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Hackney Neighbourhoods and Regeneration

Planning Service, 263 Mare Street, London, E8 3HT

Olympic Delivery Authority
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Our Ref: 2008/0826
Date: **03 JUL 2008**
Level: Committee
<http://www.hackney.gov.uk>

Dear Sir/Madam

Town and Country Planning Act 1990 As Amended

OBSERVATIONS TO ADJOINING BOROUGH

I write with reference to the application detailed in the following schedule and wish to submit the observations below:

APPLICATION SCHEDULE

Received: 02 April 2008

Plan No.

Address: Land East Of The River Lee Navigation And Land North Of Carpenters Road (known As Kings Yard) Contained Within Planning Delivery Zone 4 London

Development: Reserved matters application and submission of details with respect to OD4.1(i) to (xvii), OD4.2, OD4.3, OD4.4 and OD4.5 of outline planning permission (ref: 07/90010/OUMODA) for the Olympic, Paralympics and Legacy Transformation planning applications dated 28/09/2008 for the construction of a new Energy Centre Building housing combined with heat and power units, absorption chillers, gas boilers, electric chillers and associated plant and use of an existing 2 storey building to house biomass boilers, offices and a visitors centre and provision of 3 car parking spaces(located in London Borough of Newham)

OBSERVATIONS

The London Borough of Hackney formally objects to this proposal for the following reason/s:

- 1 The Council supports the principle of the proposed Energy Centre.
- 2 The Council raise the following observations with regard to the proposed Energy Centre:-

- The design, siting, massing and appearance of the proposal is considered acceptable. However, the Council considers that the material treatment of the proposal and site surrounds must be of a high quality to ensure that the design philosophy is reflected in the finished product;

- That the use of biomass has a substantial impact on emissions when compared to conventional gas boilers and that the proposed Energy Centre may contribute to a cumulative worsening of air quality in the immediate environment;

- When considering the proposal, the ODA should consider comments from several of the Council's internal consultees stating that there is insufficient information in some parts of the submission to fully understand the impacts the Energy Centre is likely to have. Should the ODA be minded to grant permission to the Energy Centre, these matters should be addressed via an appropriate condition to ensure all actual and potential effects have been considered. Specifically, this relates to the following matters raised:-

- (a) No traffic impact assessment was submitted with the application. A full traffic assessment should be produced to predict the traffic generated by the site including measures to mitigate any impacts;

- (b) Consideration of the impacts of emissions of ultrafine particulates (PM2.5) will have to be undertaken including the impacts of emissions from vehicles delivering fuels and removing wastes from the site;

- (c) Details of treatments to the public realm surrounding the proposal and site accesses to ensure a high quality of design and connecting the proposal to the surrounding environment;

- (d) The provision of a noise assessment to clearly depict criteria used when calculating the maximum noise limits and how the proposed flue will affect noise generated by the Energy Centre.

- 3 Woodchips to be sourced from within the London area.
- 4 That the boilers utilise refuse derived fuel.
- 5 Gas to be sourced from anaerobic digestion.
- 6 The Council OBJECTS to the abandonment of the canal as the primary mode of transporting biomass to the facility. By not utilising the canal, there would be adverse effects on the London Borough of Hackney's road networks by virtue of increased lorry movements and vehicular emissions.

Informatives

1 Building Control

Your attention is drawn to the provisions of the Building Act 1984 and other Building Control legislation, which must be complied with to the satisfaction of The Building Control Service, Directorate of Safer Neighbourhoods, 263 Mare Street, London, E8 3HT. Telephone No: 020 8356 5000. Before any building work (including improvements to means of escape and changes of use) is commenced on site, detailed plans, together with the appropriate application form must be submitted for approval and early consultation is advised.

2 Works Affecting Public Highway

The Highways and Engineering Team, Environment Services Division, 263 Mare Street, London, E8 3HT, Telephone 0208 356 5000, should be consulted regarding any works to, on or under the public highway, including vaults and thresholds, vehicle crossing, access, parking and sight lines. Any vehicle crossing works are to be carried out by the London Borough of Hackney.

The developer/landowner will be responsible for all costs relating to the closure of existing vehicular and pedestrian accesses to the site, the construction of new accesses and the reinstatement and repair of public footways where they adjoin the site boundaries.

3 Sanitary, Ventilation and Drainage Arrangements

Before any drainage works are commenced on site, detailed plans, giving notice of intention to build/permission to drain/construct/reconstruct or alter pipes and drains must be submitted for approval under the Building Regulations 1991 to Building Control Service, Directorate of Safer Neighbourhoods, 263 Mare Street, London, E8 3HT, Telephone No: 020 8356 5000. Please note that it will be necessary to consult the Thames Water Utilities Ltd., Waste Water Connections, Kew Business Centre, Brentford, Middlesex, TW8 0EE. Telephone No: 020 7713 3865, Fax No: 020 7713 3875.

- 1) All information appertaining to the existing public sewerage system.
- 2) Requests for sewer connections. All works will be carried out by the London Borough of Hackney at the applicant expense. All new developments will be required to have new sewer connections.
- 3) Building over sewers.
- 4) System of drainage to be provided on site.
- 5) Adoption of sewers.

