MINUTES OF
PLANNING COMMITTEE

Monday, 10 December 2018
(7:00 - 9:15 pm)

Present: Cllr Peter Chand (Chair), Cllr Muhammad Saleem (Deputy Chair), Cllr Andrew Achilleos, Cllr Edna Fergus, Cllr Irma Freeborn, Cllr Cameron Geddes, Cllr Simon Perry and Cllr Dominic Twomey

Apologies: Cllr Kashif Haroon and Cllr Olawale Martins

28. Declaration of Members’ Interests

There were no declarations of interest.

29. Minutes - To confirm as correct the minutes of the meeting held on 12 November 2018

The minutes of the meeting held on 12 November 2018 were confirmed as correct.

30. Former Abbey Sports Centre, Axe Street, Barking-18/00331/FUL

The Team Leader, Development Management (TLDM), Be First introduced a report concerning the Former Abbey Sports Centre, Axe Street, Barking. The current application was a revision to an application submitted to the Development Control Board in October 2016.

This revised application proposed the demolition of the former Abbey Sports Centre and the erection of new buildings ranging in height from 1 to 13-storeys to provide a two screen cinema, ground floor office space (Class B1), two ground floor commercial units with a flexible use (Classes A1, A2, A3, A4, B1, D1 and D2) and 170 residential units at first floor level and above, including associated landscaping and public realm improvements.

233 neighbouring occupiers were consulted and 4 objections had been received. The issues raised by the objectors related to impacts on the amenities of neighbouring occupiers arising from noise disturbance and loss of outlook, privacy and sunlight/daylight; impacts on the amenities of the proposed occupiers from noise and smoke from the adjacent public house; lack of public welfare amenities to deal with the population increase, including school places and play places; matters of design in relation to height; devaluation of properties; lack of car parking; and that they didn’t feel a cinema was necessary. A response to these objections was set out at section 3 of the committee report. Officers did not consider that any of these objections amounted to a reason for refusal in this case.

The application was referable to the Mayor of London.

The principle of a mixed-use development on the site was supported by officers
and meets the requirements of the wider Barking Town Centre Site Specific Allocation Area 5 (BTCSSA5) (Axe Street / Abbey Sports Centre).

The proposed development would provide 65% private rented sector (PRS) units (110 units) and 35% sub-market housing on a habitable room basis (60 units) comprising London Living Rent and Discount Market Rent at 70% and 75% of market rent.

The application proposed a mix of 87 one-bedroom/two-person units, 2 two-bedroom/three-person units, 77 two-bedroom/four-person units and 4 three-bedroom/five-person units. The mix and tenure of the development was in keeping with the Council’s strategy for the town centre, the aim of which was to support a widening of the town centre’s retail and leisure offer and in particular help support the evening economy, which was little developed.

The developer’s full viability assessment was independently assessed during the application process. The provision of 35% sub-market housing was supported by officers as being the maximum level of sub-market housing that the scheme can afford. The GLA had also confirmed that the sub-market housing offer was acceptable. Early and late stage viability review mechanisms will be secured by S106 Agreement to assess, at the relevant stage, whether the scheme can afford any additional sub-market housing units up to a maximum of 50% provision.

The developer also proposed to construct 525 square metres of ground floor office space as an in-kind contribution. This would be leased back to the Council for community initiatives at a peppercorn rent and is likely to be occupied by the NHS / Care City.

The materials strategy for the development proposed the use of a yellow multi-stock brick for the 8, 11 and 13-storey blocks and a brown multi-stock brick for the smaller blocks. Brick detailing was also proposed to break up and add further interest to the elevations. The materials strategy was consistent with the high-quality expectations of the development.

Officers considered that the design of the development was a well-considered response given the mixed-use nature of the site. The architectural and residential quality was considered to be high throughout and would make for an interesting addition to the town centre-built form. Overall the proposed development was considered to be of an exemplar design and quality, which in turn justified the higher density and the tall building heights. The design of the proposed development was not considered to be detrimental to local heritage assets.

All residential units would benefit from a private balcony or terrace in keeping with London Plan policy. The development also includes two landscaped communal roof gardens, as well as dedicated children’s play space which meets London Plan requirements. The proposed level of amenity space is supported by officers given the town centre location and the limited provision of family-sized accommodation on the site.

The submitted Sunlight and Daylight Report concludes that the proposed development would not have a significant impact on sunlight and daylight
received by neighbouring properties. It is also considered that the proposed residential units would benefit from acceptable levels of sunlight and daylight.

The development was car-free due to its high level of public transport accessibility. Eight new on-street blue badge parking spaces were to be provided as part of the development, however these would not be allocated to occupiers of the development. The development also included the provision of loading bays on Axe Street and St Ann’s Road to accommodate servicing of the development.

The proposed cycle storage for the residential, cinema, commercial and office elements of the development were compliant with London Plan standards.

The proposed development was anticipated to achieve a 39.2% reduction in carbon dioxide (CO₂) emissions beyond Part L of the Building Regulations 2013. A carbon offset payment was to be secured in the S106 Agreement to achieve the policy requirement for zero-carbon homes.

In addition, the proposed development would incorporate the widening of the pavement in Axe Street and other local highways improvements.

Keith Scotcher, an objector to the application, was invited to address the Committee. He was concerned that several sports clubs had lost out with the closure of the Abbey Sports Centre. He felt that the Sports Centre facility was very important as it helped to keep children and young people occupied and off the streets. The site should be kept as a sports and community facility and at present it was being used as a temporary food bank. He considered that the committee report in relation to heritage was inaccurate and that the proposed development would be an encroachment on the setting of Abbey Green. He felt that the only people who would benefit would be property developers. He felt that the proposed development would be against the public interest with the sale of private flats. He was also concerned that Be First has been licensed to borrow large amounts of money which he felt was wrong.

John Eames, an objector to the application, was invited to address the Committee. He spoke as a representative of a local amateur boxing club that had used the Abbey Sports Centre. He considered that the Boxing Club was a valuable asset and helped provide facilities for youngsters who might otherwise be on the streets with nothing to do. Although the club had been offered new facilities at the Abbey Leisure Centre, this would cost the boxing club £700 per week which was unaffordable. He felt that the Council was disowning the club and he asked the Council to support them.

(At this point, Members thanked Mr Eames for his presentation, however stated that the issues he had raised were outside the remit of the Planning Committee, which could only consider the application on planning grounds. They would meet Mr Eames to discuss the matter of the Boxing Club outside of the meeting).

Gerry Cassidy addressed the Committee as the agent for the applicant. He noted the concerns about the impact on local heritage and stated that although the site would be seen from the Abbey ruins, it would be sensitive to the locality and Historic England did not object to the scheme. An extensive consultation had been held on the proposed development.
In answer to a question, the TLDM responded that conditions imposed on the development were enforceable if breached.

Members expressed concern about the proposed development being car-free and although it was in the middle of the town centre, they felt that families may need parking for taking children to school etc. The TLDM re-iterated that the proposed development would be car-free in line with Local Plan and London Plan policy as the site benefited from a very high level of public transport accessibility. She added that it was likely that there would not be many families living there as most of the site comprised of 1 and 2 bedroom units. Residents living at the site would be able to apply for a season ticket to park at the London Road multi-storey car park.

Members asked about the viability of the scheme and the 35% sub-market housing offer. They would have preferred some homes at social rent at 50% of market rates with GLA funding. The TLDM stated that the proposed tenure included units at London Living Rents and two levels of discount market rent and the tenure had been supported by the GLA.

Members felt that there was not much of a range in tenures and asked how recently the viability assessment was completed. The TLDM stated that the last assessment was completed in August 2018 and this had been independently assessed and thoroughly reviewed by the GLA viability officers. The Mayor was in support of the proposed sub-market housing offer. This would be reviewed at a later stage to ensure that the scheme is providing the maximum amount of affordable housing that is viable.

Members asked about the landscaping of the proposed development and wanted to ensure it was adhered to. The TLDM stated that there was sufficient landscaping including street trees and planting and landscaped communal space. Condition 44 would also ensure that existing trees to be retained would be protected.

Members enquired as to how officers could ensure that the blue badge parking would not be reduced. The TLDM stated that the provision of the 8 blue badge parking spaces would be secured by condition 19. Also condition 42 had the potential to secure additional blue badge spaces.

Members asked whether daylight and sunlight to the proposed residential units had been assessed. The TLDM stated, as set out in the report, that a separate Scheme Internal Daylight Report considered the expected quality of sunlight/daylight to the proposed residential units within the development. The analysis identifies a high degree of compliance with current Building Research Establishment (BRE) guidance with any minor detraction from BRE guidance solely as a result of the presence of inset balconies.

The Committee granted planning permission subject to:

1. No Direction from the Mayor of London;

2. A Section 106 legal agreement to secure the matters set out in section 5.9 of this report; and
3. The following conditions (with any amendments that might be necessary up to the issue of the decision, including any other conditions or S106 obligations that may be required as a result of referral to the Mayor of London).

**Conditions**

**Time Limit**

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

   Reason: To comply with Section 91 of the Town and Country Planning Act 1990 (as amended by Section 51 of the Planning and Compulsory Purchase Act 2004).

**Plan Numbers**

2. The development hereby permitted shall be carried out in accordance with the following approved plans:


   Reason: For the avoidance of doubt and in the interests of proper planning.

**Contamination – Investigation and Risk Assessment**

3. No development shall commence, excluding demolition of above ground structures, until an investigation and risk assessment, in addition to any assessment provided with the planning application, has been completed in accordance with a scheme to assess the nature and extent of any contamination on the site, whether or not it originates on the site. The contents of the scheme are subject to the approval in writing of the Local Planning Authority. The investigation and risk assessment must be undertaken by competent persons and a written report of the findings must be produced. The written report is subject to the approval in writing of the Local Planning Authority. The report of the findings must include:

   (i) a survey of the extent, scale and nature of contamination;
   (ii) an assessment of the potential risks to human health; property (existing or proposed) including buildings, crops, livestock, pets, woodland and service lines and pipes; adjoining land; groundwaters and surface waters; ecological systems; archaeological sites and ancient monuments; and
   (iii) an appraisal of remedial options, and proposal of the preferred option(s).

   This must be conducted in accordance with DEFRA and the Environment Agency’s ‘Model Procedures for the Management of Land Contamination, CLR 11’.
Contamination – Remediation Scheme

4. No development shall commence, excluding demolition of above ground structures, until a detailed remediation scheme, to bring the site to a condition suitable for the intended use by removing unacceptable risks to human health, buildings and other property and the natural and historical environment, has been prepared and submitted to the Local Planning Authority for approval in writing. The scheme must include all works to be undertaken, proposed remediation objectives and remediation criteria, timetable of works and site management procedures. The scheme must ensure that the site will not qualify as contaminated land under Part 2A of the Environmental Protection Act 1990 in relation to the intended use of the land after remediation.

Contamination – Verification Report

5. The approved remediation scheme must be carried out in accordance with its terms prior to the commencement of development, excluding demolition of above ground structures and other than that required to carry out remediation, unless otherwise agreed in writing by the Local Planning Authority. The Local Planning Authority must be given two weeks written notification of commencement of the remediation scheme works.

