

Your ref:
My ref: PA/05/01647

3 May 2007

Barton Willmore
7 Soho Square
London
W1D 3QB

Development & Renewal
Town Planning
Mulberry Place (AH) Anchorage House
PO Box 55739
5 Clove Crescent
London
E14 1BY
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Enquiries to: Rachel Blackwell
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Town and Country Planning Act 1990 (as amended)
Town and Country Planning (General Development Procedure Order) 1995
Dear Sir/Madam,

CONDITIONAL PERMISSION FOR DEVELOPMENT

In accordance with the Act and Order mentioned above, Tower Hamlets Council as Local Planning Authority hereby gives notice of its decision to grant permission for the development referred to in the schedule to this notice and as shown on the submitted plans and particulars subject to the conditions set out in the schedule.

You are advised that this permission does not modify or extinguish any covenants, easements or other restrictions applying to or affecting the land, or the rights affecting the land, or the rights of any other person entitled to the benefits thereof. You are also advised that this permission does not relieve you of the need to obtain any approval necessary under the Building Act 1984, Building Regulations 2000, or other related legislation. In this connection you should contact the Head of Building Control, Mulberry Place (AH) Anchorage House, PO Box 55739, 5 Clove Crescent, London, E14 1BY (020 7364 5241) for advice or guidance on the necessity for obtaining building regulation approval in this particular case.

Applicants are reminded of the need to comply with the provisions of Part II of the London Building Acts (Amendment) Act 1939 in order to obtain official postal addresses. This should be carried out at least one month prior to the completion of the exterior works. Details of the development, including site and block plans should be sent to the Assistant Director (Street Services), Mulberry Place (AH) Anchorage House, PO Box 55739, 5 Clove Crescent, London, E14 1BY.

Your attention is drawn to the following statement of applicants' rights:-

1) Appeals to the Secretary of State

If you are aggrieved by this decision you may appeal to the Secretary of State for the Environment in accordance with Section 78 of the Town and Country Planning Act 1990. If you want to appeal then you must do so within six months of the date of this notice, using a form which you can get from the Planning Inspectorate, Temple Quay House, 2 The Square, Temple Quay, Bristol, BS1 6PN (Tel 0117 372 6372). The Secretary of State can allow a longer period for giving notice of an appeal, but he will not normally be prepared to use this power unless there are special circumstances which excuse the delay in giving notice of appeal. The Secretary of State need not consider an appeal if it seems to him that the local planning authority could not have granted planning permission for the proposed development or could not have granted it without the conditions it imposed, having regard to the statutory requirements, to the provisions of the development order and to any directions given under the order. In practice the Secretary of State does not refuse to consider appeals solely because the local planning authority based its decision on a direction given by him.

2) Purchase Notice

If either the local planning authority or the Secretary of State for the Environment refuses permission to develop land or grants it subject to conditions, the owner may claim that they can neither put the land to a reasonably beneficial use in its existing state nor can they render the land capable of a reasonably beneficial use by the carrying out of any development which has been or would be permitted. In these circumstances, the owner may serve a purchase notice on the Council in whose area the land is situated. This notice will require the Council to purchase their interest in the land in accordance with the provisions of Part VI of the Town and Country Act 1990.

3) Compensation

In certain circumstances compensation may be claimed from the local planning authority if permission is refused or granted subject to conditions by the Secretary of State on appeal or on reference of the application to him. These circumstances are set out in Section 114 and related provisions of the Town and Country Planning Act 1990.

Yours faithfully



Michael Kiely
Head of Development Decisions



2006 - 2007
Early Intervention
(Children at Risk)
2003 - 2006
Winner of 4 previous
Beacon Awards



INVESTOR IN PEOPLE



Corporate Director
Development and Renewal
Emma Peters

SCHEDULE

Full Planning Permission

Location: Caspian Works And, 1-3 Yeo Street (Caspian Wharf), London, E3

Proposal: Revised application: Redevelopment of site to provide buildings of between 4 & 9 storeys and of 13 storeys for mixed use purposes including 390 residential units, Class A1, A2, A3, B1 and D2 uses with associated car and cycle parking, roof terraces, landscaping, canalside walkway and servicing.

