

the Water Industry Act 1991. We would expect the developer to demonstrate what measures he will undertake to minimise groundwater discharges into the public sewer. Permit enquiries should be directed to Thames Water's Risk Management Team by telephoning 020 3577 9483 or by emailing trade.effluent@thameswater.co.uk. Application forms should be completed on line via www.thameswater.co.uk. Please refer to the Wholesale; Business customers; Groundwater discharges section.

GLAAS

Informative Written schemes of investigation will need to be prepared and implemented by a suitably professionally accredited archaeological practice in accordance with Historic England's Guidelines for Archaeological Projects in Greater London. This condition is exempt from deemed discharge under schedule 6 of The Town and Country Planning (Development Management Procedure) (England) Order 2015.

IK07 Lifting Operations and Lifting Equipment Regulations 1998 (LOLER)

The proposed passenger/goods lift must comply with the requirements of the Lifting Operations and Lifting Equipment Regulations 1998 (LOLER). There is a specific requirement that no new lift may be used unless it has either a certificate of thorough examination or a certificate of conformity to the relevant EU Directive. Normal commissioning documentation IS NOT ADEQUATE. Use of a lift that does not comply with LOLER is a criminal offence. You should refer to your CDM planning supervisor to ensure compliance.

Note: Compliance with Planning Law does not automatically mean that you will comply with more specific Health and Safety Law requirements.

Positive and Proactive Statement

In accordance with the National Planning Policy Framework and with Article 35 of the Town and Country Planning (Development Management Procedure) (England) Order 2015 (as amended), the following statement explains how the LLDC as Local Planning Authority has worked with the applicant in a positive and proactive manner based on seeking solutions to problems arising in relation to dealing with this planning application:

Following submission of the planning application to LLDC, the local planning authority continued to work with the applicant in a positive and proactive manner. The planning application complies with planning policy as stated above and was determined in a timely manner.

The applicant has been kept informed of the progress of the application and has been given the opportunity to respond to and address any problems arising.

Dated this: **TBD**



Anthony Hollingsworth

Director of Planning Policy and Decisions
London Legacy Development Corporation

London Legacy Development Corporation

Town and Country Planning Act 1990 (as amended)

Appeals to the Secretary of State

- * If you are aggrieved by the decision of your Local Planning Authority to refuse permission for the proposed development or to grant it subject to conditions, then you can appeal to the Secretary of State for Housing, Communities and Local Government under Section 78 of the Town and Country Planning Act 1990 (as amended).
- * If you want to appeal then you must do so within **SIX months** of the date of this notice (unless your proposal relates to a householder appeal or minor commercial appeal as defined in Article 37 of the DMPO 2015 in which case you must do so within **TWELVE weeks** of the date of this notice), using a form, which is available from the Planning Inspectorate, (a copy of which must be sent to London Borough of Newham) or complete an application online. The Planning Inspectorate, Temple Quay House, 2 The Square, Temple Quay, Bristol, BS1 6PN (e-mail: enquiries@pins.gsi.gov.uk) or (Tel: 0117 372 8000).

To make an appeal online, please use www.gov.uk/appeal-planning-inspectorate. The Inspectorate will publish details of your appeal on the internet. This may include copies of documentation from the original planning application and relevant supporting documents supplied to the local authority, and or information, including personal information belonging to you that you are happy will be made available in this way. If you supply personal information belonging to a third party please ensure you have their permission to do so. More detailed information about data protection and privacy matters is available on the Planning Portal.

- * 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 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.

Purchase Notice

- * If either the Local Planning Authority or the Secretary of State refuses permission to develop land or grants it subject to conditions, the owner may claim that he can neither put the land to a reasonably beneficial use in its existing state nor can he render the land capable of a reasonably beneficial use by carrying out 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 his interest in the land in accordance with Part VI of the Town and Country Planning Act 1990.

Appendix B

Confirmatory Unilateral Undertaking

DATED _____ **202[]**

UNITALERAL UNDERTAKING GIVEN BY DEED BY

(1) ST WILLIAM HOMES LLP

IN FAVOUR OF

(2) [LONDON LEGACY DEVELOPMENT CORPORATION]/[THE MAYOR AND BURGESSES OF THE LONDON BOROUGH OF NEWHAM]¹

**UNILATERAL UNDERTAKING GIVEN BY DEED MADE
PURSUANT TO SECTION 106 OF THE TOWN AND
COUNTRY PLANNING ACT 1990 AND ALL OTHER
POWERS ENABLING
relating to land known as
Stratford Gasworks, Rick Roberts Way, London
Planning application reference 23/00457/FUL**

¹ If the UU is being completed after 30 November 2024 the LPA function will have transitioned back to Newham.