Following completion of measures identified in the approved remediation scheme, a verification report that demonstrates the effectiveness of the remediation carried out must be produced and is subject to the approval in writing of the Local Planning Authority.

Contamination – Previously Unidentified Contamination

6. In the event that contamination is found at any time when carrying out the approved development that was not previously identified it must be reported in writing immediately to the Local Planning Authority. An investigation and risk assessment must be undertaken in accordance with the requirements of Condition 3, and where remediation is necessary a remediation scheme must be prepared in accordance with the requirements of Condition 4, which is subject to the approval in writing of the Local Planning Authority. Following completion of measures identified in the approved remediation scheme a verification report must be prepared, which is subject to the approval in writing of the Local Planning Authority.

Reason for Conditions 3 to 6: Contamination must be identified prior to commencement of development, excluding demolition of above ground structures, to ensure that risks from land contamination to the future users of the land and neighbouring land are minimised, together with those to controlled waters, property and ecological systems, and to ensure that the development can be carried out safely without unacceptable risks to workers, neighbours and other off-site receptors in accordance with policy BR5 of the Borough Wide Development Policies Development Plan Document and policy 5.21 of the London Plan.
Construction Environmental Management Plan and Site Waste Management Plan

7. No development shall commence, including any works of demolition, until a Construction Environmental Management Plan (CEMP) and a Site Waste Management Plan (SWMP) have been submitted to and approved in writing by the Local Planning Authority. These Plans shall incorporate details of:

a) construction traffic management;
b) the parking of vehicles of site operatives and visitors;
c) loading and unloading of plant and materials;
d) storage of plant and materials used in constructing the development;
e) the erection and maintenance of security hoarding(s) including decorative displays and facilities for public viewing, where appropriate;
f) wheel washing facilities;
g) measures to control the emission of dust, dirt and emissions to air during construction; such measures to accord with the guidance provided in the document “The Control of Dust and Emissions during Construction and Demolition”, Mayor of London, July 2014; including but not confined to, non-road mobile machinery (NRMM) requirements;
h) noise and vibration control;
i) a scheme for recycling/disposing of waste resulting from demolition and construction works;
j) the use of efficient construction materials;
k) methods to minimise waste, to encourage re-use, recovery and recycling, and sourcing of materials; and
l) a nominated Developer/Resident Liaison Representative with an address and contact telephone number to be circulated to those residents consulted on the application by the developer’s representatives. This person will act as first point of contact for residents who have any problems or questions related to the ongoing development.

Once approved the Plans shall be adhered to throughout the construction period.

Reason: The CEMP and SWMP are required prior to commencement of development in order to reduce the environmental impact of the construction and the impact on the amenities of neighbouring residents, and in accordance with policy BP8 of the Borough Wide Development Policies Development Plan Document.

Construction Logistics Plan

8. No development shall commence, including any works of demolition, until a Construction Logistics Plan has been submitted to and approved in writing by the Local Planning Authority. The Plan shall be designed to minimise deliveries of materials and export of any waste materials within the times of peak traffic congestion on the local road network. The Plan shall be implemented in accordance with the approved details and thereafter maintained.

Reason: The Construction Logistics Plan is required prior to commencement of development in order to minimise the impact of construction on the free flow
of traffic on the local highway network and in the interests of highway safety, and in accordance with policy BR10 of the Borough Wide Development Policies Development Plan Document and policy 6.3 of the London Plan.

Archaeological Works

9. A) No development other than site clearance and demolition to existing ground level shall take place until the developer has secured the implementation of a programme of archaeological evaluation in accordance with a written scheme which has been submitted to and approved in writing by the Local Planning Authority and a report on that evaluation has been submitted to the Local Planning Authority.

B) If heritage assets of archaeological interest are identified by the evaluation under A), then before development commences, other than site clearance and demolition to existing ground level, the developer shall secure the implementation of a programme of archaeological investigation in accordance with a Written Scheme of Investigation which has been submitted to an approved in writing by the Local Planning Authority.

C) No development, other than site clearance and demolition to existing ground level, shall subsequently take place other than in accordance with the Written Scheme of Investigation approved under Part B).

D) The development shall not be occupied until the site investigation and post investigation assessment has been completed in accordance with the programme set out in the Written Scheme of Investigation approved under Part B), and the provision for analysis, publication and dissemination of the results and archive deposition has been secured.

Reason: Heritage assets of archaeological interest may survive on the site. The Local Planning Authority wishes to secure appropriate archaeological investigation prior to development, followed by the publication of results, in accordance with policies BP2 and BP3 of the Borough Wide Development Policies Development Plan Document.

Surface Water Drainage Scheme

10. No development shall commence, except any works of site clearance and demolition, until a Surface Water Drainage Scheme for the site, based on sustainable drainage principles and an assessment of the hydrological and hydro geological context of the development, has been submitted to and approved in writing by the Local Planning Authority. The Scheme shall subsequently be implemented in accordance with the approved details before the development is completed.

Reason: The Drainage Scheme is required prior to commencement of development in order to reduce the risk of flooding and in accordance with policy BR4 of the Borough Wide Development Policies Development Plan Document and policy 5.13 of the London Plan.
Construction Working Hours

11. Demolition and construction work and associated activities, other than internal works not audible outside the site boundary, are only to be carried out between the hours of 08.00 and 18.00 Monday to Friday and 08.00 and 13.00 Saturday, with no work on Sundays or public holidays without the prior written permission of the Local Planning Authority. Driven piling or ground improvement work which will generate perceptible off-site ground borne vibration is only to be carried out between the hours of 08.00 and 18.00 Monday to Friday only.

Reason: To ensure that the proposed demolition and construction work does not cause nuisance and disturbance to neighbouring occupiers and in accordance with policy BP8 of the Borough Wide Development Policies Development Plan Document.

External Materials

12. No above ground new development shall commence until the developer enters into detailed discussions with the Local Planning Authority around the external facing materials for the development, including providing on-site sample boards. Full details, including samples, specifications, annotated plans and fire safety ratings, of all external facing materials shall then be submitted to the Local Planning Authority for approval in writing. The development shall only be implemented in accordance with the approved details and to the satisfaction of the Local Planning Authority.

Reason: To protect or enhance the character and amenity of the area and to ensure an exemplar finish to the building in accordance with policies BP8 and BP11 of the Borough Wide Development Policies Development Plan Document and policies 7.1, 7.4 and 7.6 of the London Plan.

Hard Landscaping

13. The development hereby permitted shall not be occupied until full details of the hard landscaping have been submitted to and approved in writing by the Local Planning Authority. The hard landscaping scheme shall include, but not be limited to, details of the following:

a) surface materials;
b) communal roof terraces, including details of balustrading and screening to ensure a secure and sheltered environment;
c) play spaces and any related equipment;
d) street furniture, including on-street cycle stands;
e) boundary treatment; and
f) management and maintenance.

The hard landscaping scheme shall be implemented prior to occupation of the development in accordance with the approved details and thereafter permanently maintained, to the satisfaction of the Local Planning Authority.

Reason: In the interests of design quality, residential amenity, walking,
accessibility and public safety, in accordance with policy CP3 of the Core Strategy and policy BP11 of the Borough Wide Development Policies Development Plan Document.

**Soft Landscaping**

14. The development hereby permitted shall not be occupied until a detailed scheme of soft landscaping for the site has been submitted to and approved in writing by the Local Planning Authority. All trees, shrubs, plants and seeds introduced to the site should generally be native (except for fruit trees) and of local provenance, unless otherwise agreed. The approved landscaping scheme shall be carried out in the first planting and seeding seasons following the occupation or completion of the development, whichever is the sooner. Any trees or plants which within a period of 5 years from the completion of the development die, are removed or become seriously damaged or diseased, shall be replaced in the next planting season with others of similar size and species unless the Local Planning Authority gives written consent to any variation.

Reason: To secure the provision of the landscaping in the interests of the visual amenity of the area and in accordance with policy CP3 of the Core Strategy and policies BR3 and BP11 of the Borough Wide Development Policies Development Plan Document.

**Measures to Reduce the Risk of Crime**

15. No above ground new development shall commence until a scheme showing the provisions to be made for external lighting, CCTV coverage, access control and any other measures to reduce the risk of crime, has been submitted to and approved in writing by the Local Planning Authority. The external lighting of the development is to be designed, installed and maintained so as to fully comply with The Association of Chief Police Officers Secured by Design publication “Lighting Against Crime – A Guide for Crime Reduction Professionals”, ACPO SPD, January 2011. The design shall satisfy criteria to limit obtrusive light presented in Table 1, p25 of the guide, relating to Environmental Zone E3 – medium district brightness areas. The development shall not be occupied until the approved scheme has been installed. Thereafter the approved measures shall be permanently retained.

Reason: In the interests of security and safety, to avoid light pollution and safeguard neighbouring amenity and in accordance with policy BP11 of the Borough Wide Development Policies Development Plan Document.

**Refuse Strategy**

16. No above ground new development shall commence until a detailed residential and commercial refuse strategy, including the design and location of the refuse stores, has been submitted to and approved in writing by the Local Planning Authority. The approved refuse stores shall be provided before the occupation of the development and thereafter permanently retained.

Reason: To provide satisfactory refuse storage provision in the interests of the appearance of the site and locality in accordance with policies BP8 and BP11.
Cycle Parking

17. No above ground new development shall commence until details of the cycle parking facilities shown on drawing Nos. D-04 Rev A and D-05 Rev A have been submitted to and approved in writing by the Local Planning Authority. The submission should include details of the security, monitoring and access arrangements for the cycle parking facilities. The development shall not be occupied until the approved details have been implemented. Thereafter, the cycle parking facilities shall be permanently retained.

Reason: In the interests of promoting cycling as a safe, efficient and non-polluting mode of transport and in accordance with policy BR11 of the Borough Wide Development Policies Development Plan Document and policy 6.9 of the London Plan.

Scheme of Acoustic Protection

18. No above ground new development shall commence until full details of a scheme of acoustic protection of habitable rooms against road traffic noise has been submitted to and approved in writing by the Local Planning Authority. The scheme of acoustic protection shall be sufficient to secure internal noise levels no greater than 35 dB LAeq in living rooms and bedrooms (07.00 hrs to 23.00 hrs) with windows closed; and 30 dB LAeq in bedrooms (23.00 hrs to 07.00 hrs) with windows closed. Additionally, where the internal noise levels will exceed 40 dB LAeq in living rooms and bedrooms (07.00 hrs to 23.00 hrs) or 35dB LAeq in bedrooms (23:00 hrs to 07.00 hrs) with windows open the scheme of acoustic protection shall incorporate a ventilator system which is commensurate with the performance specification set out in Schedule 1 (paragraphs 6 and 7) of The Noise Insulation Regulations 1975 (as amended). The approved scheme shall be fully implemented before the first occupation of the residential unit to which it relates and shall be maintained at all times thereafter.

Reason: To ensure that the proposed residential units are adequately protected from noise and in accordance with policy BR13 of the Borough Wide Development Policies Development Plan Document and policy 7.15 of the London Plan.

Blue Badge Car Parking

19. The 8 proposed blue badge car parking spaces, as indicated on drawing No. D-04 Rev A, shall be constructed and marked out prior to the occupation of the development as accessible parking bays (to be clearly marked with a British Standard disabled symbol).

