

Originator of Report: Victoria Crosby

Dates of Validation: 7/6/11 and 21/6/11

Application Numbers: [11/90313/VARODA](#), [11/90314/VARODA](#), [11/90315/VARODA](#), [11/90316/VARODA](#), [11/90317/VARODA](#), [11/90318/VARODA](#), [11/90319/VARODA](#), [11/90320/VARODA](#), [11/90321/VARODA](#), [11/90322/VARODA](#), [11/90323/VARODA](#), [11/90324/VARODA](#), [11/90325/FULODA](#) and [11/90326/VARODA](#)

Locations: Olympic Park site and various individual sites within the Olympic Park as set out below.

London Boroughs: Hackney, Newham, Tower Hamlets and Waltham Forest

Proposals:

11/90313/VARODA

Location – Olympic Park

Proposal – Variation of conditions OD.0.21 (Building emissions and renewable energy) and LTD.1.3 (Building emissions and renewable energy) of the Olympic and Legacy Facilities permission ref. 07/90010/OUMODA to remove the requirement for the wind turbine, and reduce the on-site renewable energy generation requirement from 20% of annual carbon emissions of the venues and other buildings to be retained in the legacy phase to at least 9% of annual carbon emissions. Non compliance with condition OD.7.1 (Wind turbine) and condition OD.0.3 (Work in accordance with approvals) to reflect the non-implementation of the wind turbine.

11/90314/VARODA

Location – Terminal Pumping Station, Planning Delivery Zone 3

Proposal - Variation of condition 43 (Building emissions and renewable energy) of the Terminal Pumping Station permission ref. 08/90059/OUTODA to reduce the on-site Olympic Park renewable energy generation requirement from 20% of annual carbon emissions of the venues and other buildings to be retained in the legacy phase to at least 9% of annual carbon emissions.

11/90315/VARODA

Location – Velopark, Planning Delivery Zone 6

Proposal - Variation of conditions VOD.15 (Velodrome Building emissions and renewable energy) and VLT.04 (Building emissions and renewable energy) of the Velopark permission ref. 08/90276/FUMODA to reduce the on-site Olympic Park renewable energy generation requirement from 20% of annual carbon emissions of the venues and other buildings to be retained in the legacy phase to at least 9% of annual carbon emissions.

11/90316/VARODA

Location – North Central Parklands, Planning Delivery Zones 5 and 6

Proposal - Variation of condition PPR.21 (Emissions and renewable energy) of the North Central Parklands permission ref. 08/90310/FULODA to reduce the on-site Olympic Park renewable energy generation requirement from 20% of annual carbon emissions of the venues and other buildings to be retained in the legacy phase to at least 9% of annual carbon emissions.

11/90317/VARODA

Location – South Central Parklands, Planning Delivery Zones 2 and 4

Proposal - Variation of condition PPR.21 (Emissions and renewable energy) of the South Central Parklands permission ref. 08/90311/FULODA to reduce the on-site Olympic Park renewable energy generation requirement from 20% of annual carbon emissions of the venues and other buildings to be retained in the legacy phase to at least 9% of annual carbon emissions.

11/90318/VARODA

Location – Basketball landscaping, Planning Delivery Zone 6

Proposal - Variation of condition PPR.18 (Emissions and renewable energy) of the Basketball landscaping permission ref. 08/90312/FULODA to reduce the on-site Olympic Park renewable energy generation requirement from 20% of annual carbon emissions of the venues and other buildings to be retained in the legacy phase to at least 9% of annual carbon emissions.

11/90319/VARODA

Location – Handball landscaping, Planning Delivery Zone 5

Proposal - Variation of condition PPR.18 (Emissions and renewable energy) of the Handball landscaping permission ref. 08/90313/FULODA to reduce the on-site Olympic Park renewable energy generation requirement from 20% of annual carbon emissions of the venues and other buildings to be retained in the legacy phase to at least 9% of annual carbon emissions.

11/90320/VARODA

Location – Handball arena, Planning Delivery Zone 5

Proposal - Variation of conditions HOD.12 (Handball building emissions and renewable energy) and HLT.4 (Building emissions and renewable energy) of the Handball arena permission ref. 08/90328/FUMODA to reduce the on-site Olympic Park renewable energy generation requirement from 20% of annual carbon emissions of the venues and other buildings to be retained in the legacy phase to at least 9% of annual carbon emissions.

11/90321/VARODA

Location – Eton Manor, Planning Delivery Zone 7

Proposal - Variation of conditions EMOD.13 (Building emissions and renewable energy) and EMLTD.7 (Building emissions and renewable energy) of the Eton Manor venues permission ref. 09/90198/FUMODA to reduce the on-site Olympic Park renewable energy generation requirement from 20% of annual carbon emissions of the venues and other buildings to be retained in the legacy phase to at least 9% of annual carbon emissions.

11/90322/VARODA

Location – Post-Games Transformation Parklands, Planning Delivery Zones 1, 2, 4, 5, 6, 7, 8, and 15.

Proposal - Variation of condition PGT.14 (Emissions and renewable energy) of the post-Games Transformation parklands and public realm permission ref. 09/90410/FUMODA to reduce the on-site Olympic Park renewable energy generation requirement from 20% of annual carbon emissions of the venues and other buildings to be retained in the legacy phase to at least 9% of annual carbon emissions.

11/90323/VARODA

Location – Aquatics Centre, Planning Delivery Zone 1

Proposal - Variation of condition 4 of the Post-Games phase reserved matters approval for the Aquatics Centre ref. 08/90026/REMODA to reduce the on-site Olympic Park renewable energy generation requirement from 20% of annual carbon emissions of the venues and other buildings to be retained in the legacy phase to at least 9% of annual carbon emissions.

11/90324/VARODA

Location – Planning Delivery Zone 4

Proposal - Variation of condition PPR.18 (Emissions and renewable energy) of the PDZ4 landscaping permission ref. 08/90314/FULODA to reduce the on-site Olympic Park renewable energy generation requirement from 20% of annual carbon emissions

of the venues and other buildings to be retained in the legacy phase to at least 9% of annual carbon emissions.

11/90325/FULODA

Location – Eton Manor

Proposal - Provision of hard standing in Games phase in the space left by the absence of the Olympic Park wind turbine as its associated structures.

11/90326/VARODA

Location – Aquatics Centre, Planning Delivery Zone 1

Proposal - Variation of condition 4 of the Games phase reserved matters approval for the Aquatics Centre ref. 08/90025/REMODA to reduce the on-site Olympic Park renewable energy generation requirement from 20% of annual carbon emissions of the venues and other buildings to be retained in the legacy phase to at least 9% of annual carbon emissions.

Applicant: Olympic Delivery Authority

1. SUMMARY

- 1.1 A 2MW wind turbine at Eton Manor was approved as part of the site-wide 2007 Olympic permission. It was predicted to provide 1,100 tonnes of carbon off-set for the Olympic Park development, and was required to be constructed before the Games by condition OD.0.21 on the 2007 permission. This report considers 14 applications which are all related to the ODA's decision to not progress the wind turbine approved on Eton Manor. This decision has reduced the expected on-site renewable energy generation capacity from the 20% target set in the 2007 permission. It also affects the achievement of the 50% carbon reduction target set by Schedule 11 of the section 106 agreement.
- 1.2 The ODA proposes to installed photo-voltaic panels on the Multi Storey Car Park to provide additional renewable energy generation (this is considered in a separate Committee report on the agenda – ref. 11/90330/FULODA), but this alone would not be sufficient to replace the wind turbine's renewable energy generation capacity.
- 1.3 The ODA is therefore seeking to reduce the renewable energy generation targets set in the 2007 permission from 20% to at least 9%, and as replicated in the back-stop conditions on the subsequent slot-in planning permissions for revised venues and parklands. Thirteen variations of conditions applications have been submitted.
- 1.4 A new slot-in application has been made which proposes hard standing for Games phase in the location of the approved wind turbine; a statement of superseded development to remove the wind turbine and its associated sub-station from the consented scheme has been submitted to accompany this application.
- 1.5 The ODA is also seeking to make a modification to the 2007 Section 106 Agreement at Schedule 11 to allow the wider 50% carbon emissions reduction target to be achieved by allowing off-site measures to be included, namely the RE:NEW and RE:FIT retrofit programmes by the LDA and GLA. The ODA would provide £1.5m of funding for off-site measures which would deliver the necessary carbon saving to meet the 50% target.
- 1.6 The reasons why the wind turbine is not to be constructed are accepted. The ODA has investigated other potential renewables that could be installed on site, and will install photovoltaic panels on the Media Press Centre (MPC) and photovoltaic panels to the Multi Storey Car Park (MSCP) if approved by application ref. 11/90330/FULODA (to be considered at the same Committee meeting). These alone are not sufficient to make up for the capacity lost with the non-implementation of the wind turbine, but Officers

accept the reasons why further renewable energy generating capacity cannot be installed on site at this late stage of the Olympic Development.

- 1.7 London Plan policy 4A.7 requires a 20% renewable energy generation capacity on site for developments, unless it can be demonstrated that provision is not feasible. Similarly, the draft replacement London Plan policy 5.7 presumes 20% renewable energy generation will be provided where feasible. Draft replacement London Plan policy 5.2 allows for carbon reduction shortfalls to be met by measures off-site. The applicant has demonstrated that the 20% renewable target is not feasible on site.
- 1.8 The use of off-site carbon reduction measures is also considered to be acceptable, and would allow the ODA to achieve the site-wide 50% carbon reduction target. Officers recommend that these off-site measures are appropriately captured in a Deed of Modification to the 2007 Section 106 Agreement (as modified). Implementation of the off-site carbon reduction schemes and the submission of regular reports to PDT for approval is required as part of the modification so that PDT can monitor progress towards achieving the 50% target. The proposed Deed of Modification would allow the overall Olympic Park development to meet the agreed overall carbon reduction targets.
- 1.9 The 14 applications are recommended to Members for approval; to grant permission for the hard standing on Eton Manor (to formally slot-out the wind turbine), and to vary the renewable energy generation conditions to proposed revised versions, as set out in detail in the recommendation section and appendices of the report below, subject to the suggested conditions, informatives and the completion of a Deed of Modification to the 2007 Section 106 Agreement.

2. SITE & SURROUNDINGS

- 2.1 The applications relate to various sites. One application (ref. 11/90313/VARODA) relates to the whole Olympic Park site (which covers 15 Planning Delivery Zones - PDZs). The Olympic Park comprises 246 hectares and is within the boroughs of Hackney, Newham, Tower Hamlets and Waltham Forest.
- 2.2 Twelve other applications relate to the individual application sites for the “slot-in” planning permissions such as the Velopark, Aquatics, parklands (in Games and post-Games Transformation phases), Handball arena, Handball landscaping, Basketball landscaping, PDZ4 landscaping, Terminal Pumping Station (PDZ3), and Eton Manor which in turn are all within the Olympic Park site.
- 2.3 The new slot-in submission (ref. 11/90325/FULODA) relates only to the site of the approved wind turbine in the centre of Eton Manor, in PDZ7. The site plan is included in appendix 2A.

3. RELEVANT PLANNING HISTORY

2007 permission

- 3.1 The Olympic Facilities and their Legacy Transformation permission (ref. 07/90010/OUMODA) was approved in September 2007 subject to many conditions and an associated Section 106 Agreement. The approved site-wide scheme included a wind turbine in the centre of the Eton Manor site (PDZ7) which was to be built in time for Games and retained into legacy. The permission also included the renovation of Kings Yard and construction of the Energy Centre to house the Combined Cooling, Heating and Power (CCHP) equipment which would include a biomass boiler, and to create the site-wide CCHP network.

3.2 The conditions from the 2007 permission that are relevant to the current applications are included in full in appendix 1A to this report.

3.3 Condition OD.0.21 on the 2007 permission requires renewable energy generation capacity to be provided to meet at least 20% of carbon emissions of the development retained in the legacy phase. It also requires the wind turbine and Energy Centre to be operational before the Games;

OD.0.21 - Building emissions and renewable energy

All buildings shall be designed to minimise carbon emissions and energy demand, in accordance with the objectives in the Energy Statement. Across the Site as a whole, sufficient on-site renewable energy generation capacity shall be installed to meet at least 20% of the annual carbon emissions of the venues and other buildings to be retained within the Site in the Legacy phase. The wind turbine and the Energy Centre, with an agreed bio-fuel capability, shall be commissioned and operational before the Games.

Reason: To secure the maximum practicable reduction in carbon emissions and use of renewable energy.

3.4 For post-Games Transformation phase, condition LTD.1.3 set the same 20% renewable energy target across the Olympic Park site;

LTD.1.3 - Buildings emissions and renewable energy

All buildings shall be designed to minimise carbon emissions and energy demand, in accordance with the objectives in the Energy Statement. Across the Site as a whole, sufficient on-site renewable energy generation capacity shall be installed to meet at least 20% of the annual carbon emissions of the venues and other buildings to be retained within the Site in the Legacy Phase.

Reason: To secure the maximum practicable reduction in carbon emissions and use of renewable energy.

3.5 Condition OD.0.3 (Works in accordance with approvals) referred to the schedule of approved plans and drawings that the development is to be carried out in accordance with, including drawings of the approved wind turbine's location, elevation and ancillary sub-station.

3.6 Condition OD.7.1 (Wind turbine) requires a wind turbine management framework to be submitted prior to the construction of the wind turbine. No submission pursuant to this condition has been made.

3.7 The Section 106 Agreement also contained an obligation relating to carbon emissions in Schedule 11, paragraph 1.2.2 (included in appendix 1A). This requires the ODA to use reasonable endeavours to seek achievement of a reduction in carbon emissions (against 2006 Building Regulation standards) for the built aspects of the development of 50 per cent by 2013. Annual monitoring reports (required by paragraph 1.2.4) are also required by Schedule 11, and have been submitted for 2008 and 2009, showing the predicted carbon saving through energy efficiencies within the buildings, the CCHP, and the consented renewables (use of biomass at the CCHP, the wind turbine and the smaller scale photovoltaic panels and wind turbines which are integrated with the parkland lighting in later permissions).

Reserved matters submissions

3.8 The reserved matters approvals made pursuant to the 2007 permission for the Aquatics Centre in Games phase and post-Games phase, also contained conditions relating to renewable energy provision on the Aquatics site or across the Olympic Park as a whole;

- Condition 4 of the Games phase reserved matters approval for the Aquatics Centre ref. 08/90025/REMODA.

- Condition 4 of the post-Games Transformation reserved matters approval for the Aquatics Centre ref. 08/90026/REMODA.

3.9 The full wording of these conditions is included in appendix 1 parts 1K and 1M.

Slot-in permissions

3.10 A version of condition OD.0.21 was imposed on the later slot-in permissions for the revised venues and parklands to tie these into the renewable energy requirements of the 2007 permission. The full wording of these conditions are included in appendices 1B to 1J and 1L and for Games phase are typically worded;

Details shall be submitted for approval to the Local Planning Authority no later than March 2011 that shall demonstrate either:

- i. that sufficient renewable energy generating equipment has been included in, on, or directly adjoining the final design [venue] in order to achieve a total reduction in carbon emissions of 20% of annual carbon emissions for the permanent building; or*
- ii. that a 20% reduction in annual carbon emissions will be achieved by contribution from renewable energy generated within the Olympic Park or from a site or sites close to it, as defined in an appropriate Renewable Energy Strategy.*

Any renewable energy generating equipment identified shall be implemented, operated and maintained in accordance with details previously submitted to and approved by the Local Planning Authority.

Reason: To ensure that the [venue] contributes to the identified carbon reduction targets for venues within the Olympic Park and that those targets are fully met and to appropriately dovetail with condition OD.0.21 of permission ref. 07/90010/OUMODA.

3.11 Condition LTD.1.3 was also replicated for the legacy phase of permanent developments, such as the Velodrome, Eton Manor and Handball venues.

3.12 These conditions (as set out in appendices 1B to 1J, and 1L) were imposed on the following slot in permissions;

- Condition 43 (Building emissions and renewable energy) of the Terminal Pumping Station permission ref. 08/90059/OUTODA.
- Conditions VOD.15 (Velodrome Building emissions and renewable energy) and VLT.04 (Building emissions and renewable energy) of the Velopark permission ref. 08/90276/FUMODA.
- Condition PPR.21 (Emissions and renewable energy) of the North Central Parklands permission ref. 08/90310/FULODA.
- Condition PPR.21 (Emissions and renewable energy) of the South Central Parklands permission ref. 08/90311/FULODA.
- Condition PPR.18 (Emissions and renewable energy) of the Basketball landscaping permission ref. 08/90312/FULODA.
- Condition PPR.18 (Emissions and renewable energy) of the Handball landscaping permission ref. 08/90313/FULODA.
- Condition PPR.18 (Emissions and renewable energy) of the PDZ4 landscaping permission ref. 08/90314/FULODA.
- Conditions HOD.12 (Handball building emissions and renewable energy) and HLT.4 (Building emissions and renewable energy) of the Handball arena permission ref. 08/90328/FUMODA.
- Conditions EMOD.13 (Building emissions and renewable energy) and EMLTD.7 (Building emissions and renewable energy) of the Eton Manor venues permission ref. 09/90198/FUMODA.
- Condition PGT.14 (Emissions and renewable energy) of the post-Games Transformation parklands and public realm permission ref. 09/90410/FUMODA.

Decision not to proceed with the wind turbine

- 3.13 In 2010 the ODA took the decision to not proceed with the approved wind turbine. The reasons for this decision are detailed further below in section 4. This results in a shortfall of renewable energy generation on the Olympic Park site as the wind turbine would have provided the large proportion of renewable energy generation. The ODA is therefore seeking to vary the conditions on the 2007 permission, subsequent reserved matters approvals, and slot-in permissions and to formally “slot out” the consented wind turbine and to “slot in” replacement hard standing.

4. APPLICATION PROPOSAL

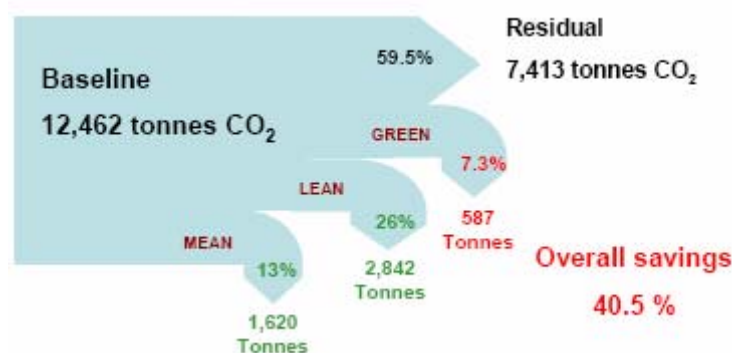
- 4.1 The 2MW wind turbine had been a major part in the ODA's strategy to meet its target of delivering 20% of the energy requirements of the legacy Olympic Park from renewable sources. It would have provided 1,900 tonnes of carbon mitigation of which 1,100 tonnes would have been allocated to the Olympic Park (with the remaining 800 tonnes saving allocated to the Athletes Village). The Eton Manor site had been selected as it was the only area suitable for hosting a large scale wind turbine due to its distance from the nearest housing, the minimal shadow cast to sporting venues, its location adjacent to the A12 so that the turbine would have minimal additional noise impact and the site was free of overhead microwave telecoms links.
- 4.2 Following the 2007 permission, the ODA undertook a procurement process to seek a concessionaire to design, build and operate the wind turbine. Funding was approved in October 2008 and the preferred bidder, Ecotricity, was appointed in November 2008.
- 4.3 Since then a number of events and factors outside of the ODA's control have occurred which have changed the industry environment, and impacted considerably on the project. These included;
- In winter 2008, the failure of ice detection sensors on a turbine resulted in ice being thrown into a dwellinghouse garden. As a result, the suppliers became nervous about the risk of an incident on the Olympic Park;
 - In spring of 2009, an Ecotricity wind turbine experienced blade failure;
 - In 2010, a new EU health and safety regulation came into effect which applied to design elements of the Ecotricity wind turbine (i.e. the lifts used to access the wind turbine internal workings were deemed “non-compliant”) which the company felt unable to comply with before the Games; and
 - The preferred bidder's turbine supplier for the project felt unable to comply with the new regulations before the Games and withdrew from the project.
- 4.4 As well as these issues, the ODA has set out other factors which have affected the wind turbine industry's appetite for the project including;
- The risk or perceived risk to the public of a turbine failure;
 - The impact on the reputation of the wind industry of an incident or accident on such a high profile site;
 - Low wind speeds compared with other sites and the likelihood that the turbine would not be turning during the Games in order to avoid distracting athletes;
 - The tight programme;
 - The complex landownership issues and conditions of operating on Eton Manor.
- 4.5 The ODA re-engaged with the three short-listed bidders in 2010, but all three declined to submit proposals. The unwillingness of the manufacturers to construct a turbine in time for Games was also applicable to a post-Games implementation, with the risks (as set out above, apart from the tight programme) still applying. The ODA has therefore also been unable to secure the construction of the approved wind turbine in post-Games phase. The ODA considers it has used reasonable endeavours to implement the wind turbine, but the limited commercial interest in the project has meant that it has been unable to reach an agreement to install a wind turbine.

4.6 The wind turbine would have made a significant contribution towards the 20% renewable targets and 50% carbon reduction target. As a result of not constructing the wind turbine, the ODA has a shortfall in its carbon reduction target of approximately 1,100 tonnes of carbon which equates to a 13% shortfall against the 20% target. There would also be a 10% shortfall against the wider target to reduce carbon emissions by 50% set by Schedule 11 of the Section 106 Agreement. This is shown by the table below taken from the Planning Statement;

Targets	2009 Performance	2010 Performance
Carbon savings - 50%	43.1%	39.5%
On site renewables – 20%	18.2%	6.7%

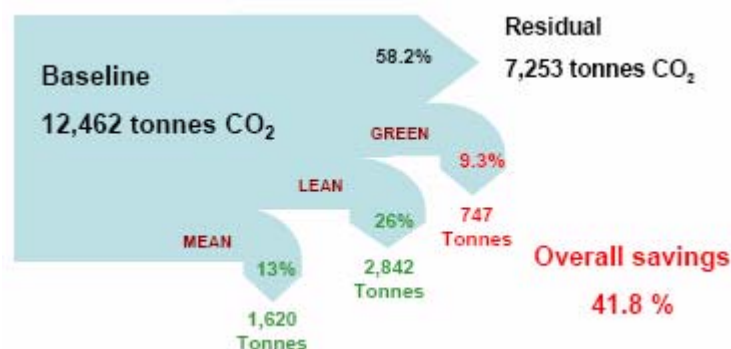
Table 3: ODA Carbon Emissions - Breakdown of Current Performance, November 2010

4.7 The 2010 Energy Statement Annual Monitoring Report has been provided to give further context to the applications. This includes the following Sankey diagram showing similar figures to the table above for the current carbon reduction situation;



4.8 By not constructing the wind turbine, and not providing 20% renewable energy generation capacity, the ODA would be in breach of conditions OD.0.21, LTD.1.3, OD.7.1 and OD.0.3 of the 2007 permission, and the replicated conditions of OD.0.21 and LTD.1.3 on the reserved matters approvals and slot-in permissions.

4.9 The Sankey diagram below (also taken from the 2010 Energy Statement AMR) shows the impact of the PV panels on the MPC and proposed on the MSCP (by current application ref. 11/90330/FULODA) would make in reducing carbon emissions.



4.10 The ODA has explored other renewable energy generation options in order to improve the site-wide generation capacity;

- A biomass gasification facility located next to the Energy Centre – this was discounted as; it involved commercial risk and issues concerning state aid; the technology is at a relatively early stage of development which adds further risk; and the size of plant required to meet the energy demand in the immediate legacy period would need replacing as demand increases.
- Delivering the renewable targets within the venues – an alternative method to achieve a 20% carbon saving on each venue would be to install free standing

photovoltaic arrays. However, there is little space to install free-standing PV arrays especially in Games phase, and they would have a significant aesthetic impact due to the structural changes that would be required. This option also did not represent value for money. The ODA has provided small scale wind turbines in the parklands lighting, but medium scale turbines were likely to have had the same problems as with the approved large scale wind turbine at Eton Manor.

- Delivering PVs on site – PVs have become more commercially viable since the government introduced the “feed in tariff” which guarantees a fixed price for the energy generated from renewables. The ODA reviewed potential locations for 5,000sqm of PVs on the Park, using criteria such as the availability of the site in Games and post-Games phases, the visibility of the site, the potential carbon saving, land owner(s), ease of installation, orientation, efficiency, order of cost and funding opportunities, although the primary criteria were energy efficiency and economy. A second consideration was promoting the adoption of renewable energy with a high visibility location. The ODA considered that the most cost effective approach would be a scheme to install PVs on the MPC (616sqm of panels) and on the eastern half of the MSCP (2,500sqm of panels) which together would deliver an estimated saving of 160 tonnes of carbon per year.
- Local energy saving schemes – the ODA investigated funding options for a local renewable scheme. A micro-hydro scheme at House Mill at Three Mills Heritage Centre would take advantage of the impoundment scheme and would save approximately 280 tonnes of carbon per year although at relatively high cost. The scheme was granted Heritage Lottery funding, and the ODA decided not to progress this option. The Energy from Waste scheme at Fish Island is a longer-term proposal for an anaerobic digestion plant. While this option is technically feasible, there are considerable challenges, such as getting the pipework across to the Energy Centre, land agreements and waste contracts. It is unlikely to be deliverable by 2013 and is unlikely to be value for money for the ODA. This option was also not progressed.
- Offsite measures – in order to meet the 50% carbon reduction target, the ODA is proposing to offer a combination of measures in addition to the on-site PVs detailed above. The ODA investigated buying carbon credits from the carbon market, however the offsets are generated by overseas projects that do not benefit the local East London communities, and stakeholders remain concerned at the validity of carbon credits. The second measure investigated is to fund energy retrofit programmes and is the approach proposed to be adopted. It is detailed below in sections 4.20 onwards.

4.11 While some of the other renewable energy generation technologies considered by the ODA may deliver greater carbon savings than the ODA’s preferred off-site retrofit approach, any of the measures selected had to meeting the following criteria set by the ODA;

- Be practical and straightforward to deliver and meet the pre-Games programme;
- Require no or minimal changes to the Olympic Park masterplan;
- Require only limited project management from the ODA or its Delivery Partner;
- Deliver value in terms of cost per unit carbon reduction (£/tCO₂);
- Be cost effective and within the funding available; and
- Demonstrate additionality, i.e. the ODA is not buying into already available schemes.

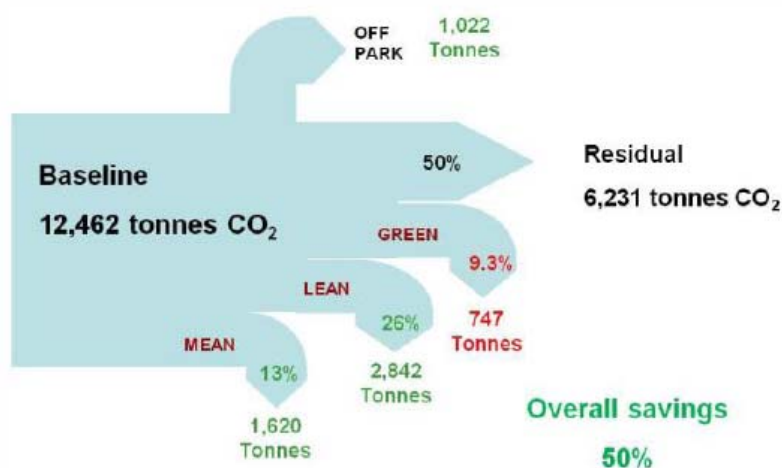
4.12 The ODA has had to make a fundamental change to its approach to the provision of renewable energy and carbon savings. The revised approach was presented to and agreed by the ODA Sustainability Board. The ODA now proposes a strategy to amend its target carbon savings through;

- Reducing the renewable target from 20% to 9% to be achieved through a range of on-site renewable energy generation techniques include the 3MW biomass CCHP within the Energy Centre which supplies low carbon heat to the district

heating network, PV panels on some of the PPR lighting columns, the small scale wind turbines in PDZ2, and the installation of PV panels to the MPC, and MSCP (see report for application ref. 11/90330/FULODA on this agenda). Thirteen variations of conditions submissions have been made to this effect. A slot-in application would formally “slot out” the approved wind turbine.

- To achieve the balance of the 50% carbon reduction target through an off-site retrofit scheme in the four host boroughs (through the LDA’s RE:NEW and RE:FIT programme). A modification to the section 106 has been drafted to this effect, allowing off-site carbon reduction measures to be counted towards the reduction target.

4.13 Taking both of these measures together, the ODA’s proposed approach to reducing carbon emissions is summarised by this Sankey drawing taken from the 2010 Energy Statement showing the current predicted savings with the PV panels installed to the MPC and MSCP, and the use of off-site carbon reduction measures.



4.14 The two approaches are detailed separately below as different types of planning applications have been made, but they are all related and seek to achieve these changes across the Olympic development.

Variation of the renewable energy generation target

4.15 The ODA is seeking to vary a total of 17 conditions on 13 permissions, in 13 variations of condition submissions. The proposal descriptions for the submitted variation of conditions applications are listed below;

Application reference	Location	Proposal
11/90313/VARODA	Olympic Park	Variation of conditions OD.0.21 (Building emissions and renewable energy) and LTD.1.3 (Building emissions and renewable energy) of the Olympic and Legacy Facilities permission ref. 07/90010/OUMODA to remove the requirement for the wind turbine, and reduce the on-site renewable energy generation requirement from 20% of annual carbon emissions of the venues and other buildings to be retained in the legacy phase to at least 9% of annual carbon emissions. Non compliance with condition OD.7.1 (Wind turbine) and condition OD.0.3 (Work in accordance with approvals) to reflect the non-implementation of the wind turbine.
11/90314/VARODA	Terminal Pumping Station, PDZ 3	Variation of condition 43 (Building emissions and renewable energy) of the Terminal Pumping Station permission ref. 08/90059/OUTODA to reduce the on-site Olympic Park renewable energy generation requirement from 20% of annual carbon emissions of the venues and other buildings to be retained in the legacy phase to at least 9% of annual carbon emissions.

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11/90319/VARODA	Handball landscaping, PDZ 5	Variation of condition PPR.18 (Emissions and renewable energy) of the Handball landscaping permission ref. 08/90313/FULODA to reduce the on-site Olympic Park renewable energy generation requirement from 20% of annual carbon emissions of the venues and other buildings to be retained in the legacy phase to at least 9% of annual carbon emissions.
11/90320/VARODA	Handball arena, PDZ 5	Variation of conditions HOD.12 (Handball building emissions and renewable energy) and HLT.4 (Building emissions and renewable energy) of the Handball arena permission ref. 08/90328/FUMODA to reduce the on-site Olympic Park renewable energy generation requirement from 20% of annual carbon emissions of the venues and other buildings to be retained in the legacy phase to at least 9% of annual carbon emissions.
11/90321/VARODA	Eton Manor, PDZ 7	Variation of conditions EMOD.13 (Building emissions and renewable energy) and EMLTD.7 (Building emissions and renewable energy) of the Eton Manor venues permission ref. 09/90198/FUMODA to reduce the on-site Olympic Park renewable energy generation requirement from 20% of annual carbon emissions of the venues and other buildings to be retained in the legacy phase to at least 9% of annual carbon emissions.
11/90322/VARODA	Post-Games Transformation Parklands, PDZs 1, 2, 4, 5, 6, 7, 8, and 15.	Variation of condition PGT.14 (Emissions and renewable energy) of the post-Games Transformation parklands and public realm permission ref. 09/90410/FUMODA to reduce the on-site Olympic Park renewable energy generation requirement from 20% of annual carbon emissions of the venues and other buildings to be retained in the legacy phase to at least 9% of annual carbon emissions.
11/90323/VARODA	Aquatics Centre, PDZ 1	Variation of condition 4 of the post-Games reserved matters approval for the Aquatics Centre ref. 08/90026/REMODA to reduce the on-site Olympic Park renewable energy generation requirement from 20% of annual carbon emissions of the venues and other buildings to be retained in the legacy phase to at least 9% of annual carbon emissions.
11/90324/VARODA	PDZ 4	Variation of condition PPR.18 (Emissions and renewable energy) of the PDZ4 landscaping permission ref. 08/90314/FULODA to reduce the on-site Olympic Park renewable energy generation requirement from 20% of annual carbon emissions of the venues and other buildings to be retained in the legacy phase to at least 9% of annual carbon emissions.