Date: 3 May 2007

Reference: PA/05/01647

Application Received on: 30 September, 2005
Application Registered on: 16 May, 2006

Drawings Approved:

Registered Number: PA/05/01647

Applicant's Number: 203286/010; 030A; 031A; 032A; 033A; 110D; 120D; 121D; 122D; 123C; 124C; 125C; 126C; 127B; 128B; 129B; 130B; 150D; 151D; 152D; 153C; 154D; 155C; 156C; 157C; 158C; 159C;
Arboricultural Survey;
Architectural Design Statement;
Computer Generated Images;
Construction Traffic Assessment;
Employment Property Market Review;
Energy Demand Statement;
Environmental Statement & Non Technical Summary;
Landscape Design Statement;
Materials Used and Purchasing Strategy;
Planning Statement;
Planning Update Report;
Sustainability and Eco Homes Statement;
Transport Assessment;
Urban Design Statement.

Reason(s) for Grant:

This application was granted for the following reason(s):

The local planning authority has considered the particular circumstances of this application against the Council's approved planning policies contained in the London Borough of Tower Hamlets Unitary Development Plan, associated supplementary planning guidance, the London Plan and Government Planning Policy Guidance and has found that it:

- a) satisfies the land use /environmental criteria adopted by the Council and
- b) does not result in material harm to the amenity of residents or the character and environment of the adjacent area.

Conditions and Reasons:

1. The development hereby permitted shall be begun before the expiration of three years from the date of this permission.

Reason: As required by Section 91 of the Town and Country Planning Act 1990 to avoid the accumulation of unexercised planning permissions.

2. Full particulars of the materials to be used on the external faces of the buildings shall be submitted to and approved in writing by the local planning authority before the development hereby permitted is commenced and the development shall not be carried out otherwise than in accordance with the particulars so approved.

Reason: To ensure that the external appearance of the buildings is satisfactory and that it contributes positively to the character and appearance of the area.

3. Details of hard and soft landscaping treatment of the site shall be submitted for the Council's written approval. The approved landscaping shall be implemented prior to the occupation of any part of the development.

Reason: To ensure that the open spaces and amenity spaces are of a high quality; to ensure that the appearance of the development is satisfactory and that it contributes positively to the character and appearance of the area; and to ensure the development meets the requirements of the following policies in the London Borough of Tower Hamlets Unitary Development Plan (adopted December 1998):
DEV1 and DEV2 General Design and Environmental Requirements
DEV12 to DEV16 Landscaping and Trees
DEV17 Siting and Design of Street Furniture.

4. All planting, seeding or turfing comprised in the approved details of landscaping and tree planting schedule shall be carried out in the first planting and seeding seasons following the occupation of the buildings or the completion of the development, whichever is the sooner, and trees or plants which within a period of 5 years from the completion of the development die, are removed, or become seriously damaged or diseased shall be replaced in the next planting season with others of similar size and species, unless the Local Planning Authority gives written consent to any variation.

Reason: To ensure that the open spaces and amenity spaces are of a high quality; to ensure that the appearance of the development is satisfactory and that it contributes positively to the character and appearance of the area; and to ensure the development meets the requirements of the following policies in the London Borough of Tower Hamlets Unitary Development Plan (adopted December 1998):
DEV1 and DEV2 General Design and Environmental Requirements
DEV12 to DEV16 Landscaping and Trees.

5. Full details of the materials of all surfaces, features and plant species proposed for the wetland terrace shall be submitted to and approved by the local planning authority. The approved terrace details shall be implemented prior to the occupation of any part of the development.

The scheme shall incorporate a management plan for the long term maintenance of the wetland terrace that shall thereafter be adhered to by the owner.

Reason: To ensure that the design of the wetland terrace is of a high quality and that it provides satisfactory support to, and enhancement of, the wildlife environment on the adjacent canal.

6. Full details of a planting schedule for trees within the open space and canalside walk shall be submitted to and approved in writing by the Council.

Reason: To ensure that the open spaces and amenity spaces are of a high quality; to ensure that the appearance of the development is satisfactory and that it contributes positively to the pedestrian environment and to the character and appearance of the area; and to ensure the development meets the requirements of the following policies in the London Borough of Tower Hamlets Unitary Development Plan (adopted December 1998):

DEV1 and DEV2 General Design and Environmental Requirements
DEV12 to DEV16 Landscaping and Trees.

7. Details of any railings, walls, gates and fences shall be submitted for the Council's written approval.

Reason: To ensure that the appearance of the development is satisfactory and that it contributes positively to the pedestrian environment and to the character and appearance of the area.