Reason: To ensure and promote easier access for disabled persons in accordance with policies BC2, BR9 and BR10 of the Borough Wide Development Policies Development Plan Document and policy 6.13 of the London Plan.

Revised Energy Statement and Details of Photovoltaic Panels and
Pipework to Link to District Heating Network

20. Within 3 months of the commencement of the development a revised Energy Statement shall be submitted to the Local Planning Authority for approval in consultation with GLA officers. The revised Energy Statement shall take into consideration any distribution losses associated with the extension of the District Heating pipework to the development’s heat substation/plate heat exchanger and provide revised calculations for the carbon savings in order to demonstrate that there will be a 35% reduction in carbon emissions over Part L of the Building Regulations 2013. Details of the location and quantum of any photovoltaic panels and a scheme showing the provisions to be made for interconnecting pipework to link into the District Heating Network shall also be submitted to and approved in writing by the Local Planning Authority. In the event that the development is unable to source heating from the District Heating Network any alternative arrangement to heat the scheme shall remain Air Quality Neutral and details shall be submitted to and approved in writing by the Local Planning Authority. The development shall not be occupied until the approved details have been implemented.

Reason: In the interests of safeguarding the environment and providing sustainable development in accordance with policies BR1 and BR2 of the Borough Wide Development Policies Development Plan Document and policies 5.2, 5.3, 5.5, 5.6 and 5.7 of the London Plan.

Bird Nesting and Bat Roosting Bricks/Boxes

21. The development hereby permitted shall not be occupied until bird nesting and bat roosting bricks/boxes have been installed in accordance with details which shall have been submitted to and approved in writing by the Local Planning Authority. The details shall accord with the advice set out in 'Biodiversity for Low and Zero Carbon Buildings: A Technical Guide for New Build' (Published by RIBA, March 2010) or similar advice from the RSPB and the Bat Conservation Trust.

Reason: In order to preserve and enhance the Borough’s natural environment and to comply with policy CR2 of the Core Strategy, policy BR3 of the Borough Wide Development Policies Development Plan Document and policy 7.19 of the London Plan.

Noise from Plant

22. The combined rating level of the noise from any plant installed pursuant to this permission (other than plant which is only to be operated in emergency circumstances) shall not exceed the existing background noise level outside the window to any noise-sensitive room. Any assessment of compliance with this condition shall be made according to the methodology and procedures presented in BS4142:2014.

Reason: To ensure that noise-sensitive rooms within the proposed development and neighbouring developments are adequately protected from noise and in accordance with policy BR13 of the Borough Wide Development Policies Development Plan Document and policy 7.15 of the London Plan.
London City Airport Safeguarding – Details of Cranes

23. Prior to the erection of any crane on the site details of the construction methodology and the use of the crane(s) shall be submitted to the Local Planning Authority for approval in writing in consultation with London City Airport. The details shall include the proposed location(s) and maximum operating height(s) of the crane(s) and the start/finish dates for use of the crane(s).

Reason: To ensure that construction activities will not adversely affect the operation of London City Airport.

Flexible Uses

24. Following the first occupation of each of the two-ground floor flexible use commercial units, identified as Commercial 1 and Commercial 2 on drawing No. D-04 Rev A, any further change of use to another use specifically permitted by this permission must be carried out within a period of 10 years from the date of this permission.

Reason: To accord with the provisions of Class E, Part 3 of Schedule 2 of The Town and Country Planning (General Permitted Development) Order 2015.

Delivery/Collection of Goods – Commercial Units and Cinema

25. The delivery/collection of goods associated with the commercial units, identified as Commercial 1 and Commercial 2 on drawing No. D-04 Rev A, and the cinema is only permitted to take place between the hours of 07.00 hrs and 21.00 hrs on any day.

Reason: To prevent any undue disturbance to residential occupiers and occupants of neighbouring properties at unreasonable hours and in accordance with policy BP8 of the Borough Wide Development Policies Development Plan Document.

Handling of Bottles and/or Movement of Bins and Rubbish – Commercial Units, Cinema and Office Use

26. The handling of bottles and/or the movement of bins and rubbish associated with the commercial units, identified as Commercial 1 and Commercial 2 on drawing No. D-04 Rev A, the cinema and the office use are not permitted to take place outside the premises between the hours of 23.00 hrs on one day and 07.00 hrs the following day.

Reason: To prevent any undue disturbance to residential occupiers and occupants of neighbouring properties at unreasonable hours and in accordance with policy BP8 of the Borough Wide Development Policies Development Plan Document.

Details of Any Commercial Kitchen Extract Ventilation System

27. Prior to occupation of any of the commercial units or the cinema cafe
hereby permitted details of the appearance of any kitchen extract ventilation system and associated equipment (which shall include measures to alleviate fumes and odour and incorporating activated carbon filters where necessary), and any other plant or equipment on the roof, shall be submitted to and approved in writing by the Local Planning Authority. The approved details shall be fully implemented before the first use of the relevant commercial unit/cinema cafe and shall thereafter be permanently retained in an efficient manner.

Reason: To safeguard the appearance of the premises and minimise the impact of cooking smells and odours in accordance with policies BP8 and BP11 of the Borough Wide Development Policies Development Plan Document.

Structure Borne Noise Emissions from Any Commercial Kitchen Extract Ventilation System

28. Any commercial kitchen extract ventilation system shall be designed to ensure that structure borne (re-radiated) noise emissions from the kitchen ventilation system do not exceed 35 LAeq dB (5 min) when measured in any habitable room in adjoining residential premises.

Reason: To ensure that the proposed residential units are adequately protected from noise and in accordance with policy BR13 of the Borough Wide Development Policies Development Plan Document and policy 7.15 of the London Plan.

Noise from Entertainment

29. Noise from entertainment including live and amplified music associated with the commercial uses and cinema hereby permitted shall be controlled so as to be inaudible inside adjoining and other noise-sensitive premises in the vicinity of the use. The initial test for compliance with the ‘inaudibility’ criterion will be that noise should be no more than barely audible outside those noise-sensitive premises. In the event there is disagreement as to whether entertainment noise is or is not audible the following numerical limits shall be used to determine compliance with this condition:

- the LAeq (EN) shall not exceed LA90 (WEN); and
- the L10 (EN) shall not exceed L90 (WEN) in any 1/3 octave band between 40Hz and 160Hz.

EN = entertainment noise level, WEN = representative background noise level without the entertainment noise, both measured 1 metre from the façade of the noise-sensitive premises.

Reason: To ensure that the proposed residential units and office space and surrounding residential properties are adequately protected from noise and in accordance with policy BR13 of the Borough Wide Development Policies Development Plan Document and policy 7.15 of the London Plan.

Building Regulations M4 (2)

30. 149 of the residential units hereby permitted shall meet Building
Regulations Approved Document M Volume 1 (2015 Edition) M4 (2) ‘accessible and adaptable dwellings’. Evidence of compliance shall be notified to the building control body appointed for the development in the appropriate Full Plans Application, or Building Notice, or Initial Notice to enable the building control body to check compliance.

Reason: To ensure that accessible housing is provided in accordance policy BC2 of the Borough Wide Development Policies Development Plan Document and policy 3.8 of the London Plan.

Building Regulations M4 (3)

31. The 21 proposed wheelchair accessible units shall meet Building Regulations Approved Document M Volume 1 (2015 Edition) M4 (3) ‘wheelchair adaptable dwellings’. Evidence of compliance shall be notified to the building control body appointed for the development in the appropriate Full Plans Application, or Building Notice, or Initial Notice to enable the building control body to check compliance.

Reason: To ensure that sufficient accessible housing is provided in accordance with policy BC2 of the Borough Wide Development Policies DPD and policy 3.8 of the London Plan.

Communal Television and Satellite System

32. The development hereby permitted shall not be occupied until details of a communal television and satellite system have been submitted to and approved in writing by the Local Planning Authority. The approved system shall be provided prior to occupation of the development and be made available to each residential unit. No antennae or satellite dishes may be installed on the exterior of the building, with the exception of a single antennae or satellite dish per block to support the communal television and satellite system. The proposed antennae or satellite dishes shall be designed to minimise their visual impact and shall not be mounted on any publicly visible façade.

Reason: To safeguard the external appearance of the buildings in accordance with policy CP3 of the Core Strategy and policies BP2 and BP11 of the Borough Wide Development Policies Development Plan Document.

Delivery and Servicing Plan

33. Prior to the occupation of the development a Delivery and Servicing Plan shall be submitted to and approved in writing by the Local Planning Authority in conjunction with Transport for London. The Plan shall identify efficiencies and sustainability measures to be undertaken once the development is operational and should incorporate details of deliveries to the site and servicing arrangements, including the size of vehicles, routing and tracking of vehicles and times of deliveries and servicing. The approved Plan shall be implemented and adhered to thereafter.

Reason: In order to minimise the impact of the development on the local highway network and traffic congestion and in accordance with policy BR10 of

**Scheme of Highway Works**

34. No above ground new development shall commence until the developer has submitted to the Local Planning Authority for approval in writing, in consultation with the Local Highway Authority, a scheme of highway works associated with the development. The approved works shall be carried out prior to the occupation of the development, or as otherwise agreed in writing with the Local Planning Authority, in consultation with the Local Highway Authority.

Reason: In the interests of highway safety and in accordance with policies BR9 and BR10 of the Borough Wide Development Policies Development Plan Document.

**Bat Surveys**

35. Prior to demolition of the existing building at least three nocturnal emergence and/or dawn re-entry surveys during the bat activity season which extends from May to September shall be undertaken to establish whether bats are using the building in accordance with the recommendations contained in the submitted Daytime Bat Survey dated November 2015.

Reason: To protect the ecology of the area in accordance with policy CR2 of the Core Strategy.

**Piling**

36. No piling shall take place until a piling method statement, detailing the depth and type of piling to be undertaken and the methodology by which such piling will be carried out, including measures to prevent and minimise the potential for damage to subsurface sewerage infrastructure, and the programme for the works, has been submitted to and approved in writing by the Local Planning Authority in consultation with Thames Water. Any piling must be undertaken in accordance with the terms of the approved piling method statement.

Reason: The proposed works will be in close proximity to, and have the potential to impact on, local underground sewerage utility infrastructure.

**Vibration**

37. If piling or other ground improvement work is undertaken pursuant to this permission then the 95% level of vibration attributable to these activities shall not exceed a peak particle velocity of 1.5mm/sec when measured at the point of entry to any adjoining residential development. In the event of reasonable complaint of vibration nuisance and at the request of the Local Planning Authority monitoring to evaluate compliance with this condition is to be carried out and the results submitted to the Local Planning Authority.

Reason: In order to reduce the impact of construction on the amenities of
neighbouring residents, and in accordance with policy BP8 of the Borough Wide Development Policies Development Plan Document.

**Green Roofs**

38. No above ground new development shall commence until a detailed scheme for the green roofs to the two podium terraces at sixth floor level has been submitted to and approved in writing by the Local Planning Authority. The approved scheme shall be implemented to the satisfaction of the Local Planning Authority prior to occupation of the development. The green roofs shall comprise at least 50% native species, not including Sedum species, seeded with an annual wildflower mix or local seed source.