11/90326/VARODA	Aquatics Centre, PDZ 1	Variation of condition 4 of the Games phase reserved matters approval for the Aquatics Centre ref. 08/90025/REMODA to reduce the on-site Olympic Park renewable energy generation requirement from 20% of annual carbon emissions of the venues and other buildings to be retained in the legacy phase to at least 9% of annual carbon emissions.
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4.16 The full wording of the relevant conditions on the 2007 permission, the subsequent slot-in permissions and approvals of reserved matters is included in appendices 1A to 1M to this report. These appendices also include the ODA's proposed wording for the amended conditions which seek to reduce the minimum renewable energy generating capacity from 20% to 9% in line with the revised wording of condition OD.0.21. The proposed variation of the conditions would not result in any physical changes on the Olympic Park site.

Slot in application

4.17 The slot-in for Eton Manor (ref. 11/90325/FULODA) would make a physical difference to the approved 2007 scheme as the wind turbine would be formally slotted out (and not constructed), and hard-standing installed in its place for Games phase. The submitted plan for approval, and the illustrative plan showing how this area of hard standing would sit within the LOCOG back of house operations area are included in appendix 2A to this report. Post-Games Transformation phase landscaping details for the turbine location and its surrounds are to come forward separately as part of the design details which are intended to be submitted to PDT later this year.

50% carbon reduction target and off-site measures

4.18 The loss of the wind turbine and its carbon mitigation capacity also results in a shortfall against the site-wide 50% carbon reduction (against 2006 Building Regulations standards) for the built aspects of the development by 2013 set by Schedule 11 of the 2007 Section 106 Agreement.

4.19 The ODA's chosen approach to achieve further carbon emissions savings for the 50% reduction target is to invest in local carbon reduction projects that deliver the required carbon reductions by cutting emissions from existing off-site building stock through retrofitting. There is no existing programme within the four host boroughs involved with off-setting carbon in relation to Section 106 payments, so the ODA looked to develop a bespoke carbon compensation project. The GLA/LDA has an existing energy retrofit programme which has had practical implementation experience in East London, and which can be adapted. The ODA would work with the GLA on this programme and set the following objectives;

- The savings must be additional
- A clear calculation methodology and verification strategy must be in place
- The programme should reach as many households as possible
- The programme should deliver some savings to local schools, and
- The target is to deliver 1,300 tonnes of CO₂ offset thus allowing for a contingency to allow for any changes in the final carbon emissions baseline, and the inherent difficulties in estimating and measuring retrofit projects.

4.20 The programme has two elements - RE:NEW which aim to reduce carbon emissions in dwellings and RE:FIT which aim to reduce carbon emissions in publicly owned buildings. The RE:NEW and RE:FIT programme is funded by the LDA and works in partnership with London Councils, the Energy Savings Trust and the 33 London boroughs. The scheme has leveraged significant funding from the private sector for additional energy and water saving measures.

RE:NEW

4.21 RE:NEW was launched by the LDA in April 2009 and is a retrofitting scheme aimed at reducing carbon emissions from the residential sector. The programme seeks to

establish a consistent programme to bring together London's relevant current home energy retrofit programmes into one best practice model to up-scale efforts on domestic carbon dioxide reduction. RE:NEW has developed and piloted an area-based delivery model. The activities include engaging households on a street-by-street, community basis to achieve access to as many homes as possible. Once in a home a survey is conducted, a comprehensive package of energy and water saving advice is provided, and a range of free "easy" measures such as low energy light bulbs, energy monitors and radiator panels are installed.

- 4.22 The survey also determines if other energy efficiency measures such as cavity insulation or renewable energy measures are applicable, and whether the household is eligible for funding from other sources, such as the Carbon Emissions Reduction Target (CERT), Warm Front or borough grant schemes. Where relevant, homes are booked to have these further measures installed. There are low levels of CERT funding uptake in London; in order to improve this uptake rate, the ODA-funded version of RE:NEW would provide additional funding to increase this uptake rate for loft and cavity wall insulation, however only measures funded by ODA would be counted towards the ODA carbon quota to ensure additionality (i.e. the measures from the programme would deliver additional carbon savings from projects that would not otherwise have happened).
- 4.23 Since it started in April 2009, the RE:NEW programme has improved approximately 9,000 homes in nine boroughs. The results indicate that approximately 0.3 tonnes of carbon is saved per home per year. The RE:NEW model was particularly favourable to the ODA because of the further efforts of the home energy assessors to alleviate fuel poverty, such as facilitating a service that provides assistance to individuals regarding benefits claims to potentially increase eligibility for grant assistance.
- 4.24 The ODA commissioned Buro Happold to undertake an independent review of the RE:NEW programme in order to assess its appropriateness. The review concluded that the RE:NEW model is technically robust and a suitable vehicle for the ODA to invest in to meet its carbon emission targets. Where the independent review was not satisfied with the level of data behind an aspect of the RE:NEW model, amendments were made to reflect the ODA's requirements for transparency, additionality, and suitability. The following are the main changes to the model now set out by the LDA:
- Costs are calculated without the benefit of any leveraged funding to ensure additionality is not compromised;
 - The lifetime of the individual measures is considered within the carbon mitigation calculations;
 - Carbon conversion factors have been set to ensure consistency with the Olympic Park carbon footprint methodology; and
 - Measures with greater levels of uncertainty have been removed from the scheme, or benefits remodelled.
- 4.25 The ODA aims to achieve around 800 tonnes of carbon savings through the RE:NEW scheme.
- RE:FIT*
- 4.26 RE:FIT is a ready to use procurement initiative that allows the public sector to retrofit existing buildings with energy saving measures, therefore reducing carbon emissions and achieving substantial guaranteed annual cost savings. The scheme would be cost-neutral to the public sector "customers" as the ODA would fund measures on behalf of the schools. The LDA has established an OJEU compliant framework which is available to all public sector organisations in the UK. The framework was launched in January 2010 for three years with an option to extend for a fourth year.
- 4.27 The scheme works by an Energy Service Company (ESCo) installing the energy conservation measures in an identified building and guaranteeing set annual energy

savings over an agreed payback period. The Energy Performance Contracting (EPC) model transfers the risk of performance to the ESCo who provides further measures or upgrades if they are at risk of missing targets. London boroughs have yet to use the framework for schools and the ODA's additionality analysis provided confidence that the schools selected by the project did not have the necessary upfront funds available to use the framework, nor were any of the intended works listed on their asset maintenance schedules. The framework encourages the public sector to offer up a number of buildings, in order to achieve the necessary economies of scale for EPCs. This approach is a good fit for the ODA's objectives as the intention is to undertake projects in around twelve schools across the four host boroughs.

- 4.28 Buro Happold undertook energy audits on behalf of the ODA in ten publically owned buildings, including nine schools and a community centre, in order to establish the feasibility of making cost effective carbon savings through the retrofit of energy efficiency measures. The requirement for Display Energy Certificates (DECs) in public buildings made it possible to research schools within the host boroughs quickly and easily. Indicative carbon footprints were available from the DEC database and several schools in the boroughs had F and G ratings (the lowest possible). This allowed the ODA to generate a list of schools to negotiate with the four boroughs. Across the ten buildings audited, the most appropriate measures were found to be;
- Lighting control retrofits
 - Replacement of fluorescent lights with more efficient types
 - Heating controls re-commissioning or replacement
 - Voltage optimisation
- 4.29 Other measures such as loft and cavity insulation were also found to be effective; however the above listed measures could be applied in almost all buildings audited. The audit process also reviewed schools' potential for a roof top solar photovoltaic array. Generally, schools were found not to be suitable for roof mounted solar, and it was found to be an expensive route to achieving carbon savings. Thus, retrofit of solar photovoltaics was not recommended as a carbon saving method.
- 4.30 The targeted carbon saving from schools is circa 500 tonnes per annum. To deliver this, the GLA would procure an ESCo on behalf of the ODA to deliver the schools element of the project using the RE:FIT framework. In total 20 schools are being put forward by the boroughs (five per borough) with an aim of offering up 20 schools for baseline assessment to provide flexibility for selecting twelve schools (three per borough) providing the best value for money investments. Delivery would be reported into the GLA through both the ESCo and either a representative from each school or each borough. The selected ESCo would guarantee savings and a payback period for the initial investment, which would be estimated during the baseline assessment and guaranteed by the ESCo through the procurement process.
- 4.31 The intention is for each borough to receive an equivalent amount of funding from the ODA, however there may be some disparity in carbon savings because of inherent differences in the types and sizes of buildings and the optimisation of those carbon savings by the contractor across the portfolio of schools. Due to the need to guarantee a saving across the portfolio, if the ESCo needs to invest in further energy efficiency measures, it would seek to do this in the best value for money school(s) which could result in additional investment in one borough. The grant agreement between the GLA and the ODA should enable there to be flexibility in the amount of funding allocated to each borough to reflect these factors.

The ODA's off-site scheme proposal and monitoring

- 4.32 The ODA proposes to use the RE:NEW and RE:FIT schemes by providing funding to the LDA/GLA to deliver benefits to the local communities, homes and schools through a pioneering scheme that will facilitate the reduction of the carbon emissions of the Olympic Park by 2013. The ODA considers that a programme funded by the ODA

would fit well with a key Government policy order to meet challenging carbon reduction targets by 2050. The off-site emissions reductions from these programmes would deliver additional savings from projects that would not otherwise have happened.

- 4.33 The ODA is aiming to save approximately 500 tonnes of carbon per annum in schools through RE:FIT, and approximately 800 tonnes of carbon from RE:NEW, giving an annual carbon reduction of 1,300 tonnes as set out in the table below;

Table 2.5: Summary of the energy retrofit programme for the ODA's Section 106 agreement

	NUMBER	TOTAL INVESTMENT	TOTAL ANNUAL tCO ₂ SAVING	COST OF CO ₂ / TONNE
RE:NEW	2780	£950,000	800	£1,188
Schools	12	£550,000	500	£1,100
Legal, Procurement, Project Management (GLA and boroughs)	-	£200,000	-	-
TOTALS		£1,700,000	1,300	£1,154*

* Includes RE:NEW and RE:FIT investment. Does not include GLA and borough funding.

- 4.34 The ODA would provide a capital sum to be invested in the off-site measures of £1.5m, to be spent in the four host boroughs. This figure is based on the work done by the LDA on the existing RE:NEW and RE:FIT schemes. The cost estimates for the housing element of the project were based on actual data reported from the RE:NEW demonstration project including cost, lifetime and carbon saving data provided by the Energy Saving Trust. This modelling was then refined following a review by Buro Happold who advised reducing the lifetime estimates and carbon savings for some of the measures. Also additional costs were included to account for the fact that the ODA will be funding measures that would normally be funded through CERT (e.g. loft and cavity wall insulation). In terms of RE:FIT, the cost of energy efficiency works for schools were initially estimated based on Carbon Trust data. This was then refined by Buro Happold who undertook non-invasive site audits of schools within the target boroughs to identify suitable measures for these schools. Buro Happold then costed the measures based on current market pricing (by speaking to energy efficiency suppliers). By focusing on the host boroughs, there is potential to address issues of fuel poverty and fuel security as well as commence a programme which engages with schools and education establishments. Local residents would benefit from not only better equipped, more energy efficient homes, but also (from RE:NEW and RE:FIT scheme data) a reduction in annual energy bills. The £1.7m figure given in the table above includes the cost of the GLA's management; procurement and reporting fees which the ODA would pay as part of the grant agreement.
- 4.35 While the precise carbon savings that can be expected from the ODA's investment is only estimated at this stage, the expectation is that the shortfall of carbon saving on the Olympic Site can be covered, and a contingency of approximately 200 tonnes of carbon mitigation has been included. This would allow for variations in the actual output from the schemes compared with the predictions. For example, the uptake rate for the initial RE:NEW project is 25% of households approached, and for the follow on works (such as loft and cavity wall insulation) is 31% from the actual data from the RE:NEW demonstration projects. The GLA estimates that by approaching around 11,000 homes (around 2,800 in each borough) the ODA would deliver its programme to a total of around 2,780 homes.
- 4.36 The contingency would also allow for variations in the predicted carbon emissions of the retained buildings. The ODA estimates that if all venues exceed their predicted baselines by 1% each, an additional 60 tonnes of offset would be required across the site.
- 4.37 The ODA intends the RE:NEW works to start in February 2012 and finish in September 2012, and the RE:FIT works to take place between July and the end of August 2012

(i.e. during the summer school holidays). After verification and final evaluation, the ODA's involvement in the schemes would end in March 2013. The ODA aims for the money to have been spent by the end of 2013, but if it is not and some part of the allocated sum remains unspent, the aim is that expenditure should continue within the relevant area. This is secured by the proposed heads of terms for the Deed of Modification to the 2007 Section 106 Agreement.

- 4.38 Both the RE:NEW and RE:FIT schemes would be monitored for the resulting carbon savings. The RE:NEW scheme currently under way is required to verify at least 5% of homes through customer satisfaction surveys and telephone surveys for the insulation measures and behavioural measures, such as the home energy advice packs. The radiator panels and lighting would not be monitored (having been either professionally installed, or light bulbs supplied). The GLA would provide regular updates to the ODA on the progress of the boroughs, including an interim status report in mid-2012, and a final close-out report in the first quarter of 2013. These reports would be submitted to PDT.
- 4.39 For the RE:FIT scheme, the use of an EPC provides reassurance on verification and installation due to the pay-back details within the EPC. The reductions are verified year on year with metered data from the schools and any additional measures required to meet the target must be implemented by the ESCo. If the ESCo identifies that energy savings are not being met, it must make additional energy efficiency improvements, or provide a refund for the energy savings not achieved. If energy savings are not achieved at the end of the payback period and as a result there is a carbon saving shortfall, the ODA would invest the refund into the RE:NEW scheme. As the ODA is unlikely to exist by the end of the payback period, the ODA would put in place a mechanism for reinvesting this funding if required. The GLA would report back to the ODA on RE:FIT in the same way as RE:NEW with an interim report pre-Games and a close-out report in the first quarter of 2013. These reports would be submitted to PDT.
- 4.40 Schedule 11 of the September 2007 Section 106 Agreement would need to be expanded by way of a Deed of Modification in order to allow the carbon savings from the off-site measures to be included within the project's overall savings. Following discussion, the applicant provided a draft modification which has been amended by officers and PDT's legal advisers. The current draft is attached at appendix 2D. As the Olympic Park Legacy Company (OPLC) is now the freehold owner of the Olympic Park site, the OPLC will also be a party to the Deed of Modification and will covenant to comply with the ODA's obligations. This will ensure that the obligations remain binding on the Olympic Park site even when the ODA no longer exists.

5. POLICIES & GUIDANCE

5.1 London Olympic Games and Paralympic Games Act 2006

Section 5 (5) of the London Olympic Games and Paralympic Games Act 2006 sets out the matters to which the Olympic Delivery Authority in discharging its planning functions shall have regard, in particular:

- (a) To the desirability of making proper preparation for the London Olympics,
- (b) To the desirability of maximising the benefits to be derived after the London Olympics from things done in preparation for them,
- (c) To the terms of any planning permission already granted in connection with preparation for the London Olympics,
- (d) To any guidance issued by the Secretary of State (which may, in particular, refer to other documents), and
- (e) To the development plan for any area in respect of which an order is made under section 149 of the Local Government, Planning and Land Act 1980 (c. 65) by virtue of subsection (1) above, construed in accordance with section 38 of the Planning and Compulsory Purchase Act 2004 (c. 5).

5.2

National Planning Policy

The following statements and guidance as summarised are relevant to these applications:

PPS1 – Delivering Sustainable Development

This national guidance sets out the overarching planning policies on the delivery of sustainable development through the planning system. It includes comment on design and states that good design should:

- address the connections between people and places by considering the needs of people to access jobs and key services
- be integrated into the existing urban form and the natural and built environments
- be an integral part of the processes for ensuring successful, safe and inclusive villages, towns and cities
- create an environment where everyone can access and benefit from the full range of opportunities available to members of society, and,
- consider the direct and indirect impacts on the natural environment.

PPG2 – Green Belts (applicable to the slot-in application only)

This guidance sets out the presumption against inappropriate development within the Green Belt (and the same applies to Metropolitan Open Land), and that such development should only be permitted where there are other material considerations that can be regarded as very special circumstances which warrant the grant of planning permission. Inappropriate development is, by definition, harmful to the Green Belt. Very special circumstances to justify inappropriate development will not exist unless the harm by reason of inappropriateness, and any other harm, is clearly outweighed by other considerations.

PPS22 – Renewable energy

Development of renewable energy resources should be promoted and encouraged, including combined heat and power schemes. Positive planning which facilitates renewable energy developments can contribute to effective protection of the environment; prudent use of natural resources; and maintenance of economic growth and employment.

5.3

London Plan (Consolidated with alterations since February 2004), February 2008

The following summarised policies are relevant to these applications:

2A.1 – Sustainability criteria

Promote, support and encourage the development of London in ways that secure this Plan's social, environmental and economic objectives. Sets out the sustainability criteria for implementing the London Plan including:

- taking account of the impact that development will have on London's natural resources, environmental and cultural assets and the health of local people and upon the objective of adapting to and mitigating the effect of climate change
- optimising the use of previously developed land and buildings
- using a design-led approach to optimise the potential of sites
- ensuring that development occurs in locations that are currently, or will be, accessible by public transport, walking and cycling
- ensuring that development takes account of the capacity of existing or planned infrastructure
- taking account of the physical constraints on the development of land
- ensuring that development incorporates green infrastructure
- promoting corporate social responsibility
- taking account of the objectives of promoting safety and security

- taking account of the suitability of sites for mixed use development.

3D.6 – The Olympic and Paralympic Games and sports facilities

Develop and implement legacies from the new permanent facilities in the Olympic Park, ensuring they are accessible and affordable to all Londoners. Seek to increase participation in sport and physical activity among all sections of London's population.

3D.10 – Metropolitan Open Land (applicable to the slot-in application only)

The Mayor will and boroughs should maintain the protection of MOL from inappropriate development. Any alterations to the boundary of MOL should be undertaken by boroughs through the DPD process, in consultation with the Mayor and adjoining authorities. Land designated as MOL should satisfy one or more of the following criteria:

- Land that contributes to the physical structure of London by being clearly distinguishable from the built-up area.
- Land that includes open air facilities, especially for leisure, recreation, sport, arts and cultural activities and tourism which serve the whole or significant parts of London.
- Land that contains features or landscapes of historic, recreational, nature conservation or habitat interest, of value at a metropolitan or national level.
- Land that forms part of a Green Chain and meets one of the above criteria.

Policies should include a presumption against inappropriate development of MOL and given the same level of protection as the green belt. Essential facilities for appropriate uses will only be acceptable where they do not have an adverse impact on the openness of MOL.

4A.1 – Tackling climate change

Development should have a hierarchy of using less energy, supplying energy efficiently and using renewable energy. These contributions should effectively reflect the context of each development, for example its nature, size, location, accessibility and operation. Development should be located, designed and built for the climate that it will experience over its intended lifetime.

4A.2 - Mitigating climate change

The Mayor will work towards the long-term reduction of carbon dioxide emissions by 60 per cent by 2050. The Mayor will and boroughs and other agencies should seek to achieve the following minimum reduction targets for London against a 1990 base; these will be monitored and kept under review: 15% by 2010; 20% by 2015; 25% by 2020 and 30% by 2025.

4A.3 – Sustainable design and construction

Ensure developments meet the highest standards of sustainable design and construction by; making the most effective use of land and existing buildings; reducing emissions that contribute to climate change; designing buildings for flexible use throughout their lifetime, avoiding internal overheating and excessive heat generation; make the most effective and sustainable use of water, aggregates and other resources; minimising energy use including passive solar design and natural ventilation; supply energy efficiently, incorporate decentralised energy systems and use renewable energy; minimise light lost to the sky; procure materials sustainably; ensure designs make the most of natural systems both within and around the building; reduce air and water pollution; manage flood risk; ensure developments are comfortable and secure for users; conserve and enhance the natural environment; avoid creating adverse local climate conditions; promote sustainable waste behaviour; incorporate living roofs and walls where feasible; and reduce adverse noise impacts. Developers should use best practice and appropriate mitigation measures to reduce the environmental impact of demolition and construction.

4A.4 – Energy assessment

Supports the Mayor's Energy Strategy and its objectives of improving energy efficiency and increasing the proportion of energy used generated from renewable sources. Major developments should include an assessment of the energy demand and carbon dioxide emissions, and demonstrate the expected energy and emission savings from the energy efficiency and renewable energy measures incorporated in the development.

4A.5 – Provision of heating and cooling networks

Ensure that all development is designed to connect to the heating and cooling network.

4A.6 – Decentralised energy; heating cooling and power

Require all developments to demonstrate that their heating, cooling and power systems have been selected to minimise carbon dioxide emissions. The heating and cooling infrastructure should be designed to allow the use of decentralised energy and for it to be maximised in the future.

4A.7 – Renewable energy

Adopt a presumption that developments will achieve a reduction in carbon dioxide emissions of 20% from on-site renewable energy generation, unless it can be demonstrated that such provision is not feasible. This will support the Mayor's Climate Change Mitigation and Energy Strategy and its objectives of increasing the proportion of energy used generated from renewable sources by:

- requiring the inclusion of renewable energy technology and design, including: biomass fuelled heating, cooling and electricity generating plant, biomass heating, renewable energy from waste (Policy 4A.21) photovoltaics, solar water heating, wind, hydrogen fuel cells, and ground coupled heating and cooling in new developments wherever feasible
- facilitating and encouraging the use of all forms of renewable energy where appropriate, and giving consideration to the impact of new development on existing renewable energy schemes.

Boroughs in their DPDs should identify broad areas where the development of specific renewable energy technologies is appropriate. These should encourage the fullest realisation of the potential for renewable energy having regard to the environmental and transport policies of the London Plan. These should include:

- identifying sites for zero carbon development
- identifying suitable locations for wind turbines in developments
- encouraging at least one large wind power scheme in London
- encouraging applications for new street appliances (such as bus shelters, bus stops, parking ticket machines and road signs) to incorporate off-grid solar power and other renewable energy sources where feasible.

4A.9 – Adaptation to Climate Change

Promote and support the most effective adaptation to climate change including minimising overheating and solar gain in summer, contributing to reducing flood risk through the use of sustainable urban drainage, minimising water use and protecting and enhancing green infrastructure.

4B.1 – Design principles for a compact city (applicable to the slot-in application only)

Seeks to ensure that developments:

- Maximise the potential of sites
- Promote high quality inclusive design and create or enhance the public realm
- Contribute to adaptation to and mitigation of the effects of climate change
- Respect the local context, character and communities
- Are accessible, useable and permeable for all users
- Are sustainable, durable and adaptable
- Are safe for occupants and passers-by
- Are practical and legible

- Are attractive to look at and, where appropriate, inspire, excite and delight
- Respect the natural environment and biodiversity
- Address health inequalities.

4B.2 – Promoting world-class architecture and design (applicable to the slot-in application only)

Seeks to promote world-class design.

5C.2 – 2012 Olympic and Paralympic Games

The Mayor will and partners should work to develop and implement viable legacy uses for the permanent facilities in the Park;

- increase participation in sport and physical activity by all sections of London's population and ensure community access to legacy facilities
- ensure housing development is consistent with the London Plan and maximises the benefits from its association with the Games
- promote and secure sustainable development and procurement policies for the Games delivery bodies and other organisations
- maximise the employment, skills and volunteering benefits for Londoners arising from the Games and Games-related business
- ensure all Londoners have access to the opportunities arising from the Games and legacy
- ensure the land acquired for the development is used after the Games for the strategic needs of the Lower Lea Valley and wider Thames Gateway
- maximise opportunity to promote London's status as a leading world city
- ensure transport projects contribute to the delivery of the Mayor's transport strategy and the needs of wider London
- ensure the Games preparation, staging and legacy contribute to the delivery of the Mayor's environmental strategies and objectives.

5.4

London Plan; Spatial Development Strategy for Greater London Consultation Draft replacement plan (October 2009)

On the 12th October 2009 a draft replacement London Plan (Spatial Development Strategy for Greater London) was published for consultation. The Examination in Public (EiP) of the Replacement London Plan concluded in October 2010. The EiP allowed structured discussion of the draft policies relevant to the consideration of the draft Replacement London Plan and of responses to the consultation. The report of the Panel was sent to the Mayor on 11th March 2011, which included recommendations to the wording of policies. The following summarised draft policies are relevant but have limited weight:

Policy 2.4 – The 2012 Games and their legacy

The Mayor will work with partners to develop and implement a viable and sustainable legacy for the Olympic and Paralympic Games to deliver fundamental economic, social and environmental change within east London, and to close the deprivation gap between the host boroughs and the rest of London. The Mayor's priorities for the Olympic Park and the surrounding areas will be set out in his Olympic Legacy Strategic Planning Guidance, which will clarify and emphasise the need for a planned approach to regeneration and change, embed exemplary design and environmental quality, and help meet existing and new housing needs. It will also consider social and community infrastructure requirements, set out how the areas around the Olympic Park can benefit from, and be fully integrated with, emerging legacy proposals, and promote the managed release of appropriate industrial sites for mixed use development while retaining key industrial land, particularly within established Strategic Industrial Locations. The Mayor will and boroughs should; ensure transport projects contribute to the delivery of the Mayor's Transport Strategy; establish new and enhanced north-south and east-west walking and cycling connections within and to the Olympic Park; and promote the Olympic Park and venues as international visitor destinations for sport, recreation and tourism.

Policy 5.1 – Climate change mitigation

The Mayor seeks to achieve an overall reduction in London's carbon dioxide emissions of 60 per cent (below 1990 levels) by 2025. It is expected that regional agencies, London boroughs and other organisations will contribute to meeting this strategic reduction target, and the GLA will monitor progress towards its achievement annually. Within LDFs boroughs should develop detailed policies and proposals that are consistent with the achievement of the Mayor's strategic carbon dioxide emissions reduction target for London.

Policy 5.2 – Minimising carbon dioxide emissions

Development proposals should make the fullest contribution to minimising carbon dioxide emissions in accordance with the energy hierarchy:

- be lean: use less energy
- be clean: supply energy efficiently
- be green: use renewable energy

As a minimum, all major development proposals should meet the following targets for carbon dioxide emissions reduction in buildings. These targets are expressed as minimum improvements over the Target Emission Rate outlined in the national Building Regulations; 2010-2013 44% improvement on 2006 Building Regulations for non-domestic buildings; 2013–2016 55% improvement on 2006 Building Regulations for non-domestic buildings. Major development proposals should include a detailed energy assessment to demonstrate how the minimum targets for carbon dioxide emissions reduction outlined above are to be met within the framework of the energy hierarchy. The carbon dioxide reduction targets should be met onsite. Where it is clearly demonstrated that the specific targets cannot be fully achieved onsite, any shortfall may be provided offsite or through a cash in lieu contribution to the relevant borough to be ring fenced to secure delivery of carbon dioxide savings elsewhere.

Policy 5.3 – Sustainable design and construction

The highest standards of sustainable design and construction should be achieved in London to improve the environmental performance of new development. Development proposals should demonstrate that sustainable design standards are integral to the proposal, including its construction and operation, and ensure that they are considered at the beginning of the design process. Major development proposals should meet the minimum standards outlined in the Mayor's supplementary planning guidance on Sustainable Design and Construction.

Policy 5.5 – Decentralised energy networks

The Mayor will prioritise the development of decentralised heating and cooling networks at the development and area wide level. Boroughs should require developers to prioritise connection to existing or planned decentralised energy networks where feasible.

Policy 5.6 – Decentralised energy in development proposals

Development proposals should evaluate the feasibility of Combined Heat and Power (CHP) systems. Major development proposals should select energy systems in accordance with the following hierarchy:

- Connection to existing heating or cooling networks
- Site wide CHP network
- Communal heating and cooling

Policy 5.7 – Renewable energy

The Mayor seeks to increase the proportion of energy generated from renewable sources, and expects that the minimum targets for installed renewable energy capacity outlined in Table 5.1 (including 12MWe energy capacity from photovoltaics in 2015) will be achieved in London. Within the framework of the energy hierarchy, major development proposals should provide a reduction in carbon dioxide emissions through

the use of onsite renewable energy generation, where feasible. Within LDFs boroughs should, and other agencies may wish to, develop more detailed policies and proposals to support the development of renewable energy in London. In particular, to identify broad areas where specific renewable energy technologies, including large scale systems and the large scale deployment of small scale systems, are appropriate. The identification of areas should be consistent with the guidelines and criteria outlined in the Mayor's forthcoming supplementary guidance on Renewable Energy. All renewable energy systems should be located and designed to minimise any potential adverse impacts on biodiversity, the natural environment and historical assets.

Policy 7.4 – Local character (applicable to the slot-in application only)

Development should have regard to the form, function and structure of an area, place or street and the scale, mass and orientation of surrounding buildings. It should improve an area's visual or physical connection with natural features. In areas of poor or ill-defined character, development should build on the positive elements that can contribute to establishing a character for the future function of the area. Buildings should provide a contemporary architectural response that:

- has regard to the pattern and grain of the existing spaces and streets in orientation, scale, proportion and mass
- contributes to a positive relationship between the urban structure and local natural landscape features, including the underlying landform and topography of an area
- is human in scale
- allows existing buildings and structures that make a positive contribution to the character of a place, to influence the future character of the area
- is informed by the surrounding historic environment.

Policy 7.17 – Metropolitan Open Land (applicable to the slot-in application only)

The Mayor strongly supports the current extent of Metropolitan Open Land (MOL), its extension in appropriate circumstances and its protection from development having an adverse impact on the openness of MOL. The strongest protection should be given to London's MOL and inappropriate development refused, except in very special circumstances, giving the same level of protection as in the Green Belt. Essential ancillary facilities for appropriate uses will only be acceptable where they maintain the openness of MOL.

5.5 London Borough of Hackney Local Development Framework Core Strategy adopted November 2010

The following Core Strategy policies as summarised are relevant:

CS29 – Resource efficiency and reducing carbon emissions

Hackney will address climate change at a local level through the inclusion of mitigation and adaptation measures to reduce carbon dioxide from buildings. This will be achieved by ensuring that building design is to a high standard, adhering to the principles of sustainable design and construction, and incorporating mitigation and adaption measures to reduce carbon emissions from buildings.

