherwise agreed in writing with the Council the agreed mix for the provision of Affordable Housing Intermediate Units within the Development shall be as follows:-

HOUSE TYPE	NO. UNITS
1 bed	20
2 bed	21
3 bed	5
4 bed	0
5 bed	0
Total	46

Executed as a Deed by **ENDERBY WHARF LLP**
acting by **STEPHEN THOMPSON**

duly authorised by BDW Trading Ltd, member
acting by

ADRIAN COLLINS

And

DAVID ANDREWS

by

being two persons authorised to sign

on behalf of **BDW TRADING LIMITED**

pursuant to a Power of Attorney dated 20 March 2014)

In the presence of:

Witness signature: 

Name: **Nicola Bourne**

Address: **32-66 High Street, London E15 2PF**

And

duly authorised by Enderby Wharf Ltd, members

Authorised signatory

Authorised signatory

Signed as a Deed on behalf of

ENDERBY RIVERSIDE LIMITED

a company incorporated in Jersey, by

Andy Williams and Paul Ellison being

persons who, in accordance with the laws of

that territory are acting under authority of the


Company

Authorised signatory

Authorised signatory

Signed as a Deed on behalf of)
ENDERBY ISLE LIMITED)
a company incorporated in Jersey, by)
Andy Williams and Paul Ellison being)
persons who, in accordance with the laws of)
that territory are acting under authority of the)
Company)

Authorised signatory 

Authorised signatory 

The **COMMON SEAL** of THE
MAYOR AND BURGESSES
OF THE ROYAL BOROUGH
OF GREENWICH was affixed
By Order:

Duly Authorised Signatory 