Reason: To protect and enhance the biodiversity of the site and contribute towards sustainable drainage in accordance policy BR3 of the Borough Wide Development Policies Development Plan Document.

**Restriction on Uses**

39. The two-ground floor commercial units hereby permitted, identified as Commercial 1 and Commercial 2 on drawing No. D-04 Rev A, shall only be used for purposes falling within Classes A1, A2, A3, A4, B1, D1 (excluding places of worship and schools and colleges) and D2, and for no other purpose.

Reason: To protect the locality by avoiding the introduction of a use unsuited to the premises in accordance with policies BP8 of the Borough Wide Development Policies Development Plan Document.

**Scheme Responding to Climate Change Adaptation**

40. No above ground new development shall commence until a detailed scheme responding to London Plan strategic policies regarding climate change adaptation, including use of low energy lighting and energy efficient appliances, metering, high levels of insulation and low water use sanitary-ware and fittings, has been submitted to and approved in writing by the Local Planning Authority in consultation with the Greater London Authority (GLA). The approved scheme shall be implemented to the satisfaction of the Local Planning Authority prior to occupation of the development.

Reason: In the interests of safeguarding the environment and providing sustainable development in accordance with policies 5.9, 5.10, 5.11 and 5.15 of the London Plan.

**Water Efficiency**

41. The development hereby permitted shall comply with the water efficiency optional requirement in paragraphs 2.8 to 2.12 of the Building Regulations Approved Document G. Evidence of compliance shall be notified to the building control body appointed for the development in the appropriate Full Plans Application, or Building Notice, or Initial Notice to enable the building control body to check compliance.

Reason: To minimise the use of mains water in accordance with policy BR4 of

**Car Park Design and Management Plan for Blue Badge Car Parking**

42. Prior to occupation of the development, a car park design and management plan shall be submitted to the Local Planning Authority for approval in writing setting out how additional demand for blue badge parking bays beyond the 8 blue badge parking bays shown on drawing No. D-04 Rev A can be met and the approved details shall be implemented prior to occupation of the development.

Reason: To ensure and promote easier access for disabled persons in accordance with policies BC2, BR9 and BR10 of the Borough Wide Development Policies Development Plan Document and policy 6.13 of the London Plan.

**Inclusive and Unhindered Access**

43. No above ground new development shall commence until details have been submitted to the Local Planning Authority for approval in writing demonstrating that inclusive and unhindered access will be provided to each of the entrances safely, including details of levels, gradients, provision of accessible seating and widths of the paths.

Reason: To ensure inclusive and unhindered access for all within the development in accordance with policy 3.8 of the London Plan.

**Arboricultural Assessment**

44. No development shall commence until an Arboricultural Assessment to protect any existing trees which are to be retained on and adjacent to the site has been submitted to and approved in writing by the Local Planning Authority. The Assessment shall accord with British Standard 5837:2012, 'Trees in relation to design, demolition and construction'.

Reason: The Arboricultural Assessment is required prior to commencement in order to ensure the safety and well-being of the existing trees on and adjacent to the site that are to remain after building works are completed and in accordance with policies BR3 and BP11 of the Borough Wide Development Policies Development Plan Document.

**Fire Statement**

45. A Fire Statement shall be submitted and approved in writing by the Local Planning Authority before the commencement of any work above ground level. The Fire Statement shall be produced by an independent third party suitably qualified assessor which shall detail the building’s construction, methods, products and materials used; the means of escape for all building users including those who are disabled or require level access together with the associated management plan; access for fire service personnel and equipment; ongoing maintenance and monitoring and how provision will be made within the site to enable fire appliances to gain access to the building. The development
shall be carried out in accordance with the approved details.

Reason: In order to provide a safe and secure development in accordance with policy CP3 of the Core Strategy.

**BREEAM**

46. The development hereby permitted shall achieve a BREEAM ‘Excellent’ rating for the non-residential elements, unless otherwise agreed in writing with the Local Planning Authority.

Reason: To ensure that the proposed development is constructed in an environmentally sustainable manner and in accordance with policy CR1 of the Core Strategy and policy BR1 of the Borough Wide Development Policies Development Plan Document.

**31. Mellish Close Garages, Mellish Close, Barking- 18/00770/FUL**

The Chief Planner introduced a report concerning Mellish Close Garages, Mellish Close, Barking. The application site comprised of 0.1 hectare of land to the west of Mellish Close, Barking. The site was bound to the north by Blake Avenue and to the east by Mellish Close. The surrounding residential estate was typically characterised by two-storey terraced and semi-detached dwellings. The site is bound immediately to the south by a railway line, providing services to London Overground and C2C train lines.

The application related to the demolition of the existing garages and erection of a part single/part 3 storey block comprising of 1 one bedroom, 2 two bedroom and 3 three- bedroom flats, and associated parking and landscaping. The proposed development would consist of a prefabricated modular housing design with all 6 flats intended for social rent.

The immediate locality was predominantly residential with nearby Blake Avenue comprised of two-storey terraced and semi-detached dwellings and Mellish Close comprised of short terraces of 2 storey dwellings. It was considered that the provision of a 3- storey building would not be detrimental to the residential character of the surrounding area. The redevelopment of the site for residential purposes, particularly for much needed social rented accommodation, was considered acceptable.

The development would use prefabricated modular units assembled to form a part single storey/part 3 storey block. The siting and design of the proposed block would ensure no unacceptable loss of outlook, privacy or sunlight/daylight for neighbouring occupiers.

Each of the flats accorded with the Technical Housing Standards and provide a good standard of internal amenity. All of the flats would have access to a private balcony or garden in accordance with the Mayor’s standards. Residents would also have access to a small communal amenity area. The proposed level of amenity space was considered to be acceptable given the constraints of the site.

The development would provide 6 car parking spaces, 1 of which will be an
accessible space, 7 cycle parking spaces and 2 electric vehicle charging points. The site has a PTAL (Public Transport Accessibility Level) of 1b which is low.

The Council’s Transport Development Management Team had raised no objections and considers the proposed development to be acceptable with no adverse highway safety implications.

The Chief Planner added that the revised application would assist in reducing overshadowing and overlooking, as the bulk of the building had been reduced and overlooking windows removed. All balconies would require a screen to avoid overlooking neighbouring gardens. He also referred to additional concerns concerning biodiversity that were necessary and these were circulated to Members and numbered 29-31.

Councillor Rahman addressed the Committee on behalf of Eastbury Ward Members who had concerns about this proposed development. They were particularly concerned about the height of the proposed development and even though the number of properties would be reduced from 8 to 6 in the revised scheme, they considered that the height would still be unacceptable as it would affect residents detrimentally in terms of overlooking, noise and disturbance.

Mrs Sutton, an objector to the application, was invited to address the Committee. She considered that the proposed development was too high and it would be visible to residents. Also, she felt that it was too wide. It was very concerning that the development would block residents’ natural daylight and cause overlooking and overshadowing particularly from mid-October to mid-February. She stated that in terms of her property, the loss of light would affect the kitchen, study and veranda particularly. She considered this was unacceptable and the garden would be subject to prolonged shade.

Tom Beard, on behalf of the applicant, was invited to address the Committee. He considered that the proposed development site was well designed and was much needed in providing affordable housing and the applicant has taken into account the comments in the consultation. He stated that the revised application has addressed the concerns about overlooking and overshadowing and the development would not cause a detrimental loss of light and the 1.7m high boundary screens would reduce overlooking. The amount of car parking spaces met the Mayors standards and the development would not be detrimental to local roads.

Members were concerned about the amount of overshadowing and overlooking. The Chief Planner confirmed that the report stated that the proposed development would have adequate and acceptable daylight levels, particularly as the proposed development was south facing and was in line with the Building Research Establishment guidelines.

In answer to a question on biodiversity, the Chief Planner stated that the scheme was relatively neutral in this respect.

Members asked about the height of this development compared to other adjacent buildings. The Chief Planner stated that it was 10.4 metres and the adjacent buildings were approximately 8/9 metres high.
That Committee **granted** Planning permission subject to the following conditions:

**1 Time Limit**

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

Reason: To comply with Section 91 of the Town and Country Planning Act 1990 (as amended by S.51 of the Planning and Compulsory Purchase Act 2004)

**2 Approved Drawings**

The development hereby permitted shall be carried out in accordance with the following approved plans:

BRK1-AST-MC-ZZ-DR-A-0101 P01, BRK1-AST-MC-ZZ-DR-A-0111 P01, 
BRK1-AST-MC-ZZ-DR-A-0130 P01, BRK1-AST-MC-ZZ-DR-A-0140 P01, 
BRK1-AST-MC-ZZ-DR-A-0172 P01, BRK1-AST-MC-ZZ-DR-A-0171 P01, 
BRK1-AST-MC-GF-DR-A-0200 P01, BRK1-AST-MC-01-DR-A-0201 P01, 
BRK1-AST-MC-02-DR-A-0202 P01, BRK1-AST-MC-RF-DR-A-0203 P01, 
BRK1-AST-MC-ZZ-DR-A-0250 P01, BRK1-AST-MC-ZZ-DR-A-0300 P01, 

Reason: For the avoidance of doubt and in the interests of proper planning.

**3 Details of External Materials**

No development above ground level shall take place until details/samples of all materials to be used in the construction of the external surfaces of the development have been submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in accordance with the approved materials.

Reason: To protect or enhance the character and amenity of the area in accordance with policies BP8 and BP11 of the Borough Wide Development Policies Development Plan Document.

**4 Details of Soft Landscaping**

No development above ground level shall take place until there has been submitted to and approved by the Local Planning Authority a scheme of landscaping for the site which shall include indications of all existing trees, shrubs and hedgerows on the site and details of those to be retained.

Reason: To safeguard and improve the appearance of the area in accordance with policy BP11 of the Borough Wide Development Policies Development Plan Document and Section 197 of the Town and Country Planning Act 1990.

**5 Soft Landscaping Implementation**
The landscaping scheme as approved in accordance with condition No 4 shall be carried out in the first planting and seeding seasons following the occupation of the building or completion of the development, whichever is the sooner. Any trees or plants which within a period of 5 years from the completion of the development die, are removed or become seriously damaged or diseased, shall be replaced in the next planting season with others of similar size and species unless the Local Planning Authority gives written consent to any variation.

Reason: To secure the provision and retention of the landscaping in the interests of the visual amenity of the area in accordance with policy BP11 of the Borough Wide Development Policies Development Plan Document and Section 197 of the Town and Country Planning Act 1990.

6 Hard Landscaping Details

No development above ground level shall take place until a scheme showing those areas to be hard landscaped and the details of that hard landscaping has been submitted to and approved by the Local Planning Authority in writing. The scheme as approved shall be carried out prior to the occupation of the development and thereafter permanently retained.

Reason: To safeguard and improve the appearance of the area and to provide safe movement throughout the site in accordance with policy BP11 of the Borough Wide Development Policies Development Plan Document.

7 Details of Boundary Treatment

No development above ground level shall commence until there has been submitted to and approved in writing by the Local Planning Authority a plan indicating the position, design, materials and type of boundary treatment to be erected. No property shall be occupied until the approved boundary treatment has been provided. The approved boundary treatment shall be retained unless the Local Planning Authority gives prior written approval for its removal.