8. No development shall commence until revised drawings, that show an increase to the depth of the eastern part of the canalside walkway to a minimum of 6 metres, have been submitted to and approved in writing by the local planning authority.

Reason: To ensure that the development contributes positively to the pedestrian environment, to the character and appearance of the area, and to ensure the development meets the requirements of the following policies in the London Borough of Tower Hamlets Unitary Development Plan (adopted December 1998):

DEV1 and DEV2 General Design and Environmental Requirements
DEV12 to DEV16 Landscaping and Trees.

9. Details of provision for the storage of refuse and recycling facilities shall be submitted to and approved in writing by the local planning authority prior to the commencement of the development. Such provision shall be implemented prior to the occupation of the building and shall thereafter be made permanently available for the occupiers of the building.

Reason: In compliance with the Council's policies which seek to protect amenity and ensure the adequate provision for the storage of refuse.

10. Full particulars of any external lighting to be installed on the building shall be submitted to and approved in writing by the local planning authority before the lighting is installed. The lighting shall thereafter be installed and maintained in accordance with the details as approved. Any subsequent lighting shall first be approved in writing by the local planning authority.

Reason: To safeguard the amenity of the occupiers of nearby properties by preventing light pollution; to minimise the impact of the lighting on local wildlife; and to ensure a satisfactory external appearance.

11. Development of the site shall not begin until a scheme to identify the extent of the contamination on the site and the measures to be taken to avoid risk to the human health, buildings and environment when the site is developed has been submitted to and approved by the local planning authority. Details of the scheme should include:
- i. A proposal to undertake additional sampling in soft landscaped areas of the site not overlying any basement;
 - ii. An Addendum Report detailing the results of the additional investigation undertaken in proposed soft landscaped areas not overlying any basement including a Risk Assessment and any recommendations for remedial works at the site; and
 - iii. Where remediation is required, it shall be carried out before the site is occupied and a validation report stating that remediation has been completed as agreed with the local planning authority must also be prepared by a suitably qualified person and submitted to the local planning authority for written approval. Occupation of the site must not occur until the certificate or validation report has been approved by the local planning authority.

Reason: To ensure that contaminated land is properly treated and made safe before development, to protect public health and to meet policy DEV51 Contaminated Land in the London Borough of Tower Hamlets Unitary Development Plan 1998.

12. 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 by the local planning authority. The development shall only take place in accordance with the detailed scheme pursuant to this condition. The archaeological works shall be carried out by a suitably qualified investigating body acceptable to the local planning authority.

Reason: Significant archaeological remains may survive on the site. The planning authority wishes to secure the provision of archaeological investigation and the subsequent recording of the remains prior to development, in accordance with the guidance and model condition set out in PPG16, and to meet the requirements of the following policy in the London Borough of Tower Hamlets Unitary Development Plan (adopted December 1998):
DEV45 Protection of Archaeological Heritage.

13. No works shall take place on site until the applicant has secured the implementation of a programme of recording and historic analysis, which considers buildings structure, architectural detail and archaeological evidence. This shall be undertaken in accordance with a written scheme of investigation submitted by the applicants and approved by the local planning authority.

Reason: Important structural remains are present on the site. Accordingly the local planning authority wishes to secure the provision of historic building recording prior to development, in accordance with the guidance set out in PPG15.

14. Compensatory flood storage works shall be carried out in accordance with calculations and details demonstrating that there will be no reduction in flood storage capacity of the Limehouse cut. These shall have been submitted to and approved in writing by the local planning authority before the development commences.

Reason: To prevent an increase in the risk of flooding.

15. Surface water drainage works shall be carried out in accordance with calculation and details which shall have been submitted to and approved in writing by the local planning authority before the development commences.

Reason: To minimise the risk of flooding.

16. Surface water control measures shall be carried out in accordance with details which shall be submitted to and approved in writing by the local planning authority before development commences.

Reason: To ensure the implementation of sustainable drainage principles; the minimisation of the risk of flooding; and, to improve water quality.

17. No development approved by this permission shall be commenced until a scheme for renewing and maintaining the flood defences to the Limehouse cut has been approved by the local planning authority. The scheme shall be constructed and completed in accordance with the approved plans.

Reason: To maintain flood defences in both the short and long terms.

18. Access to the Limehouse Cut from the public highway at both blocks A and B shall be a minimum of 4 metres high by 4 metres wide clear of all obstructions. An access strip parallel to the Cut shall be a minimum 4 metres high by 4 metres wide clear of all major obstructions. Any obstructions in this space shall be capable of being easily removed.