Advisory Note:

It should be noted that most sewers throughout the Borough flow full or surcharge during periods of heavy storm and conditions may be imposed restricting discharge to the system. The prime condition is that any large development shall not cause an increase in the rate of flow to the public sewerage system. This requirement is normally met in the case of new developments by separation on site and storage of surface water flows in tanks or oversized pipes on sites. Where sites adjoin a suitable watercourse or storm relief sewer into which surface water can be discharged by gravity then the policy is for sites to be separated and have their surface water discharged to the watercourse or storm relief sewer. In the case of developments/ rehabilitation/ conversions etc., involving the use of basements these are likely to be particularly vulnerable to the effects of surcharge and applicants must therefore demonstrate that adequate drainage arrangements exist at all times.

4 Control Of Pollution (Clean Air, Noise, Etc)

The Pollution Service, 263 Mare Street, London, E8 3HT, Telephone No: 0208 356 5000, should be consulted regarding the Environmental Protection Act 1990.

5 Hours Of Building Works

Your attention is drawn to the provisions of Section 60 of the Control of Pollution Act 1974 which imposes requirements as to the way in which building works are implemented including the hours during which the work may be carried out. This Act is administered by the Councils Pollution Control Service, 263 Mare Street, London, E8 3HT (Telephone: 020 7356 5000) and you are advised to consult that Division at an early stage.

6 Soundproofing - Building Regulation 2000

The discharge of this Condition No. () , on soundproofing, is not an endorsement of the details submitted. You will need to meet the Building Regulation 2000 (Approved Document E-1 July 2003) requirement by applying separately to The Building Control Service, Directorate of Safer Neighbourhoods, 263 Mare Street, London, E8 3HT. Tel 0208 356 8022

7 Health, Safety and Welfare at Work

The Health and Safety Service, 263 Mare Street, London, E8 3HT Telephone No: 0208 356 5000 or the Health and Safety Executive, Maritime House, 1 Linton Road, Barking, Essex, IG11 8HF (Telephone No: 0208 594 5522) should be consulted concerning the provisions of the Health and Safety at Work Act 1974.

In general if the business is commercial, retail, wholesale, hotel and catering, consumer/personal services, leisure and entertainment or residential accommodation excluding nursing homes, the Commercial Standards Service is the enforcing authority. All other premises will be covered by the Health and Safety Executive.

8 Naming And Numbering

Your attention is drawn to Section 5, and the Regulations made under Section 12 of the London Building Acts (Amendments) Act 1939. Section 5 requires that any proposed name for a street, way, place, row of houses or block of buildings should be submitted to the Council for approval, allowing sufficient time for the statutory consultation process. Section 12 relates to the marking of numbers and names of buildings and to the necessity for you to display such number(s) or name(s). Information may be obtained from, and application under Section 5 should be made to, The Naming and Numbering Officer, The Building Control Service, Directorate of Safer Neighbourhoods, 263 Mare Street, London, E8 3HT, Telephone No: 020 8356 5000.

9 Disabled Persons' Provision

Your attention is drawn to Section 4(1) of the Chronically Sick and Disabled Persons' Act 1981, which states that any person undertaking the provision of any building or premises to the public are to be admitted, whether on payment or otherwise, shall, in the means of access both to and within the building or premises, and in the parking facilities and sanitary conveniences to be available (if any) make provision, insofar as it is in the circumstances both practicable and reasonable, for the need of members of the public visiting the building or premises who are disabled.

10 Fire Precautions Act 1971

Your attention is drawn to the need to comply with the provisions of the Fire Precautions Act 1971 where applicable. In this connection it is pointed out that means of escape in case of fire is the concern of the London Fire Defence Authority as fire authority and information relating thereto may be obtained from the Fire Prevention Branch, Shoreditch Fire Station, 235 Old Street, London EC1V 9EY (Telephone No: 020 7587 2108).

11 Refuse Storage And Disposal Arrangements

The Borough Services Waste Management Client Group, at Maurice Bishop House, Reading Lane, E8 1HH, Tel: 020 8356 3413/3680, should be consulted regarding storage, collection and disposal arrangements for all types of refuse.

12 Consultations With The Twu

The Client Manager North London Thames Water Utilities, Sewerage and Sewage Treatment Operations. Becton Sewage Treatment Works, Jenkins Lane, Barking, Essex, IG11 OAD, should be consulted as directed in respect of proposals affecting their main sewers.

13 Landscaping

"Landscaping" means the treatment of land (other than buildings) being the site or part of the site in respect of which this planning permission is granted, for the purpose of enhancing or protecting the amenities of the site and the area in which it is situated and includes screening by fences, walls or other means, planting of trees, hedges, shrubs or grass, formation of banks, terraces or other earth works, laying out of gardens or courts, and other amenity features.

14 The hours of construction work on site that are audible at the nearest noise sensitive premises shall be restricted to 08:00 to 18:00 Monday to Friday and 08:00 to 13:00 Saturday and at no time on Sundays & public holidays except by written permission of the Council or where the works are approved under section 61 Control of Pollution Act 1974.

15 The best practice detailed within the Building Research pollution control guides Parts 1 to 5 for controlling particles, vapour and noise pollution from construction sites must be followed throughout the enabling works, demolition and construction phase of the development.

16 The applicant is advised that they will be required to enter into a Section 61 agreement under the Control of Pollution Act 1974 with the Pollution Section before commencing work on site in order to control noise and vibration from the demolition/construction work.

17 Your attention is drawn to the need to comply with the provisions of the Regulatory Reform (Fire Safety) Order 2005 where applicable. The provision of satisfactory means of escape in the event of a fire is the concern of the London Fire and Emergency Planning Authority as fire authority, and information relating thereto may be obtained from the Fire Safety Department, 210 High Street, East Ham, E6 3RS.

Yours faithfully

Sue Foster
Assistant Director Regeneration and Planning