Reason: To ensure the boundary treatment protects or enhances the character and amenity of the area in accordance with policy BP11 of the Borough Wide Development Policies Development Plan Document.

8 Electric Vehicle Charging Points

Electric charging points shall be provided for 2 of the car parking spaces shown on drawing No. BRK1-AST-MC-GF-DR-A-0200 P01. The spaces shall be constructed and marked out and the charging points installed prior to the occupation of the development, and thereafter retained permanently for the accommodation of vehicles of occupiers and visitors to the premises and not used for any other purpose.

Reason: To encourage the use of electric cars in order to reduce carbon emissions, and in accordance with policy BR10 of the Borough Wide Development Policies Development Plan Document and policy 6.13 of the London Plan.
9 Accessible Parking Bays

The accessible parking bay indicated on drawing No. BRK1-AST-MC-GF-DR-A-0200 P01 shall be clearly marked with a British Standard disabled symbol and permanently retained for the use of disabled persons and their vehicles and for no other purpose.


10 Cycle Parking Details

The approved development shall make provision for cycle parking in accordance with a scheme that shall have been previously submitted to and approved in writing by the Local Planning Authority. The approved scheme shall be implemented prior to the occupation of the development and thereafter retained permanently for the accommodation of bicycles of occupiers and visitors to the premises and not used for any other purpose.

Reason: In the interests of promoting cycling as a sustainable and non-polluting mode of transport and in accordance with policy BR11 of the Borough Wide Development Policies Development Plan Document.

11 Privacy Screen Details

Details of privacy screens to the balconies which shall be a minimum height of 1.7 metres shall be submitted to and approved in writing by the Local Planning Authority. The approved screens shall be installed prior to the occupation of the development and permanently retained.

Reason: To protect the residential amenities of neighbouring occupiers in accordance with policy BP8 of the Borough Wide Development Policies Development Plan Document.

12 Accessible Housing M4(2)

The dwellings hereby permitted shall comply with the requirements of Building Regulation M4(2) 'accessible and adaptable dwellings'. Evidence of compliance shall be notified to the building control body appointed for the development in the appropriate Full Plans Application, or Building Notice, or Initial Notice to enable the building control body to check compliance.

Reason: To ensure that the dwellings are accessible and adaptable in accordance with policy 3.8 of the London Plan 2016.

13 Accessible Housing M4(3)

One ground floor dwelling shall be constructed to Building Regulations Optional Requirement Approved Document M4(3) Category 3: (Wheelchair user dwellings) (2015 edition). Evidence of compliance shall be notified to the
building control body appointed for the development in the appropriate Full Plans Application, or Building Notice, or Initial Notice to enable the building control body to check compliance.

Reason: To ensure that sufficient accessible housing is provided in accordance with policy 3.8 of the London Plan.

14 Water Efficiency

Before occupation the proposed dwellings shall comply with the water efficiency optional requirement in paragraphs 2.8 to 2.12 of the Building Regulations Approved Document G. Evidence of compliance shall be notified to the building control body appointed for the development in the appropriate Full Plans Application, or Building Notice, or Initial Notice to enable the building control body to check compliance.

Reason: To minimise the use of mains water in accordance with policy 5.15 of the London Plan.

15 Acoustic Protection Details

No development above ground level shall commence until full details of a scheme of acoustic protection of habitable rooms against transport noise has been submitted to and approved in writing by the Local Planning Authority. The scheme of acoustic protection shall be sufficient to secure internal noise levels no greater than 35 dB LAeq in living rooms and bedrooms (07.00 hrs to 23.00 hrs) with windows closed; and 30 dB LAeq in bedrooms (23.00 hrs to 07.00 hrs) with windows closed. Additionally, where the internal noise levels will exceed 40 dB LAeq in living rooms and bedrooms (07.00 hrs to 23.00 hrs) or 35 dB LAeq in bedrooms (23.00 hrs to 07.00 hrs) with windows open the scheme of acoustic protection shall incorporate a ventilator system which is commensurate with the performance specification set out in Schedule 1 (paragraphs 6 and 7) of The Noise Insulation Regulations 1975 (as amended). The approved scheme shall be fully implemented before the first occupation of the dwelling to which it relates and shall be maintained at all times thereafter.

Reason: To maintain reasonable levels of protection for the occupiers of the development from external noise and in accordance with policy BP8 of the Borough Wide Development Policies Development Plan Document.

16 Construction Hours

Demolition and construction work and associated activities, other than internal works not audible outside the site boundary, are only to be carried out between the hours of 08.00 and 18.00 Monday to Friday and 08.00 and 13.00 Saturday, with no work on Sundays or public holidays without the prior written permission of the Local Planning Authority.

Reason: To ensure that the proposed construction work does not cause undue nuisance and disturbance to neighbouring properties at unreasonable hours and in accordance with policy BP8 of the Borough Wide Development Policies Development Plan Document.
17 Codes of Practice

Demolition and construction work and associated activities are to be carried out in accordance with the recommendations contained within British Standard 5228:2009, “Code of practice for noise and vibration control on construction and open sites”. Parts 1 and 2.

Reason: To ensure that the proposed construction work does not cause undue nuisance and disturbance to neighbouring properties at unreasonable hours and in accordance with policy BP8 of the Borough Wide Development Policies Development Plan Document.

18 Site Characterisation

An investigation and risk assessment, in addition to any assessment provided with the planning application, must be completed in accordance with a scheme to assess the nature and extent of any contamination on the site, whether or not it originates on the site. The contents of the scheme are subject to the approval in writing of the Local Planning Authority. The investigation and risk assessment must be undertaken by competent persons and a written report of the findings must be produced. The written report is subject to the approval in writing of the Local Planning Authority. The report of the findings must include:

a. a survey of the extent, scale and nature of contamination;
b. an assessment of the potential risks to:
   i. human health,
   ii. property (existing or proposed) including buildings, crops, livestock, pets, woodland and service lines and pipes,
   iii. adjoining land,
   iv. groundwaters and surface waters,
   v. ecological systems,
   vi. archaeological sites and ancient monuments;
c. an appraisal of remedial options, and proposal of the preferred option(s).
d. This must be conducted in accordance with DEFRA and the Environment Agency's 'Model Procedures for the Management of Land Contamination, CLR 11'.

19 Remediation Scheme

A detailed remediation scheme to bring the site to a condition suitable for the intended use by removing unacceptable risks to human health, buildings and other property and the natural and historical environment must be prepared and is subject to the approval in writing of the Local Planning Authority. The scheme must include all works to be undertaken, proposed remediation objectives and remediation criteria, timetable of works and site management procedures. The scheme must ensure that the site will not qualify as contaminated land under Part 2A of the Environmental Protection Act 1990 in relation to the intended use of the land after remediation.

20 Remediation Scheme Implementation
The approved remediation scheme must be carried out in accordance with its terms prior to the commencement of development other than that required to carry out remediation, unless otherwise agreed in writing by the Local Planning Authority. The Local Planning Authority must be given two weeks written notification of commencement of the remediation scheme works. Following completion of measures identified in the approved remediation scheme, a verification report that demonstrates the effectiveness of the remediation carried out must be produced and is subject to the approval in writing of the Local Planning Authority.

21 Reporting Contamination

In the event that contamination is found at any time when carrying out the approved development that was not previously identified it must be reported in writing immediately to the Local Planning Authority. An investigation and risk assessment must be undertaken in accordance with the requirements of condition 18 and where remediation is necessary a remediation scheme must be prepared in accordance with the requirements of condition 19 which is subject to the approval in writing of the Local Planning Authority.

Reason for Conditions 18 to 21: Contamination must be identified prior to commencement of development, excluding demolition of above ground structures, to ensure that risks from land contamination to the future users of the land and neighbouring land are minimised, together with those to controlled waters, property and ecological systems, and to ensure that the development can be carried out safely without unacceptable risks to workers, neighbours and other off-site receptors in accordance with policy BR5 of the Borough Wide Development Policies Development Plan Document and policy 5.21 of the London Plan.

22 External Lighting

The lighting of the development hereby permitted is to be designed, installed and maintained so as to fully comply with The Association of Chief Police Officers – Secured by Design publication “Lighting Against Crime – A Guide for Crime Reduction Professionals”, ACPO SPD, January 2011. The design shall satisfy criteria to limit obtrusive light presented in Table 1, p25 of the guide, relating to Environmental Zone E3 - Medium district brightness areas - small town centre or urban locations.

Reason: In the interests of security and safety, to avoid light pollution and safeguard neighbouring amenity and in accordance with policy BP11 of the Borough Wide Development Policies Development Plan Document.

23 Construction Management Plan

No development shall commence, including any works of demolition, until a Construction Environmental Management Plan (CEMP) and a Site Waste Management Plan (SWMP) have been submitted to and approved in writing by the Local Planning Authority. These plans shall incorporate details of:

a. construction traffic management;
b. the parking of vehicles of site operatives and visitors;
c. loading and unloading of plant and materials;
d. storage of plant and materials used in constructing the
development;
e. the erection and maintenance of security hoarding(s) including
decorative displays and facilities for public viewing, where
appropriate;
f. wheel washing facilities;
g. measures to control the emission of dust, dirt and emissions to air
during construction; such measures to accord with the guidance
provided in the document “The Control of Dust and Emissions
h. a scheme for recycling/disposing of waste resulting from
demolition and construction works;
i. the use of efficient construction materials;
j. methods to minimise waste, to encourage re-use, recovery and
recycling, and sourcing of materials; and a nominated
Developer/Resident Liaison Representative with an address and
contact telephone number to be circulated to those residents
consulted on the application by the developer’s representatives.
This person will act as first point of contact for affected persons
who have any problems or questions related to the ongoing
development.

Reason: The CEMP and SWMP are required prior to commencement of
development in order to reduce the environmental impact of the construction
and the impact on the amenities of neighbouring residents, and in accordance
with policy BP8 of the Borough Wide Development Policies Development Plan
Document.

24 Highspeed1 (HS1) - Foundation Design

Prior to the start of construction, details of the design of the foundations and
other works proposed below existing ground level shall be submitted to and
approved in writing by the Local Planning Authority in consultation with
Highspeed1 (HS1). Construction activity shall then be carried out in compliance
with the approved details unless previously agreed in writing by the Local
Planning Authority in consultation with HS1.

Reason: Details are required prior to the commencement of development in
order to reduce the impact of ground works in proximity to HS1, and to ensure
that loads on, and settlement of, HS1 tunnels, structures, track and other
infrastructure do not prejudice the safety or operation of HS1.

25 Site Investigations near to High Speed1 (HS1)

Prior to the start of site investigations involving a borehole or trial pit deeper
than one metre, details of the location and depth of site investigations including
a method statement shall be submitted to and approved in writing by the Local
Planning Authority in consultation with Highspeed1 (HS1). This activity shall
then be carried out only in compliance with the approved details unless
previously agreed in writing by the Local Planning Authority in consultation with
HS1.
Reason: Details are required prior to the commencement of development in order that the borehole or trial pit is at an acceptable vertical and horizontal distance from the tunnel such that it does not compromise the integrity, safety or operation of HS1.