Reason: To maintain access to the watercourse for the Agency to carry out its functions.

19. During construction no solid matter shall be stored within 10 metres of the banks of the Limehouse Cut and thereafter no storage of materials shall be permitted in this area.

Reason: To prevent solid materials from entering the Limehouse Cut and causing pollution.

20. No development approved by this permission shall be commenced until the local planning authority is satisfied that adequate sewerage infrastructure will be in place to receive foul water discharges from the site. No buildings (or uses) hereby permitted shall be occupied (or commenced) until such infrastructure is in place.

Reason: To prevent pollution of the water environment.

21. Before the development is commenced a detailed Remediation Strategy and Method Statement shall be developed giving details of appropriate measures to prevent pollution of controlled waters, including suitable provision for monitoring surface and groundwater where appropriate.

Remedial target values shall be submitted to, and approved in writing by, the local planning authority. A detailed treatability study, site specific working plan, and contingency arrangements shall also be agreed prior to remedial work commencing.

Reason: To prevent pollution of groundwater.

22. Before the development is commenced a final Remediation Validation Report shall be submitted detailing the final remediation target values and any variance in actual soil contamination concentrations. Any exceedance of target values should be justified within the report.

Reason: To prevent pollution of the water environment.

23. Development should not be commenced until impact studies of the existing water supply infrastructure have been submitted to, and approved in writing by, the local planning authority. The studies should determine the magnitude of any new additional capacity required in the system and a suitable connection point.

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

24. Prior to the commencement of the development the applicant shall submit details to be approved in writing by the local planning authority of the 10% renewable energy measures, gas fired primary Combined Heat and Power system and secondary liquid biomass oil boiler, which shall be in accordance with the revised energy strategy submitted January 2007.

The combined renewable energy technologies shall reduce carbon dioxide emissions from the development by at least 10% or meet at least 10% of the development's energy demand. The approved Combined Heat and Power system and renewable energy technologies shall be implemented and retained for so long as the development shall exist except to the extent approved in writing by the local planning authority.

Reason: To support national energy reduction strategies and comply with London Plan policies 4A.7 - 4A.9.

25. Details of noise control and insulation measures for the development, to prevent the transmission of noise and vibration between the approved residential units and the adjacent railway, as submitted by the applicant dated 12 October 2006 shall be implemented before the occupation of the residential units and shall thereafter be permanently retained to the satisfaction of the local planning authority.

Reason: To safeguard the amenity of the future occupants of the accommodation hereby approved by preventing noise and vibration nuisance.

26. The Building works required to carry out the use/development allowed by this permission must only be carried out within the following times:-

- 8.00 Hours to 18.00 Hours, Monday to Friday
- 9.00 Hours to 13.00 Hours on Saturdays
- You must not carry out the building works on Sundays or Bank Holidays.

Noisy operations shall not take place outside these hours unless the Council has agreed that there are exceptional circumstances, for example to meet police traffic restrictions, in an emergency or in the interests of public safety

Reason: To safeguard the amenity of nearby residents and the area generally from noise, vibration and dust and to meet the requirements of the following policies in the London Borough of Tower Hamlets Unitary Development Plan (adopted December 1998):

DEV50 Noise

HSG15 Preservation of Residential Character.

27. Any power/hammer driven piling or impact breaking out of materials required during the demolition or construction carried out in pursuance of this permission shall only take place between the hours of 10.00am and 4.00pm Monday to Friday and at no other time, except in emergencies or as otherwise agreed by the local planning authority in writing.

Reason: To safeguard the amenity of the adjoining premises and the surrounding area generally from noise, vibration and dust and to make sure the operation meets the requirements of the following policy in the London Borough of Tower Hamlets Unitary Development Plan 1998:
Policy HSG15 Preservation of Residential Character.

28. No use within Classes A3 shall commence until detailed drawings showing the design, construction and insulation of a suitable means of fume extraction and ventilation, incorporating grease and odour filters, has been submitted to and approved in writing by the local planning authority.

Provision in accordance with the details thus approved shall be made prior to the commencement of the use and shall thereafter be permanently retained to the satisfaction of the local planning authority.