CS30 – Low Carbon Energy, Renewable Technologies and District Heating

Opportunities to generate energy from non-fossil fuel and/or low carbon sources will be encouraged throughout the borough.

5.6 London Borough of Newham Unitary Development Plan (Adopted 2001 and saved from 27 September 2007 in accordance with the direction from the Secretary of State)

The following summarised policies are relevant to the consideration of these applications:

S4 – Sustainable development

All developments should be compatible with the aims of sustainable development.

S9 – Environmental Quality: Design Issues

High standards of design will be required in all new development. Community safety and energy efficiency considerations will also be required to be addressed in siting, layout and orientation.

5.7 **London Borough of Newham 2027 Planning Newham – the Core Strategy proposed submission draft for public consultation, February 2011.**

The draft for public consultation of the LB Newham Core Strategy was published on 4 February 2011. The following summarised policies have limited weight;

SC1 – Climate change

Development will respond to a changing climate through the following mitigation and adaptation measures; including maximising the efficient use of energy through passive solar design and meeting the requirements of policy SC2.

SC2 – Energy

Carbon emissions from new and existing development will be reduced by the following measures;

- Requiring that all new residential development is built in line with the London Plan and Building Regulations to reach zero carbon by 2016.
- Requiring that all new non-residential development is built in line with the London Plan and Building Regulations to reach zero carbon by 2019.
- Connections to, or provision for connection to, decentralised heat networks.
- Incorporating on-site renewable energy generation in line with the requirements of the London Plan, and other innovative technologies to reduction carbon emissions.
- Encouraging the take up of opportunities to reduce carbon emissions from existing homes and other buildings through retrofitting.

5.8 **London Borough of Tower Hamlets Unitary Development Plan, adopted 1998 (saved from 27 September 2007 in accordance with the direction from the Secretary of State)**

The following summarised policy is relevant.

DEV2 – Environmental requirements

All development should seek to...incorporate the principles of sustainable development including use of energy efficient design and materials.

5.9 **London Borough of Tower Hamlets Core Strategy Development Plan Document, adopted September 2010.**

The following summarised policy is relevant.

SP11 – Working towards a zero carbon borough

Implement a borough-wide carbon emission reduction target of 60% below 1990 levels by 2025.

Ensure that all new homes are built in line with government guidance to reach zero carbon by 2016, and that all new non-domestic development reaches zero carbon by 2019.

Promote low- and zero-carbon energy generation through;

- Safeguarding existing renewable energy decentralised energy systems.
- Implementing a network of decentralised heat and energy facilities that connect into a heat and power network (including the Olympic Park energy centre).
- Promoting the development of new decentralised energy facilities.
- Exploring the use of waste to energy facilities.
- Working with partners inside and outside the borough.

- Supporting development that uses intelligent design to make use of renewable-energy technologies.

Reducing carbon emissions in non-domestic buildings by implementing ways to reduce carbon emissions, supporting developments that promote the use of renewable energy technologies, and reducing carbon emissions of all public buildings.

Implement an area based approach in which new development should achieve higher levels of carbon reductions that elsewhere in the borough.

Require all developments to provide 20% reduction of carbon dioxide emissions through on-site renewable energy generation where feasible.

5.10 **London Borough of Waltham Forest Unitary Development Plan, First Review (Adopted March 2006) (saved from 27 September 2007 in accordance with the direction from the Secretary of State)**

The Eton Manor site is classified as Metropolitan Open Land, and playing fields (with its boundaries as a green corridor) in the Waltham Forest UDP. The following summarised policies are relevant:

SP1 – The Environment (applicable to the slot-in application only)

The natural and built environment of the borough should be maintained and enhanced by means of protecting the Green Belt and Metropolitan Open Land from incompatible development, conserving and enhancing areas and buildings of special townscape value or of historic and architectural interest, and of open spaces within the urban area.

ENV1 – Urban Open Space (applicable to the slot-in application only)

Development that would result in the loss of such open space will not be permitted unless open space of equivalent or better value in terms of quantity, quality, amenity, accessibility or value to biodiversity is provided elsewhere in the borough. Development of open land in areas of open space deficiency will not be approved unless equivalent or better replacement open space can be provided nearby.

ENV4 – Uses within Metropolitan Open Land (applicable to the slot-in application only)

Within the areas of Metropolitan Open Land (MOL), the only permitted uses are: public and private open space and playing fields, open-air recreational facilities, woodland and informal open space, allotments and nursery gardens, nature conservation.

ENV5 – Development in Metropolitan Open Land (applicable to the slot-in application only)

The open character of MOL in a form appropriate to each area should be maintained. Built development will not be permitted except where it is ancillary to the purpose of MOL and should be in line with criteria concerning the scale and location of new buildings, and the quality of landscaping and design in order to protect the character of the land.

ENV13 – Lee Valley Regional Park (applicable to the slot-in application only)

The Council supports the Lee Valley Regional Park Authority (LVRPA) in its efforts to increase the range and quality of leisure and amenity provision available to Waltham Forest residents. The Council supports LVRPA's proposals which aim to create a regional green lung; an area of natural bio-diversity for the enjoyment of all; achieve the full utilisation of the regional park's land and water assets for specialist leisure and recreation facilities; create an accessible and permeable integrated visitor attraction to serve the region which includes local communities.

ENV16 – New Open Spaces (applicable to the slot-in application only)

Seeks to improve the distribution of the borough's parks and open space provision by providing new parks and open spaces wherever opportunities arise.

BHE1 – Urban Design (applicable to the slot-in application only)

New development proposals will be permitted if they are compatible with or improve their surroundings in layout, site coverage, architectural style, scale, bulk, height, materials, landscaping, visual impact, their relationship to nearby properties, and their relationship to mature trees. They should also harmonise with the townscape and general character of the areas in which they are set, and should provide appropriate facilities for the benefit of occupiers and visitors.

BHE2 – Urban Design (applicable to the slot-in application only)

New developments must be of a high standard of design in accordance with urban design objectives. Planning permission will not be granted for poorly designed proposals.

WPM14 – Water Quality (applicable to the slot-in application only)

Oppose development that would pose an unacceptable risk to the quality of groundwater or would have a detrimental effect upon the quality of surface water.

WPM15 – Protection of Surface Waters (applicable to the slot-in application only)

Development should not have an adverse effect on the water environment. Any improvement or management of water bodies should take account of the needs of nature conservation.

WPM19 – Surface Water Run-Off (applicable to the slot-in application only)

Where new development would increase surface water run-off, it is expected that the development will utilise Sustainable Urban Drainage techniques wherever possible. Where such techniques are not incorporated, applicants should explain why they are not practicable.

5.11 **London Borough of Waltham Forest Proposed Submission Core Strategy (January 2011).**

The London Borough of Waltham Forest published its proposed submission Core Strategy in January 2011, and the consultation period ended in February 2011. The following draft policies as summarised are relevant but have limited weight;

CS1 – Location and management of growth (applicable to the slot-in application only)

In planning for growth, the Council will seek to achieve an appropriate balance between physical, social and economic development and environmental protection. Growth will be accommodated on previously development land by preserving the integrity of the borough's Green Belt and MOL and ensuring effective management of these to enhance the quality of life for borough residents and visitors.

CS5 – Minimising and adapting to climate change

The Council will tackle climate change locally and promote resource efficiency and high environmental development standards during design, construction and occupation of new developments by;

- Reduction of carbon emissions – requiring new development to minimise on site carbon emissions across their lifetime in accordance with the energy hierarchy by using less energy through responsive design, supplying energy efficiently and using on-site renewable energy.
- Energy efficient supply
- Adaptation, water efficiency and flood risk.

CS6 – Protection and enhancement of the natural environment (applicable to the slot-in application only)

The Council will endeavour to protect and enhance green infrastructure and biodiversity and to maximise access to open spaces. Green Belt and MOL will be protected and access improved. The Lee Valley Regional Park will be protected, promoted and enhanced.

CS15 – Well designed buildings, places and spaces (applicable to the slot-in application only)

New development will be expected to ensure the highest quality architecture and urban design. New development should respond positively to the local context and character, improve the way places function and promote distinctiveness and sense of place. High quality and inclusive design measures should be incorporated to create an attractive, safe, healthy, accessible and sustainable environment.

6. CONSULTATION

Public consultation

- 6.1 The applications were advertised by nine site notices posted around the edges of the Olympic Park at the Greenway, White Post Lane, Lea Navigation towpath, Homerton Road, Ruckholt Road, Leyton underground station, Drapers Field and Stratford station. No public response to PDT's consultation was received when this report was published. As the public consultation period ends on the 24th July, any response received will be reported to Members at the Committee meeting.

Consultees

- 6.2 The following organisations were consulted;
- London Borough of Hackney
 - London Borough of Newham Development Control
 - London Borough of Tower Hamlets
 - London Borough of Waltham Forest
 - BioRegional
 - **British Waterways**
 - Civil Aviation Authority
 - Commission for Sustainable London
 - **Environment Agency**
 - Lee Valley Regional Park
 - LOCOG
 - London City Airport
 - NATS/NERL
 - Olympic Park Legacy Company

- 6.3 **British Waterways** – raise no objection.

- 6.4 **Environment Agency** – *“It is disappointing that the wind turbine proposal is not being implemented on the Park and the impact this has had on the on-site renewable energy generation target. We hope that any potential opportunities to reduce carbon emissions are recognised and put in place to achieve optimum renewable energy targets. We note a strategy is proposed to achieve the balance of the 50% target to reduce carbon emissions through an off-site energy retrofit scheme. This scheme should incorporate measures to reduce water consumption in the existing residential stock. Simple measures can include fitting spray taps, dual flush toilets and water butts. This will help to lessen carbon emissions by reducing the volume of water that will need to be treated and heated in the domestic environment. As the applicant is still committed to achieving a 50% reduction in carbon emissions overall, we have no objection to the above conditions being varied accordingly. We also accept the non-compliance of Condition OD.7.1 and the non-implementation of the wind turbine in relation to Condition OD.0.3.”*

- 6.5 The Environment Agency raises no objection to the variation of the conditions on the 13 applications as the ODA is still committed to achieving a 50% reduction in carbon emissions overall.

- 6.6 In terms of the slot-in application ref. 11/90325/FULODA, the Environment Agency has no objection.
- 6.7 The ODA has responded that it was conscious to include water savings measures in the programme in line with the ODA's aspirations to reduce potable water consumption. The ODA has not included all of the measures the Environment Agency mentions, but has included a number that already form part of the RE:NEW programme and will also be included for schools if appropriate. These include: low flow shower heads, flow restrictors combined with tap aerators, shower timers and save-a-flush (in lieu of dual flush toilets). The ODA has only assigned carbon savings to those that reduce hot water consumption and can be accounted for robustly thereby meeting the additionality test, i.e. low flow shower heads and flow restrictors in taps. The ODA does however believe that both the shower timers and save-a-flush are important for reducing water consumption, which is why it requested the GLA specifically retain these two items despite receiving no carbon benefit. Water butts have not been considered because they do not meet the additionality criteria for carbon savings on this project.
- 6.8 Officer comment – in view of the water savings measures that would be included in the RE:NEW programme, Officers consider that the ODA has clearly addressed the Environment Agency's comment.
- 6.9 Any further responses received from consultees will be reported at the Committee meeting.

7. CONSIDERATION AND ASSESSMENT

- 7.1 This report considers the following issues raised by the submitted suite of applications;
- Sustainability – wind turbine, renewable energy provision, off-site carbon measures
 - Slot in application for hard standing at Eton Manor

Sustainability – wind turbine

- 7.2 PDT is satisfied that the ODA has used reasonable endeavours to try to secure the provision of the wind turbine, but for the various technical and operational reasons set out in sections 4.3 onwards above, it has not been possible to implement the wind turbine, nor ensure Games phase operation as required by condition OD.0.21. The same reasons, except for the tight programme, have prevented its implementation in post-Games phase being possible. PDT therefore accepts that condition OD.0.21 should be revised to remove the requirement for the wind turbine to be commissioned and operational before Games.
- 7.3 The removal of the wind turbine means that some of the drawings listed in the schedule of approved plans and drawings (of the turbine and its ancillary sub-station) referred to in condition OD.0.3 are no longer applicable. An informative stating which drawings the Olympic Park construction need no longer be in accordance with, is listed on any permission for the varied 2007 conditions permission (ref. 1/90313/VARODA). Similarly, the removal of the wind turbine removes the need for a wind turbine management framework to be submitted pursuant to condition OD.7.1. It is proposed that condition OD.7.1 is removed from any planning permission granted.

Sustainability – renewable energy provision

- 7.4 The London Plan (consolidated with alterations since February 2004) adopted in February 2008 seeks to tackle and mitigate climate change including the long-term reduction of carbon dioxide emissions by 60% by 2050. Policy 4A.7 adopts a presumption that a 20% reduction in carbon dioxide emissions would be achieved by

on-site renewable energy generation. The 2007 permission was in line with this policy with the requirements of conditions OD.0.21 and LTD.1.3, and with the wider carbon reduction aims through Schedule 11 of the 2007 Section 106 Agreement.

- 7.5 The draft replacement London Plan has yet to be adopted, however the Examination in Public has finished and the Panel has provided its report to the Mayor, so the limited weight that can be given to these draft policies increases as it progresses through the necessary stages toward adoption. The draft policies give a strong indication of the proposed changes to strategic planning policies, including climate change mitigation, especially minimising carbon dioxide emissions. Draft policy 5.2 sets out the increasing percentage improvement beyond Part L of the Building Regulations for non-domestic buildings required for on-going three year periods. The supporting text states that where it is demonstrated that the specific targets for carbon dioxide emissions reduction cannot be fully achieved on-site, the shortfall may be provided off-site, but only in cases where there is an alternative proposal identified and delivery is certain, or where funding can be pooled to support specific carbon dioxide reduction projects or programmes. Guidance on the criteria for off-site provision, the types of acceptable projects and programmes and a London-wide funding scheme is to be set out in future supplementary guidance.
- 7.6 Draft policy 5.7 on renewable energy states that major development proposals should provide a reduction in carbon dioxide emissions through the use of on-site renewable energy generation where feasible, with a presumption that at a reduction of at least 20% would be achieved this way where feasible. A range of renewable energy technologies should be incorporated wherever site conditions make them feasible and where they contribute to the highest overall carbon dioxide emissions savings for a development proposal. The supporting text to draft policy 5.7 states that further work will assess the renewable energy potential in London and help refine these targets, including the potential for retrofitting existing buildings, with further information to be set out in the Mayor's forthcoming Climate Change Mitigation and Energy Strategy.
- 7.7 In terms of the planning policies at the borough level, the four host boroughs have a mixture of those that set percentage targets for renewable energy generation and those that do not. The London Borough of Hackney's Core Strategy in policies 29 and 30 seek to reduce carbon emissions from buildings and encourage opportunities to generate energy from non-fossil fuel and/or low carbon sources, but no percentage target is set. The London Borough of Tower Hamlets' Core Strategy at policy SP11 requires all new developments to provide a 20% reduction of carbon dioxide emissions through on-site renewable energy generation where feasible, in order to meet a borough-wide carbon emissions reduction target of 60% below 1990 levels by 2025.
- 7.8 The other two host boroughs have relevant policies in their draft Core Strategies but as they are not adopted, they have only limited weight. The London Borough of Newham's Unitary Development Plan (as saved in accordance with the direction from the Secretary of States) does not include a retained policy regarding energy efficiency or renewable energy. The London Borough of Newham's draft Core Strategy at policy SC2 seeks to reduce carbon emissions from new and existing development, including by incorporating on-site renewable energy generation in line with the requirements of the London Plan, although limited weight can be given to this draft policy. The London Borough of Waltham Forest Unitary Development Plan does not have a retained policy relating to energy savings or renewable energy. However, limited weight can be given to the London Borough of Waltham Forest's draft Core Strategy policy CS5 which states that the Council will tackle climate change locally through reducing carbon emissions by requiring new development to minimise on-site carbon emissions across their lifetime in accordance with the energy hierarchy, although no target for renewable energy generation is set.

- 7.9 The ODA has investigated alternative ways to make up for the renewable energy generation target, and the proposed PV panels to the MPC and MSCP are a new addition to address part of the shortfall. The ODA has put forward the case that achieving a 20% renewable target on-site is no longer feasible. The ODA states in its application that it seeks to meet at least 9% of the annual carbon emissions of the retained venues in Legacy phase from renewables, with this 9% being a minimum. The priority given to overall carbon reduction would be in line with the draft replacement London Plan which indicates a move away from the rigid 20% renewables target as a component of carbon reduction set by the London Plan 2008.
- 7.10 Having accepted that the construction of the wind turbine is no longer feasible, Officers are also satisfied that the ODA has used reasonable endeavours (as required by Schedule 11 to the 2007 Section 106 Agreement) to achieve a reduction in carbon emissions on site by investigating alternative renewable energy measures on the Olympic Park which have each been discounted (except for the PV panels to the MPC and MSCP). Officers accept that it is not feasible to make up for the carbon offset loss caused by the non-implementation of the wind turbine with other renewable energy generations techniques on site due to the limited amount of space available at this stage of development, the venue buildings not being able to support additional measures (and the aesthetic impact on such additions), and there being more cost-effective ways for using public money to achieve carbon reductions. Whilst disappointing given the 2007 OLF conditions and obligations especially for the 20% renewables target, and in particular that the construction of venues does not now allow the cost-effective accommodation of renewable energy generation infrastructure, nevertheless, a contribution of at least 9% would still be a significant contribution towards reducing the development's carbon emissions. Officers therefore recommend that the renewable energy conditions on the 2007 permission, OD.0.21 and LTD.1.3 be revised to set a target of at least 9%, and that this change is carried through to the conditions on the reserved matters approvals and slot-in permissions. The full wording of the revised conditions is set out in Appendices 1A to IM of this Report.
- 7.11 Conditions on some of the slot-in permissions require confirmation by a certain date (March 2011) that either renewable energy generating equipment was to be installed on the application sites, or demonstrate that sufficient renewable energy generating capacity was available across the Olympic Park to meet the 20% target. The dates for submitting this confirmation would be amended in the revised conditions to December 2011, as set out the recommendation section.
- 7.12 The proposed reduction in the renewable energy target is considered to be acceptable. It should be noted that London Plan Policy 4A.7 states that the presumption is that developments will achieve a reduction in carbon dioxide emissions of 20% from on-site renewable unless it can be demonstrated that such provision is not feasible. Officers consider that it has been demonstrated that such provision is not feasible in this case. The proposal is in line with the more flexible requirements set out in the draft replacement London Plan, and the general aims of reducing carbon emissions included in the host Boroughs Core Strategies, including Proposed Submissions and Unitary Development Plans as relevant. The proposed variations of the 2007 conditions, and later reserved matters and slot-in permission conditions are considered to be acceptable, as set out in the recommendation section below.
- Sustainability – off-site carbon measures
- 7.13 The ODA is proposing to fund two off-site retrofitting projects which are established programmes to address the current shortfall. The off-site measures from the programme would deliver additional carbon savings from projects that would not otherwise have happened. The RE:NEW scheme would include domestic water reduction measures that would lower carbon emissions by reducing the volume of water that needs treating and heating, as suggested by the Environment Agency. This would be in line with the draft replacement London Plan which states that carbon

emissions reduction shortfalls can be provided off-site where delivery is ensured. By using the RE:NEW and RE:FIT programme, the ODA is confident that it will achieve a 50% reduction in carbon emissions for the built aspects of the Olympic development by 2013, in line with the original target set in Schedule 11 to the 2007 Section 106 Agreement. The proposed modification to Schedule 11 via the modification deed would allow the off-site carbon measures to be counted towards the ODA's carbon savings and ensure that the value of the ODA's contribution is invested in carbon saving measures in the host Boroughs.

7.14 PDT is satisfied that the RE:NEW and RE:FIT schemes run by the LDA and GLA are appropriate schemes for funding to provide carbon offset. The proposed funding of up to £1.5m is considered to be reasonable, based on the LDA's experience of these schemes and the related carbon savings to date. The proposed modification to the 2007 Section 106 Agreement allows the ODA flexibility in choosing which schools within the host boroughs are to benefit from the RE:FIT scheme, and how many homes (and their location within the four host boroughs) are to be targeted in the RE:NEW scheme. The off-site measures in schools and homes in the host boroughs would offer further benefits to the local communities from the 2012 Games, and provide a further form of sustainable legacy in these communities in line with section 5(5)b of the 2006 London Olympic and Paralympic Games Act.

7.15 The requirement to provide the monitoring results to PDT in regular reports (interim reports, and annually as part of the annual monitoring report process) is set out in the proposed modification. For the RE:NEW scheme, these reports would set out the wards in which energy efficiency measures have been implemented, the number of homes approached, the number of homes where measures have been implemented, the equivalent carbon savings achieved (in tonnes), the projected carbon savings, and the investment to date by the ODA. For RE:FIT, the reports would include details of the progress of ESCOs in implementing energy efficiency measures, the public buildings selected for measures, the measures installed, the equivalent carbon savings achieved (in tonnes), the projected carbon reduction savings, and the investment to date by the ODA. These reports would demonstrate the progress being made towards the overall off-site carbon reduction target to give PDT confidence the overall 50% target would be achieved.

Heads of terms for the Deed of Modification

7.16 A copy of the latest draft heads of terms for the Deed of Modification is set out in Appendix 2D to this Report. In summary;

- The Deed of Modification would ensure that these section 73 applications and, the Eton Manor hard-standing slot-in, all come within the remit of the 2007 Section 106 Agreement. By virtue of an earlier Deed of Modification, the PV panels to the MSCP (ref. 11/90330/FULODA) will automatically be incorporated into the 2007 Section 106 Agreement should the PV panel application be granted planning permission.
- It would also expand Schedule 11 by clause 7 so that in the event of a shortfall in the achievement of the carbon reduction target, the ODA shall meet the shortfall by implementing and carrying out off-site measures to the value (but not exceeding) £1.5m. Clauses 7.1 to 7.3 set out that the off-site measures are only undertaken in the host boroughs, that they are carried out by the RE:NEW and RE:FIT schemes and that these schemes shall provided additionality (i.e. carbon savings that would otherwise not have happened).
- Clause 7.5 sets the maximum amount the ODA can spend on the off-site schemes (£1.5m).
- Clause 7.4 would required the ODA to provide monitoring reports on these off-site measures to PDT for approval as part of the annual monitoring reports and also interim reports (so that a monitoring report is submitted every six months). The detail of what these monitoring reports shall include is listed in clauses 7.10.

- The heads of terms at clauses 7.6 to 7.9 also make provision should the schemes not be completed or if the £1.5m of funding not fully spent by the end of 2013, and also by the end of 2014 if the schemes are still not complete or funding fully spent.

7.17 The proposed use of off-site measures through the ODA funding the RE:NEW and RE:FIT programmes in order to reach the 50% carbon emissions reduction target set by Schedule 11 to the 2007 section 106 agreement is considered by Officers to be acceptable, subject to the finalising of the Deed of Modification to the 2007 Section 106 Agreement. This would ensure the Olympic Park development carbon emissions are reduced by the target set in 2007. This element of the proposal is considered to accord with sustainability policies relating to carbon dioxide emissions reductions in the London Plan, draft replacement London Plan, London Borough of Hackney Local Development Framework Core Strategy, London Borough of Newham Unitary Development Plan and draft Core Strategy proposed submission, London Borough of Tower Hamlets Unitary Development Plan and Core Strategy Development Plan Document, and London Borough of Waltham Forest Unitary Development Plan and London Borough of Waltham Forest Proposed Submission Core Strategy.

Slot in application for hard standing at Eton Manor (ref. 11/90325/FULODA)

7.18 The area of hard standing for Games phase proposed (where the wind turbine was approved) would be within the back of house area for the Eton Manor venues, and part of the vehicle circulation area previously approved by the Eton Manor venues permission ref. 09/90198/FUMODA. Its location is shown in Appendix 2A to this Report, along with the surrounding context of approved Games phase development on Eton Manor.

7.19 This temporary hard standing is considered to be acceptable, and would form a small part of LOCOG's operational area required for hosting the 2012 Games. The proposal is therefore in line with section 5(5)(a) of the London Olympic and Paralympic Games Act 2006 regarding making proper provision for the 2012 Games. It would also prevent the need for the management of traffic along the access road which the wind turbine's location restricted to one lane; a traffic management plan was required as part of a condition EMOD.67 (Coach drop off) on the Eton Manor venues approval which would no longer apply as two lanes can now be provided. An informative to make this clear is recommended.

7.20 The application site is designated by the London Borough of Waltham Forest UDP as Metropolitan Open Land (MOL). Policies ENV4 and ENV5 of the London Borough of Waltham Forest UDP set out the range of uses that would be acceptable and restricts built development to that which is ancillary to the purpose of MOL. Policy 3D.10 of the London Plan affords MOL the same degree of protection as Green Belt with the presumption against inappropriate development; development should only be granted planning permission where there are very special circumstances. The impact of the Olympic development within Eton Manor, both temporary and permanent and including the wind turbine, on designated MOL was considered in the 2007 application and subsequent 2009 Eton Manor venue slot in submission. PDT's assessment of these applications (and other across the Olympic Park) concluded that the regeneration and sporting benefits of hosting the 2012 Games constituted the necessary very special circumstances to justify a departure from MOL policy.

7.21 The principle of temporary Games phase buildings and hard standing on Eton Manor has previously been found to be acceptable in the 2007 permission and January 2010 slot in permission for the Eton Manor venue. The removal of the wind turbine and its replacement in Games phase with an area of hard standing is considered to be acceptable in terms of its impact on MOL. The proposal would allow proper preparation for the Games in accordance with section 5(5)(a) of the Olympic Act. A condition is proposed to require the removal of the hard standing in post-Games

Transformation phase to ensure that it is temporary. The proposed hard standing would not adversely affect the drainage of the site, or water quality.

- 7.22 The post-Games Transformation development of Eton Manor was approved by two permissions ref. 09/90198/FUMODA for the permanent sports centre, tennis courts and hockey pitches, and by 10/90410/FUMODA for the surrounding parklands, allotments, car parking and 5-a-side football pitches platform. The wind turbine required an exclusion zone around its base to prevent public access, and this was included in the post-Games Transformation permissions to be a circular, soft landscaped area. The hard standing proposed by the current application would not affect the implementation of the approved post-Games scheme for Eton Manor. However, the necessary revisions to the post-Games Transformation scheme caused by the removal of the wind turbine will form a separate future submission by the OPLC, and an informative is included to make this clear on this decision notice.
- 7.23 The removal of the wind turbine would remove any impacts it would have had on air traffic through its height or lighting. The Civil Aviation Authority, London City Airport and NATS/NERL were consulted to make them aware of this proposal but no response was received.
- 7.24 A Statement of Superseded Development would be attached to any slot-in permission for application ref. 11/90325/FULODA to clearly state which elements of the 2007 permission have been slotted out, i.e. the wind turbine and its associated sub-station, to prevent any incompatibility issues. This is included in appendix 2C to this report.

8. HUMAN RIGHTS IMPLICATIONS

- 8.1 Members should take account of the provisions of the Human Rights Act 1998 as they relate to these applications and the conflicting interests of the applicant(s) and any third party opposing the application in reaching their decisions. The provisions of the Human Rights Act 1998 have been taken into account in the processing of the applications and the preparation of this report. In particular, Article 8 of the ECHR in relation to the right to respect for private and family life, and Article 1 Protocol 1 of the ECHR in relation to the protection of property have been taken into account.

9. CONCLUSION

- 9.1 The wind turbine had been predicted to provide 1,900 tonnes of carbon mitigation, of which 1,100 tonnes would have contributed to the Olympic Park renewable energy generation capacity, and was required to be constructed prior to the 2012 Games by condition OD.0.21 on the 2007 permission. The ODA has used reasonable endeavours to try to secure the construction of a wind turbine, but for the reasons set out in section 4.3 onwards above it will not be implemented either for Games or post-Games phase.
- 9.2 This results in a shortfall in terms of the renewable energy generation capacity target set by conditions OD.0.21 and LTD.1.3 on the 2007 permission (and replicated on subsequent slot-in permission), and also the wider 50% carbon reduction target set by Schedule 11 of the 2007 Section 106 Agreement.
- 9.3 The addition of photovoltaic panels to the MSCP (proposed by application ref. 11/90330/FULODA and considered elsewhere on this Committee agenda) and MPC would offset 2% of annual site-wide carbon emissions. This would raise the site-wide capacity of renewable energy generation to 9% with the use of biomass at the Energy

Centre, and the small-scale wind turbines and PV panels within the parklands lighting columns.

- 9.4 Officers consider that the ODA has used reasonable endeavours to secure the implementation of the wind turbine, but for various external reasons this has not been possible. The ODA has proposed additional renewable measures (PV panels to the MPC and MSCP) to provide some further renewable energy generation capacity, and looked at other measures (which have been discounted) however securing the 20% target has been found not to be feasible on site. Officers accept that the proposed 9% minimum target is practicable on the site.
- 9.5 The proposed off-site carbon reduction measures would enable the ODA to meet the wider 50% carbon emissions reduction target set by Schedule 11 to the 2007 Section 106 Agreement. The modification to the Section 106 Agreement to allow off-site measures to be included in the ODA's carbon savings has been discussed with PDT, the ODA and PDT's legal advisers. Monitoring of the off-site RE:NEW and RE:FIT projects would be required by the modification (with interim and annual reports to be submitted to PDT for approval), and provision is made in case schemes are not completed or the funding fully spent by the end of 2013.
- 9.6 The slotting out of the wind turbine and slot in of Games phase hard standing is considered to be acceptable, subject to the recommended conditions and informatives. The associated applications seeking to vary conditions OD.0.21 and LTD.1.3, and the related conditions on subsequent reserved matters approvals and slot in permissions, are all considered to be acceptable subject to the recommended conditions and informatives set out below.
- 9.7 All of the applications the subject of this Report are recommended for approval, subject to the completion of the Deed of Modification to secure the modification to Schedule 11 of the 2007 Section 106 Agreement.

10. RECOMMENDATION

- 10.1 The Committee is asked:
- a. To **APPROVE** the variation of conditions submission ref. 07/90313/VARODA to vary conditions OD.0.21 and LTD.1.3 of the September 2007 permission ref. 07/90010/OUMODA to vary the renewable energy generation capacity conditions from 20% to at least 9%, to remove condition OD.7.1 (wind turbine), to remove the approved plans and drawings relating to the wind turbine and to grant planning permission for the reasons given in this Report **SUBJECT** to conditions and the completion of the Deed of Modification to the 2007 Section 106 Agreement all as detailed in **appendix 1A** to this Report.
 - b. To **APPROVE** the variation of conditions applications listed below to vary the renewable energy generation capacity conditions from 20% to at least 9% and to grant planning permission for the reasons given in this Report **SUBJECT TO** conditions and the completion of the Deed of Modification to the 2007 Section 106 Agreement all as detailed in the following appendices to this Report;
 - 11/90314/VARODA – see recommendation section of **appendix 1B**
 - 11/90315/VARODA – see recommendation section of **appendix 1C**
 - 11/90316/VARODA – see recommendation section of **appendix 1D**
 - 11/90317/VARODA – see recommendation section of **appendix 1E**
 - 11/90318/VARODA – see recommendation section of **appendix 1F**
 - 11/90319/VARODA – see recommendation section of **appendix 1G**
 - 11/90320/VARODA – see recommendation section of **appendix 1H**
 - 11/90321/VARODA – see recommendation section of **appendix 1I**

11/90322/VARODA – see recommendation section of **appendix 1J**
11/90323/VARODA – see recommendation section of **appendix 1K**
11/90324/VARODA – see recommendation section of **appendix 1L**
11/90326/VARODA – see recommendation section of **appendix 1M**

- c. To **APPROVE** the submitted full planning application ref. 11/90325/FULODA for the hard standing at Eton Manor and to grant planning permission for the reasons given in this Report **SUBJECT TO**;
- i) the conditions and informatives as set out in **appendix 2B** of this Report and Statement of Superseded Development as set out in **appendix 2C** of this Report; and
 - ii) the completion of the Deed of Modification to the 2007 Section 106 Agreement.
- d. To **GRANT DELEGATED AUTHORITY** to the Director of Planning Decisions to negotiate and complete the Deed of Modification to the 2007 Section 106 Agreement in order to:
- i) bring the planning permissions detailed in **appendices 1A to 1M** of this Report into the remit of the 2007 Section 106 Agreement;
 - ii) to secure the off-site carbon measures as detailed in the draft heads of terms contained in **appendix 2D** of this Report; and
 - iii) secure such other obligations that the Director of Planning Decisions considers necessary and arising from the negotiation of the Deed of Modification.