26 Highspeed1 (HS1) – Excavations

Prior to the start of construction activity, engineering details of the size, depth and proximity to HighSpeed1 (HS1) of any excavations shall be submitted to and approved in writing by the Local Planning Authority in consultation with HS1. Excavations shall then be carried out in accordance with the approved details unless the Local Planning Authority in consultation with HS1 has previously agreed in writing to any change.

Reason: Details are required prior to the commencement of development in order to ensure that the stability of HS1 tunnels, structures, track and other infrastructure is not prejudiced.

27 Highspeed1 (HS1) - Imposed Loads

Prior to the start of construction, details of the size, loading and proximity to HighSpeed1 (HS1) of additional ground loads such as stockpiles shall be submitted to and approved in writing by the Local Planning Authority in consultation with HS1. Works shall be carried out in conformity with the approved details unless the Local Planning Authority in consultation with HS1 has previously agreed in writing to any change.

Reason: Details are required prior to the commencement of development in order to ensure that the stability of HS1 tunnels, structures, track and other infrastructure is not prejudiced.

28 Highspeed1 (HS1) – Vibration

Prior to the start of construction, details of the plant and equipment proposed which are likely to give rise to vibration (such as pile driving, demolition and vibro-compaction of the ground) together with predicted vibration levels, shall be submitted to and approved in writing by the Local Planning Authority in consultation with Highspeed1 (HS1). Activities likely to cause vibration in the vicinity of HS1 infrastructure such that a peak particle velocity (PPV) of 5mm/s may be exceeded at the railway boundary will be subject to agreement in advance.

Reason: Details are required prior to the commencement of development in order to ensure that vibration does not prejudice safety, operation and structural integrity of HS1.

29. Nesting Birds Survey

No vegetation or site clearance shall take place between 1 March and 30 September without a nesting bird survey being carried out by a suitably qualified ecologist no more than 2 days prior to commencement of the development. If nesting birds are found, a strategy should be agreed with the
Local Planning Authority to ensure the nesting birds are not disturbed by works taking place on the site.

Reason: The survey is required prior to commencement of the development to protect the ecology of the area as nesting birds may be present on the site and in accordance with Policy CR2 of the Core Strategy, Policy BR3 of the Borough Wide Development Policies Development Plan Document and Policy 7.19 of the London Plan.

30. Bird and Bat Boxes

The development shall not be occupied until bird nesting and bat roosting boxes have been installed within or on the building or in any trees on the site in accordance with details which shall have been submitted to and approved in writing by the Local Planning Authority. The details shall accord with the advice set out in "Biodiversity for Low and Zero Carbon Buildings: A Technical Guide for New Build" (Published by RIBA, March 2010) or similar advice from the RSPB and the Bat Conservation Trust.


31. Bat Survey

No development shall take place until a bat survey comprising a dusk emergence and dawn re-entry survey has been undertaken. An internal survey should also be carried out for all existing garages prior to commencement of development. The reports should be submitted to and approved in writing by the Local Planning Authority. Any actions arising from the surveys shall be implemented prior to commencement of any relevant works.

Reason: The bat surveys are required prior to commencement of the relevant development to ensure that protected species are surveyed and mitigation measures proposed at an appropriate point in the development process in accordance with Policy CR2 of the Core Strategy, Policy BR3 of the Borough Wide Development Policies Development Plan Document and Policy 7.19 of the London Plan.

32. Former Sacred Heart Convent, 191 Goresbrook Road, Dagenham-18/01689/FUL

(Councillor Freeborn arrived during the discussion on this item and in accordance with the Council Constitution (Part 5, Chapter 2, paragraph 7.1), was not permitted to take part in the discussion or vote on the item as she had not been present throughout the entire discussion).

The Chief Planner introduced a report concerning the Former Sacred Heart Convent, 191 Goresbrook Road, Dagenham. This application sought to convert the former Sacred Heart Convent, demolish its outbuildings and provide 29 residential units in the form of 9 flats in the old convent building and 20 new houses to the rear and side of the existing building.
The proposed development comprised 100% sub-market housing, with all units available at affordable rents (up to 80% of the market value). The scheme proposed a mix of 2 x studio, 4 x 1-bedroom, 2 x 2-bedroom and 1 x 3-bedroom flats in the converted Sacred Heart building, and a further 4 x 1-bedroom, 7 x 2-bedroom, 8 x 3-bedroom and 1 x 4-bedroom houses in the new build elements to the east and south of the convent building.

The former Sacred Heart Convent and its outbuildings were in use as a convent (Use Class C2) until 2012 when it was identified as surplus and sold in 2016 to London Borough of Barking and Dagenham. The 0.4 hectare site includes a three-storey convent building which is set back from Goresbrook Road. The site includes tree-lined paths around a courtyard to the rear.

As part of the renovation of Sacred Heart, it was proposed to repair external features with like-for-like materials and improve the thermal performance, as well as replace the 1960s dormer windows with smaller dormer windows. Internally, the historic features will be retained in the sub-division of the building to create residential flats.

The new residential buildings would be located around internal courtyards to the east of the existing building, and around a large communal amenity space to the rear. The buildings to the front and rear of the site would be designed with a waved parapet and the buildings to the east and west would have barrel roofs accommodation in the roof space.

The site was covered by a site-wide Tree Preservation Order (TPO, no. 19). The submitted tree survey categorised 13 trees, 4 groups of trees and 3 hedges. The Tree Survey assessed 1 group of Strawberry trees as Category A (highest retention quality and value), 4 trees and 2 groups under Category B (moderate quality and value), and 9 trees, 1 group and 3 hedges under Category C (low quality and value).

Off-street vehicle parking was proposed on the north-western part of the site along Goresbrook Road. The vehicle and pedestrian access were proposed to be amended to create a one-way vehicle access road with two accesses and two pedestrian access points.

The energy strategy included solar photovoltaic (PV) panels on the flat part of the roof of the Sacred Heart building and some of the new buildings with flat roofs. As a result of the proposed renovations, a large part of the carbon emission (CO₂) savings would come from the improvement of the existing building’s efficiency to keep flats warm and better insulated from the heat.

This proposed residential development would satisfy a number of the Borough’s and London Plan strategic objectives and policies: Strategic Objectives SO1, SO3, SO8, SO9 and SO12, Policies CM1, CM2, CR1, CR2, CR4, CP2 and CP3 of the Core Strategy; Policies BC1, BP3, BP8, BP11, BR2, BR3, BR4, BR5, BR10 and BR11 of the Borough Wide Development Plan; and Policies 3.3, 3.4, 3.9, 3.10, 3.11, 5.2, 5.4, 5.7, 5.13, 6.9, 6.10, 6.13, 7.2, 7.3, 7.4, 7.6, 7.8, 7.19 and 7.21 of the London Plan.

The Chief Planner added that the proposed development was sustainable, with
a 54% reduction in Co2 emissions and the remainder of the carbon reduction would be met through a carbon offset payment.

Members commented about trees being lost and the properties being affordable.

Members were supportive of the scheme however some were concerned about the condition restricting the ability of residents to obtain CPZ permits if such a scheme was introduced and felt it should be removed as it was accepted that the extra car parking was required. However, some Members considered there was sufficient on-site car parking provision and residents should be made aware that they would not be eligible for a car parking permit if a scheme was introduced. They agreed that condition 17 be deleted.

The Committee **granted** planning permission subject to the planning conditions listed below and the completion of a Unilateral Undertaking under Section 106 of the Town and Country Planning Act 1990 to secure 100% sub-market housing, an Employment and Skills Plan, payment of a Carbon Offset Contribution and payment of the Council’s legal costs.

**Conditions:**

1. **Time Limit**

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

Reason: To comply with Section 91 of the Town and Country Planning Act 1990 (as amended by Section 51 of the Planning and Compulsory Purchase Act 2004).

2. **Approved Drawings**

The development hereby permitted shall be carried out in accordance with the following approved plans:

- SH_P_001 Site Location Plan Rev P04
- SH_P_002 Existing Context Plan Rev P02
- SH_P_003 Proposed Context Plan Rev P04
- SH_P_080 Existing Sacred Heart Ground Floor Plan Rev P03
- SH_P_081 Existing Sacred Heart First Floor Plan Rev P03
- SH_P_082 Existing Sacred Heart Second Floor Plan Rev P03
- SH_P_083 Existing Sacred Heart Roof Plan Rev P01
- SH_E_200 Existing Side Elevations Rev P02
- SH_E_201 Existing Front and Rear Elevations Rev P02
- SH_P_100 Proposed Ground Floor Plan Rev P18
- SH_P_101 Proposed First Floor Plan Rev P17
- SH_P_102 Proposed Second Floor Plan Rev P12
- SH_P_103 Proposed Roof Plan Rev P08
- SH_E_300 Proposed Elevations 1-4 Rev P13
- SH_E_301 Proposed Elevations 5-10 Rev P14
- SH_E_302 Proposed Elevations 11-14 Rev P12
3. Details of External Materials

Prior to commencement of development details/samples of all materials to be used in the construction of the external surfaces, their finish and any resulting treatment of the development shall be submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in accordance with the approved materials.

Reason: Details of external materials, their finish and treatment are required prior to commencement of development because these have not been supplied already. These details are required in order to protect or enhance the character and amenity of the area in accordance with Policies BP8 and BP11 of the Borough Wide Development Policies Development Plan Document.

4. Hard and Soft Landscaping

No development above ground level shall take place until a scheme of hard and soft landscaping for the site, including details of materials, species and a planting schedule have been submitted to and approved in writing by the Local Planning Authority.

The scheme should include:
- Tree pit details to provide adequate protection to the trees adjacent to the car parking spaces;
- A detailed tree planting scheme that provides high quality replacements for the removal of the trees as part of this application. The proposed trees must provide an equal or higher value in biodiversity, amenity and screening. Specifically, a replacement of the G4 (three Strawberry) trees should be provided on site (as mature as is available), and where not available, like-for-like species to be provided instead;
- Consideration of opportunities for dedicated communal food growing beds within the communal amenity areas;
- Increase in soft landscaping for the private amenity and courtyard spaces than what is currently shown on plan No. SH_P_100 Rev 18.

The approved hard landscaping shall be carried out prior to the occupation of the development and thereafter permanently retained. The approved soft landscaping shall be carried out in the first planting and seeding seasons following the occupation of the building or completion of the development, whichever is the sooner. Any plants which within a period of 5 years from the completion of the development die, are removed or become seriously damaged or diseased, shall be replaced in the next planting season with others of similar size and species unless the Local Planning Authority gives written consent to any variation.

Reason: This information should be provided prior to the commencement of above ground works to safeguard and improve the appearance of the area in

5. Landscape Maintenance

No development above ground level shall take place until a schedule of landscape maintenance for a minimum period of 5 years has been submitted to and approved in writing by the Local Planning Authority. The schedule shall include details of the arrangements for its implementation and the development shall be carried out in accordance with the approved schedule.

Reason: To secure the provision and retention of the landscaping in the interests of the visual amenity of the area and in accordance with Policy BP11 of the Borough Wide Development Policies Development Plan Document and Section 197 of the Town and Country Planning Act 1990.

