

London 2012
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Date of Decision: 08 February 2012

TOWN AND COUNTRY PLANNING ACT 1990

Application no: **2011/1560**

Description of work: **Formation of a temporary basketball training venue comprising two 11 metre high modular court buildings, tented reception facility, access road, drop off area, car park, plant storage containers, perimeter fencing in association with the 2012 Olympic and Paralympic Games, between 1st March 2012 and 15th October 2012.**

Location of work: **Leyton Marsh
Behind Lee Valley Ice Centre
Lea Bridge Road
London
E10 7QL**

Your application together with attached drawings for the above development has been considered and in pursuance of the powers exercised by them as local planning authority this Council DO HEREBY GIVE NOTICE of the decision to GRANT permission for the development.

Subject to compliance with the following conditions:

- 1 This permission shall be for a limited period only, expiring on 15 October 2012 on or before which date the buildings and all associated works undertaken in implementing the permission (including any works installed pursuant to any condition of this permission) shall be removed and the land reinstated to its original state prior to the grant of this permission in accordance with a scheme of reinstatement works detailing the size, species, location, phasing and timing of replacement planting that shall be submitted to and approved by the local planning authority prior to its implementation, and thereafter fully implemented

in accordance with the said details.

- 2 Except as required by the conditions below, the development shall be carried out only in accordance with drawings numbered 6909-TPV-LVP-A-DSP-0001 rev P03, 0004 rev P03, 0005 rev P03, 0006 rev P03, 6909-TPV-LVP-A-DPL-0003 rev P02, 0004 rev P02, received 10 November 2011 and drawings numbered 6909-TPV-LTT-A-DSP-0002 rev P05, 6909-TPV-LTT-A-DPL- 0002 rev P03, 6909-TPV-LTT-A-DSE-0001 rev P05, 0002 rev P05, 0003 rev P03 received 25 January 2012, and drawings numbered 6909-TPV-LTT-A-DSP- 0002 rev P05, and drawing numbered 6909-TPV-LVP-A-DSP-0003 Rev P04, 0007 Rev P04 and 6909-TPV-LVP-A-DPL-0001 Rev P04 received 30th January 2012.
- 3 Prior to the commencement of the development, details shall be submitted to and approved in writing by the Local Planning Authority in consultation with Thames Water, of how the developer intends to ensure the water abstraction source is not detrimentally affected by the proposed development both during and after its construction.
- 4 Notwithstanding any indications on the approved plans, details of materials to be used in the construction and surfacing of all hardstanding areas including access roads and parking areas shall be submitted to and approved by the Local Planning Authority prior to the commencement of construction thereof. The works shall thereafter be fully completed in accordance with the agreed details prior to the buildings being first brought into use.
- 5 Notwithstanding any indications on the approved plans, prior to the commencement of the development full details including the size, design, siting, method of installation, and noise levels of all air conditioning and other plant and equipment to be installed outside the buildings shall be submitted to and approved in writing by the LPA. The works shall only be carried out in accordance with the agreed details and completed before the building is brought into use.
- 6 Notwithstanding any indications on the approved plans, prior to the commencement of the development details of all fencing to the boundaries of and within the site shall be submitted to and approved in writing by the Local Planning Authority. Pursuant to this condition, the perimeter fence shall not exceed 2.7m in height. The works shall be implemented in accordance with the agreed details.
- 7 Prior to the commencement of the development details of the petrol / oil interceptors to be fitted in all car parking area shall be submitted to and approved in writing by the Local Planning Authority in consultation with Thames Water. The works shall be implemented solely in accordance with the agreed details prior to the first use of the site.
- 8 Notwithstanding any indications on the approved plans, cycle facilities shall be provided within the site for staff use, details of which shall be submitted to and approved in writing by the Local Planning Authority prior to the first use of the development. The works shall be carried out in accordance with the agreed details and be implemented prior to the first use of the proposal.