Appendices

Appendix 1

- **Appendix 1A** - Relevant conditions from ref. 07/90010/OUMODA (Olympic development permission) and the original Schedule 11 to the 2007 Section 106 Agreement for application ref. 11/90313/VARODA together with the proposed recommendation.
- **Appendix 1B** - Relevant conditions from ref. 08/90059/OUTODA (Terminal pumping station) for application ref. 11/90314/VARODA together with the proposed recommendation.
- **Appendix 1C** - Relevant conditions from ref. 08/90276/FUMODA (Velopark) for application ref. 11/90315/VARODA together with the proposed recommendation.
- **Appendix 1D** - Relevant conditions from ref. 08/90310/FULODA (North Central Parklands) for application ref. 11/90316/VARODA together with the proposed recommendation.
- **Appendix 1E** - Relevant conditions from ref. 08/90311/FULODA (South Central Parklands) for application ref. 11/90317/VARODA together with the proposed recommendation.
- **Appendix 1F** - Relevant conditions from ref. 08/90312/FULODA (Basketball landscaping) for application ref. 11/90318/VARODA together with the proposed recommendation.
- **Appendix 1G** - Relevant conditions from ref. 08/90313/FULODA (Handball landscaping) for application ref. 11/90319/VARODA together with the proposed recommendation.
- **Appendix 1H** - Relevant conditions from ref. 08/90328/FUMODA (Handball venue) for application ref. 11/90320/VARODA together with the proposed recommendation.
- **Appendix 1I** - Relevant conditions from ref. 09/90198/FUMODA (Eton Manor venues) for application ref. 11/90321/VARODA together with the proposed recommendation.
- **Appendix 1J** - Relevant conditions from ref. 09/90410/FUMODA (Post-Games Transformation parklands and public realm) for application ref. 11/90322/VARODA together with the proposed recommendation.
- **Appendix 1K** - Relevant conditions from ref. 08/90026/REMODA (Aquatics post-Games phase) for application ref. 11/90323/VARODA together with the proposed recommendation.
- **Appendix 1L** - Relevant conditions from ref. 08/90314/FULODA (PDZ4 parklands and public realm) for application ref. 11/90324/VARODA together with the proposed recommendation.
- **Appendix 1M** - Relevant conditions from ref. 08/90025/REMODA (Aquatics Games phase) for application ref. 11/90326/VARODA together with the proposed recommendation.

Appendix 2 – slot in application for hard standing at Eton Manor (to replace the approved wind turbine)

- **Appendix 2A** - Plan for the hard standing on Eton Manor and illustrative plan showing its location in the context of the surrounding Games phase development
- **Appendix 2B** – Recommendation for the slot-in application ref. 11/90325/FULODA
- **Appendix 2C** – Statement of Superseded Development for application ref. 11/90325/FULODA (Slot in to replace the approved wind turbine).
- **Appendix 2D** – Current draft of the modification to the September 2007 Section 106 agreement to be secured by a Deed of Modification.

**Appendix 1A – Relevant conditions and Schedule 11 for application
ref.11/90313/VARODA together with the proposed recommendation**

Location – Olympic Park

Proposal – Variation of conditions OD.0.21 (Building emissions and renewable energy) and LTD.1.3 (Building emissions and renewable energy) of the Olympic and Legacy Facilities permission ref. 07/90010/OUMODA to remove the requirement for the wind turbine, and reduce the on-site renewable energy generation requirement from 20% of annual carbon emissions of the venues and other buildings to be retained in the legacy phase to at least 9% of annual carbon emissions. Non compliance with condition OD.7.1 (Wind turbine) and condition OD.0.3 (Work in accordance with approvals) to reflect the non-implementation of the wind turbine.

NB – As the reserved matters applications for the Aquatics Centre were made pursuant to the 2007 permission (ref. 07/90010/OUMODA) and only one revised version of the 2007 planning permission can be issued pursuant to section 73. Therefore the variations of conditions applications listed in Appendix 1A, Appendix 1K and Appendix 1M will all be combined into one (revised) planning permission on one decision notice. For clarity however they are listed separately in the Appendix.

Existing conditions

OD.0.3 – Works in accordance with approvals

Unless otherwise agreed by the Local Planning Authority, the Olympic Development and the Legacy Transformation Development shall be carried out in accordance with the Approved Plans and the description of development contained in the Development Specification and any other plans, drawings, documents, details, schemes or strategies which have been approved by the Local Planning Authority pursuant to these conditions. All permanent works shall be retained thereafter in accordance, except and to the extent that these are expressly to be altered after the Games.

Reason: To ensure that all works are properly implemented and retained.

OD.0.21 - Building emissions and renewable energy

All buildings shall be designed to minimise carbon emissions and energy demand, in accordance with the objectives in the Energy Statement. Across the Site as a whole, sufficient on-site renewable energy generation capacity shall be installed to meet at least 20% of the annual carbon emissions of the venues and other buildings to be retained within the Site in the Legacy phase. The wind turbine and the Energy Centre, with an agreed bio-fuel capability, shall be commissioned and operational before the Games.

Reason: To secure the maximum practicable reduction in carbon emissions and use of renewable energy.

OD.7.1 - Wind Turbine

Before construction of the wind turbine is commenced, a Wind Turbine Management Framework, containing details of the design, lighting and external appearance, measures to control noise levels at the nearest sensitive receptors, manage shadow flicker whenever this is likely to occur and avoid interference with electro-magnetic transmissions, shall be submitted to and approved by the Local Planning Authority.

Reason: To ensure that mitigation measures are properly implemented.

LTD.1.3 - Buildings emissions and renewable energy

All buildings shall be designed to minimise carbon emissions and energy demand, in accordance with the objectives in the Energy Statement. Across the Site as a whole, sufficient on-site renewable energy generation capacity shall be installed to meet at least 20% of the annual carbon emissions of the venues and other buildings to be retained within the Site in the Legacy Phase.

Reason: To secure the maximum practicable reduction in carbon emissions and use of renewable energy.

Part of Schedule 11 relevant to the current applications

Schedule 11

SUSTAINABILITY - OLYMPIC CONSTRUCTION, GAMES AND LEGACY TRANSFORMATION PHASES (ODA) AND LEGACY PHASE (LDA)

Part A - Protocol between ODA and Local Planning Authority

1. Throughout the Olympic Construction, Games and Legacy Transformation Phases, the ODA shall in relation to the Development:-
 - 1.1 use Reasonable Endeavours to ensure 90% of material (by weight) from demolition works connected with the Development are reused or recycled where the material is suitable for such treatment;
 - 1.2 use Reasonable Endeavours and subject to obtaining Requisite Consents to seek achievement of the following targets:-
 - 1.2.1 that overall at least 50% of construction materials by weight are delivered to Site by rail and/or water; and
 - 1.2.2 a reduction in carbon emissions (against 2006 Building Regulation standards) for the built aspects of the Development of 50 per cent by 2013;
 - 1.2.3 monitor compliance with the above sustainability targets annually as a minimum;
 - 1.2.4 submit to the Local Planning Authority an annual report to be published providing a review of whether the sustainability targets have been achieved and where reasonably practicable to take action to improve on the delivery of the above sustainability targets.

Proposed amended conditions

OD.0.21 - Building emissions and renewable energy

All buildings shall be designed to minimise carbon emissions and energy demand in accordance with the objectives in the Energy Statement. Across the Site as a whole sufficient on-site renewable energy generation capacity shall be installed to meet at least 9% of the annual carbon emissions of the venues and other buildings to be retained within the Site in the Legacy Phase. The Energy Centre with an agreed bio-fuel capability shall be commissioned and operational before the Games.

Reason: To secure the maximum practicable reduction in carbon emissions and use of renewable energy.

LTD.1.3 - Buildings emissions and renewable energy

All buildings shall be designed to minimise carbon emissions and energy demand in accordance with the objectives in the Energy Statement. Across the Site as a whole sufficient on-site renewable energy generation capacity shall be installed to meet at least 9% of the annual carbon emissions of the venues and other buildings to be retained within the Site in the Legacy Phase.

Reason: To secure the maximum practicable reduction in carbon emissions and use of renewable energy.

RECOMMENDATION

The Committee is asked;

- 1) To **APPROVE** the variation of conditions submission ref. 11/90313/VARODA to vary conditions OD.0.21 and LTD.1.3 of the September 2007 permission ref. 07/90010/OUMODA to vary the renewable energy generation capacity conditions from 20% to at least 9%, to remove condition OD.7.1 (wind turbine), to remove the approved plans and drawings for the wind turbine and to grant planning permission for the reasons given in this Report **SUBJECT TO** conditions and the completion of the Deed of Modification to the 2007 Section 106 Agreement; and

- 2) **GRANT DELEGATED AUTHORITY** to the Director of Planning Decisions to negotiate and complete the Deed of Modification to the 2007 Section 106 Agreement in order to:
- i) bring planning permission 11/90313/VARODA into the remit of the 2007 Section 106 Agreement;
 - ii) to secure the off-site carbon measures as detailed in the draft heads of terms contained in **appendix 2D** of this Report; and
 - iii) secure such other obligations that the Director of Planning Decisions considers necessary and arising from the negotiation of the Deed of Modification.

In pursuance of the powers under the Act and the Town and Country Planning (Development Management Procedure) Order 2010 the ODA hereby gives notice that PLANNING PERMISSION HAS BEEN APPROVED for the carrying out of the development referred to in Part I hereof and as described and shown on the application, subject to the conditions imposed on the following planning permissions (except where specifically stated otherwise) and the following additional conditions:

Conditions, Informatives, Schedule of Approved Plans and Drawings attached to the following planning permission will apply in full to this planning permission (save for the conditions, plans and drawings specifically set out below will not apply to this planning permission):

1. Planning permission reference 07/90010/OUMODA save for:
 - Conditions: Conditions OD.0.1, OD.0.21, LTD.1.3 and OD.7.1.
 - Approved plan: PDZ 7 Above Ground Utilities Location Plan - OLY- OLF- APP- DWG- PDZ7- UTL- PAR- 001 Rev 1
 - Approved plan: PDZ 7 Wind Turbine Sub-Station Site Layout Plan - OLY- OLF- APP- DWG- PDZ7- UTL- PAR- 002 Rev 1
 - Approved plan: PDZ 7 Wind Turbine Sub-Station Cross Section Plan - OLY- OLF- APP- DWG- PDZ7- UTL- PAR- 003
 - Approved plan: PDZ 7 Wind Turbine Site Layout Plan - OLY- OLF- APP- DWG- PDZ7- UTL- DEF- 001 Rev 1 (as amended by approval under OD.0.3 as minor amendment – PDT letter dated 13 November 2008)
 - Approved plan: PDZ 7 Wind Turbine Elevation Plan - OLY- OLF- APP- DWG- PDZ7- UTL- DEF- 002

This planning permission is granted subject to the following additional conditions:

Condition 1: Time limit

Application for the approval of all Reserved Matters shall be made not later than 31 December 2011, unless otherwise agreed by the Local Planning Authority. The Olympic Development shall be commenced either before the expiration of four years from 28th September 2007 or two years from the date of approval of the last Reserved Matters to be approved, whichever is the later.

Reason: To comply with the requirements of Sections 91 and 92 of the Town and Country Planning Act 1990.

Condition 2 (varied condition OD.0.21): Building Emissions and Renewable Energy in Games Phase

All buildings shall be designed to minimise carbon emissions and energy demand in accordance with the objectives in the Energy Statement. Across the Site as a whole sufficient on-site renewable energy generation capacity shall be installed to meet at least 9% of the annual carbon emissions of the venues and other buildings to be retained within the Site in the Legacy Phase. The Energy Centre with an agreed bio-fuel capability shall be commissioned and operational before the Games.

Reason: To secure the maximum practicable reduction in carbon emissions and use of renewable energy.

Condition 3 (varied condition LTD.1.3): Building Emissions and Renewable Energy in post-Games Transformation Phase

All buildings shall be designed to minimise carbon emissions and energy demand in accordance with the objectives in the Energy Statement. Across the Site as a whole sufficient on-site renewable energy generation capacity shall be installed to meet at least 9% of the annual carbon emissions of the venues and other buildings to be retained within the Site in the Legacy Phase.

Reason: To secure the maximum practicable reduction in carbon emissions and use of renewable energy.

Reasons to Grant (NB - these reasons to grant apply for all thirteen variation of condition applications detailed in appendices 1A to 1M to this Report)

In accordance with Article 31 of the Town and Country Planning (Development Management Procedure) (England) Order 2010, the following is a summary of the reasons for the grant of planning permission for these thirteen variation of conditions applications, together with a summary of the policies in the development plan which are relevant to the decision to grant permission.

This application is one of a suite of 13 applications seeking to vary conditions on developments across the Olympic Park, refs. 11/90313/VARODA, 11/90314/VARODA, 11/90315/VARODA, 11/90316/VARODA, 11/90317/VARODA, 11/90318/VARODA, 11/90319/VARODA, 11/90320/VARODA, 11/90321/VARODA, 11/90322/VARODA, 11/90323/VARODA, 11/90324/VARODA and 11/90326/VARODA.

The development plan for the Olympic Park site comprises the London Plan (Consolidated with alterations since February 2004) February 2008, the London Borough of Hackney Local Development Framework Core Strategy adopted November 2010, the London Borough of Newham Unitary Development Plan (Adopted 2001 and saved from 27 September 2007 in accordance with the direction from the Secretary of State), London Borough of Tower Hamlets Unitary Development Plan, adopted 1998 (saved from 27 September 2007 in accordance with the direction from the Secretary of State), London Borough of Tower Hamlets Core Strategy Development Plan Document, adopted September 2010 and the London Borough of Waltham Forest Unitary Development Plan, First Review (Adopted March 2006) (saved from 27 September 2007 in accordance with the direction from the Secretary of State).

The draft replacement London Plan; Spatial Development Strategy for Greater London Consultation Draft replacement plan (October 2009), the London Borough of Newham 2027 Planning Newham the Core Strategy proposed submission draft for public consultation (February 2011), and London Borough of Waltham Forest Proposed Submission Core Strategy (January 2011) are also material considerations.

These reasons include a summary of the relevant development plan policies as identified in the Report for the ODA Planning Committee of 26th July 2011.

Planning permission granted pursuant to section 73 of the Town and Country Planning Act 1990 results in a new stand alone planning permission. The original planning permission remains intact and unamended by the subsequent planning permission. The planning permissions hereby approved do not replicate all of the conditions imposed on the applicable original planning permission as, in the opinion of Officers, it would result in an overcomplicated approval process given the size and number of the planning permissions and would be less clear and more ambiguous than an abridged planning permission which cross-refers to the applicable original planning permission. The decision notice for each planning permission hereby approved sets out which condition(s) on the applicable original planning permission are no longer applicable, but clearly states that all other conditions on the applicable original planning permission still apply.

Sustainability – wind turbine

PDT is satisfied that the ODA has used reasonable endeavours to try to secure the provision of the wind turbine, but for the various technical and operational reasons, it has not been possible to implement the wind turbine, nor ensure Games phase operation as required by condition OD.0.21. The same reasons, except for the tight programme, have prevented its implementation in post-Games phase being possible. PDT therefore accepts that condition OD.0.21 should be revised to remove the requirement for the wind turbine to be commissioned and operational before Games.

The removal of the wind turbine means that some of the drawings listed in the schedule of approved plans and drawings (of the turbine and its ancillary sub-station) referred to in condition OD.0.3 are no longer applicable. An informative stating which drawings the Olympic Park construction need no longer be in accordance with, is listed on any permission for the varied 2007 conditions permission (ref. 1/90313/VARODA). Similarly, the removal of the wind turbine removes the need for a wind turbine management framework to be submitted pursuant to condition OD.7.1. Condition OD.7.1 has been removed on the planning permission granted.

Sustainability – renewable energy provision

The London Plan (consolidated with alterations since February 2004) adopted in February 2008 seeks to tackle and mitigate climate change including the long-term reduction of carbon dioxide emissions by 60% by 2050. Policy 4A.7 adopts a presumption that a 20% reduction in carbon dioxide emissions would be achieved by on-site renewable energy generation. The 2007 permission was in line with this policy with the requirements of conditions OD.0.21 and LTD.1.3, and with the wider carbon reduction aims through Schedule 11 of the 2007 Section 106 Agreement.

The draft replacement London Plan has yet to be adopted, however the Examination in Public has finished and the Panel has provided its report to the Mayor, so the limited weight that can be given to these draft policies increases as it progresses through the necessary stages toward adoption. The draft policies give a strong indication of the proposed changes to strategic planning policies, including climate change mitigation, especially minimising carbon dioxide emissions. Draft policy 5.2 sets out the increasing percentage improvement beyond Part L of the Building Regulations for non-domestic buildings required for on-going three year periods. The supporting text states that where it is demonstrated that the specific targets for carbon dioxide emissions reduction cannot be fully achieved on-site, the shortfall may be provided off-site, but only in cases where there is an alternative proposal identified and delivery is certain, or where funding can be pooled to support specific carbon dioxide reduction projects or programmes. Guidance on the criteria for off-site provision, the types of acceptable projects and programmes and a London-wide funding scheme is to be set out in future supplementary guidance.

Draft policy 5.7 on renewable energy states that major development proposals should provide a reduction in carbon dioxide emissions through the use of on-site renewable energy generation where feasible, with a presumption that at a reduction of at least 20% would be achieved this way where feasible. A range of renewable energy technologies should be incorporated wherever site conditions make them feasible and where they contribute to the highest overall carbon dioxide emissions savings for a development proposal. The supporting text to draft policy 5.7 states that further work will assess the renewable energy potential in London and help refine these targets, including the potential for retrofitting existing buildings, with further information to be set out in the Mayor's forthcoming Climate Change Mitigation and Energy Strategy.

In terms of the planning policies at the borough level, the four host boroughs have a mixture of those that set percentage targets for renewable energy generation and those that do not. The London Borough of Hackney's Core Strategy in policies 29 and 30 seek to reduce carbon emissions from buildings and encourage opportunities to generate energy from non-fossil fuel and/or low carbon sources, but no percentage target is set. The London Borough

of Tower Hamlets' Core Strategy at policy SP11 requires all new developments to provide a 20% reduction of carbon dioxide emissions through on-site renewable energy generation where feasible, in order to meet a borough-wide carbon emissions reduction target of 60% below 1990 levels by 2025.

The other two host boroughs have relevant policies in their draft Core Strategies but as they are not adopted, they have only limited weight. The London Borough of Newham's Unitary Development Plan (as saved in accordance with the direction from the Secretary of States) does not include a retained policy regarding energy efficiency or renewable energy. The London Borough of Newham's draft Core Strategy at policy SC2 seeks to reduce carbon emissions from new and existing development, including by incorporating on-site renewable energy generation in line with the requirements of the London Plan, although limited weight can be given to this draft policy. The London Borough of Waltham Forest Unitary Development Plan does not have a retained policy relating to energy savings or renewable energy. However, limited weight can be given to the London Borough of Waltham Forest's draft Core Strategy policy CS5 which states that the Council will tackle climate change locally through reducing carbon emissions by requiring new development to minimise on-site carbon emissions across their lifetime in accordance with the energy hierarchy, although no target for renewable energy generation is set.

The ODA has investigated alternative ways to make up for the renewable energy generation target, and the proposed PV panels to the MPC and MSCP are a new addition to address part of the shortfall. The ODA has put forward the case that achieving a 20% renewable target on-site is no longer feasible. The ODA states in its application that it seeks to meet at least 9% of the annual carbon emissions of the retained venues in Legacy phase from renewables, with this 9% being a minimum. The priority given to overall carbon reduction would be in line with the draft replacement London Plan which indicates a move away from the rigid 20% renewables target as a component of carbon reduction set by the London Plan 2008.

Having accepted that the construction of the wind turbine is no longer feasible, Officers are also satisfied that the ODA has used reasonable endeavours (as required by Schedule 11 to the 2007 Section 106 Agreement) to achieve a reduction in carbon emissions on site by investigating alternative renewable energy measures on the Olympic Park which have each been discounted (except for the PV panels to the MPC and MSCP). Officers accept that it is not feasible to make up for the carbon offset loss caused by the non-implementation of the wind turbine with other renewable energy generations techniques on site due to the limited amount of space available at this stage of development, the venue buildings not being able to support additional measures (and the aesthetic impact on such additions), and there being more cost-effective ways for using public money to achieve carbon reductions. Whilst disappointing given the 2007 OLF conditions and obligations especially for the 20% renewables target, and in particular that the construction of venues does not now allow the cost-effective accommodation of renewable energy generation infrastructure, nevertheless, a contribution of at least 9% would still be a significant contribution towards reducing the development's carbon emissions. The renewable energy conditions on the 2007 permission, OD.0.21 and LTD.1.3 are revised to set a target of at least 9%, and that this change is carried through to the conditions on the reserved matters approvals and slot-in permissions.

Conditions on some of the slot-in permissions require confirmation by a certain date (March 2011) that either renewable energy generating equipment was to be installed on the application sites, or demonstrate that sufficient renewable energy generating capacity was available across the Olympic Park to meet the 20% target. The dates for submitting this confirmation are amended in the revised conditions to December 2011.

The proposed reduction in the renewable energy target is considered to be acceptable. It should be noted that London Plan Policy 4A.7 states that the presumption is that developments will achieve a reduction in carbon dioxide emissions of 20% from on-site

renewable unless it can be demonstrated that such provision is not feasible. It has been demonstrated that such provision is not feasible in this case. The proposal is in line with the more flexible requirements set out in the draft replacement London Plan, and the general aims of reducing carbon emissions included in the host Boroughs Core Strategies, including Proposed Submissions and Unitary Development Plans as relevant. The proposed variations of the 2007 conditions, and later reserved matters and slot-in permission conditions are considered to be acceptable.

Sustainability – off-site carbon measures

The ODA proposes to fund two off-site retrofitting projects which are established programmes to address the current shortfall. The off-site measures from the programme would deliver additional carbon savings from projects that would not otherwise have happened. The RE:NEW scheme would include domestic water reduction measures that would lower carbon emissions by reducing the volume of water that needs treating and heating, as suggested by the Environment Agency. This would be in line with the draft replacement London Plan which states that carbon emissions reduction shortfalls can be provided off-site where delivery is ensured. By using the RE:NEW and RE:FIT programme, the ODA is confident that it will achieve a 50% reduction in carbon emissions for the built aspects of the Olympic development by 2013, in line with the original target set in Schedule 11 to the 2007 Section 106 Agreement. The modification to Schedule 11 allows the off-site carbon measures to be counted towards the ODA's carbon savings and ensure that the value of the ODA's contribution is invested in carbon saving measures in the host Boroughs.

PDT is satisfied that the RE:NEW and RE:FIT schemes run by the LDA and GLA are appropriate schemes for funding to provide carbon offset. The proposed funding of up to £1.5m is considered to be reasonable, based on the LDA's experience of these schemes and the related carbon savings to date. The modification to the 2007 Section 106 Agreement allows the ODA flexibility in choosing which schools within the host boroughs are to benefit from the RE:FIT scheme, and how many homes (and their location within the four host boroughs) are to be targeted in the RE:NEW scheme. The off-site measures in schools and homes in the host boroughs would offer further benefits to the local communities from the 2012 Games, and provide a further form of sustainable legacy in these communities in line with section 5(5)b of the 2006 London Olympic and Paralympic Games Act.

The requirement to provide the monitoring results to PDT in regular reports (interim reports, and annually as part of the annual monitoring report process) is set out in the modification. For the RE:NEW scheme, these reports will set out the wards in which energy efficiency measures have been implemented, the number of homes approached, the number of homes where measures have been implemented, the equivalent carbon savings achieved (in tonnes), the projected carbon savings, and the investment to date by the ODA. For RE:FIT, the reports would include details of the progress of ESCos in implementing energy efficiency measures, the public buildings selected for measures, the measures installed, the equivalent carbon savings achieved (in tonnes), the projected carbon reduction savings, and the investment to date by the ODA. These reports will demonstrate the progress being made towards the overall off-site carbon reduction target to give PDT confidence the overall 50% target will be achieved.

Heads of terms for the Deed of Modification

In summary the heads of terms for the Deed of Modification are;

- The Deed of Modification will ensure that these section 73 applications and, the Eton Manor hard-standing slot-in, all come within the remit of the 2007 Section 106 Agreement. By virtue of an earlier Deed of Modification, the PV panels to the MSCP (ref. 11/90330/FULODA) will automatically be incorporated into the 2007 Section 106 Agreement.
- It would also expand Schedule 11 by clause 7 so that in the event of a shortfall in the achievement of the carbon reduction target, the ODA shall meet the shortfall by implementing and carrying out off-site measures to the value (but not exceeding) £1.5m. Clauses 7.1 to 7.3 set out that the off-site measures are only undertaken in

the host boroughs, that they are carried out by the RE:NEW and RE:FIT schemes and that these schemes shall provided additionality (i.e. carbon savings that would otherwise not have happened).

- Clause 7.5 sets the maximum amount the ODA can spend on the off-site schemes (£1.5m).
- Clause 7.4 would required the ODA to provide monitoring reports on these off-site measures to PDT for approval as part of the annual monitoring reports and also interim reports (so that a monitoring report is submitted every six months). The detail of what these monitoring reports shall include is listed in clauses 7.10.
- The heads of terms at clauses 7.6 to 7.9 also make provision should the schemes not be completed or if the £1.5m of funding not fully spent by the end of 2013, and also by the end of 2014 if the schemes are still not complete or funding fully spent.

The proposed use of off-site measures through the ODA funding the RE:NEW and RE:FIT programmes in order to reach the 50% carbon emissions reduction target set by Schedule 11 to the 2007 section 106 agreement is considered to be acceptable, subject to the finalising of the Deed of Modification to the 2007 Section 106 Agreement. This will ensure the Olympic Park development carbon emissions are reduced by the target set in 2007. This proposal is considered to accord with sustainability policies relating to carbon dioxide emissions reductions in the London Plan, draft replacement London Plan, London Borough of Hackney Local Development Framework Core Strategy, London Borough of Newham Unitary Development Plan and draft Core Strategy proposed submission, London Borough of Tower Hamlets Unitary Development Plan and Core Strategy Development Plan Document, and London Borough of Waltham Forest Unitary Development Plan and London Borough of Waltham Forest Proposed Submission Core Strategy.

London Olympic Games and Paralympic Games Act 2006

Section 5 (5) of the London Olympic Games and Paralympic Games Act 2006 sets out the matters to which the Olympic Delivery Authority in discharging its planning functions shall have regard, in particular:

- (a) To the desirability of making proper preparation for the London Olympics,
- (b) To the desirability of maximising the benefits to be derived after the London Olympics from things done in preparation for them,
- (c) To the terms of any planning permission already granted in connection with preparation for the London Olympics,
- (d) To any guidance issued by the Secretary of State (which may, in particular, refer to other documents), and
- (e) To the development plan for any area in respect of which an order is made under section 149 of the Local Government, Planning and Land Act 1980 (c. 65) by virtue of subsection (1) above, construed in accordance with section 38 of the Planning and Compulsory Purchase Act 2004 (c. 5).

National planning policy

PPS1 – Delivering Sustainable Development

This national guidance sets out the overarching planning policies on the delivery of sustainable development through the planning system. It includes comment on design and states that good design should:

- address the connections between people and places by considering the needs of people to access jobs and key services
- be integrated into the existing urban form and the natural and built environments
- be an integral part of the processes for ensuring successful, safe and inclusive villages, towns and cities
- create an environment where everyone can access and benefit from the full range of opportunities available to members of society, and,
- consider the direct and indirect impacts on the natural environment.

PPS22 – Renewable energy

Development of renewable energy resources should be promoted and encouraged, including combined heat and power schemes. Positive planning which facilitates renewable energy developments can contribute to effective protection of the environment; prudent use of natural resources; and maintenance of economic growth and employment.

London Plan (Consolidated with alterations since February 2004), February 2008

The following summarised policies are relevant to these is suite of planning permissions:

2A.1 – Sustainability criteria

Promote, support and encourage the development of London in ways that secure this Plan's social, environmental and economic objectives. Sets out the sustainability criteria for implementing the London Plan including:

- taking account of the impact that development will have on London's natural resources, environmental and cultural assets and the health of local people and upon the objective of adapting to and mitigating the effect of climate change
- optimising the use of previously developed land and buildings
- using a design-led approach to optimise the potential of sites
- ensuring that development occurs in locations that are currently, or will be, accessible by public transport, walking and cycling
- ensuring that development takes account of the capacity of existing or planned infrastructure
- taking account of the physical constraints on the development of land
- ensuring that development incorporates green infrastructure
- promoting corporate social responsibility
- taking account of the objectives of promoting safety and security
- taking account of the suitability of sites for mixed use development.

3D.6 – The Olympic and Paralympic Games and sports facilities

Develop and implement legacies from the new permanent facilities in the Olympic Park, ensuring they are accessible and affordable to all Londoners. Seek to increase participation in sport and physical activity among all sections of London's population.

4A.1 – Tackling climate change

Development should have a hierarchy of using less energy, supplying energy efficiently and using renewable energy. These contributions should effectively reflect the context of each development, for example its nature, size, location, accessibility and operation. Development should be located, designed and built for the climate that it will experience over its intended lifetime.

4A.2 - Mitigating climate change

The Mayor will work towards the long-term reduction of carbon dioxide emissions by 60 per cent by 2050. The Mayor will and boroughs and other agencies should seek to achieve the following minimum reduction targets for London against a 1990 base; these will be monitored and kept under review: 15% by 2010; 20% by 2015; 25% by 2020 and 30% by 2025.

4A.3 – Sustainable design and construction

Ensure developments meet the highest standards of sustainable design and construction by; making the most effective use of land and existing buildings; reducing emissions that contribute to climate change; designing buildings for flexible use throughout their lifetime, avoiding internal overheating and excessive heat generation; make the most effective and sustainable use of water, aggregates and other resources; minimising energy use including passive solar design and natural ventilation; supply energy efficiently, incorporate decentralised energy systems and use renewable energy; minimise light lost to the sky; procure materials sustainably; ensure designs make the most of natural systems both within and around the building; reduce air and water pollution; manage flood risk; ensure developments are comfortable and secure for users; conserve and enhance the natural environment; avoid creating adverse local climate conditions; promote sustainable waste

behaviour; incorporate living roofs and walls where feasible; and reduce adverse noise impacts. Developers should use best practice and appropriate mitigation measures to reduce the environmental impact of demolition and construction.