Reason: To safeguard the amenity of the occupiers of nearby properties by preventing noise disturbance; to ensure that the development is satisfactory in function; and to ensure a satisfactory appearance in accordance with the following policies in the London Borough of Tower Hamlets Unitary Development Plan 1998:
DEV2 Environmental Requirements
DEV50 Noise
HSG15 Preservation of Residential Character
S7 Development of Special Uses.

29. Full details of any brown and green roof systems shall be submitted to and approved in writing by the local planning authority before the development hereby permitted is commenced. The development shall not be carried out otherwise than in accordance with the details so approved.

Reason: To ensure that the roof systems provide satisfactory support and enhancement of the wildlife environment in the locality.

30. Applicant shall submit a detailed study considering the feasibility of using the canal system for the transportation and transfer of construction materials and household waste as a viable alternative to road transport for the consideration of the Council before the development hereby approved commences.

Reason: To consider the opportunities to increase the sustainability of the development by the incorporating existing underused adjacent facilities.

31. All residential units hereby permitted shall be built to the Joseph Rowntree Lifetime Homes Standards, and 10% of the units shall be designed as wheelchair units, details of which should be submitted to and approved in writing by the local planning authority prior to the commencement of works on site.

Reason: To comply with Planning Standard 5 of the Council's Core Strategy and Development Control Submission Document of the Local Development Framework November 2006 "Lifetime Homes".

32. An Air Quality Assessment shall be submitted to and approved by the Council as local planning authority before any work is commenced on site:

The development shall not be carried out otherwise than in accordance with the details thus approved.

Reason: To ensure that the impact of the development upon Air Quality is minimised.

Informatives:

1. This permission is subject to a planning obligation agreement made under Section 106 of the Town and Country Planning Act 1990.
2. You are advised to consult the Council's Highways Development Department regarding any alterations to the public highway.
3. With regard to conditions 3 and 6, details of hard landscaping works must include the following.
 - Proposed earthworks and finished levels or contours.
 - Means of enclosure.
 - Car parking layouts.
 - Other vehicle and pedestrian access and circulation areas.
 - Hard surfacing materials.
 - Minor artefacts and structures (for example, furniture, play equipment, refuse or other storage units, signs, lighting including floodlighting and so on).
 - Walls, fencing, railing and gates.
 - Proposed and existing functional services above and below ground (for example drainage, power, communications cables, pipelines etc. indicating lines, manholes, supports and so on).
 - Retained historic landscape features and proposals for restorations, where relevant.
 - Boundary treatment.

Details of soft landscaping works must include the following.

- Planting plans.
 - Written specifications (including cultivation and other operations associated with plants and grass).
 - Schedules of plants, noting species, plant sizes and proposed numbers where appropriate. Comment: Please also refer to densities where appropriate
 - A programme setting out how the plan will be put into practice including measures for protecting plants both during and after development has finished.
4. With regard to Condition 11 (Decontamination), you should contact the Council's Environmental Health Department, Mulberry Place (AH), 4th Floor, PO Box 55739, 5 Clove Crescent, London E14 1BY.
 5. You are advised that the Council operates a Code of Construction Practice and you should discuss this with the Council's Environmental Health Department, Mulberry Place (AH), 4th Floor, PO Box 55739, 5 Clove Crescent, London E14 1BY.

6. With regard to conditions 12 and 13 you are advised to contact English Heritage (David Divers), 23 Savile Row, London W1S 2ET. Tel: 020 7973 3748.
7. With regard to conditions 14 to 22 you are advised to contact the Environment Agency, Apollo Court, 2 Bishops Square Business Park, St Albans Road West, Hatfield, Herts AL10 9EX. Tel: 08708 506 506.
8. With regard to condition 23 you are advised to contact Thames Water with whom you should also consult with regard to: water pressure; water supply infrastructure; public sewer connections; sewage disposal on site; and, separation of foul and surface water, Thames Water, Development Control, Asset Investment Unit, Maple Lodge, Denham Way, Rickmansworth, Herts, WD3 9SQ. Tel: 01923 898072.
9. You are advised to contact Docklands Light Railway Limited with regard to details of design and construction methods to ensure safety and operating requirements of the DLR. Docklands Light Railway Limited, Property Services, PO Box 154, Castor Lane, Poplar, London, E14 0DX. Tel: 020 7363 9700.
10. You are advised to contact English Nature (Samantha Lyme) with regard to the design of the external lighting system and its impact upon foraging bats, Essex, Hertfordshire and London Team, Devon House, 12-15 Dartmouth Street, Queen Anne's Gate, London SW1H 9BL.