6. Boundary Treatment

No development above ground level shall take place until there has been submitted to and approved in writing by the Local Planning Authority a plan indicating the position, design, materials and type of boundary treatment to be erected. No part of the development shall be occupied until the approved boundary treatment for that part has been provided. The approved boundary treatment shall be retained unless the Local Planning Authority gives prior written approval for its removal. Measures shall include fences that are wildlife friendly with hedgehog gravel boards at the bottom.

Reason: To ensure the boundary treatment protects or enhances the character and amenity of the area in accordance with Policy BP11 of the Borough Wide Development Policies Development Plan Document.

7. Recreation & Play Strategy

The development shall not be occupied until a recreation and play strategy has been submitted to and approved in writing by the Local Planning Authority. The scheme should include details on how the courtyard areas will be managed, what kind of recreation is envisioned on the communal amenity areas to the front and rear of the development and should incorporate sufficient active play facilities for a range of ages. The development must provide active and passive play space at 10 sqm per child, where the majority of under 5s play space can be provided within private gardens and the remaining doorstep play space provided within the communal areas.

Reason: To ensure the amenity spaces are well-used and well-designed, in accordance with Policy 3.6 of the London Plan and the Mayor’s Shaping Neighbourhoods SPG.

8. Tree Protection

Before any works hereby permitted are commenced and until all such works
are completed:

a) all trees to be retained shall be protected by secure, stout exclusion fencing erected at a minimum distance equivalent to the branch spread of the trees and in accordance with BS.5837; and

b) any works connected with the approved scheme within the branch spread of the trees shall be by hand only. No materials, supplies, plant or machinery shall be stored, parked or allowed access beneath the branch spread or within the exclusion fencing. Any trees that are damaged or felled during construction work must be replaced with semi-mature trees of the same or similar species.

Reason: To ensure that retained trees are identified prior to commencement of development and adequately protected during the construction phase in accordance with Policy CR2 of the Core Strategy and Policies BR3 and BP11 of the Borough Wide Development Policies Development Plan Document and Section 197 of the Town and Country Planning Act 1990.

9. Root Protection

No development shall be carried out until a method statement identifying the root protection areas of all trees on and around the site, and giving details of any works to be carried out within the root protection areas of the trees and the method to avoid damage to the trees during these works has been submitted to and approved in writing by the Local Planning Authority.

Reason: The method statement is required prior to commencement of development to ensure that retained trees are adequately protected during the construction phase in accordance with Policy CR2 of the Core Strategy and Policies BR3 and BP11 of the Borough Wide Development Policies Development Plan Document and Section 197 of the Town and Country Planning Act 1990.

10. Nesting Birds Survey

No vegetation or site clearance shall take place between 1 March and 30 September without a nesting bird survey being carried out by a suitably qualified ecologist no more than 2 days prior to commencement of the development.

If nesting birds are found, a strategy should be agreed with the Local Planning Authority to ensure the nesting birds are not disturbed by works taking place on the site.

Reason: The survey is required prior to commencement of the development to protect the ecology of the area as nesting birds may be present on the site and in accordance with Policy CR2 of the Core Strategy, Policy BR3 of the Borough Wide Development Policies Development Plan Document and Policy 7.19 of the London Plan.

11. Bird and Bat Boxes

The development shall not be occupied until bird nesting and bat roosting boxes have been installed within or on the buildings or in any trees on the site.
in accordance with details which shall have been submitted to and approved in writing by the Local Planning Authority. The details shall accord with the advice set out in “Biodiversity for Low and Zero Carbon Buildings: A Technical Guide for New Build” (Published by RIBA, March 2010) or similar advice from the RSPB and the Bat Conservation Trust.


12. Bat Survey

No development shall take place on the Sacred Heart Convent building to be retained until a bat survey comprising a dusk emergence and dawn re-entry survey has been undertaken. An internal survey should also be carried out for all existing buildings prior to commencement of development. The reports should be submitted to and approved in writing by the Local Planning Authority. Any actions arising from the surveys shall be implemented prior to commencement of any relevant works.

Reason: The bat surveys are required prior to commencement of the relevant development to ensure that protected species are surveyed and mitigation measures proposed at an appropriate point in the development process in accordance with Policy CR2 of the Core Strategy, Policy BR3 of the Borough Wide Development Policies Development Plan Document and Policy 7.19 of the London Plan.

13. Access (Details)

The vehicular and pedestrian accesses to the site shall be constructed in accordance with the siting, size, dimensions and other details shown on drawing No. SH_P_100 P18 prior to the occupation of the development.

Reason: To ensure that the proposed development does not prejudice the free flow of traffic or conditions of general safety along the adjoining highway and in accordance with Policy BR10 of the Borough Wide Development Policies Development Plan Document.

14. Car Parking (Implementation)

The car parking areas indicated on drawing No. SH_P_100 P18 shall be constructed and marked out prior to the occupation of the development, and thereafter retained permanently for the accommodation of vehicles of occupiers and visitors to the premises and not used for any other purpose. The parking spaces should be clearly delineated with raised kerbs to avoid encroachment on surrounding footpaths and damage to trees.

Reason: To ensure that sufficient off-street parking areas are provided and not to prejudice the free flow of traffic or conditions of general safety along the adjoining highway in accordance with Policy BR9 of the Borough Wide Development Policies Development Plan Document.
15. Electric Vehicle Charging Points

Active electric charging points shall be provided for 20% of the car parking spaces shown on drawing No. SH_P_100 P18 and a further 20% shall be provided for passive electric vehicle charging points. The spaces shall be constructed and marked out and the charging points installed prior to the occupation of the development, and thereafter retained permanently for the accommodation of vehicles of occupiers and visitors to the premises and not used for any other purpose.

Reason: To encourage the use of electric cars in order to reduce carbon emissions, and in accordance with Policy BR10 of the Borough Wide Development Policies Development Plan Document and Policy 6.13 of the London Plan.

16. Cycle Parking (Details)

Details of the proposed cycle parking for residents shall be submitted to and approved in writing by the Local Planning Authority prior to the occupation of the development. Cycle storage for residents should be safe and secure and provided in dedicated cycle storage units where possible, and provision should be made for short-term visitor cycle parking in the form of Sheffield stands. The approved scheme shall be implemented prior to the occupation of the development and thereafter retained permanently for the accommodation of bicycles of occupiers and visitors to the premises and not used for any other purpose.

Reason: In the interests of promoting cycling as a sustainable and non-polluting mode of transport and in accordance with Policy BR11 of the Borough Wide Development Policies Development Plan Document.

17. Highways Works

No above ground new development shall commence until the developer has submitted to the Local Planning Authority for approval in writing, in consultation with the Local Highway Authority, a scheme of highway works associated with the development. The approved works shall be carried out prior to the occupation of the development, or as otherwise agreed in writing with the Local Planning Authority, in consultation with the Local Highway Authority.

Reason: In the interests of highway safety and in accordance with Policies BR9 and BR10 of the Borough Wide Development Policies Development Plan Document.

18. Construction and Logistics Plan

Prior to the commencement of development, a Construction Logistics Plan shall be submitted to and approved in writing by the Local Planning Authority. The Plan shall be designed to minimise deliveries of materials and export of any waste materials within the times of peak traffic congestion on the local road network. The Plan shall be implemented in accordance with the approved details and thereafter maintained.
Reason: The Construction Logistics Plan is required prior to commencement of development in order to minimise the impact of construction on the free flow of traffic on the local highway network and in the interests of highway safety, and in accordance with Policy BR10 of the Borough Wide Development Policies Development Plan Document and Policy 6.3 of the London Plan.

19. Construction Method Statement

No development shall take place, including any works of demolition, until a Construction Method Statement has been submitted to, and approved in writing by, the Local Planning Authority. The approved Statement shall be adhered to throughout the construction period. The Statement shall provide for:

i. the parking of vehicles of site operatives and visitors;
ii. details of access to the site;
iii. details of how wildlife will be protected during the clearance and construction of the site;
iv. loading and unloading and the storage of plant and materials used in constructing the development;
v. the erection and maintenance of security hoardings including decorative displays;
vi. wheel washing facilities;
vii. measures to control the emission of noise, dust and dirt during construction;
viii. a scheme for recycling/disposing of waste resulting from demolition and construction works; and,
ix. details of a nominated developer/resident liaison representative with an address and contact telephone number to be circulated to those residents consulted on the application by the developer’s representatives. This person will act as first point of contact for residents who have any problems or questions related to the ongoing development.

Reason: The Construction Method Statement is required prior to commencement of development in order to reduce the environmental impact of the construction and the impact on the amenities of neighbouring residents, and in accordance with Policy BP8 of the Borough Wide Development Policies Development Plan Document.

20. Construction Hours

No deliveries, external running of plant and equipment or construction works, other than internal works not audible outside the site boundary, shall take place on the site other than between the hours of 08:00 to 18:00 on Monday to Friday and 08:00 to 13:00 on Saturday and not at all on Sundays, Public or Bank Holidays without the prior written permission of the Local Planning Authority.

Reason: To ensure that the proposed construction work does not cause undue nuisance and disturbance to neighbouring properties at unreasonable hours and in accordance with Policy BP8 of the Borough Wide Development Policies Development Plan Document.
21. Noise and Dust

The development shall not be commenced until a scheme specifying the provisions to be made to control noise and dust emanating from the site during construction works has been submitted to, and approved in writing by, the Local Planning Authority. This scheme should include details of the construction methods to be employed and the equipment to be used. The works are to be carried out in accordance with the recommendations contained within British Standard 5228:2009 ‘Code of practice for noise and vibration control on construction and open sites’ (Parts 1 and 2) and the Mayor of London/London Council's publication ‘The control of dust and emissions from construction and demolition, Best Practice Guidance’, 2006.

Reason: The Noise and Dust Scheme is required prior to commencement of development in order to reduce the environmental impact of the construction and the impact on the amenities of neighbouring residents in accordance with Policy BP8 of the Borough Wide Development Policies Development Plan Document.

22. External Lighting

A lighting strategy, for construction and occupation, should be provided prior to above ground development and approved in writing by the Local Planning Authority. The lighting strategy should seek to minimise upwards light and obtrusive light and avoid light spill onto trees and bird and bat boxes. The lighting is to be designed, installed and maintained so as to fully comply with The Association of Chief Police Officers - Secured by Design publication “Lighting Against Crime – A Guide for Crime Reduction Professionals”, ACPO SPD, January 2011. The design shall satisfy criteria to limit obtrusive light presented in Table 1, page 25 of the guide, relating to Environmental Zone E3 – Medium district brightness areas - small town centre or urban locations. Any lighting, either temporary or permanent, along the site boundaries should be kept to a minimum and avoid an impact on birds and bats.

The relevant part of the development shall not be occupied until the approved scheme for that part of the development has been implemented. Thereafter the approved measures shall be permanently retained unless otherwise agreed in writing by the Local Planning Authority.

Reason: In the interests of security and safety, to avoid light pollution and safeguard neighbouring amenity and in accordance with Policy BP11 of the Borough Wide Development Policies Development Plan Document.