4A.4 – Energy assessment

Supports the Mayor's Energy Strategy and its objectives of improving energy efficiency and increasing the proportion of energy used generated from renewable sources. Major developments should include an assessment of the energy demand and carbon dioxide emissions, and demonstrate the expected energy and emission savings from the energy efficiency and renewable energy measures incorporated in the development.

4A.5 – Provision of heating and cooling networks

Ensure that all development is designed to connect to the heating and cooling network.

4A.6 – Decentralised energy: heating cooling and power

Require all developments to demonstrate that their heating, cooling and power systems have been selected to minimise carbon dioxide emissions. The heating and cooling infrastructure should be designed to allow the use of decentralised energy and for it to be maximised in the future.

4A.7 – Renewable energy

Adopt a presumption that developments will achieve a reduction in carbon dioxide emissions of 20% from on-site renewable energy generation, unless it can be demonstrated that such provision is not feasible. This will support the Mayor's Climate Change Mitigation and Energy Strategy and its objectives of increasing the proportion of energy used generated from renewable sources by:

- requiring the inclusion of renewable energy technology and design, including: biomass fuelled heating, cooling and electricity generating plant, biomass heating, renewable energy from waste (Policy 4A.21) photovoltaics, solar water heating, wind, hydrogen fuel cells, and ground coupled heating and cooling in new developments wherever feasible
- facilitating and encouraging the use of all forms of renewable energy where appropriate, and giving consideration to the impact of new development on existing renewable energy schemes.

Boroughs in their DPDs should identify broad areas where the development of specific renewable energy technologies is appropriate. These should encourage the fullest realisation of the potential for renewable energy having regard to the environmental and transport policies of the London Plan. These should include:

- identifying sites for zero carbon development
- identifying suitable locations for wind turbines in developments
- encouraging at least one large wind power scheme in London
- encouraging applications for new street appliances (such as bus shelters, bus stops, parking ticket machines and road signs) to incorporate off-grid solar power and other renewable energy sources where feasible.

4A.9 – Adaptation to Climate Change

Promote and support the most effective adaptation to climate change including minimising overheating and solar gain in summer, contributing to reducing flood risk through the use of sustainable urban drainage, minimising water use and protecting and enhancing green infrastructure.

5C.2 – 2012 Olympic and Paralympic Games

The Mayor will and partners should work to develop and implement viable legacy uses for the permanent facilities in the Park;

- increase participation in sport and physical activity by all sections of London's population and ensure community access to legacy facilities
- ensure housing development is consistent with the London Plan and maximises the benefits from its association with the Games

- promote and secure sustainable development and procurement policies for the Games delivery bodies and other organisations
- maximise the employment, skills and volunteering benefits for Londoners arising from the Games and Games-related business
- ensure all Londoners have access to the opportunities arising from the Games and legacy
- ensure the land acquired for the development is used after the Games for the strategic needs of the Lower Lea Valley and wider Thames Gateway
- maximise opportunity to promote London's status as a leading world city
- ensure transport projects contribute to the delivery of the Mayor's transport strategy and the needs of wider London
- ensure the Games preparation, staging and legacy contribute to the delivery of the Mayor's environmental strategies and objectives.

London Plan; Spatial Development Strategy for Greater London Consultation Draft replacement plan (October 2009)

On the 12th October 2009 a draft replacement London Plan (Spatial Development Strategy for Greater London) was published for consultation. The Examination in Public (EiP) of the Replacement London Plan concluded in October 2010. The EiP allowed structured discussion of the draft policies relevant to the consideration of the draft Replacement London Plan and of responses to the consultation. The report of the Panel was sent to the Mayor on 11th March 2011, which included recommendations to the wording of policies. The following summarised draft policies are relevant to this suite of planning permissions but have limited weight:

Policy 2.4 – The 2012 Games and their legacy

The Mayor will work with partners to develop and implement a viable and sustainable legacy for the Olympic and Paralympic Games to deliver fundamental economic, social and environmental change within east London, and to close the deprivation gap between the host boroughs and the rest of London. The Mayor's priorities for the Olympic Park and the surrounding areas will be set out in his Olympic Legacy Strategic Planning Guidance, which will clarify and emphasise the need for a planned approach to regeneration and change, embed exemplary design and environmental quality, and help meet existing and new housing needs. It will also consider social and community infrastructure requirements, set out how the areas around the Olympic Park can benefit from, and be fully integrated with, emerging legacy proposals, and promote the managed release of appropriate industrial sites for mixed use development while retaining key industrial land, particularly within established Strategic Industrial Locations. The Mayor will and boroughs should; ensure transport projects contribute to the delivery of the Mayor's Transport Strategy; establish new and enhanced north-south and east-west walking and cycling connections within and to the Olympic Park; and promote the Olympic Park and venues as international visitor destinations for sport, recreation and tourism.

Policy 5.1 – Climate change mitigation

The Mayor seeks to achieve an overall reduction in London's carbon dioxide emissions of 60 per cent (below 1990 levels) by 2025. It is expected that regional agencies, London boroughs and other organisations will contribute to meeting this strategic reduction target, and the GLA will monitor progress towards its achievement annually. Within LDFs boroughs should develop detailed policies and proposals that are consistent with the achievement of the Mayor's strategic carbon dioxide emissions reduction target for London.

Policy 5.2 – Minimising carbon dioxide emissions

Development proposals should make the fullest contribution to minimising carbon dioxide emissions in accordance with the energy hierarchy:

- be lean: use less energy
- be clean: supply energy efficiently
- be green: use renewable energy

As a minimum, all major development proposals should meet the following targets for carbon dioxide emissions reduction in buildings. These targets are expressed as minimum improvements over the Target Emission Rate outlined in the national Building Regulations; 2010-2013 44% improvement on 2006 Building Regulations for non-domestic buildings; 2013–2016 55% improvement on 2006 Building Regulations for non-domestic buildings. Major development proposals should include a detailed energy assessment to demonstrate how the minimum targets for carbon dioxide emissions reduction outlined above are to be met within the framework of the energy hierarchy. The carbon dioxide reduction targets should be met onsite. Where it is clearly demonstrated that the specific targets cannot be fully achieved onsite, any shortfall may be provided offsite or through a cash in lieu contribution to the relevant borough to be ring fenced to secure delivery of carbon dioxide savings elsewhere.

Policy 5.3 – Sustainable design and construction

The highest standards of sustainable design and construction should be achieved in London to improve the environmental performance of new development. Development proposals should demonstrate that sustainable design standards are integral to the proposal, including its construction and operation, and ensure that they are considered at the beginning of the design process. Major development proposals should meet the minimum standards outlined in the Mayor's supplementary planning guidance on Sustainable Design and Construction.

Policy 5.5 – Decentralised energy networks

The Mayor will prioritise the development of decentralised heating and cooling networks at the development and area wide level. Boroughs should require developers to prioritise connection to existing or planned decentralised energy networks where feasible.

Policy 5.6 – Decentralised energy in development proposals

Development proposals should evaluate the feasibility of Combined Heat and Power (CHP) systems. Major development proposals should select energy systems in accordance with the following hierarchy:

- Connection to existing heating or cooling networks
- Site wide CHP network
- Communal heating and cooling

Policy 5.7 – Renewable energy

The Mayor seeks to increase the proportion of energy generated from renewable sources, and expects that the minimum targets for installed renewable energy capacity outlined in Table 5.1 (including 12MWe energy capacity from photovoltaics in 2015) will be achieved in London. Within the framework of the energy hierarchy, major development proposals should provide a reduction in carbon dioxide emissions through the use of onsite renewable energy generation, where feasible. Within LDFs boroughs should, and other agencies may wish to, develop more detailed policies and proposals to support the development of renewable energy in London. In particular, to identify broad areas where specific renewable energy technologies, including large scale systems and the large scale deployment of small scale systems, are appropriate. The identification of areas should be consistent with the guidelines and criteria outlined in the Mayor's forthcoming supplementary guidance on Renewable Energy. All renewable energy systems should be located and designed to minimise any potential adverse impacts on biodiversity, the natural environment and historical assets.

London Borough of Hackney Local Development Framework Core Strategy adopted November 2010

The following Core Strategy policies as summarised are relevant to this suite of planning permissions:

CS29 – Resource efficiency and reducing carbon emissions

Hackney will address climate change at a local level through the inclusion of mitigation and adaptation measures to reduce carbon dioxide from buildings. This will be achieved by

ensuring that building design is to a high standard, adhering to the principles of sustainable design and construction, and incorporating mitigation and adaptation measures to reduce carbon emissions from buildings.

CS30 – Low Carbon Energy, Renewable Technologies and District Heating

Opportunities to generate energy from non-fossil fuel and/or low carbon sources will be encouraged throughout the borough.

London Borough of Newham Unitary Development Plan (Adopted 2001 and saved from 27 September 2007 in accordance with the direction from the Secretary of State)

The following summarised policies are relevant to the consideration of this suite of planning permissions:

S4 – Sustainable development

All developments should be compatible with the aims of sustainable development.

S9 – Environmental Quality: Design Issues

High standards of design will be required in all new development. Community safety and energy efficiency considerations will also be required to be addressed in siting, layout and orientation.

London Borough of Newham 2027 Planning Newham – the Core Strategy proposed submission draft for public consultation, February 2011.

The draft for public consultation of the LB Newham Core Strategy was published on 4 February 2011. The following summarised policies are relevant to this suite of planning permissions but have limited weight;

SC1 – Climate change

Development will respond to a changing climate through the following mitigation and adaptation measures; including maximising the efficient use of energy through passive solar design and meeting the requirements of policy SC2.

SC2 – Energy

Carbon emissions from new and existing development will be reduced by the following measures;

- Requiring that all new residential development is built in line with the London Plan and Building Regulations to reach zero carbon by 2016.
- Requiring that all new non-residential development is built in line with the London Plan and Building Regulations to reach zero carbon by 2019.
- Connections to, or provision for connection to, decentralised heat networks.
- Incorporating on-site renewable energy generation in line with the requirements of the London Plan, and other innovative technologies to reduction carbon emissions.
- Encouraging the take up of opportunities to reduce carbon emissions from existing homes and other buildings through retrofitting.

London Borough of Tower Hamlets Unitary Development Plan, adopted 1998 (saved from 27 September 2007 in accordance with the direction from the Secretary of State)

The following summarised policy is relevant to this suite of planning permissions

DEV2 – Environmental requirements

All development should seek to...incorporate the principles of sustainable development including use of energy efficient design and materials.

London Borough of Tower Hamlets Core Strategy Development Plan Document, adopted September 2010.

The following summarised policy is relevant to this suite of planning permissions.

SP11 – Working towards a zero carbon borough

Implement a borough-wide carbon emission reduction target of 60% below 1990 levels by 2025.

Ensure that all new homes are built in line with government guidance to reach zero carbon by 2016, and that all new non-domestic development reaches zero carbon by 2019.

Promote low- and zero-carbon energy generation through;

- Safeguarding existing renewable energy decentralised energy systems.
- Implementing a network of decentralised heat and energy facilities that connect into a heat and power network (including the Olympic Park energy centre).
- Promoting the development of new decentralised energy facilities.
- Exploring the use of waste to energy facilities.
- Working with partners inside and outside the borough.
- Supporting development that uses intelligent design to make use of renewable-energy technologies.

Reducing carbon emissions in non-domestic buildings by implementing ways to reduce carbon emissions, supporting developments that promote the use of renewable energy technologies, and reducing carbon emissions of all public buildings.

Implement an area based approach in which new development should achieve higher levels of carbon reductions that elsewhere in the borough.

Require all developments to provide 20% reduction of carbon dioxide emissions through on-site renewable energy generation where feasible.

London Borough of Waltham Forest Proposed Submission Core Strategy (January 2011).

The London Borough of Waltham Forest published its proposed submission Core Strategy in January 2011, and the consultation period ended in February 2011. The following draft policy as summarised is relevant to this suite of planning permissions but has limited weight;

CS5 – Minimising and adapting to climate change

The Council will tackle climate change locally and promote resource efficiency and high environmental development standards during design, construction and occupation of new developments by;

- Reduction of carbon emissions – requiring new development to minimise on site carbon emissions across their lifetime in accordance with the energy hierarchy by using less energy through responsive design, supplying energy efficiently and using on-site renewable energy.
- Energy efficient supply
- Adaptation, water efficiency and flood risk.

Appendix 1B – Relevant conditions from 08/90059/OUTODA (Terminal pumping station) for application ref. 11/90314/VARODA together with the proposed recommendation

Location – Terminal Pumping Station, Planning Delivery Zone 3

Proposal - Variation of condition 43 (Building emissions and renewable energy) of the Terminal Pumping Station permission ref. 08/90059/OUTODA to reduce the on-site Olympic Park renewable energy generation requirement from 20% of annual carbon emissions of the venues and other buildings to be retained in the legacy phase to at least 9% of annual carbon emissions.

Existing condition

43 - Building emissions and renewable energy

All buildings shall be designed to minimise carbon emissions and energy demand, in accordance with the objectives in the Energy Statement approved pursuant to permission ref 07/90010/OUMODA. Across the Olympic Site as a whole sufficient on-site renewable energy generation capacity shall be installed to meet at least 20% of the annual carbon emissions of the venues and other buildings to be retained within the Site in the Legacy Phase.

Reason: To secure the maximum practicable reduction in carbon emissions and use of renewable energy and to appropriately dovetail with condition OD.0.21 of permission ref 07/90010/OUMODA.

Proposed amended condition

43 - Building emissions and renewable energy

All buildings shall be designed to minimise carbon emissions and energy demand in accordance with the objectives in the Energy Statement approved pursuant to permission ref 07/90010/OUMODA. Across the Olympic Site as a whole sufficient on-site renewable energy generation capacity shall be installed to meet at least 9% of the annual carbon emissions of the venues and other buildings to be retained within the Site in the Legacy Phase.

Reason: To secure the maximum practicable reduction in carbon emissions and use of renewable energy and to appropriately dovetail with condition OD.0.21 of permission ref 07/90010/OUMODA.

RECOMMENDATION

The Committee is asked;

- 1) To **APPROVE** the variation of condition submission ref. 11/90314/VARODA to vary condition 43 of permission ref. 08/90059/OUTODA to vary the renewable energy generation capacity condition from 20% to at least 9% and to grant planning permission for the reasons given in this Report **SUBJECT TO** conditions and the completion of the Deed of Modification to the 2007 Section 106 Agreement;
- 2) **GRANT DELEGATED AUTHORITY** to the Director of Planning Decisions to negotiate and complete the Deed of Modification to the 2007 Section 106 Agreement in order to:
 - i) bring planning permission 11/90314/VARODA into the remit of the 2007 Section 106 Agreement;
 - ii) to secure the off-site carbon measures as detailed in the draft heads of terms contained in **appendix 2D** of this Report; and
 - iii) secure such other obligations that the Director of Planning Decisions considers necessary and arising from the negotiation of the Deed of Modification.

In pursuance of the powers under the Act and the Town and Country Planning (Development Management Procedure) Order 2010 the ODA hereby gives notice that

PLANNING PERMISSION HAS BEEN APPROVED for the carrying out of the development referred to in Part I hereof and as described and shown on the application, subject to the conditions imposed on the following planning permissions (except where specifically stated otherwise) and the following additional conditions:

Conditions, Informatives, Approved Plans and Drawings attached to the following planning permission will apply in full to this planning permission (save for the conditions set out below will not apply to this planning permission):

1. Planning permission reference 08/90059/OUTODA save for:
 - Conditions: Conditions 1 and 43

This planning permission is granted subject to the following additional conditions:

Condition 1: Time limit

The development to which this permission relates must be commenced not later than the expiration of THREE YEARS from 25th June 2008.[]

Reason: To comply with the requirements of Section 91 of the Town and Country Planning Act 1990 and ensure implementation prior to the 2012 Games.

Condition 2 (varied condition 43): Building Emissions and Renewable Energy

All buildings shall be designed to minimise carbon emissions and energy demand in accordance with the objectives in the Energy Statement approved pursuant to permission ref 07/90010/OUMODA. Across the Olympic Site as a whole sufficient on-site renewable energy generation capacity shall be installed to meet at least 9% of the annual carbon emissions of the venues and other buildings to be retained within the Site in the Legacy Phase.

Reason: To secure the maximum practicable reduction in carbon emissions and use of renewable energy and to appropriately dovetail with condition OD.0.21 of permission ref 07/90010/OUMODA.

Reasons to Grant:

See the reasons given for application ref. 11/90313/VARODA in appendix 1A

Appendix 1C – Relevant conditions from 08/90276/FUMODA (Velopark) for application ref. 11/90315/VARODA together with the proposed recommendation

Location – Velopark, Planning Delivery Zone 6

Proposal - Variation of conditions VOD.15 (Velodrome Building emissions and renewable energy) and VLT.04 (Building emissions and renewable energy) of the Velopark permission ref. 08/90276/FUMODA to reduce the on-site Olympic Park renewable energy generation requirement from 20% of annual carbon emissions of the venues and other buildings to be retained in the legacy phase to at least 9% of annual carbon emissions.

Existing conditions

VOD.15 - Velodrome Building Emissions and Renewable Energy

Details shall be submitted for approval to the Local Planning Authority no later than March 2011 that shall demonstrate either:

- iii. that sufficient renewable energy generating equipment has been included in, on, or directly adjoining the final design Velodrome venue in order to achieve a total reduction in carbon emissions of 20% of annual carbon emissions for the permanent building; or*
- iv. that a 20% reduction in annual carbon emissions will be achieved by contribution from renewable energy generated within the Olympic Park or from a site or sites close to it, as defined in an appropriate Renewable Energy Strategy.*

Any renewable energy generating equipment identified shall be implemented, operated and maintained in accordance with details previously submitted to and approved by the Local Planning Authority.

Reason: To ensure that the Velodrome contributes to the identified carbon reduction targets for venues within the Olympic Park and that those targets are fully met and to appropriately dovetail with condition OD.0.21 of permission ref. 07/90010/OUMODA.

VLT.4 – Building Emissions and Renewable Energy

Prior to the completion of any Legacy Transformation Development a statement shall be submitted to the Local Planning Authority for its approval which confirms either:

- i. that sufficient renewable energy generating equipment has been retained in, on, or directly adjoining the final design Velodrome venue in order to achieve a total reduction in annual carbon emissions of 20% for the permanent building; or*
- ii. that a 20% reduction in annual carbon emissions will be achieved by contribution from renewable energy generated within the Olympic Park or from a site or sites close to it.*

Reason: to ensure that the Velodrome contributes to the identified carbon reduction targets for venues within the Olympic Park and that those targets are fully met and to appropriately dovetail with condition LTD.1.3 of permission ref. 07/90010/OUMODA.

Proposed amended conditions

VOD.15 - Velodrome Building Emissions and Renewable Energy

Details shall be submitted for approval to the Local Planning Authority no later than December 2011 that shall demonstrate that a 9% reduction in annual carbon emissions will be achieved by contribution from renewable energy generated within the Olympic Park or from a site or sites close to it as defined in an appropriate Renewable Energy Strategy. Any renewable energy generating equipment identified shall be implemented operated and maintained in accordance with details previously submitted to and approved by the Local Planning Authority.

Reason: To ensure that the Velodrome contributes to the identified carbon reduction targets for venues within the Olympic Park and that those targets are fully met and to appropriately dovetail with condition OD.0.21 of permission ref. 07/90010/OUMODA.

VLT.4 – Building Emissions and Renewable Energy

Prior to the completion of any Legacy Transformation Development a statement shall be submitted to the Local Planning Authority for its approval which confirms that a 9% reduction

in annual carbon emissions will be achieved by contribution from renewable energy generated within the Olympic Park or from a site or sites close to it.

Reason: To ensure that the Velodrome contributes to the identified carbon reduction targets for venues within the Olympic Park and that those targets are fully met and to appropriately dovetail with condition LTD.1.3 of permission ref. 07/90010/OUMODA.

RECOMMENDATION

The Committee is asked;

- 1) To **APPROVE** the variation of condition submission ref. 11/90315/VARODA to vary conditions VOD.15 and VLT.4 of permission ref. 08/90276/FUMODA to vary the renewable energy generation capacity conditions from 20% to at least 9% and to grant planning permission for the reasons given in this Report **SUBJECT TO** conditions and the completion of the Deed of Modification to the 2007 Section 106 Agreement;
- 2) **GRANT DELEGATED AUTHORITY** to the Director of Planning Decisions to negotiate and complete the Deed of Modification to the 2007 Section 106 Agreement in order to:
 - i) bring planning permission 11/90315/VARODA into the remit of the 2007 Section 106 Agreement;
 - ii) to secure the off-site carbon measures as detailed in the draft heads of terms contained in **appendix 2D** of this Report; and
 - iii) secure such other obligations that the Director of Planning Decisions considers necessary and arising from the negotiation of the Deed of Modification.

In pursuance of the powers under the Act and the Town and Country Planning (Development Management Procedure) Order 2010 the ODA hereby gives notice that **PLANNING PERMISSION HAS BEEN APPROVED** for the carrying out of the development referred to in Part I hereof and as described and shown on the application, subject to the conditions imposed on the following planning permissions (except where specifically stated otherwise) and the following additional conditions:

Conditions, Informatives, Approved Plans and Drawings attached to the following planning permission will apply in full to this planning permission (save for the conditions specifically set out below will not apply to this planning permission):

1. Planning permission reference 08/90276/FUMODA save for:
 - Conditions: Conditions VOD.1, VOD.15 and VLT.4

This planning permission is granted subject to the following additional conditions:

Condition 1: Time limit

Application for the approval of all Reserved Matters shall be made no later than 31 December 2011, unless otherwise agreed by the Local Planning Authority. The development shall be commenced either before the expiration of THREE YEARS from 27 January 2009, or before the expiration of two years from the date of the approval of the last Reserved Matters to be approved, whichever is the later.

Reason: In accordance with Sections 91 and 92 of the Town and Country Planning Act 1990.

Condition 2 (varied condition VOD.15): Velodrome Building Emissions and Renewable Energy in Games Phase

Details shall be submitted for approval to the Local Planning Authority no later than December 2011 that shall demonstrate that a 9% reduction in annual carbon emissions will be achieved by contribution from renewable energy generated within the Olympic Park or from a site or sites close to it as defined in an appropriate Renewable Energy Strategy. Any renewable energy generating equipment identified shall be implemented operated and

maintained in accordance with details previously submitted to and approved by the Local Planning Authority.

Reason: To ensure that the Velodrome contributes to the identified carbon reduction targets for venues within the Olympic Park and that those targets are fully met and to appropriately dovetail with condition OD.0.21 of permission ref. 07/90010/OUMODA.

Condition 3 (varied condition VLT.4): Building Emissions and Renewable Energy in post-Games Transformation Phase

Prior to the completion of any Legacy Transformation Development a statement shall be submitted to the Local Planning Authority for its approval which confirms that a 9% reduction in annual carbon emissions will be achieved by contribution from renewable energy generated within the Olympic Park or from a site or sites close to it.

Reason: To ensure that the Velodrome contributes to the identified carbon reduction targets for venues within the Olympic Park and that those targets are fully met and to appropriately dovetail with condition LTD.1.3 of permission ref. 07/90010/OUMODA.

Reasons to Grant:

See the reasons given for application ref. 11/90313/VARODA in appendix 1A

Appendix 1D – Relevant conditions from 08/90310/FULODA (North Central Parklands) for application ref. 11/90316/VARODA together with the proposed recommendation

Location – North Central Parklands, Planning Delivery Zones 5 and 6

Proposal - Variation of condition PPR.21 (Emissions and renewable energy) of the North Central Parklands permission ref. 08/90310/FULODA to reduce the on-site Olympic Park renewable energy generation requirement from 20% of annual carbon emissions of the venues and other buildings to be retained in the legacy phase to at least 9% of annual carbon emissions.

Existing condition

PPR.21 - Emissions and renewable energy

Details shall be submitted for approval to the Local Planning Authority no later than March 2011 that shall demonstrate that either:

- (i) the lighting within the parklands includes renewable energy generating equipment that will contribute to the overall carbon reduction targets for the Olympic Park; or*
- (ii) that renewable energy generating equipment has or will be installed within or close to the Olympic Park, sufficient to meet a 20% reduction in annual carbon emissions that is calculated to include the energy requirements of the parklands lighting as identified in this planning permission.*

Any renewable energy generating equipment identified shall be implemented, operated and maintained in accordance with details previously submitted to and approved by the Local Planning Authority.

Reason: To ensure that the lighting contributes to the identified carbon reduction targets for structures within the Olympic and Paralympic Park and that those targets are fully met and to appropriately dovetail with condition OD.0.21 of permission ref. 07/90010/OUMODA.

Proposed amended condition

PPR.21 - Emissions and renewable energy

Details shall be submitted for approval to the Local Planning Authority no later than December 2011 that shall demonstrate that renewable energy generating equipment has or will be installed within or close to the Olympic Park sufficient to meet a 9% reduction in annual carbon emissions that is calculated to include the energy requirements of the parklands lighting as identified in this planning permission. Any renewable energy generating equipment identified shall be implemented operated and maintained in accordance with detailed previously submitted to and approved by the Local Planning Authority.

Reason: To ensure that the lighting contributes to the identified carbon reduction targets for structures within the Olympic and Paralympic Park and that those targets are fully met and to appropriately dovetail with condition OD.0.21 of permission ref. 07/90010/OUMODA.

RECOMMENDATION

The Committee is asked;

- 1) To **APPROVE** the variation of condition submission ref. 11/90316/VARODA to vary condition PPR.21 of permission ref. 08/90310/FULODA to vary the renewable energy generation capacity condition from 20% to at least 9% and to grant planning permission for the reasons given in this Report **SUBJECT TO** conditions and the completion of the Deed of Modification to the 2007 Section 106 Agreement;
- 2) **GRANT DELEGATED AUTHORITY** to the Director of Planning Decisions to negotiate and complete the Deed of Modification to the 2007 Section 106 Agreement in order to:
 - i) bring planning permission 11/90316/VARODA into the remit of the 2007 Section 106 Agreement;
 - ii) to secure the off-site carbon measures as detailed in the draft heads of terms contained in **appendix 2D** of this Report; and

- iii) secure such other obligations that the Director of Planning Decisions considers necessary and arising from the negotiation of the Deed of Modification.

In pursuance of the powers under the Act and the Town and Country Planning (Development Management Procedure) Order 2010 the ODA hereby gives notice that PLANNING PERMISSION HAS BEEN APPROVED for the carrying out of the development referred to in Part I hereof and as described and shown on the application, subject to the conditions imposed on the following planning permissions (except where specifically stated otherwise) and the following additional conditions:

Conditions, Informatives, Approved Plans and Drawings attached to the following planning permission will apply in full to this planning permission (save for the conditions specifically set out below will not apply to this planning permission):

1. Planning permission reference 08/90310/FULODA save for:
Condition: Condition PPR.21.

This planning permission is granted subject to the following additional conditions:

Condition 1 (condition PPR.1) - Time Limit

Any development approved by this permission which is not granted separate planning permission for its retention, modification or transformation for the period after the end of the Olympic Games and Paralympic Games ("Legacy Transformation Development Planning Permission") shall be removed by 31 December 2014 and any development granted permission for its retention, modification or transformation by such Legacy Transformation Development Planning Permission where such Legacy Transformation Development Planning Permission has not been implemented by 31 December 2013 shall be removed by 31 December 2014.

Reason: To ensure that the development hereby permitted is removed unless further planning permission for its retention, modification or transformation is, or has been, granted and to ensure the satisfactory co-ordination of the development and use of the site beyond the end of the Olympic Games and Paralympic Games with other proposed development in or around the site.

Condition 2 (condition PPR.2) – Time Limit

Any application for a Legacy Transformation Development Planning Permission as defined in condition PPR.1 shall be submitted to the Local Planning Authority prior to 31 December 2012, such application to be accompanied by the statement of superseded development details required pursuant to Clause 15 of the legal agreement made under Section 106 of the Town and Country Planning Act 1990 dated 28 September 2007 and made between the Olympic Delivery Authority (1) and London Development Agency (2)

Reason: To ensure the timely submission of any application applying for the retention, modification or transformation of any development hereby permitted so as to ensure the satisfactory co-ordination of the development and use of the site beyond the end of the Olympic Games and Paralympic Games with other proposed development in or around the site.

Condition 3 (varied condition PPR.21) - Emissions and Renewable Energy

Details shall be submitted for approval to the Local Planning Authority no later than December 2011 that shall demonstrate that renewable energy generating equipment has or will be installed within or close to the Olympic Park sufficient to meet a 9% reduction in annual carbon emissions that is calculated to include the energy requirements of the parklands lighting as identified in this planning permission. Any renewable energy generating equipment identified shall be implemented operated and maintained in accordance with detailed previously submitted to and approved by the Local Planning Authority.

Reason: To ensure that the lighting contributes to the identified carbon reduction targets for structures within the Olympic and Paralympic Park and that those targets are fully met and to appropriately dovetail with condition OD.0.21 of permission ref. 07/90010/OUMODA.

Reasons to Grant:

See the reasons given for application ref. 11/90313/VARODA in appendix 1A

Appendix 1E – Relevant conditions from 08/90311/FULODA (South Central Parklands) for application ref. 11/90317/VARODA together with the proposed recommendation

Location – South Central Parklands, Planning Delivery Zones 2 and 4

Proposal - Variation of condition PPR.21 (Emissions and renewable energy) of the South Central Parklands permission ref. 08/90311/FULODA to reduce the on-site Olympic Park renewable energy generation requirement from 20% of annual carbon emissions of the venues and other buildings to be retained in the legacy phase to at least 9% of annual carbon emissions.

Existing condition

PPR.21 - Emissions and renewable energy

Details shall be submitted for approval to the Local Planning Authority no later than March 2011 that shall demonstrate that either:

- (i) the lighting within the parklands includes renewable energy generating equipment that will contribute to the overall carbon reduction targets for the Olympic Park; or*
- (ii) that renewable energy generating equipment has or will be installed within or close to the Olympic Park, sufficient to meet a 20% reduction in annual carbon emissions that is calculated to include the energy requirements of the parklands lighting as identified in this planning permission.*

Any renewable energy generating equipment identified shall be implemented, operated and maintained in accordance with details previously submitted to and approved by the Local Planning Authority.

Reason: To ensure that the lighting contributes to the identified carbon reduction targets for structures within the Olympic and Paralympic Park and that those targets are fully met and to appropriately dovetail with condition OD.0.21 of permission ref. 07/90010/OUMODA.

Proposed amended condition

PPR.21 - Emissions and renewable energy

Details shall be submitted for approval to the Local Planning Authority no later than December 2011 that shall demonstrate that renewable energy generating equipment has or will be installed within or close to the Olympic Park sufficient to meet a 9% reduction in annual carbon emissions that is calculated to include the energy requirements of the parklands lighting as identified in this planning permission. Any renewable energy generating equipment identified shall be implemented operated and maintained in accordance with detailed previously submitted to and approved by the Local Planning Authority.

Reason: To ensure that the lighting contributes to the identified carbon reduction targets for structures within the Olympic and Paralympic Park and that those targets are fully met and to appropriately dovetail with condition OD.0.21 of permission ref. 07/90010/OUMODA.