THIS UNILATERAL UNDERTAKING is given on

202[]

BY:-

- (1) **ST WILLIAM HOMES LLP** (company number OC396332) of Berkeley House, 19 Portsmouth Road, Cobham, Surrey, KT11 1JG (**Owner**)

TO:-

- (2) **LONDON LEGACY DEVELOPMENT CORPORATION** of Level 9, 5 Endeavour Square, Stratford, London, E20 1JN / **THE MAYOR AND BURGESSES OF THE LONDON BOROUGH OF NEWHAM** of Newham Dockside, 1000 Dockside Road, London, E16 2QU (the "**LPA**")².

WHEREAS:

- (A) The LPA is the local authority for the area in which the Site is situated for the purposes of Part 3 of the 1990 Act and is the local planning authority by whom the obligations contained in this Deed are enforceable.
- (B) The Owner is the registered proprietor of the freehold interest of the Site registered at the Land Registry with Title Number EGL428093.
- (C) The Owner submitted the Planning Application to the London Legacy Development Corporation which was validated on 19 January 2024.
- (D) On [15] November 2024, a transfer of the freehold interest in the Site was completed whereby the whole of the Site was transferred from National Grid Property Holdings Limited to the Owner. An application to register the transfer with the Land Registry was made on [] November 2024 ("**Application**").
- (E) On [] November 2024 the LPA granted the Planning Permission.
- (F) At the time the Planning Permission was granted and the S106 Agreement was entered into the Owner only had an equitable interest in the Site owing to the fact that the transfer referred to in Recital D had not been registered by the Land Registry.
- (G) Owing to the title position referred to in Recital F, condition [] of the Planning Permission requires a confirmatory deed of planning obligations under section 106 of the Act to be entered into by the Owner, once the Land Registry had registered the Application, in order to confirm that the freehold interest in the Site had now been registered and that this interest is bound into the obligations secured under the S106 Agreement.
- (H) The Application was completed on [] and the official copies for Title Number EGL428093 now show the Owner as the registered proprietor of that freehold interest in the Site.
- (I) Accordingly the Owner enters into this Deed in order to bind its freehold interest in the Site by the S106 Agreement and to comply with condition [] of the Planning Permission.

IT IS AGREED as follows:-

1. **DEFINITIONS**

1.1 Where in this Deed the following defined terms are used they shall have the following meanings:-

"Act" means the Town and Country Planning Act 1990

"Development" means demolition, site clearance, remediation of the site and groundworks to facilitate redevelopment and change

² Delete as appropriate depending on who is LPA

of use of former Stratford Gasworks for residential development, comprising 245 dwellings (Class C3 Use) and associated infrastructure; access; car and cycle parking; engineering works; new public realm/open space; partial demolition of boundary wall on Abbey Lane (a Non-Designated Heritage Asset); and works to the existing Pressure Reduction Station and gasholder voids, with the Pressure Reduction Station to be retained for use at the Site

"Planning Application"

means the application for planning consent submitted by the Owner to the LPA on 15 December 2023 and validated by the LPA on 19 January 2024 and assigned the application reference number 23/00457/FUL

"Planning Permission"

means the planning permission granted by the LPA pursuant to the Application on [] November 2024

"Site"

means the land shown edged red on Plan 1 contained at Schedule 1 of the S106 Agreement

"S106 Agreement"

means the section 106 agreement to secure the planning obligations in relation to the Planning Permission between the Owner and the LPA and dated [] November 2024 which is appended to this Deed in Schedule 1

- 1.2 The singular includes the plural.
- 1.3 References to the parties to this Deed include not only the parties entering into it, but also their successors in title or function as applicable.
- 1.4 References to the LPA include the successors in function to the LPA.
- 1.5 Where a party includes more than one person any obligations of that party shall be joint and several.
- 1.6 Unless the context other requires references to Clauses and Schedules are references to Clauses in and Schedules to this Deed.
- 1.7 Any statute or revision of any statute referred to in this Deed shall be deemed to include any statutory amendment, modification or re-enactment thereof for the time being in force and any order, instrument or regulation made thereunder.

2. LEGAL EFFECT

- 2.1 This Deed shall take effect on the date hereof.

3. OWNER'S COVENANTS

- 3.1 The Owner covenants with the LPA that its freehold interest in the Site shall be bound by the Owner's covenants given in clause 4 of the S106 Agreement.

EXECUTED AS A DEED by the parties on the date which first appears in this Deed.

Signed as a deed by **ST WILLIAM HOMES LLP**)
acting by two directors or one director/one secretary:)
)
)

Director

Director/Secretary

SCHEDULE 1
S106 AGREEMENT