- 9 No external lighting shall be installed to any part of the site, including the buildings, open land and any other structures, without prior written consent from the Local Planning Authority.
- 10 No hot food shall be prepared on site without prior written consent from the Local Planning Authority without prior approval having been obtained from the Local Planning Authority for any extract ventilation ducting that may be required for that purpose. Any such ducting shall be installed in full compliance with the agreed details.
- 11 Prior to the commencement of the development, a Construction Method Statement detailing measures to meet the ODA Code of Construction Practice (2007) , including details of wheel washing facilities for vehicles leaving the site during construction works shall be submitted to and approved by the Local Planning Authority. A similar Method Statement shall thereafter be submitted relating to the removal of the buildings prior to commencement of removal of the facilities. All works shall thereafter be carried out in strict compliance with the agreed details.
- 12 During the course of the construction and carrying out of the development approved, access shall be provided to Council officers and their agents to ensure that any unforeseen contamination or hazardous problems are recognised and any such contamination or hazard shall be treated by remedial action specified by the Council or their agent or as agreed in writing.
- 13 The developer shall provide certification on completion of any remediation works from the specialist contractor that the works were completed wholly in accordance with the details pursuant to condition 12 above.
- 14 The developer shall provide certification on completion of development that any fill material brought onto the site will be inert and not contaminated or prejudicial to the restored use of the site.
- 15 Prior to the commencement of the development a written agreement with Thames Water indicating their acceptance of additional discharge into their sewer shall be submitted to and approved in writing by the Local Planning Authority. In the event that Thames Water refuses to accept the additional surface water or place a restriction on the discharge rate, a revised drainage strategy shall be submitted and approved in writing by the Local Planning Authority and thereafter provided in full prior to the commencement of the use hereby approved.
- 16 Development shall be carried out in strict compliance with the measures for protection of flora and fauna as detailed in section 4 (Potential Impacts and Mitigation) of the Ecology Report accompanying the application, dated January 2012.
- 17 Noise from all external plant, machinery and other equipment shall not exceed a level of 10dBA below the lowest recorded background noise levels, measured at 1m from the nearest noise sensitive residential façade

- 18 Access to all site buildings shall be provided in full accordance with the Olympic Park Inclusive Design Strategy, unless otherwise agreed in writing by the Local Planning Authority prior to the commencement of the use hereby approved.
- 19 No construction or dismantling work pursuant to this permission shall take place other than between 08.00hrs and 18.00 hrs Mondays to Fridays and between 08.00hrs and 13.00hrs on Saturdays, no work shall be undertaken on Sundays, Bank or Public Holidays.

For the following reasons:

- 1 To accord with the specific terms of the application and to minimise the duration of the impact on surrounding land, in accordance with policies ENV4 and ENV5 of the adopted Waltham Forest Unitary Development Plan (2006).
- 2 To ensure that the works are carried out in accordance with the approved plans.
- 3 To protect water resources in accordance with policies WPM14 and WPM15 of the adopted Waltham Forest Unitary Development Plan (2006).
- 4 To protect the sensitive nature of the site in accordance with policies BHE1 and ENV7 of the adopted Waltham Forest Unitary Development Plan (2006).
- 5 To ensure a satisfactory appearance in accordance with policies SP1, BHE1 and ENV5 of the adopted Waltham Forest unitary Development Plan (2006).
- 6 To ensure a satisfactory appearance in accordance with policies SP1, BHE1 and ENV5 of the adopted Waltham Forest unitary Development Plan (2006).
- 7 To ensure suitable discharges entering local watercourses in accordance with policies WPM16 of the adopted Waltham Forest Unitary Development Plan (2006).
- 8 To ensure adequate provision of cycle facilities in accordance with policies BHE1 and TSP5 of the adopted Waltham Forest Unitary Development Plan (2006).
- 9 In order to safeguard against harm to amenity of local wildlife through inappropriate lighting, in accordance with policies ENV6 and BHE3 of the adopted Waltham Forest Unitary Development Plan (2006).
- 10 To protect the amenity of the surrounding occupiers and users of the marsh, in accordance with policies BHE1 and BHE3 of the adopted Waltham Forest Unitary Development Plan (2006).