RECOMMENDATION

The Committee is asked;

- 1) To **APPROVE** the variation of condition submission ref. 11/90317/VARODA to vary condition PPR.21 of permission ref. 08/90311/FULODA to vary the renewable energy generation capacity condition from 20% to at least 9% and to grant planning permission for the reasons given in this Report **SUBJECT TO** conditions and the completion of the Deed of Modification to the 2007 Section 106 Agreement;
- 2) **GRANT DELEGATED AUTHORITY** to the Director of Planning Decisions to negotiate and complete the Deed of Modification to the 2007 Section 106 Agreement in order to:
 - i) bring planning permission 11/90317/VARODA into the remit of the 2007 Section 106 Agreement;
 - ii) to secure the off-site carbon measures as detailed in the draft heads of terms contained in **appendix 2D** of this Report; and

- iii) secure such other obligations that the Director of Planning Decisions considers necessary and arising from the negotiation of the Deed of Modification.

In pursuance of the powers under the Act and the Town and Country Planning (Development Management Procedure) Order 2010 the ODA hereby gives notice that PLANNING PERMISSION HAS BEEN APPROVED for the carrying out of the development referred to in Part I hereof and as described and shown on the application, subject to the conditions imposed on the following planning permissions (except where specifically stated otherwise) and the following additional conditions:

Conditions, Informatives, Approved Plans and Drawings attached to the following planning permission will apply in full to this planning permission (save for the conditions specifically set out below will not apply to this planning permission):

1. Planning permission reference 08/90311/FULODA save for:
 - Condition: Condition PPR.21.

This planning permission is granted subject to the following additional conditions:

Condition 1 (condition PPR.1) - Time Limit

Any development approved by this permission which is not granted separate planning permission for its retention, modification or transformation for the period after the end of the Olympic Games and Paralympic Games ("Legacy Transformation Development Planning Permission") shall be removed by 31 December 2014 and any development granted permission for its retention, modification or transformation by such Legacy Transformation Development Planning Permission where such Legacy Transformation Development Planning Permission has not been implemented by 31 December 2013 shall be removed by 31 December 2014.

Reason: To ensure that the development hereby permitted is removed unless further planning permission for its retention, modification or transformation is, or has been, granted and to ensure the satisfactory co-ordination of the development and use of the site beyond the end of the Olympic Games and Paralympic Games with other proposed development in or around the site.

Condition 2 (condition PPR.2) – Time Limit

Any application for a Legacy Transformation Development Planning Permission as defined in condition PPR.1 shall be submitted to the Local Planning Authority prior to 31 December 2012, such application to be accompanied by the statement of superseded development details required pursuant to Clause 15 of the legal agreement made under Section 106 of the Town and Country Planning Act 1990 dated 28 September 2007 and made between the Olympic Delivery Authority (1) and London Development Agency (2)

Reason: To ensure the timely submission of any application applying for the retention, modification or transformation of any development hereby permitted so as to ensure the satisfactory co-ordination of the development and use of the site beyond the end of the Olympic Games and Paralympic Games with other proposed development in or around the site.

Condition 3 (varied condition PPR.21) - Emissions and Renewable Energy

Details shall be submitted for approval to the Local Planning Authority no later than December 2011 that shall demonstrate that renewable energy generating equipment has or will be installed within or close to the Olympic Park sufficient to meet a 9% reduction in annual carbon emissions that is calculated to include the energy requirements of the parklands lighting as identified in this planning permission. Any renewable energy generating equipment identified shall be implemented operated and maintained in accordance with detailed previously submitted to and approved by the Local Planning Authority.

Reason: To ensure that the lighting contributes to the identified carbon reduction targets for structures within the Olympic and Paralympic Park and that those targets are fully met and to appropriately dovetail with condition OD.0.21 of permission ref. 07/90010/OUMODA.

Reasons to Grant:

See the reasons given for application ref. 11/90313/VARODA in appendix 1A

Appendix 1F – Relevant conditions from 08/90312/FULODA (Basketball landscaping) for application ref. 11/90318/VARODA together with the proposed recommendation

Location – Basketball landscaping, Planning Delivery Zone 6

Proposal - Variation of condition PPR.18 (Emissions and renewable energy) of the Basketball landscaping permission ref. 08/90312/FULODA to reduce the on-site Olympic Park renewable energy generation requirement from 20% of annual carbon emissions of the venues and other buildings to be retained in the legacy phase to at least 9% of annual carbon emissions.

Existing condition

PPR.18 - Emissions and renewable energy

Details shall be submitted for approval to the Local Planning Authority no later than March 2011 that shall demonstrate that either:

- (i) the lighting within the parklands includes renewable energy generating equipment that will contribute to the overall carbon reduction targets for the Olympic Park; or*
- (ii) that renewable energy generating equipment has or will be installed within or close to the Olympic Park, sufficient to meet a 20% reduction in annual carbon emissions that is calculated to include the energy requirements of the parklands lighting as identified in this planning permission.*

Any renewable energy generating equipment identified shall be implemented, operated and maintained in accordance with details previously submitted to and approved by the Local Planning Authority.

Reason: To ensure that the lighting contributes to the identified carbon reduction targets for structures within the Olympic and Paralympic Park and that those targets are fully met and to appropriately dovetail with condition OD.0.21 of permission ref. 07/90010/OUMODA.

Proposed amended condition

PPR.18 - Emissions and renewable energy

Details shall be submitted for approval to the Local Planning Authority no later than December 2011 that shall demonstrate that renewable energy generating equipment has or will be installed within or close to the Olympic Park sufficient to meet a 9% reduction in annual carbon emissions that is calculated to include the energy requirements of the parklands lighting as identified in this planning permission. Any renewable energy generating equipment identified shall be implemented operated and maintained in accordance with detailed previously submitted to and approved by the Local Planning Authority.

Reason: To ensure that the lighting contributes to the identified carbon reduction targets for structures within the Olympic and Paralympic Park and that those targets are fully met and to appropriately dovetail with condition OD.0.21 of permission ref. 07/90010/OUMODA.

RECOMMENDATION

The Committee is asked;

- 1) To **APPROVE** the variation of condition submission ref. 11/90318/VARODA to vary condition PPR.18 of permission ref. 08/90312/FULODA to vary the renewable energy generation capacity condition from 20% to at least 9% and to grant planning permission for the reasons given in this Report **SUBJECT TO** conditions and the completion of the Deed of Modification to the 2007 Section 106 Agreement;
- 2) **GRANT DELEGATED AUTHORITY** to the Director of Planning Decisions to negotiate and complete the Deed of Modification to the 2007 Section 106 Agreement in order to:
 - i) bring planning permission 11/90318/VARODA into the remit of the 2007 Section 106 Agreement;
 - ii) to secure the off-site carbon measures as detailed in the draft heads of terms contained in **appendix 2D** of this Report; and

- iii) secure such other obligations that the Director of Planning Decisions considers necessary and arising from the negotiation of the Deed of Modification.

In pursuance of the powers under the Act and the Town and Country Planning (Development Management Procedure) Order 2010 the ODA hereby gives notice that PLANNING PERMISSION HAS BEEN APPROVED for the carrying out of the development referred to in Part I hereof and as described and shown on the application, subject to the conditions imposed on the following planning permissions (except where specifically stated otherwise) and the following additional conditions:

Conditions, Informatives, Approved Plans and Drawings attached to the following planning permission will apply in full to this planning permission (save for the conditions specifically set out below will not apply to this planning permission):

1. Planning permission reference 08/90312/FULODA save for:
 - Condition: Condition PPR.18.

This planning permission is granted subject to the following additional conditions:

Condition 1 (condition PPR.1) - Time Limit

Any development approved by this permission which is not granted separate planning permission for its retention, modification or transformation for the period after the end of the Olympic Games and Paralympic Games ("Legacy Transformation Development Planning Permission") shall be removed by 31 December 2014 and any development granted permission for its retention, modification or transformation by such Legacy Transformation Development Planning Permission where such Legacy Transformation Development Planning Permission has not been implemented by 31 December 2013 shall be removed by 31 December 2014.

Reason: To ensure that the development hereby permitted is removed unless further planning permission for its retention, modification or transformation is, or has been, granted and to ensure the satisfactory co-ordination of the development and use of the site beyond the end of the Olympic Games and Paralympic Games with other proposed development in or around the site.

Condition 2 (condition PPR.2) – Time Limit

Any application for a Legacy Transformation Development Planning Permission as defined in condition PPR.1 shall be submitted to the Local Planning Authority prior to 31 December 2012, such application to be accompanied by the statement of superseded development details required pursuant to Clause 15 of the legal agreement made under Section 106 of the Town and Country Planning Act 1990 dated 28 September 2007 and made between the Olympic Delivery Authority (1) and London Development Agency (2)

Reason: To ensure the timely submission of any application applying for the retention, modification or transformation of any development hereby permitted so as to ensure the satisfactory co-ordination of the development and use of the site beyond the end of the Olympic Games and Paralympic Games with other proposed development in or around the site.

Condition 3 (varied condition PPR.18) - Emissions and Renewable Energy

Details shall be submitted for approval to the Local Planning Authority no later than December 2011 that shall demonstrate that renewable energy generating equipment has or will be installed within or close to the Olympic Park sufficient to meet a 9% reduction in annual carbon emissions that is calculated to include the energy requirements of the parklands lighting as identified in this planning permission. Any renewable energy generating equipment identified shall be implemented operated and maintained in accordance with detailed previously submitted to and approved by the Local Planning Authority.

Reason: To ensure that the lighting contributes to the identified carbon reduction targets for structures within the Olympic and Paralympic Park and that those targets are fully met and to appropriately dovetail with condition OD.0.21 of permission ref. 07/90010/OUMODA.

Reasons to Grant:

See the reasons given for application ref. 11/90313/VARODA in appendix 1A

Appendix 1G – Relevant conditions from 08/90313/FULODA (Handball landscaping) for application ref. 11/90319/VARODA together with the proposed recommendation

Location – Handball landscaping, Planning Delivery Zone 5

Proposal - Variation of condition PPR.18 (Emissions and renewable energy) of the Handball landscaping permission ref. 08/90313/FULODA to reduce the on-site Olympic Park renewable energy generation requirement from 20% of annual carbon emissions of the venues and other buildings to be retained in the legacy phase to at least 9% of annual carbon emissions.

Existing condition

PPR.18 - Emissions and renewable energy

Details shall be submitted for approval to the Local Planning Authority no later than March 2011 that shall demonstrate that either:

- (i) the lighting within the parklands includes renewable energy generating equipment that will contribute to the overall carbon reduction targets for the Olympic Park; or*
- (ii) that renewable energy generating equipment has or will be installed within or close to the Olympic Park, sufficient to meet a 20% reduction in annual carbon emissions that is calculated to include the energy requirements of the parklands lighting as identified in this planning permission.*

Any renewable energy generating equipment identified shall be implemented, operated and maintained in accordance with details previously submitted to and approved by the Local Planning Authority.

Reason: To ensure that the lighting contributes to the identified carbon reduction targets for structures within the Olympic and Paralympic Park and that those targets are fully met and to appropriately dovetail with condition OD.0.21 of permission ref 07/90010/OUMODA.

Proposed amended condition

PPR.18 - Emissions and renewable energy

Details shall be submitted for approval to the Local Planning Authority no later than December 2011 that shall demonstrate that renewable energy generating equipment has or will be installed within or close to the Olympic Park sufficient to meet a 9% reduction in annual carbon emissions that is calculated to include the energy requirements of the parklands lighting as identified in this planning permission. Any renewable energy generating equipment identified shall be implemented operated and maintained in accordance with detailed previously submitted to and approved by the Local Planning Authority.

Reason: To ensure that the lighting contributes to the identified carbon reduction targets for structures within the Olympic and Paralympic Park and that those targets are fully met and to appropriately dovetail with condition OD.0.21 of permission ref. 07/90010/OUMODA.

RECOMMENDATION

The Committee is asked;

- 1) To **APPROVE** the variation of condition submission ref. 11/90319/VARODA to vary condition PPR.18 of permission ref. 08/90313/FULODA to vary the renewable energy generation capacity condition from 20% to at least 9% and to grant planning permission for the reasons given in this Report **SUBJECT TO** conditions and the completion of the Deed of Modification to the 2007 Section 106 Agreement;
- 2) **GRANT DELEGATED AUTHORITY** to the Director of Planning Decisions to negotiate and complete the Deed of Modification to the 2007 Section 106 Agreement in order to:
 - i) bring planning permission 11/90319/VARODA into the remit of the 2007 Section 106 Agreement;
 - ii) to secure the off-site carbon measures as detailed in the draft heads of terms contained in **appendix 2D** of this Report; and

- iii) secure such other obligations that the Director of Planning Decisions considers necessary and arising from the negotiation of the Deed of Modification.

In pursuance of the powers under the Act and the Town and Country Planning (Development Management Procedure) Order 2010 the ODA hereby gives notice that PLANNING PERMISSION HAS BEEN APPROVED for the carrying out of the development referred to in Part I hereof and as described and shown on the application, subject to the conditions imposed on the following planning permissions (except where specifically stated otherwise) and the following additional conditions:

Conditions, Informatives, Approved Plans and Drawings attached to the following planning permission will apply in full to this planning permission (save for the conditions specifically set out below will not apply to this planning permission):

1. Planning permission reference 08/90313/FULODA save for:
 - Condition: Condition PPR.18.

This planning permission is granted subject to the following additional conditions:

Condition 1 (condition PPR.1) - Time Limit

Any development approved by this permission which is not granted separate planning permission for its retention, modification or transformation for the period after the end of the Olympic Games and Paralympic Games ("Legacy Transformation Development Planning Permission") shall be removed by 31 December 2014 and any development granted permission for its retention, modification or transformation by such Legacy Transformation Development Planning Permission where such Legacy Transformation Development Planning Permission has not been implemented by 31 December 2013 shall be removed by 31 December 2014.

Reason: To ensure that the development hereby permitted is removed unless further planning permission for its retention, modification or transformation is, or has been, granted and to ensure the satisfactory co-ordination of the development and use of the site beyond the end of the Olympic Games and Paralympic Games with other proposed development in or around the site.

Condition 2 (condition PPR.2) – Time Limit

Any application for a Legacy Transformation Development Planning Permission as defined in condition PPR.1 shall be submitted to the Local Planning Authority prior to 31 December 2012, such application to be accompanied by the statement of superseded development details required pursuant to Clause 15 of the legal agreement made under Section 106 of the Town and Country Planning Act 1990 dated 28 September 2007 and made between the Olympic Delivery Authority (1) and London Development Agency (2)

Reason: To ensure the timely submission of any application applying for the retention, modification or transformation of any development hereby permitted so as to ensure the satisfactory co-ordination of the development and use of the site beyond the end of the Olympic Games and Paralympic Games with other proposed development in or around the site.

Condition 3 (varied condition PPR.18) - Emissions and Renewable Energy

Details shall be submitted for approval to the Local Planning Authority no later than December 2011 that shall demonstrate that renewable energy generating equipment has or will be installed within or close to the Olympic Park sufficient to meet a 9% reduction in annual carbon emissions that is calculated to include the energy requirements of the parklands lighting as identified in this planning permission. Any renewable energy generating equipment identified shall be implemented operated and maintained in accordance with detailed previously submitted to and approved by the Local Planning Authority.

Reason: To ensure that the lighting contributes to the identified carbon reduction targets for structures within the Olympic and Paralympic Park and that those targets are fully met and to appropriately dovetail with condition OD.0.21 of permission ref. 07/90010/OUMODA.

Reasons to Grant:

See the reasons given for application ref. 11/90313/VARODA in appendix 1A

Appendix 1H – Relevant conditions from 08/90328/FUMODA (Handball venue) for application ref. 11/90320/VARODA together with the proposed recommendation

Location – Handball arena, Planning Delivery Zone 5

Proposal - Variation of conditions HOD.12 (Handball building emissions and renewable energy) and HLT.4 (Building emissions and renewable energy) of the Handball arena permission ref. 08/90328/FUMODA to reduce the on-site Olympic Park renewable energy generation requirement from 20% of annual carbon emissions of the venues and other buildings to be retained in the legacy phase to at least 9% of annual carbon emissions.

Existing conditions

HOD.12 - Handball Building emissions and renewable energy

Details shall be submitted for approval to the Local Planning Authority no later than March 2011 that shall demonstrate either:

- i. that sufficient renewable energy generating equipment has been included in, on, or directly adjoining the final design Handball venue in order to achieve a total reduction in carbon emissions of 20% of annual carbon emissions for the permanent building; or*
- ii. that a 20% reduction in annual carbon emissions will be achieved by contribution from renewable energy generated within the Olympic Park or from a site or sites close to it, as defined in an appropriate Renewable Energy Strategy.*

Any renewable energy generating equipment identified shall be implemented, operated and maintained in accordance with details previously submitted to and approved by the Local Planning Authority.

Reason: To ensure that the Handball venue contributes to the identified carbon reduction targets for venues within the Olympic Park and that those targets are fully met and to appropriately dovetail with condition OD.0.21 of permission ref. 07/90010/OUMODA.

HLT.4 - Building emissions and renewable energy

Prior to the completion of any Legacy Transformation Development a statement shall be submitted to the Local Planning Authority for its approval which confirms either:

- i. that sufficient renewable energy generating equipment has been retained in, on, or directly adjoining the final design Handball Arena in order to achieve a total reduction in carbon emissions of 20% of annual carbon emissions for the permanent building; or*
- ii. that a 20% reduction in annual carbon emissions will be achieved by contribution from renewable energy generated within the Olympic Park or from a site or sites close to it.*

Reason: to ensure that the Handball Arena contributes to the identified carbon reduction targets for venues within the Olympic Park and that those targets are fully met and to appropriately dovetail with condition LTD.1.3 of permission ref. 07/90010/OUMODA.

Proposed amended conditions

HOD.12 - Handball Building emissions and renewable energy

Details shall be submitted for approval to the Local Planning Authority no later than December 2011 that shall demonstrate that a 9% reduction in annual carbon emissions will be achieved by contribution from renewable energy generated within the Olympic Park or from a site or sites close to it as defined in an appropriate Renewable Energy Strategy. Any renewable energy generating equipment identified shall be implemented operated and maintained in accordance with details previously submitted to and approved by the Local Planning Authority.

Reason: To ensure that the Handball venue contributes to the identified carbon reduction targets for venues within the Olympic Park and that those targets are fully met and to appropriately dovetail with condition OD.0.21 of permission ref. 07/90010/OUMODA.

HLT.4 - Building emissions and renewable energy

Prior to the completion of any Legacy Transformation Development a statement shall be submitted to the Local Planning Authority for its approval which confirms that a 9% reduction in annual carbon emissions will be achieved by contribution from renewable energy generated within the Olympic Park or from a site or sites close to it.

Reason: To ensure that the Handball Arena contributes to the identified carbon reduction targets for venues within the Olympic Park and that those targets are fully met and to appropriately dovetail with condition LTD.1.3 of permission ref. 07/90010/OUMODA.

RECOMMENDATION

The Committee is asked;

- 1) To **APPROVE** the variation of condition submission ref. 11/90320/VARODA to vary conditions HOD.12 and HLT.4 of permission ref. 08/90328/FUMODA to vary the renewable energy generation capacity conditions from 20% to at least 9% and to grant planning permission for the reasons given in this Report **SUBJECT TO** conditions and the completion of the Deed of Modification to the 2007 Section 106 Agreement;
- 2) **GRANT DELEGATED AUTHORITY** to the Director of Planning Decisions to negotiate and complete the Deed of Modification to the 2007 Section 106 Agreement in order to:
 - i) bring planning permission 11/90320/VARODA into the remit of the 2007 Section 106 Agreement;
 - ii) to secure the off-site carbon measures as detailed in the draft heads of terms contained in **appendix 2D** of this Report; and
 - iii) secure such other obligations that the Director of Planning Decisions considers necessary and arising from the negotiation of the Deed of Modification.

In pursuance of the powers under the Act and the Town and Country Planning (Development Management Procedure) Order 2010 the ODA hereby gives notice that **PLANNING PERMISSION HAS BEEN APPROVED** for the carrying out of the development referred to in Part I hereof and as described and shown on the application, subject to the conditions imposed on the following planning permissions (except where specifically stated otherwise) and the following additional conditions:

Conditions, Informatives, Approved Plans and Drawings attached to the following planning permission will apply in full to this planning permission (save for the conditions specifically set out below will not apply to this planning permission):

1. Planning permission reference 08/90328/FUMODA save for:
 - Conditions: Conditions HOD.1, HOD.12 and HLT.4.

This planning permission is granted subject to the following additional conditions:

Condition 1: Time limit

The development to which this permission relates must be commenced not later than the expiration of THREE YEARS from 6 March 2009.

Reason: To comply with the requirements of Section 91 of the Town and Country Planning Act 1990.

Condition 2 (varied condition HOD.12): Building Emissions and Renewable Energy in Games Phase

Details shall be submitted for approval to the Local Planning Authority no later than December 2011 that shall demonstrate that a 9% reduction in annual carbon emissions will be achieved by contribution from renewable energy generated within the Olympic Park or from a site or sites close to it as defined in an appropriate Renewable Energy Strategy. Any renewable energy generating equipment identified shall be implemented operated and

maintained in accordance with details previously submitted to and approved by the Local Planning Authority.

Reason: To ensure that the Handball venue contributes to the identified carbon reduction targets for venues within the Olympic Park and that those targets are fully met and to appropriately dovetail with condition OD.0.21 of permission ref. 07/90010/OUMODA.

Condition 3 (varied condition HLT.4): Building Emissions and Renewable Energy in post-Games Transformation Phase

Prior to the completion of any Legacy Transformation Development a statement shall be submitted to the Local Planning Authority for its approval which confirms that a 9% reduction in annual carbon emissions will be achieved by contribution from renewable energy generated within the Olympic Park or from a site or sites close to it.

Reason: To ensure that the Handball Arena contributes to the identified carbon reduction targets for venues within the Olympic Park and that those targets are fully met and to appropriately dovetail with condition LTD.1.3 of permission ref. 07/90010/OUMODA.

Reasons to Grant:

See the reasons given for application ref. 11/90313/VARODA in appendix 1A

Appendix 11 – Relevant conditions from 09/90198/FUMODA (Eton Manor venues) for application ref. 11/90321/VARODA together with the proposed recommendation

Location – Eton Manor, Planning Delivery Zone 7

Proposal - Variation of conditions EMOD.13 (Building emissions and renewable energy) and EMLTD.7 (Building emissions and renewable energy) of the Eton Manor venues permission ref. 09/90198/FUMODA to reduce the on-site Olympic Park renewable energy generation requirement from 20% of annual carbon emissions of the venues and other buildings to be retained in the legacy phase to at least 9% of annual carbon emissions.

Existing conditions

EMOD.13 - Building Emissions and Renewable Energy

Details shall be submitted for approval to the Local Planning Authority no later than 31 March 2011 that shall demonstrate either:

- i. that sufficient renewable energy generating equipment has been included in, on, or directly adjoining the final Eton Manor venue design in order to achieve a total reduction in carbon emissions of 20% of annual carbon emissions for the permanent building; or*
- ii. that a 20% reduction in annual carbon emissions will be achieved by contribution from renewable energy generated within the Olympic Park or from a site or sites close to it, as defined in an appropriate Renewable Energy Strategy.*

Any renewable energy generating equipment identified shall be implemented, operated and maintained in accordance with details previously submitted to and approved by the Local Planning Authority.

Reason: To ensure that Eton Manor contributes to the identified carbon reduction targets for venues within the Olympic Park and that those targets are fully met and to appropriately dovetail with condition OD.0.21 of permission ref. 07/90010/OUMODA.

EMLTD.7 - Building Emissions and Renewable Energy

Prior to the completion of any Legacy Transformation Development a statement shall be submitted to the Local Planning Authority for its approval which confirms either:

- i. that sufficient renewable energy generating equipment has been retained in, on, or directly adjoining the final design sports centre venue in order to achieve a total reduction in annual carbon emissions of 20% for the permanent building; or*
- ii. that a 20% reduction in annual carbon emissions will be achieved by contribution from renewable energy generated within the Olympic Park or from a site or sites close to it.*

Reason: To ensure that the Eton Manor development contributes to the identified carbon reduction targets for venues within the Olympic Park and that those targets are fully met and to appropriately dovetail with condition LTD.1.3 of permission ref. 07/90010/OUMODA.

Proposed amended conditions

EMOD.13 - Building Emissions and Renewable Energy

Details shall be submitted for approval to the Local Planning Authority no later than December 2011 that shall demonstrate that a 9% reduction in annual carbon emissions will be achieved by contribution from renewable energy generated within the Olympic Park or from a site or sites close to it as defined in an appropriate Renewable Energy Strategy. Any renewable energy generating equipment identified shall be implemented operated and maintained in accordance with details previously submitted to and approved by the Local Planning Authority.

Reason: To ensure that Eton Manor contributes to the identified carbon reduction targets for venues within the Olympic Park and that those targets are fully met and to appropriately dovetail with condition OD.0.21 of permission ref. 07/90010/OUMODA.

EMLTD.7 - Building Emissions and Renewable Energy

Prior to the completion of any Legacy Transformation Development a statement shall be submitted to the Local Planning Authority for its approval which confirms that a 9% reduction in annual carbon emissions will be achieved by contribution from renewable energy generated within the Olympic Park or from a site or sites close to it.

Reason: To ensure that the Eton Manor development contributes to the identified carbon reduction targets for venues within the Olympic Park and that those targets are fully met and to appropriately dovetail with condition LTD.1.3 of permission ref. 07/90010/OUMODA.

RECOMMENDATION

The Committee is asked;

- 1) To **APPROVE** the variation of condition submission ref. 11/90321/VARODA to vary conditions EMOD.13 and EMLTD.7 of permission ref. 09/90198/FUMODA to vary the renewable energy generation capacity conditions from 20% to at least 9% and to grant planning permission for the reasons given in this Report **SUBJECT TO** conditions and the completion of the Deed of Modification to the 2007 Section 106 Agreement;
- 2) **GRANT DELEGATED AUTHORITY** to the Director of Planning Decisions to negotiate and complete the Deed of Modification to the 2007 Section 106 Agreement in order to:
 - i) bring planning permission 11/90321/VARODA into the remit of the 2007 Section 106 Agreement;
 - ii) to secure the off-site carbon measures as detailed in the draft heads of terms contained in **appendix 2D** of this Report; and
 - iii) secure such other obligations that the Director of Planning Decisions considers necessary and arising from the negotiation of the Deed of Modification.

In pursuance of the powers under the Act and the Town and Country Planning (Development Management Procedure) Order 2010 the ODA hereby gives notice that **PLANNING PERMISSION HAS BEEN APPROVED** for the carrying out of the development referred to in Part I hereof and as described and shown on the application, subject to the conditions imposed on the following planning permissions (except where specifically stated otherwise) and the following additional conditions:

Conditions, Informatives, Approved Plans and Drawings attached to the following planning permission will apply in full to this planning permission (save for the conditions specifically set out below will not apply to this planning permission):

1. Planning permission reference 09/90198/FUMODA save for:
 - Conditions: EMOD.1, EMOD.13 and EMLTD.7

This planning permission is granted subject to the following additional conditions:

Condition 1: Time limit

The development to which this permission relates must be commenced not later than the expiration of THREE YEARS from the 15 January 2010.

Reason: To comply with the requirements of Section 91 of the Town and Country Planning Act 1990 and ensure implementation prior to the 2012 Games.

Condition 2 (varied condition EMOD.13): Building Emissions and Renewable Energy in Games Phase

Details shall be submitted for approval to the Local Planning Authority no later than December 2011 that shall demonstrate that a 9% reduction in annual carbon emissions will be achieved by contribution from renewable energy generated within the Olympic Park or from a site or sites close to it as defined in an appropriate Renewable Energy Strategy. Any renewable energy generating equipment identified shall be implemented operated and

maintained in accordance with details previously submitted to and approved by the Local Planning Authority.

Reason: To ensure that Eton Manor contributes to the identified carbon reduction targets for venues within the Olympic Park and that those targets are fully met and to appropriately dovetail with condition OD.0.21 of permission ref. 07/90010/OUMODA.

Condition 3 (varied condition EMLTD.7): Building Emissions and Renewable Energy in post-Games Transformation Phase

Prior to the completion of any Legacy Transformation Development a statement shall be submitted to the Local Planning Authority for its approval which confirms that a 9% reduction in annual carbon emissions will be achieved by contribution from renewable energy generated within the Olympic Park or from a site or sites close to it.

Reason: To ensure that the Eton Manor development contributes to the identified carbon reduction targets for venues within the Olympic Park and that those targets are fully met and to appropriately dovetail with condition LTD.1.3 of permission ref. 07/90010/OUMODA.

Reasons to Grant:

See the reasons given for application ref. 11/90313/VARODA in appendix 1A

Appendix 1J – Relevant conditions from 09/90410/FUMODA (Post-Games Transformation parklands) for application ref. 11/90322/VARODA together with the proposed recommendation

Location – Post-Games Transformation Parklands, Planning Delivery Zones 1, 2, 4, 5, 6, 7, 8, and 15.

Proposal - Variation of condition PGT.14 (Emissions and renewable energy) of the post-Games Transformation parklands and public realm permission ref. 09/90410/FUMODA to reduce the on-site Olympic Park renewable energy generation requirement from 20% of annual carbon emissions of the venues and other buildings to be retained in the legacy phase to at least 9% of annual carbon emissions.

Existing condition

PGT.14 - Emissions and renewable energy

Details shall be submitted for approval to the Local Planning Authority no later than 31st March 2013 that shall demonstrate that either:

- (i) the lighting within the parklands includes renewable energy generating equipment that will contribute to the overall carbon reduction targets for the Olympic Park; or*
- (ii) that renewable energy generating equipment has or will be installed within or close to the Olympic Park, sufficient to meet a 20% reduction in annual carbon emissions that is calculated to include the energy requirements of the parklands lighting as identified in this planning permission.*

Any renewable energy generating equipment identified shall be implemented, retained, operated and maintained in accordance with details previously submitted to and approved by the Local Planning Authority.

Reason: To ensure that the lighting contributes to the identified carbon reduction targets for structures within the Olympic and Paralympic Park and that those targets are fully met and to appropriately dovetail with condition LTD.1.3 of permission ref. 07/90010/OUMODA.

Proposed amended condition

PGT.14 - Emissions and renewable energy

Details shall be submitted for approval to the Local Planning Authority no later than 31st March 2013 that shall demonstrate either;

- (i) the lighting within the parklands includes renewable energy generating equipment that will contribute to the overall carbon reduction targets for the Olympic Park; or*
- (ii) that renewable energy generating equipment has or will be installed within or close to the Olympic Park sufficient to meet a 9% reduction in annual carbon emissions that is calculated to include the energy requirements of the parklands lighting as identified in the planning permission. Any renewable energy generating equipment identified shall be implemented retained operated and maintained in accordance with details previously submitted to and approved by the Local Planning Authority.*

Reason: To ensure that the lighting contributes to the identified carbon reduction targets for structures within the Olympic and Paralympic Park and that those targets are fully met and to appropriately dovetail with condition LTD.1.3 of permission ref. 07/90010/OUMODA.

RECOMMENDATION

The Committee is asked;

- 1) To **APPROVE** the variation of condition submission ref. 11/90322/VARODA to vary condition PGT.14 of permission ref. 09/90410/FUMODA to vary the renewable energy generation capacity condition from 20% to at least 9% and to grant planning permission for the reasons given in this Report **SUBJECT TO** conditions and the completion of the Deed of Modification to the 2007 Section 106 Agreement;

- 2) **GRANT DELEGATED AUTHORITY** to the Director of Planning Decisions to negotiate and complete the Deed of Modification to the 2007 Section 106 Agreement in order to:
- i) bring planning permission 11/90322/VARODA into the remit of the 2007 Section 106 Agreement;
 - ii) to secure the off-site carbon measures as detailed in the draft heads of terms contained in **appendix 2D** of this Report; and
 - iii) secure such other obligations that the Director of Planning Decisions considers necessary and arising from the negotiation of the Deed of Modification.

In pursuance of the powers under the Act and the Town and Country Planning (Development Management Procedure) Order 2010 the ODA hereby gives notice that **PLANNING PERMISSION HAS BEEN APPROVED** for the carrying out of the development referred to in Part I hereof and as described and shown on the application, subject to the conditions imposed on the following planning permissions (except where specifically stated otherwise) and the following additional conditions:

Conditions, Informatives, Approved Plans and Drawings attached to the following planning permission will apply in full to this planning permission (save for the conditions specifically set out below will not apply to this planning permission):

1. Planning permission reference 09/90410/FUMODA save for:
 - Conditions: Conditions PGT.1 and PGT.14

This planning permission is granted subject to the following additional conditions:

Condition 1: Time limit

Application for the approval of all Reserved Matters shall be made not later than 31 December 2011, unless other minor variation is agreed by the Local Planning Authority. The development shall be commenced either before the expiration of THREE YEARS from 5 July 2010 or before the expiration of two years from the date of approval of the last of the Reserved Matters to be approved, whichever is the later.

Reason: In accordance with Section 91 and Section 92 of the Town and Country Planning Act.

Condition 2 (varied condition PGT.14): Emissions and Renewable Energy

Details shall be submitted for approval to the Local Planning Authority no later than 31st March 2013 that shall demonstrate either;

- (i) the lighting within the parklands includes renewable energy generating equipment that will contribute to the overall carbon reduction targets for the Olympic Park; or
- (ii) that renewable energy generating equipment has or will be installed within or close to the Olympic Park sufficient to meet a 9% reduction in annual carbon emissions that is calculated to include the energy requirements of the parklands lighting as identified in the planning permission. Any renewable energy generating equipment identified shall be implemented retained operated and maintained in accordance with details previously submitted to and approved by the Local Planning Authority.

Reason: To ensure that the lighting contributes to the identified carbon reduction targets for structures within the Olympic and Paralympic Park and that those targets are fully met and to appropriately dovetail with condition LTD.1.3 of permission ref. 07/90010/OUMODA.

Reasons to Grant:

See the reasons given for application ref. 11/90313/VARODA in appendix 1A

Appendix 1K – Relevant conditions 08/90026/REMODA (Aquatics Centre post-Games) for application ref. 11/90323/VARODA together with the proposed recommendation

Location – Aquatics Centre, Planning Delivery Zone 1 (post-Games phase)

Proposal - Variation of condition 4 of the reserved matters approval for the Aquatics Centre ref. 08/90026/REMODA to reduce the on-site Olympic Park renewable energy generation requirement from 20% of annual carbon emissions of the venues and other buildings to be retained in the legacy phase to at least 9% of annual carbon emissions.

NB – As the reserved matters applications for the Aquatics Centre were made pursuant to the 2007 permission (ref. 07/90010/OUMODA) and only one revised version of the 2007 planning permission can be issued pursuant to section 73. Therefore the variations of conditions applications listed in Appendix 1A, Appendix 1K and Appendix 1M will all be combined into one (revised) planning permission on one decision notice. For clarity however they are listed separately in the Appendix.

Existing condition

Condition 4

Before the end of RIBA Design Stage L for the Aquatics Centre, as hereby approved, details shall be submitted for approval to the Local Planning Authority that shall demonstrate either:

(i) that sufficient renewable energy generating equipment has been included in, on, or directly adjoining the final design Aquatics Centre in order to achieve a total reduction in Carbon emissions of 20% of annual carbon emissions for the permanent building; or

(ii) that a 20% reduction in annual carbon emissions will be achieved by contribution from renewable energy generated within the Olympic Park or from a site or sites close to it, as defined in an appropriate Renewable Energy Strategy.

Any renewable energy generating equipment identified shall be implemented, operated and maintained as approved.

Reason: to ensure that the Aquatics Centre contributes to the identified carbon reduction targets for venues within the Olympic Park and that those targets are fully met.

Proposed amended condition

Condition 4

Before the end of RIBA Design Stage L for the Aquatics Centre as hereby approved details shall be submitted for approval to the Local Planning Authority that shall demonstrate that a 9% reduction in the annual carbon emissions will be achieved by contribution from renewable energy generated within the Olympic Park or from a site or sites close to it as defined in an appropriate Renewable Energy Strategy. Any renewable energy generating equipment shall be implemented operated and maintained as approved.

Reason: to ensure that the Aquatics Centre contributes to the identified carbon reduction targets for venues within the Olympic Park and that those targets are fully met.

RECOMMENDATION

The Committee is asked;

- 1) To **APPROVE** the variation of condition submission ref. 11/90323/VARODA to vary condition 4 of permission ref. 08/90026/REMODA to vary the renewable energy generation capacity condition from 20% to at least 9% and to grant planning permission for the reasons given in this Report **SUBJECT TO** conditions and the completion of the Deed of Modification to the 2007 Section 106 Agreement;
- 2) **GRANT DELEGATED AUTHORITY** to the Director of Planning Decisions to negotiate and complete the Deed of Modification to the 2007 Section 106 Agreement in order to:
 - i) bring planning permission 11/90323/VARODA into the remit of the 2007 Section 106 Agreement;
 - ii) to secure the off-site carbon measures as detailed in the draft heads of terms contained in **appendix 2D** of this Report; and

- iii) secure such other obligations that the Director of Planning Decisions considers necessary and arising from the negotiation of the Deed of Modification.

In pursuance of the powers under the Act and the Town and Country Planning (Development Management Procedure) Order 2010 the ODA hereby gives notice that PLANNING PERMISSION HAS BEEN APPROVED for the carrying out of the development referred to in Part I hereof and as described and shown on the application, subject to the conditions imposed on the following planning permissions (except where specifically stated otherwise) and the following additional conditions:

Conditions, Informatives, Schedule of Approved Plans and Drawings, Approved Plans and Drawings attached to the following planning permissions will apply in full to this planning permission (save for the conditions specifically set out below will not apply to this planning permission):

1. Planning permission reference 07/90010/OUMODA save for:
 - Conditions: Conditions OD.0.1, OD.0.21, LTD.1.3 and OD.7.1.
2. Planning permission reference 08/90026/REMODA save for:
 - Condition: Condition 4.

This planning permission is granted subject to the following additional conditions:

Condition 1: Time limit

Application for the approval of all Reserved Matters shall be made not later than 31 December 2011, unless otherwise agreed by the Local Planning Authority. The Olympic Development shall be commenced either before the expiration of four years from 28th September 2007 or two years from the date of approval of the last Reserved Matters to be approved, whichever is the later.

Reason: To comply with the requirements of Sections 91 and 92 of the Town and Country Planning Act 1990.

Condition 2 (varied condition 4): Emissions and Renewable Energy

Before the end of RIBA Design Stage L for the Aquatics Centre as hereby approved details shall be submitted for approval to the Local Planning Authority that shall demonstrate that a 9% reduction in the annual carbon emissions will be achieved by contribution from renewable energy generated within the Olympic Park or from a site or sites close to it as defined in an appropriate Renewable Energy Strategy. Any renewable energy generating equipment shall be implemented operated and maintained as approved.

Reason: to ensure that the Aquatics Centre contributes to the identified carbon reduction targets for venues within the Olympic Park and that those targets are fully met.

Reasons to Grant:

See the reasons given for application ref. 11/90313/VARODA in appendix 1A

Appendix IL – Relevant conditions from 08/90314/FULODA (PDZ4 parklands) for application ref. 11/90324/VARODA together with the proposed recommendation

Location – Planning Delivery Zone 4

Proposal - Variation of condition PPR.18 (Emissions and renewable energy) of the PDZ4 landscaping permission ref. 08/90314/FULODA to reduce the on-site Olympic Park renewable energy generation requirement from 20% of annual carbon emissions of the venues and other buildings to be retained in the legacy phase to at least 9% of annual carbon emissions.

Existing condition

PPR.18 - Emissions and renewable energy

Details shall be submitted for approval to the Local Planning Authority no later than March 2011 that shall demonstrate that either:

- (i) the lighting within the parklands includes renewable energy generating equipment that will contribute to the overall carbon reduction targets for the Olympic Park; or*
- (ii) that renewable energy generating equipment has or will be installed within or close to the Olympic Park, sufficient to meet a 20% reduction in annual carbon emissions that is calculated to include the energy requirements of the parklands lighting as identified in this planning permission.*

Any renewable energy generating equipment identified shall be implemented, operated and maintained in accordance with details previously submitted to and approved by the Local Planning Authority.

Reason: To ensure that the lighting contributes to the identified carbon reduction targets for structures within the Olympic and Paralympic Park and that those targets are fully met and to appropriately dovetail with condition OD.0.21 of permission ref. 07/90010/OUMODA.

Proposed amended condition

PPR.18 - Emissions and renewable energy

Details shall be submitted for approval to the Local Planning Authority no later than December 2011 that shall demonstrate that renewable energy generating equipment has or will be installed within or close to the Olympic Park sufficient to meet a 9% reduction in annual carbon emissions that is calculated to include the energy requirements of the parklands lighting as identified in this planning permission. Any renewable energy generating equipment identified shall be implemented operated and maintained in accordance with detailed previously submitted to and approved by the Local Planning Authority.

Reason: To ensure that the lighting contributes to the identified carbon reduction targets for structures within the Olympic and Paralympic Park and that those targets are fully met and to appropriately dovetail with condition OD.0.21 of permission ref. 07/90010/OUMODA.

RECOMMENDATION

The Committee is asked;

- 1) To **APPROVE** the variation of condition submission ref. 11/90324/VARODA to vary condition PPR.18 of permission ref. 08/90314/FULODA to vary the renewable energy generation capacity condition from 20% to at least 9% and to grant planning permission for the reasons given in this Report **SUBJECT TO** conditions and the completion of the Deed of Modification to the 2007 Section 106 Agreement;
- 2) **GRANT DELEGATED AUTHORITY** to the Director of Planning Decisions to negotiate and complete the Deed of Modification to the 2007 Section 106 Agreement in order to:
 - i) bring planning permission 11/90324/VARODA into the remit of the 2007 Section 106 Agreement;
 - ii) to secure the off-site carbon measures as detailed in the draft heads of terms contained in **appendix 2D** of this Report; and

- iii) secure such other obligations that the Director of Planning Decisions considers necessary and arising from the negotiation of the Deed of Modification.

In pursuance of the powers under the Act and the Town and Country Planning (Development Management Procedure) Order 2010 the ODA hereby gives notice that PLANNING PERMISSION HAS BEEN APPROVED for the carrying out of the development referred to in Part I hereof and as described and shown on the application, subject to the conditions imposed on the following planning permissions (except where specifically stated otherwise) and the following additional conditions:

Conditions, Informatives Approved Plans and Drawings attached to the following planning permission will apply in full to this planning permission (save for the conditions specifically set out below will not apply to this planning permission):

1. Planning permission reference 08/90314/FULODA save for:
 - Condition: Condition PPR.18

This planning permission is granted subject to the following additional conditions:

Condition 1 (condition PPR.1) - Time Limit

Any development approved by this permission which is not granted separate planning permission for its retention, modification or transformation for the period after the end of the Olympic Games and Paralympic Games ("Legacy Transformation Development Planning Permission") shall be removed by 31 December 2014 and any development granted permission for its retention, modification or transformation by such Legacy Transformation Development Planning Permission where such Legacy Transformation Development Planning Permission has not been implemented by 31 December 2013 shall be removed by 31 December 2014.

Reason: To ensure that the development hereby permitted is removed unless further planning permission for its retention, modification or transformation is, or has been, granted and to ensure the satisfactory co-ordination of the development and use of the site beyond the end of the Olympic Games and Paralympic Games with other proposed development in or around the site.

Condition 2 (condition PPR.2) – Time Limit

Any application for a Legacy Transformation Development Planning Permission as defined in condition PPR.1 shall be submitted to the Local Planning Authority prior to 31 December 2012, such application to be accompanied by the statement of superseded development details required pursuant to Clause 15 of the legal agreement made under Section 106 of the Town and Country Planning Act 1990 dated 28 September 2007 and made between the Olympic Delivery Authority (1) and London Development Agency (2)

Reason: To ensure the timely submission of any application applying for the retention, modification or transformation of any development hereby permitted so as to ensure the satisfactory co-ordination of the development and use of the site beyond the end of the Olympic Games and Paralympic Games with other proposed development in or around the site.

Condition 3 (varied condition PPR.18) - Emissions and Renewable Energy

Details shall be submitted for approval to the Local Planning Authority no later than December 2011 that shall demonstrate that renewable energy generating equipment has or will be installed within or close to the Olympic Park sufficient to meet a 9% reduction in annual carbon emissions that is calculated to include the energy requirements of the parklands lighting as identified in this planning permission. Any renewable energy generating equipment identified shall be implemented operated and maintained in accordance with detailed previously submitted to and approved by the Local Planning Authority.

Reason: To ensure that the lighting contributes to the identified carbon reduction targets for structures within the Olympic and Paralympic Park and that those targets are fully met and to appropriately dovetail with condition OD.0.21 of permission ref. 07/90010/OUMODA.

Reasons to Grant:

See the reasons given for application ref. 11/90313/VARODA in appendix 1A

Appendix 1M – Relevant conditions from 08/90025/REMODA (Aquatics Centre Games phase) for application ref. 11/90326/VARODA together with the proposed recommendation

Location – Aquatics Centre, Planning Delivery Zone 1 (Games phase)

Proposal - Variation of condition 4 of the reserved matters approval for the Aquatics Centre ref. 08/90025/REMODA to reduce the on-site Olympic Park renewable energy generation requirement from 20% of annual carbon emissions of the venues and other buildings to be retained in the legacy phase to at least 9% of annual carbon emissions.

NB – As the reserved matters applications for the Aquatics Centre were made pursuant to the 2007 permission (ref. 07/90010/OUMODA) and only one revised version of the 2007 planning permission can be issued pursuant to section 73. Therefore the variations of conditions applications listed in Appendix 1A, Appendix 1K and Appendix 1M will all be combined into one (revised) planning permission on one decision notice. For clarity however they are listed separately in the Appendix.

Existing condition

Condition 4

Before the end of RIBA Design Stage L for the Aquatics Centre, as hereby approved, details shall be submitted for approval to the Local Planning Authority that shall demonstrate either:

- (i) that sufficient renewable energy generating equipment has been included in, on, or directly adjoining the final design Aquatics Centre in order to achieve a total reduction in Carbon emissions of 20% of annual carbon emissions for the permanent building; or*
- (ii) that a 20% reduction in annual carbon emissions will be achieved by contribution from renewable energy generated within the Olympic Park or from a site or sites close to it, as defined in an appropriate Renewable Energy Strategy.*

Any renewable energy generating equipment identified shall be implemented, operated and maintained as approved.

Reason: to ensure that the Aquatics Centre contributes to the identified carbon reduction targets for venues within the Olympic Park and that those targets are fully met.

Proposed amended condition

Condition 4

Before the end of RIBA Design Stage L for the Aquatics Centre as hereby approved details shall be submitted for approval to the Local Planning Authority that shall demonstrate that a 9% reduction in the annual carbon emissions will be achieved by contribution from renewable energy generated within the Olympic Park or from a site or sites close to it as defined in an appropriate Renewable Energy Strategy. Any renewable energy generating equipment shall be implemented operated and maintained as approved.

Reason: to ensure that the Aquatics Centre contributes to the identified carbon reduction targets for venues within the Olympic Park and that those targets are fully met.

RECOMMENDATION

The Committee is asked;

- 1) To **APPROVE** the variation of condition submission ref. 11/90326/VARODA to vary condition 4 of permission ref. 08/90025/REMODA to vary the renewable energy generation capacity condition from 20% to at least 9% and to grant planning permission **SUBJECT TO** conditions and the completion of the Deed of Modification to the 2007 Section 106 Agreement;
- 2) **GRANT DELEGATED AUTHORITY** to the Director of Planning Decisions to negotiate and complete the Deed of Modification to the 2007 Section 106 Agreement in order to:
 - i) bring planning permission 11/90326/VARODA into the remit of the 2007 Section 106 Agreement;

- ii) to secure the off-site carbon measures as detailed in the draft heads of terms contained in **appendix 2D** of this Report; and
- iii) secure such other obligations that the Director of Planning Decisions considers necessary and arising from the negotiation of the Deed of Modification.

In pursuance of the powers under the Act and the Town and Country Planning (Development Management Procedure) Order 2010 the ODA hereby gives notice that **PLANNING PERMISSION HAS BEEN APPROVED** for the carrying out of the development referred to in Part I hereof and as described and shown on the application, subject to the conditions imposed on the following planning permissions (except where specifically stated otherwise) and the following additional conditions:

Conditions, Informatives, Schedule of Approved Plans and Drawings, Approved Plans and Drawings attached to the following planning permissions will apply in full to this planning permission (save for the conditions specifically set out below will not apply to this planning permission):

1. Planning permission reference 07/90010/OUMODA save for:
 - Conditions: Conditions OD.0.1, OD.0.21, LTD.1.3 and OD.7.1.
2. Planning permission reference 08/90025/REMODA save for:
 - Condition: Condition 4.

This planning permission is granted subject to the following additional conditions:

Condition 1: Time limit

Application for the approval of all Reserved Matters shall be made not later than 31 December 2011, unless otherwise agreed by the Local Planning Authority. The Olympic Development shall be commenced either before the expiration of four years from 28th September 2007 or two years from the date of approval of the last Reserved Matters to be approved, whichever is the later.

Reason: To comply with the requirements of Sections 91 and 92 of the Town and Country Planning Act 1990.

Condition 2 (varied condition 4): Building Emissions and Renewable Energy

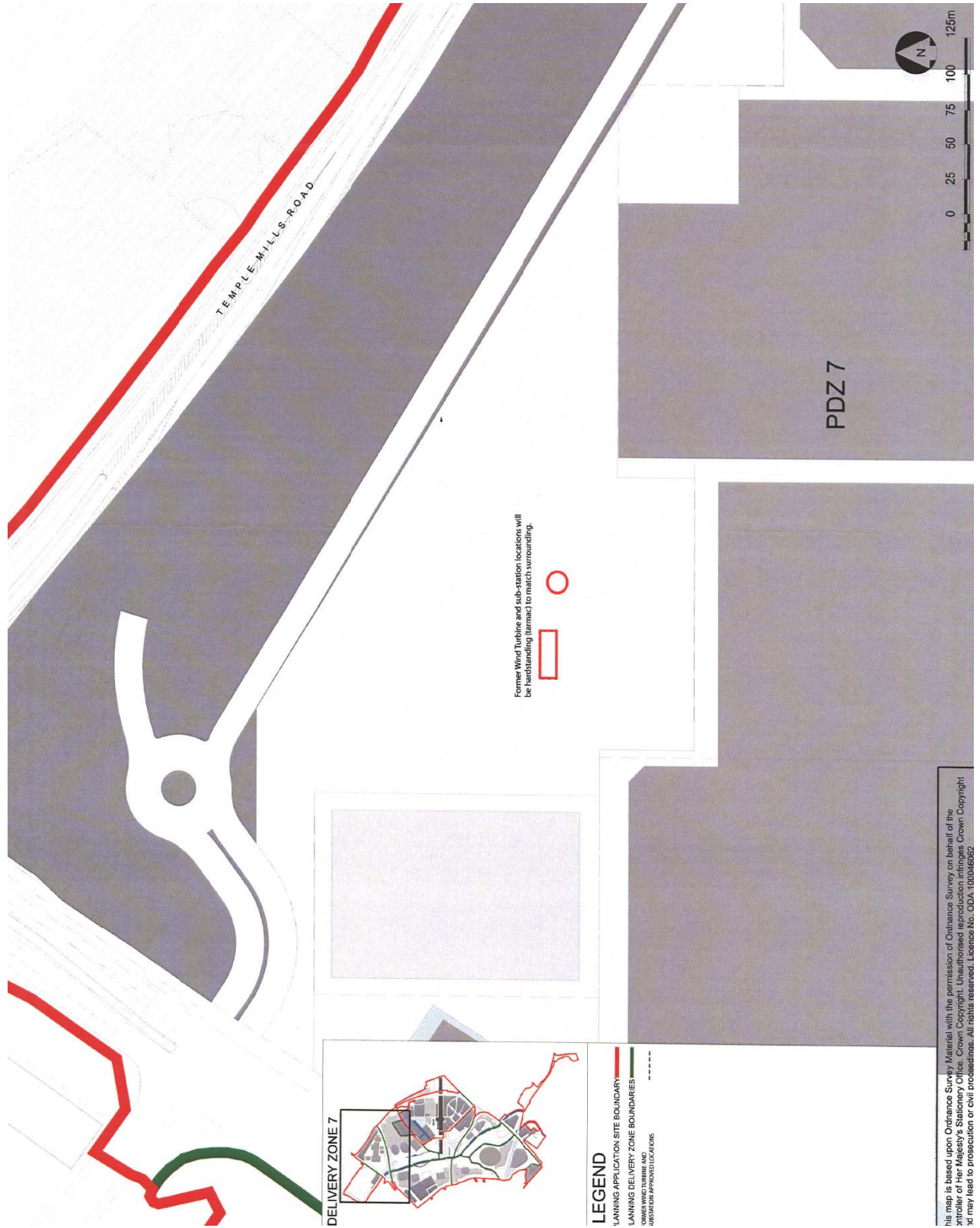
Before the end of RIBA Design Stage L for the Aquatics Centre as hereby approved details shall be submitted for approval to the Local Planning Authority that shall demonstrate that a 9% reduction in the annual carbon emissions will be achieved by contribution from renewable energy generated within the Olympic Park or from a site or sites close to it as defined in an appropriate Renewable Energy Strategy. Any renewable energy generating equipment shall be implemented operated and maintained as approved.

Reason: to ensure that the Aquatics Centre contributes to the identified carbon reduction targets for venues within the Olympic Park and that those targets are fully met.

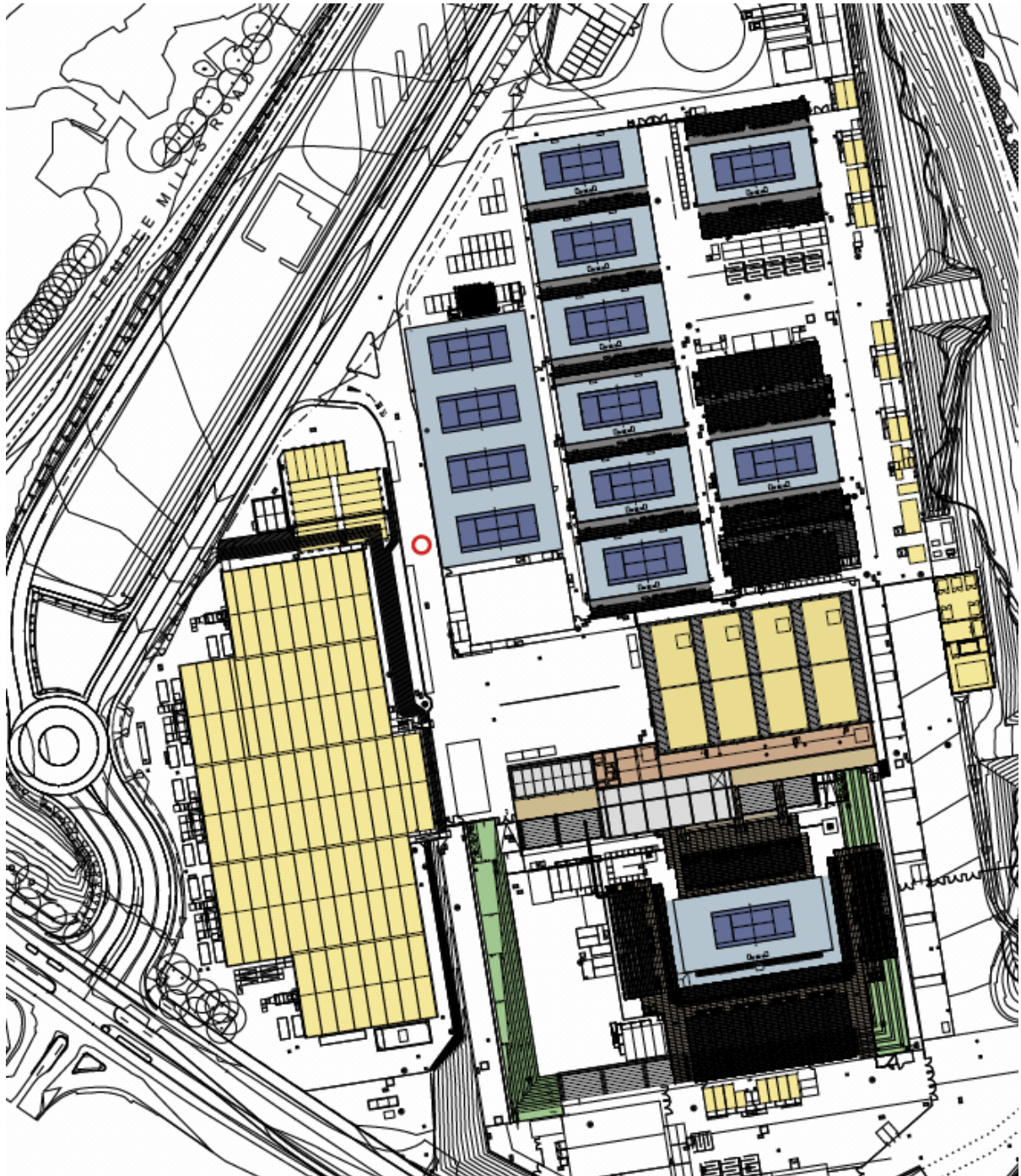
Reasons to Grant:

See the reasons given for application ref. 11/90313/VARODA in appendix 1A

Appendix 2A – Plan for the hard standing on Eton Manor (ref. 11/90325/FULODA)



Appendix 2A continued – Indicative plan to show the location of the proposed hard landscaping in the context of the surrounding approved Games phase development



Appendix 2B – Recommendation for application ref. 11/90325/FULODA (Slot in to replace the approved wind turbine).

RECOMMENDATION

The Committee is asked:

- 1) To **APPROVE** the submitted full planning application ref. 11/90325/FULODA for the hard standing at Eton Manor and to grant planning permission for reasons given in the above report **SUBJECT TO**:
 - i) the conditions and informatives as set out below and Statement of Superseded Development as set out in **appendix 2C** of this Report; and
 - ii) the completion of the Deed of Modification to the 2007 Section 106 Agreement.

- 2) **GRANT DELEGATED AUTHORITY** to the Director of Planning Decisions to negotiate and complete the Deed of Modification to the 2007 Section 106 Agreement in order to:
 - i) bring planning permissions referred to in appendices 1A to 1M and 2 of this Report into the remit of the 2007 Section 106 Agreement;
 - ii) to secure the off-site carbon measures as detailed in the draft heads of terms contained in **appendix 2D** of this Report; and
 - iii) secure such other obligations that the Director of Planning Decisions considers necessary and arising from the negotiation of the Deed of Modification.

Conditions

Time limit

The development to which this permission relates must be commenced not later than the expiration of ONE YEAR from the date of this permission.

Reason: To comply with the requirements of Section 91 of the Town and Country Planning Act 1990 and ensure implementation prior to the 2012 Games.

Works in accordance with approvals

Unless minor variations are agreed in writing by the Local Planning Authority and to the extent that it does not deviate from this permission, the development shall be carried out in accordance with drawing number;

OLY-OLF-APP-DWG-PDZ7-UTL-DEF-001 Rev 02

and the description of development contained in the application and any other plans, drawings, documents, details, schemes or strategies which have been approved by the Local Planning Authority pursuant to this condition.

Reason: To ensure that all works are properly implemented.

Removal of temporary Games facilities

Unless another date is agreed by the Local Planning Authority, no further use of the site shall take place after 31 December 2013 unless all temporary hard surface areas installed for the Games have been removed and the site laid out in accordance with details to be submitted and approved by the Local Planning Authority.

Reason: To ensure removal of temporary development in the interest of amenity, to allow post-Games Transformation works on the site and to appropriately dovetail with condition LTD.2 of permission ref. 07/90010/OU MODA and condition EMLTD.37 of permission ref. 09/90198/FUMODA.

Informative

- 1) The applicant is reminded that the hard standing hereby approved is for Games phase only. A submission is required for post-Games Transformation phase to show how this part of the wider Eton Manor site fits within the approved changes in the post-Games phase to provide the permanent facilities at Eton Manor by permissions 09/90198/FUMODA, 09/90410/FUMODA and 10/90015/AODODA.

2) The applicant is advised that no further submission is required pursuant to condition EMOD.67 (Coach drop off area) of permission ref. 09/90198/FUMODA (Eton Manor venues) as the non-implementation of the wind turbine removes the need for traffic management around its base.

Reasons for approval

In accordance with Article 31 of the Town and Country Planning (Development Management Procedure) (England) Order 2010, the following is a summary of the reasons for the grant of planning permission, together with a summary of the policies in the development plan which are relevant to the decision to grant permission.

The development plan for the application site comprises the London Plan (Consolidated with alterations since February 2004) February 2008 and the London Borough of Waltham Forest Unitary Development Plan, First Review (Adopted March 2006) (saved from 27 September 2007 in accordance with the direction from the Secretary of State). The draft replacement London Plan; Spatial Development Strategy for Greater London Consultation Draft replacement plan (October 2009) and London Borough of Waltham Forest Proposed Submission Core Strategy (January 2011) are also material considerations. The London Olympic and Paralympic Games Act 2006 and the following planning policies are relevant to this planning permission.

These reasons include a summary of the relevant development plan policies as identified in the Report for the ODA Planning Committee of 26th July 2011.

The area of hard standing for Games phase hereby approved (where the wind turbine was approved), would be within the back of house area for the Eton Manor venues, and part of the vehicle circulation area previously approved by the Eton Manor venues permission ref. 09/90198/FUMODA. This temporary hard standing is considered to be acceptable, and would form a small part of LOCOG's operational area required for hosting the 2012 Games. The proposal is therefore in line with section 5(5)(a) of the London Olympic and Paralympic Games Act 2006 regarding making proper provision for the 2012 Games. It would also prevent the need for the management of traffic along the access road which the wind turbine's location restricted to one lane; a traffic management plan was required as part of a condition EMOD.67 (Coach drop off) on the Eton Manor venues approval which would no longer apply as two lanes can now be provided. An informative to make this clear is attached to this permission.