- 11 To minimise disturbance and disruption during construction and to prevent the deposit of mud on the highway in accordance with policy BHE3 of the adopted Waltham Forest Unitary Development Plan (2006).
- 12 To ensure that any unforeseen contamination is adequately dealt with in accordance with policy WPM7 of the adopted Waltham Forest Unitary Development Plan (2006).
- 13 To ensure that any unforeseen contamination is adequately dealt with in accordance with policy WPM7 of the adopted Waltham Forest Unitary Development Plan (2006).
- 14 To ensure the future health of users of the land and to prevent future pollution of the land and ground waters, in accordance with policy WPM7 of the adopted Waltham Forest Unitary Development Plan (2006).
- 15 To ensure adequate drainage is provided, in accordance with policy WPM6 of the adopted Waltham Forest Unitary Development Plan (2006).
- 16 To minimise impact on local nature and wild life conservation interests in accordance with policy ENV6 of the adopted Waltham Forest Unitary Development Plan (2006).
- 17 To minimise disturbance to surrounding residents from noise in accordance with policy BHE3 of the adopted Waltham Forest Unitary Development Plan (2006).
- 18 To ensure that adequate access is available to all users of the building in accordance with policy BHE5 of the adopted Waltham Forest Unitary Development Plan (2006).
- 19 To protect the amenities of surrounding occupiers and to minimise disturbance in the area, in accordance with policies ENV6 and BHE3 of the adopted Waltham Forest Unitary Development Plan (2006).

Informative(s)

1 Summary of the reasons for approving the application

The temporary use of the application site for the proposed development is considered subject to reinstating the land to its current condition is considered acceptable given the particular circumstances of the case. The proposed temporary use is integral to the function of the 2012 Olympic and Paralympic Games, (hereafter referred to as 'the Games') in that it will provide a training venue that meets the criteria set out by the Basketball Federation (FIBA). The need to provide this function, in addition to the adequacy of the mitigating and reinstating works, are considered to comprise material considerations that could justify the approval of the development on a temporary basis. The proposal has been otherwise considered against Policies SP1, SP2, SP3, SP15, SP16, SP18, TSP4, TSP10, TSP17, ENV1, ENV4, ENV5, ENV6, ENV7, ENV13, , ENV22, BHE1, BHE3, BHE4, BHE5, BHE7, BHE9, BHE17, WPM6, WPM10, WPM11, WPM14 and WPM19 of the Waltham Forest Unitary Development Plan 2006 and whilst there are grounds to withhold consent with regards to a number of these policies, the exceptional circumstance has been considered as a material consideration in a finely balanced decision.

- 2 The applicant is advised that Thames Water have stated the following: 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. Reason - to ensure that the surface water discharge from the site shall not be detrimental to the existing sewerage system.
- 3 There are public sewers crossing or close to your development. In order to protect public sewers and to ensure that Thames Water can gain access to those sewers for future repair and maintenance, approval should be sought from Thames Water where the erection of a building or an extension to a building or underpinning work would be over the line of, or would come within 3 metres of, a public sewer. Thames Water will usually refuse such approval in respect of the construction of new buildings, but approval may be granted in some cases for extensions to existing buildings. The applicant is advised to contact Thames Water Developer Services on 0845 850 2777 to discuss the options available at this site.

- 4 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 wwqriskmanagement@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.
- 5 Under the terms of the Water Resources Act 1991 and 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 bank of the Lee Navigation main River. Please contact the Environment Agency's local Development and Flood Risk team on 01707 632639 for further details.



**Head of Development Management
on Behalf of London Borough of Waltham Forest**