The application site is designated by the London Borough of Waltham Forest UDP as Metropolitan Open Land (MOL). Policies ENV4 and ENV5 of the London Borough of Waltham Forest UDP set out the range of uses that would be acceptable and restricts built development to that which is ancillary to the purpose of MOL. Policy 3D.10 of the London Plan affords MOL the same degree of protection as Green Belt with the presumption against inappropriate development; development should only be granted planning permission where there are very special circumstances. The impact of the Olympic development within Eton Manor, both temporary and permanent and including the wind turbine, on designated MOL was considered in the 2007 application and subsequent 2009 Eton Manor venue slot in submission. PDT's assessment of these applications (and other across the Olympic Park) concluded that the regeneration and sporting benefits of hosting the 2012 Games constituted very special circumstances, and justified a departure from MOL policy.

The principle of temporary Games phase buildings and hard standing on Eton Manor has previously been found to be acceptable in the 2007 permission and January 2010 slot in permission for the Eton Manor venue. The removal of the wind turbine and its replacement in Games phase with an area of hard standing is considered to be acceptable in terms of impact on MOL. The proposal would allow proper preparation for the Games in accordance with section 5(5)(a) of the Olympic Act. A condition is included to require the removal of the

hard standing in post-Games Transformation phase. The approved hard standing would not adversely affect the drainage of the site, or water quality.

The post-Games Transformation development of Eton Manor was approved by two permissions ref. 09/90198/FUMODA for the permanent sports centre, tennis courts and hockey pitches, and by 10/90410/FUMODA for the surrounding parklands, allotments, car parking and 5-a-side football pitches platform. The wind turbine required an exclusion zone around its base to prevent public access, and this was included in the post-Games Transformation permissions to be a circular, soft landscaped area. The hard standing approved by this decision notice would not affect the implementation of the approved post-Games scheme for Eton Manor. However, the necessary revisions to the post-Games Transformation scheme caused by the removal of the wind turbine will form a separate future submission by the OPLC, and an informative is included to make this clear.

The removal of the wind turbine would remove any impacts it would have had on air traffic through its height or lighting. The Civil Aviation Authority, London City Airport and NATS/NERL were consulted to make them aware of this proposal but no response was received.

A Statement of Superseded Development is attached to this permission to clearly state which elements of the 2007 permission have been slotted out, i.e. the wind turbine and its associated sub-station, to prevent any incompatibility issues.

London Olympic and Paralympic Games Act 2006

Section 5 (5) of the London Olympic Games and Paralympic Games Act 2006 sets out the matters to which the Olympic Delivery Authority in discharging its planning functions shall have regard, in particular:

- (a) To the desirability of making proper preparation for the London Olympics,
- (b) To the desirability of maximising the benefits to be derived after the London Olympics from things done in preparation for them,
- (c) To the terms of any planning permission already granted in connection with preparation for the London Olympics,
- (d) To any guidance issued by the Secretary of State (which may, in particular, refer to other documents), and
- (e) To the development plan for any area in respect of which an order is made under section 149 of the Local Government, Planning and Land Act 1980 (c.65) by virtue of subsection (1) above, construed in accordance with section 38 of the Planning and Compulsory Purchase Act 2004 (c.5).

National Planning Policy

The following statements as summarised are relevant to this permission:

PPS1 – Delivering Sustainable Development

This national guidance sets out the overarching planning policies on the delivery of sustainable development through the planning system. It includes comment on design and states that good design should:

- address the connections between people and places by considering the needs of people to access jobs and key services
- be integrated into the existing urban form and the natural and built environments
- be an integral part of the processes for ensuring successful, safe and inclusive villages, towns and cities
- create an environment where everyone can access and benefit from the full range of opportunities available to members of society, and,
- consider the direct and indirect impacts on the natural environment.

PPG2 – Green Belts

This guidance sets out the presumption against inappropriate development within the Green Belt (and the same applies to Metropolitan Open Land), and that such development should

only be permitted where there are other material considerations that can be regarded as very special circumstances which warrant the grant of planning permission. Inappropriate development is, by definition, harmful to the Green Belt. Very special circumstances to justify inappropriate development will not exist unless the harm by reason of inappropriateness, and any other harm, is clearly outweighed by other considerations.

PPS22 – Renewable energy

Development of renewable energy resources should be promoted and encouraged, including combined heat and power schemes. Positive planning which facilitates renewable energy developments can contribute to effective protection of the environment; prudent use of natural resources; and maintenance of economic growth and employment.

London Plan (Consolidated with alterations since February 2004), February 2008

The following summarised policies are relevant to this permission:

2A.1 – Sustainability criteria

Promote, support and encourage the development of London in ways that secure this Plan's social, environmental and economic objectives. Sets out the sustainability criteria for implementing the London Plan including:

- taking account of the impact that development will have on London's natural resources, environmental and cultural assets and the health of local people and upon the objective of adapting to and mitigating the effect of climate change
- optimising the use of previously developed land and buildings
- using a design-led approach to optimise the potential of sites
- ensuring that development occurs in locations that are currently, or will be, accessible by public transport, walking and cycling
- ensuring that development takes account of the capacity of existing or planned infrastructure
- taking account of the physical constraints on the development of land
- ensuring that development incorporates green infrastructure
- promoting corporate social responsibility
- taking account of the objectives of promoting safety and security
- taking account of the suitability of sites for mixed use development.

3D.6 – The Olympic and Paralympic Games and sports facilities

Develop and implement legacies from the new permanent facilities in the Olympic Park, ensuring they are accessible and affordable to all Londoners. Seek to increase participation in sport and physical activity among all sections of London's population.

3D.10 – Metropolitan Open Land

The Mayor will and boroughs should maintain the protection of MOL from inappropriate development. Any alterations to the boundary of MOL should be undertaken by boroughs through the DPD process, in consultation with the Mayor and adjoining authorities. Land designated as MOL should satisfy one or more of the following criteria:

- Land that contributes to the physical structure of London by being clearly distinguishable from the built-up area.
- Land that includes open air facilities, especially for leisure, recreation, sport, arts and cultural activities and tourism which serve the whole or significant parts of London.
- Land that contains features or landscapes of historic, recreational, nature conservation or habitat interest, of value at a metropolitan or national level.
- Land that forms part of a Green Chain and meets one of the above criteria.

Policies should include a presumption against inappropriate development of MOL and given the same level of protection as the green belt. Essential facilities for appropriate uses will only be acceptable where they do not have an adverse impact on the openness of MOL.

4A.1 – Tackling climate change

Development should have a hierarchy of using less energy, supplying energy efficiently and using renewable energy. These contributions should effectively reflect the context of each development, for example its nature, size, location, accessibility and operation. Development should be located, designed and built for the climate that it will experience over its intended lifetime.

4A.2 - Mitigating climate change

The Mayor will work towards the long-term reduction of carbon dioxide emissions by 60 per cent by 2050. The Mayor will and boroughs and other agencies should seek to achieve the following minimum reduction targets for London against a 1990 base; these will be monitored and kept under review: 15% by 2010; 20% by 2015; 25% by 2020 and 30% by 2025.

4A.3 – Sustainable design and construction

Ensure developments meet the highest standards of sustainable design and construction by; making the most effective use of land and existing buildings; reducing emissions that contribute to climate change; designing buildings for flexible use throughout their lifetime, avoiding internal overheating and excessive heat generation; make the most effective and sustainable use of water, aggregates and other resources; minimising energy use including passive solar design and natural ventilation; supply energy efficiently, incorporate decentralised energy systems and use renewable energy; minimise light lost to the sky; procure materials sustainably; ensure designs make the most of natural systems both within and around the building; reduce air and water pollution; manage flood risk; ensure developments are comfortable and secure for users; conserve and enhance the natural environment; avoid creating adverse local climate conditions; promote sustainable waste behaviour; incorporate living roofs and walls where feasible; and reduce adverse noise impacts. Developers should use best practice and appropriate mitigation measures to reduce the environmental impact of demolition and construction.

4A.4 – Energy assessment

Supports the Mayor's Energy Strategy and its objectives of improving energy efficiency and increasing the proportion of energy used generated from renewable sources. Major developments should include an assessment of the energy demand and carbon dioxide emissions, and demonstrate the expected energy and emission savings from the energy efficiency and renewable energy measures incorporated in the development.

4A.7 – Renewable energy

Adopt a presumption that developments will achieve a reduction in carbon dioxide emissions of 20% from on-site renewable energy generation, unless it can be demonstrated that such provision is not feasible. This will support the Mayor's Climate Change Mitigation and Energy Strategy and its objectives of increasing the proportion of energy used generated from renewable sources by:

- requiring the inclusion of renewable energy technology and design, including: biomass fuelled heating, cooling and electricity generating plant, biomass heating, renewable energy from waste (Policy 4A.21) photovoltaics, solar water heating, wind, hydrogen fuel cells, and ground coupled heating and cooling in new developments wherever feasible
- facilitating and encouraging the use of all forms of renewable energy where appropriate, and giving consideration to the impact of new development on existing renewable energy schemes.

Boroughs in their DPDs should identify broad areas where the development of specific renewable energy technologies is appropriate. These should encourage the fullest realisation of the potential for renewable energy having regard to the environmental and transport policies of the London Plan. These should include:

- identifying sites for zero carbon development
- identifying suitable locations for wind turbines in developments
- encouraging at least one large wind power scheme in London

- encouraging applications for new street appliances (such as bus shelters, bus stops, parking ticket machines and road signs) to incorporate off-grid solar power and other renewable energy sources where feasible.

4A.9 – Adaptation to Climate Change

Promote and support the most effective adaptation to climate change including minimising overheating and solar gain in summer, contributing to reducing flood risk through the use of sustainable urban drainage, minimising water use and protecting and enhancing green infrastructure.

4B.1 – Design principles for a compact city

Seeks to ensure that developments:

- Maximise the potential of sites
- Promote high quality inclusive design and create or enhance the public realm
- Contribute to adaptation to and mitigation of the effects of climate change
- Respect the local context, character and communities
- Are accessible, useable and permeable for all users
- Are sustainable, durable and adaptable
- Are safe for occupants and passers-by
- Are practical and legible
- Are attractive to look at and, where appropriate, inspire, excite and delight
- Respect the natural environment and biodiversity
- Address health inequalities.

4B.2 – Promoting world-class architecture and design

Seeks to promote world-class design.

5C.2 – 2012 Olympic and Paralympic Games

The Mayor will and partners should work to develop and implement viable legacy uses for the permanent facilities in the Park;

- increase participation in sport and physical activity by all sections of London's population and ensure community access to legacy facilities
- ensure housing development is consistent with the London Plan and maximises the benefits from its association with the Games
- promote and secure sustainable development and procurement policies for the Games delivery bodies and other organisations
- maximise the employment, skills and volunteering benefits for Londoners arising from the Games and Games-related business
- ensure all Londoners have access to the opportunities arising from the Games and legacy
- ensure the land acquired for the development is used after the Games for the strategic needs of the Lower Lea Valley and wider Thames Gateway
- maximise opportunity to promote London's status as a leading world city
- ensure transport projects contribute to the delivery of the Mayor's transport strategy and the needs of wider London
- ensure the Games preparation, staging and legacy contribute to the delivery of the Mayor's environmental strategies and objectives.

London Plan; Spatial Development Strategy for Greater London Consultation Draft replacement plan (October 2009)

The following summarised draft policies are relevant to this permission but have limited weight:

Policy 2.4 – The 2012 Games and their legacy

The Mayor will work with partners to develop and implement a viable and sustainable legacy for the Olympic and Paralympic Games to deliver fundamental economic, social and environmental change within east London, and to close the deprivation gap between the

host boroughs and the rest of London. The Mayor's priorities for the Olympic Park and the surrounding areas will be set out in his Olympic Legacy Strategic Planning Guidance, which will clarify and emphasise the need for a planned approach to regeneration and change, embed exemplary design and environmental quality, and help meet existing and new housing needs. It will also consider social and community infrastructure requirements, set out how the areas around the Olympic Park can benefit from, and be fully integrated with, emerging legacy proposals, and promote the managed release of appropriate industrial sites for mixed use development while retaining key industrial land, particularly within established Strategic Industrial Locations. The Mayor will and boroughs should; ensure transport projects contribute to the delivery of the Mayor's Transport Strategy; establish new and enhanced north-south and east-west walking and cycling connections within and to the Olympic Park; and promote the Olympic Park and venues as international visitor destinations for sport, recreation and tourism.

Policy 5.1 – Climate change mitigation

The Mayor seeks to achieve an overall reduction in London's carbon dioxide emissions of 60 per cent (below 1990 levels) by 2025. It is expected that regional agencies, London boroughs and other organisations will contribute to meeting this strategic reduction target, and the GLA will monitor progress towards its achievement annually. Within LDFs boroughs should develop detailed policies and proposals that are consistent with the achievement of the Mayor's strategic carbon dioxide emissions reduction target for London.

Policy 5.2 – Minimising carbon dioxide emissions

Development proposals should make the fullest contribution to minimising carbon dioxide emissions in accordance with the energy hierarchy:

- be lean: use less energy
- be clean: supply energy efficiently
- be green: use renewable energy

As a minimum, all major development proposals should meet the following targets for carbon dioxide emissions reduction in buildings. These targets are expressed as minimum improvements over the Target Emission Rate outlined in the national Building Regulations; 2010-2013 44% improvement on 2006 Building Regulations for non-domestic buildings; 2013-2016 55% improvement on 2006 Building Regulations for non-domestic buildings. Major development proposals should include a detailed energy assessment to demonstrate how the minimum targets for carbon dioxide emissions reduction outlined above are to be met within the framework of the energy hierarchy. The carbon dioxide reduction targets should be met onsite. Where it is clearly demonstrated that the specific targets cannot be fully achieved onsite, any shortfall may be provided offsite or through a cash in lieu contribution to the relevant borough to be ring fenced to secure delivery of carbon dioxide savings elsewhere.

Policy 5.3 – Sustainable design and construction

The highest standards of sustainable design and construction should be achieved in London to improve the environmental performance of new development. Development proposals should demonstrate that sustainable design standards are integral to the proposal, including its construction and operation, and ensure that they are considered at the beginning of the design process. Major development proposals should meet the minimum standards outlined in the Mayor's supplementary planning guidance on Sustainable Design and Construction.

Policy 5.7 – Renewable energy

The Mayor seeks to increase the proportion of energy generated from renewable sources, and expects that the minimum targets for installed renewable energy capacity outlined in Table 5.1 (including 12MWe energy capacity from photovoltaics in 2015) will be achieved in London. Within the framework of the energy hierarchy, major development proposals should provide a reduction in carbon dioxide emissions through the use of onsite renewable energy generation, where feasible. Within LDFs boroughs should, and other agencies may wish to, develop more detailed policies and proposals to support the development of renewable energy in London. In particular, to identify broad areas where specific renewable

energy technologies, including large scale systems and the large scale deployment of small scale systems, are appropriate. The identification of areas should be consistent with the guidelines and criteria outlined in the Mayor's forthcoming supplementary guidance on Renewable Energy. All renewable energy systems should be located and designed to minimise any potential adverse impacts on biodiversity, the natural environment and historical assets.

Policy 7.4 – Local character

Development should have regard to the form, function and structure of an area, place or street and the scale, mass and orientation of surrounding buildings. It should improve an area's visual or physical connection with natural features. In areas of poor or ill-defined character, development should build on the positive elements that can contribute to establishing a character for the future function of the area. Buildings should provide a contemporary architectural response that:

- has regard to the pattern and grain of the existing spaces and streets in orientation, scale, proportion and mass
- contributes to a positive relationship between the urban structure and local natural landscape features, including the underlying landform and topography of an area
- is human in scale
- allows existing buildings and structures that make a positive contribution to the character of a place, to influence the future character of the area
- is informed by the surrounding historic environment.

Policy 7.17 – Metropolitan Open Land

The Mayor strongly supports the current extent of Metropolitan Open Land (MOL), its extension in appropriate circumstances and its protection from development having an adverse impact on the openness of MOL. The strongest protection should be given to London's MOL and inappropriate development refused, except in very special circumstances, giving the same level of protection as in the Green Belt. Essential ancillary facilities for appropriate uses will only be acceptable where they maintain the openness of MOL.

London Borough of Waltham Forest Unitary Development Plan, First Review (Adopted March 2006) (saved from 27 September 2007 in accordance with the direction from the Secretary of State)

The Eton Manor site is classified as Metropolitan Open Land, and playing fields (with its boundaries as a green corridor) in the Waltham Forest UDP. The following summarised policies are relevant to this permission:

SP1 – The Environment

The natural and built environment of the borough should be maintained and enhanced by means of protecting the Green Belt and Metropolitan Open Land from incompatible development, conserving and enhancing areas and buildings of special townscape value or of historic and architectural interest, and of open spaces within the urban area.

ENV1 – Urban Open Space

Development that would result in the loss of such open space will not be permitted unless open space of equivalent or better value in terms of quantity, quality, amenity, accessibility or value to biodiversity is provided elsewhere in the borough. Development of open land in areas of open space deficiency will not be approved unless equivalent or better replacement open space can be provided nearby.

ENV4 – Uses within Metropolitan Open Land

Within the areas of Metropolitan Open Land (MOL), the only permitted uses are: public and private open space and playing fields, open-air recreational facilities, woodland and informal open space, allotments and nursery gardens, nature conservation.

ENV5 – Development in Metropolitan Open Land

The open character of MOL in a form appropriate to each area should be maintained. Built development will not be permitted except where it is ancillary to the purpose of MOL and should be in line with criteria concerning the scale and location of new buildings, and the quality of landscaping and design in order to protect the character of the land.

ENV13 – Lee Valley Regional Park

The Council supports the Lee Valley Regional Park Authority (LVRPA) in its efforts to increase the range and quality of leisure and amenity provision available to Waltham Forest residents. The Council supports LVRPA's proposals which aim to create a regional green lung; an area of natural bio-diversity for the enjoyment of all; achieve the full utilisation of the regional park's land and water assets for specialist leisure and recreation facilities; create an accessible and permeable integrated visitor attraction to serve the region which includes local communities.

ENV16 – New Open Spaces

Seeks to improve the distribution of the borough's parks and open space provision by providing new parks and open spaces wherever opportunities arise.

BHE1 – Urban Design

New development proposals will be permitted if they are compatible with or improve their surroundings in layout, site coverage, architectural style, scale, bulk, height, materials, landscaping, visual impact, their relationship to nearby properties, and their relationship to mature trees. They should also harmonise with the townscape and general character of the areas in which they are set, and should provide appropriate facilities for the benefit of occupiers and visitors.

BHE2 – Urban Design

New developments must be of a high standard of design in accordance with urban design objectives. Planning permission will not be granted for poorly designed proposals.

WPM14 – Water Quality

Oppose development that would pose an unacceptable risk to the quality of groundwater or would have a detrimental effect upon the quality of surface water.

WPM15 – Protection of Surface Waters

Development should not have an adverse effect on the water environment. Any improvement or management of water bodies should take account of the needs of nature conservation.

WPM19 – Surface Water Run-Off

Where new development would increase surface water run-off, it is expected that the development will utilise Sustainable Urban Drainage techniques wherever possible. Where such techniques are not incorporated, applicants should explain why they are not practicable.

London Borough of Waltham Forest Proposed Submission Core Strategy (January 2011).

The London Borough of Waltham Forest published its proposed submission Core Strategy in January 2011, and the consultation period ended in February 2011. The following draft policies as summarised are relevant to this permission but have limited weight;

CS1 – Location and management of growth

In planning for growth, the Council will seek to achieve an appropriate balance between physical, social and economic development and environmental protection. Growth will be accommodated on previously development land by preserving the integrity of the borough's Green Belt and MOL and ensuring effective management of these to enhance the quality of life for borough residents and visitors.

CS5 – Minimising and adapting to climate change

The Council will tackle climate change locally and promote resource efficiency and high environmental development standards during design, construction and occupation of new developments by;

- Reduction of carbon emissions – requiring new development to minimise on site carbon emissions across their lifetime in accordance with the energy hierarchy by using less energy through responsive design, supplying energy efficiently and using on-site renewable energy.
- Energy efficient supply
- Adaptation, water efficiency and flood risk.

CS6 – Protection and enhancement of the natural environment

The Council will endeavour to protect and enhance green infrastructure and biodiversity and to maximise access to open spaces. Green Belt and MOL will be protected and access improved. The Lee Valley Regional Park will be protected, promoted and enhanced.

CS15 – Well designed buildings, places and spaces

New development will be expected to ensure the highest quality architecture and urban design. New development should respond positively to the local context and character, improve the way places function and promote distinctiveness and sense of place. High quality and inclusive design measures should be incorporated to create an attractive, safe, healthy, accessible and sustainable environment.

Appendix 2C – Statement of Superseded Development for application ref. 11/90325/FULODA (Slot in to replace the approved wind turbine).

Statement of Superseded Development for the Wind Turbine in PDZ7

The following is a description of development permitted under planning permission ref 07/90010/OUMODA which is superseded upon commencement of development under this permission (Ref: 11/90325/FULODA) ("The Wind Turbine/Carbon Renewables Slot-in Permission") and the superseded development listed below constitutes part of the "Superseded Development" as defined in an agreement dated 28 September 2007 made pursuant to section 106 of the Town and Country Planning Act 1990 and other relevant powers between (1) the Olympic Delivery Authority and (2) the London Development Agency (as modified by agreements dated 6 June 2008, 9 July 2009, 30 December 2009 and 30 September 2010 made pursuant to sections 106A and 106B of the Town and Country Planning Act 1990).

The red line of The Wind Turbine/Carbon Renewables Slot-in Permission (Ref: 11/90325/FULODA) is shown on the attached drawing reference number OLY-OLF-APP-DWG-PDZ7-UTL-DEF-001 P02 (Wind Turbine site layout plan Red Line Boundary).

In so far as any of the drawings listed in this Statement of Superseded Development show information and elements of development outside of the red line boundary of The Wind Turbine/Carbon Renewables Slot-in Permission (Ref: 11/90325/FULODA) such development is not superseded.

Planning Permission 07/90011/FUMODA (the "SP Permission")

No development permitted under the SP Permission will be superseded by the Wind Turbine/Carbon Renewables Slot-in Permission.

Planning Permission 07/90010/OUMODA (the "OLF Permission")

Those parts of the development authorised by the OLF Permission (referred to in the Description of Development by Planning Delivery Zone for Planning Delivery Zone 7 and corresponding drawings referred to in the Schedule of Approved Plans and Drawings) which are shown on the following drawings and fall within the red line boundary of the Wind Turbine/Carbon Renewables Slot-in Permission:

PDZ 7 Above Ground Utilities Location Plan - **OLY- OLF- APP- DWG- PDZ7- UTL- PAR- 001 Rev 1**

PDZ 7 Wind Turbine Sub-Station Site Layout Plan - **OLY- OLF- APP- DWG- PDZ7- UTL- PAR- 002 Rev 1**

PDZ 7 Wind Turbine Sub-Station Cross Section Plan - **OLY- OLF- APP- DWG- PDZ7- UTL- PAR- 003**

PDZ 7 Wind Turbine Site Layout Plan - **OLY- OLF- APP- DWG- PDZ7- UTL- DEF- 001 Rev 1 (as amended by approval under OD.0.3 as minor amendment – PDT letter dated 13 November 2008)**

PDZ 7 Wind Turbine Elevation Plan - **OLY- OLF- APP- DWG- PDZ7- UTL- DEF- 002**

Planning Permission 08/90366/FULODA ("the Eton Manor SP Slot-in Permission")

No development permitted under the Eton Manor SP Slot-in Permission will be superseded by the Wind Turbine/Carbon Renewables Slot-in Permission.

Planning Permission 09/90198/FUMODA ("the Venues Slot-in Permission")

No development permitted under the Venues Slot-in Permission will be superseded by the Wind Turbine/Carbon Renewables Slot-in Permission.

Appendix 2D – current draft of the modification to the September 2007 Section 106 agreement to be added by a deed of variation

NB – this is a draft version only and is still under discussion with the applicant. It is subject to change to produce the final modification. Copies of the latest version will be made available at the Committee meeting.

KEY OPERATIVE DEFINITIONS/CLAUSES

Definitions

"Original Section 106 Agreement" Section 106 agreement dated 28 September 2007 made between (1) Olympic Delivery Authority (2) London Development Agency as varied by [*BLP to insert details of subsequent deeds of variation*]

[*Boilerplate to be inserted*]

Modifications to the Original Section 106 Agreement

[] The parties agree that the following definitions shall be inserted in alphabetical order in clause 1 of the Original Section 106 Agreement:

"Additionality" a reduction in carbon emissions below what would have occurred in any event in the absence of the carbon reduction measures to be undertaken pursuant to paragraph 7.2 [below]

"Carbon Reduction Target" the reduction in carbon emissions (against 2006 Building Regulation standards) for the built aspects of the Development of 50 per cent by 2013 as required by paragraph 1.2.2 of Schedule 11

"The Long Stop Date" 31 January 2014

"Interim Report" a report on progress on the matters referred to in clause 7.10 below to be submitted by the ODA to the Local Planning Authority for approval

"Maximum Cost Figure" the sum of £1,500,000 (ONE MILLION FIVE HUNDRED THOUSAND POUNDS) to be expended in accordance with the provisions of this Addendum

WITH THE INTENTION THAT compensatory carbon savings should be achieved to a value offsetting any shortfall on the Olympic Park Site

"Off-site Measures" carbon reduction measures outside the boundary of the Olympic Park

" the Relevant Boroughs" the London Boroughs of Newham,

Hackney, Waltham Forest and Tower Hamlets

"RE:FIT"

a procurement initiative established by the LDA that allows the public sector to retro-fit existing public buildings with energy saving measures and reduce carbon emissions. Local authorities procure an Energy Service Company to install the energy conservation measures in identified public buildings and will guarantee annual energy savings over an agreed payback period.

"RE:NEW"

a retrofitting scheme established by the LDA and GLA aimed at reducing carbon emissions from the residential sector. The scheme involves the implementation of energy saving measures which include (but not limited to) provision of low energy light bulbs, energy monitors and radiator panels and also consideration of installation of loft, cavity and solid wall insulation.

"Section 73 Permissions"

[Insert planning application references for various section 73 applications]

"PV Development"

[Insert details]

"PV Permission"

[Insert details]

"the Stop Date"

31 January 2013 being the date by which it is intended that the Maximum Cost Figure should have been expended by the ODA

"2011 AMR"

the annual monitoring report process for 2011 pursuant to para 1.2.4 of Schedule 11 of the original s106 Agreement.

"2012 AMR"

the annual monitoring report process for 2012 pursuant to para 1.2.4 of Schedule 11 of the original s106 Agreement.

[] The parties agree that the definitions in Clause 1 of the Original Section 106 Agreement of "Consolidated Permissions" and "Slot in Application shall be deleted and replaced with the following:

[Insert new definitions to include references to Section 73 Permissions and PV Permission]

[] The parties agree that the following supplemental provisions shall be added to Part A Schedule 11 of the Original Section 106 Agreement:

- “7 In the event that there is any shortfall in the achievement of the Carbon Reduction Target through measures taken within the Development the ODA shall meet such shortfall by implementing and carrying out Off-Site Measures to the value of but not to exceed the Maximum Cost Figure, provided that:
- 7.1 Off-Site Measures shall only be undertaken in the Relevant Boroughs;
- 7.2 Off-Site Measures shall only be carried out through the funding by the ODA of the RE:NEW and/or RE:FIT schemes;
- 7.3 Off-Site Measures shall provide Additionality;
- 7.4 the ODA shall submit monitoring reports to the Local Planning Authority for approval in respect of the implementation and carrying out of any Off-Site Measures as follows:
- (i) as part of the 2011 AMR which shall be submitted by the ODA to the Local Planning Authority in January 2012;
 - (ii) the first Interim Report which shall be submitted by the ODA to the Local Planning Authority by 1 July 2012; and
 - (iii) as part of the 2012 AMR which shall be submitted by the ODA to the Local Planning Authority in January 2013.
- 7.5 Whether or not the compensatory carbon savings generated by the Off-Site Measures meet any shortfall in the achievement of the Carbon Reduction Target expenditure shall not exceed the Maximum Cost Figure.
- 7.6 In the event that the RE:NEW and/or RE:FIT schemes undertaken in the Relevant Boroughs are not completed or expenditure has not occurred by the ODA under the provisions of this paragraph 7 to the Maximum Cost Figure by the Stop Date the ODA shall submit to the Local Planning Authority for approval within 6 months of the Stop Date a second Interim Report such second Interim Report to identify the Off-Site Measures proposed to meet any shortfall in the achievement of the Carbon Reduction Target and/or any Off-Site Measures proposed that will take expenditure under this paragraph 7 to the Maximum Cost Figure.
- 7.7 In the event that a second Interim Report is required pursuant to paragraph 7.6 of this Schedule 11, by no later than the Long Stop Date the ODA shall submit to the Local Planning Authority for approval a final monitoring report, such final monitoring report to identify:
- 7.7.1 the RE:NEW and/or RE:FIT schemes funded by the ODA under the terms of this paragraph 7 that have been completed;
 - 7.7.2 the RE:NEW and/or RE:FIT schemes funded by the ODA under the terms of this paragraph 7 that have not been completed together with a timetable for their completion;
 - 7.7.3 any shortfall in the achievement of the Carbon Reduction Target through measures taken within the Development and the completed RE:NEW and/or RE:FIT schemes funded by the ODA;

- 7.7.4 the amount that has been spent on the RE:NEW and/or RE:FIT schemes pursuant to this paragraph 7; and
- 7.7.5 the amount, if any, remaining until the Maximum Cost Figure has been reached; and
- 7.7.6 the information detailed in paragraph 7.10 below.
- 7.8 Where the final monitoring report submitted to and approved by the Local Planning Authority pursuant to paragraph 7.7 of this Schedule 11 identifies RE:NEW and/or RE:FIT schemes funded by the ODA under the terms of this paragraph 7 that have not been completed, the ODA shall ensure that such schemes are completed in accordance with the timetable approved by the Local Planning Authority as part of the final monitoring report.
- 7.9 Where the final monitoring report submitted to and approved by the Local Planning Authority pursuant to paragraph 7.7 of this Schedule 11 identifies that the Maximum Cost Figure has not been reached, the ODA shall:
- 7.9.1 submit to the Local Planning Authority for approval details of any carbon reduction measures within the Relevant Boroughs that the ODA shall carry out in order to spend any remaining sums until the Maximum Cost Figure is reached; and
- 7.9.2 by no later than 31 January 2015 spend such remaining sums until the Maximum Cost Figure is reached on the carbon reduction measures approved by the Local Planning Authority pursuant to paragraph 7.9.1 of this Schedule 11.
- 7.10 The monitoring reports to be submitted pursuant to paragraphs 7.4 and 7.6 and 7.7 above shall include as a minimum the following information:
- 7.10.1 Where the report is covering Off-Site Measures funded through the RE:NEW scheme:
- Council wards in which energy efficiency measures implemented
 - Number of homes approached
 - Number of homes in which energy efficiency measures implemented
 - Equivalent carbon tonnage savings achieved as at date of report
 - Projected carbon reduction savings
 - Investment to date by ODA under RE:NEW scheme.
- 7.10.2 Where the report is covering Off-Site Measures funded through the RE :FIT monitoring report
- Progress of energy service companies in implementation of energy efficiency measures
 - Public buildings selected for delivery of energy efficiency measures

- Energy efficiency measures installed
 - Equivalent carbon tonnage savings achieved as at date of report
 - Projected carbon reduction savings
 - Investment to date by ODA under RE:FIT scheme.
8. The ODA shall use Reasonable Endeavours to ensure that the PV Development meets at least 1.5% of the 9% on-site renewable energy generation target required by the Consolidated Permissions (except for the PV Permission).