23. Crime Prevention Measures

No development above ground level shall take place until a scheme showing the provisions to be made for external lighting, CCTV coverage, access control, and any other measures to reduce the risk of crime, have been submitted to and approved in writing by the Local Planning Authority. The development shall not be occupied until the approved scheme has been implemented. Thereafter the approved measures shall be permanently retained unless otherwise agreed in writing by the Local Planning Authority.

Reason: In order to provide a good standard of security to future occupants
and visitors to the site and to reduce the risk of crime in accordance with Policy BP11 of the Borough Wide Development Policies Development Plan Document.

24. Accessible Housing - M4 (2)

Before occupation, all new build dwellings (other than the 3 wheelchair housing units identified in condition 26) shall be constructed to comply with Building Regulations Optional Requirement Approved Document M4(2) Category 2: Accessible and adaptable dwellings (2015 edition) as a minimum. Evidence of compliance shall be notified to the building control body appointed for the development in the appropriate Full Plans Application, or Building Notice, or Initial Notice to enable the building control body to check compliance.

Reason: To ensure that accessible housing is provided in accordance with Policy 3.8 of the London Plan.

25. Accessible Housing - M4 (3) (Implementation of Scheme)

The three wheelchair units identified on the approved drawings shall be constructed to, or capable of easy adaptation to, Building Regulations Optional Requirement Approved Document M4(3) Category 3: (Wheelchair user dwellings) (2015 edition). Evidence of compliance shall be notified to the building control body appointed for the development in the appropriate Full Plans Application, or Building Notice, or Initial Notice to enable the building control body to check compliance.

Reason: To ensure that sufficient accessible housing is provided in accordance with Policy 3.8 of the London Plan.

26. Accessible Parking Bays

The accessible parking bays indicated on drawing No. SH_P_100 P18; shall be clearly marked with a British Standard disabled symbol and permanently retained for the use of disabled persons and their vehicles and for no other purpose. If the need for more bays arises, car parking spaces within the development should be converted into accessible parking bays.


27. Renewable Energy (Implementation)

The renewable energy scheme indicated on Figure 7 of the Energy Statement shall be installed before the development hereby approved is occupied and shall be permanently maintained so as to provide energy for the development on a day-to-day basis for as long as the development remains.

Reason: In the interests of safeguarding the environment, to ensure that the development provides renewable energy in accordance with Policy BR2 of the Borough Wide Development Policies Development Plan Document and Policy
5.2 of the London Plan.

28. Energy Strategy

The development hereby permitted shall achieve as a minimum a 54% reduction in carbon dioxide emissions over Part L of the Building Regulations (2013), as proposed in the Energy Strategy by XCO2.

Reason: To ensure compliance with the proposed energy strategy in accordance with Policy 5.2 of the London Plan and Policy BR2 of the Borough Wide Development Policies Development Plan Document.

29. Surface Water Drainage (Implementation of Submitted Details)

No building hereby permitted shall be occupied until the sustainable drainage scheme for the site has been completed in accordance with the submitted details. The sustainable drainage scheme shall be managed and maintained thereafter in accordance with the agreed management and maintenance plan.

Reason: To prevent an increased risk of flooding and to prevent pollution of the water environment and in accordance with Policy BR4 of the Borough Wide Development Policies Development Plan Document.

30. Archaeology Field Evaluation

a) No demolition or development shall take place until the applicant has secured the implementation of a programme of archaeological work in accordance with the Written Scheme of Investigation (WSI) which has been submitted to and approved in writing by the Local Planning Authority.

b) No development or demolition shall take place other than in accordance with the Written Scheme of Investigation approved under Part a).

c) If heritage assets of archaeological interest are identified by Stage 1 then for those parts of the site which have archaeological interest a Stage 2 WSI shall be submitted to and approved in writing by the Local Planning Authority. For land that is included within the Stage 2 WSI, no development shall take place other than in accordance with the agreed Stage 2 WSI which shall include:

i. The statement of significance and research objectives, the programme and methodology of site investigation and recording and the nomination of a competent person(s) or organisation to undertake the agreed works; and

ii. The programme for post-investigation assessment and subsequent analysis, publication and dissemination and deposition of resulting material. This part of the condition shall not be discharged until these elements have been fulfilled in accordance with the programme set out in the Stage 2 WSI.

d) The development shall not be occupied until the site investigation and post investigation assessment has been completed in accordance with the programme set out in the Written Scheme of Investigation approved under Part a), and if relevant under Part c), and the provision made for analysis, publication and dissemination of the results and archive deposition has been secured.
Reason: Archaeology must be identified prior to the commencement of development to ensure that archaeological investigation is initiated at an appropriate point in the development process and that any areas of archaeological preservation are identified and appropriately recorded/preserved and the results published in accordance with Policies BP2 and BP3 of the Borough Wide Development Policies Development Plan Document and section 12 of the National Planning Policy Framework.

31. Water Efficiency

Before occupation the proposed dwellings shall comply with the water efficiency optional requirement in paragraphs 2.8 to 2.12 of the Building Regulations Approved Document G. Evidence of compliance shall be notified to the building control body appointed for the development in the appropriate Full Plans Application, or Building Notice, or Initial Notice to enable the building control body to check compliance.

Reason: To minimise the use of mains water in accordance with Policy 5.15 of the London Plan.

32. Air Quality Details

Details of mitigation or offsetting measures to meet the air quality neutral bench marks are to be submitted to and approved in writing by the Local Planning Authority and are to be implemented before the first occupation of the development hereby permitted.

Reason: To ensure that appropriate measures are taken to minimise the air quality impacts of new development and in accordance with Policy BR14 of the Borough Wide Development Policies Development Plan Document and Policy 7.14 of the London Plan.

33. Remediation Scheme

Following the approval of the Phase 1 Risk Assessment and Phase 2 Ground Investigation Reports prepared by Site Analytical Services, a detailed remediation scheme to bring the site to a condition suitable for the intended use by removing unacceptable risks to human health, buildings and other property and the natural and historical environment must be prepared and is subject to the approval in writing of the Local Planning Authority. The scheme must include all works to be undertaken, proposed remediation objectives and remediation criteria, timetable of works and site management procedures. The scheme must ensure that the site will not qualify as contaminated land under Part 2A of the Environmental Protection Act 1990 in relation to the intended use of the land after remediation.

34. Remediation Scheme (Implementation)

The approved remediation scheme must be carried out in accordance with its terms prior to the commencement of development other than that required to carry out remediation, unless otherwise agreed in writing by the Local Planning Authority. The Local Planning Authority must be given two weeks written
Following completion of measures identified in the approved remediation scheme, a verification report that demonstrates the effectiveness of the remediation carried out must be produced and is subject to the approval in writing of the Local Planning Authority.

35. Unexpected Contamination

In the event that contamination is found at any time when carrying out the approved development that was not previously identified it must be reported in writing immediately to the Local Planning Authority. An investigation and risk assessment must be undertaken, and where remediation is necessary, a remediation scheme must be prepared in accordance with the requirements of condition 34 which is subject to the approval in writing of the Local Planning Authority.

Reason for Conditions 34-36: Contamination must be identified prior to commencement of development to ensure that risks from land contamination to the future users of the land and neighbouring land are minimised, together with those to controlled waters, property and ecological systems, and to ensure that the development can be carried out safely without unacceptable risks to workers, neighbours and other off-site receptors in accordance with Policy BR5 of the Borough Wide Development Policies Development Plan Document and Policy 5.21 of the London Plan.

36. Landscaping Remediation

A capping system, including the placement of “clean” topsoil, should be incorporated in areas of soft landscaping. Any buried plastic services should be protected.


(At the conclusion of this item, the Board agreed that, in accordance with Part 2, Chapter 3, paragraph 7.1 of the Council Constitution, the meeting be extended for a reasonable period beyond the two-hour threshold to enable the business to be concluded.)

33. Thames Gateway Waste To Energy Ltd, Plot 2, London Sustainable Industries Park North, Clove Street, Dagenham- 18/01501/FUL

The Senior Development Management Officer (SDMO) introduced a report concerning Thames Gateway Waste To Energy Ltd, Plot 2, London Sustainable Industries Park North, Clove Street, Dagenham. This application sought a variation of conditions 2, 3, 20 and 21 to the planning permission granted in 2014 for: “Erection of a building (8,925m² internal area) incorporating 55 metre- high stack and associated plant to be used as an energy generation facility to generate electricity from residual waste along with car parking, boundary treatment and landscaping”. This Section 73 application sought to increase the waste throughput capacity by 11% (from 180,000 tonnes to
200,000 tonnes per year).

Pre-commencement conditions had been discharged and the planning permission has been implemented. Construction works to date include the approved foundation and drainage infrastructure.

The development fell within Schedule 1 of the Town and Country Planning (Environmental Impact Assessment) Regulations 2017 and was therefore accompanied with an updated Environmental Statement (ES). The application site was located within the London Sustainable Industries Park (LSIP), Dagenham Dock and forms part of the Green Enterprise District which focussed on high technology ‘green’ environmental businesses.

Renewable energy was generated in this facility through the processing of commercial and industrial waste that is non-recyclable. This Section 73 application seeks to increase the throughput of waste for two reasons:

1. Significant improvement to the energy efficiency of the combustion process which will result in a higher level of energy output for export: from 19.6 Mega Watts (MW) to 33.6 MW.
2. The process will significantly reduce the input of natural gas required – by around 50%. It has been identified that certain calorific value wastes (‘alternative waste feedstock’) will be used.

As a result, the increase of 20,000 tonnes of waste per annum will be used as follows:

a. Up to 15,000 tonnes for alternative waste feedstock;
b. Up to 5,000 tonnes to form part of the standard throughput to reflect the increase in size of the plant.

The benefits included reducing the amount of waste that would otherwise go to landfill and the generation of renewable energy for export into the grid. This application was of strategic importance and would contribute to the vision of a more sustainable circular economy where resources were not wasted but re-purposed and re-used in the form of energy.

The facility would operate 24 hours a day, 7 days a week and would generate around 11 additional jobs (66 full time in total, roughly 52 of these will be production based and 14 office based).

The proposed increase of waste throughput for this development would satisfy a number of the Borough’s and London Plan strategic objectives and policies: Strategic Objectives SO6, SO8, SO9, SO12, Policies CM1, CR1, CR3, CR4 and CC3 of the Core Strategy; Policies BR1, BR2, BR4, BR5, BR9, BR10, BR11, BR13, BR14, BR15 and BP8 of the Borough Wide Development Plan; and Policies 2.17, 4.4, 4.10, 5.1, 5.2, 5.3, 5.8, 5.12, 5.13, 5.16, 5.17, 5.21, 6.3, 6.9, 6.10, 6.13, 7.14 and 7.15 of the London Plan.

The SDMO advised that the application also sought a change in site layout. The current site was overgrown following piling works being undertaken. During the consultations there were three 3 individual objectors on grounds of noise, pollution, odours, congestion and safety issues. The Environmental Health
Officer (EHO) initially had some reservations around the methodology used to assess the air quality and noise impacts but following detailed assessment of the air quality and noise reports and further clarifications from the applicant, the EHO did not have any objections to the scheme as it complied with relevant air quality and noise standards. The SDMO added that the Section 73 application would not create any significant additional vehicle movements, however in relation to existing issues with traffic and air quality at the Goresbrook Junction, the cumulative impact would need to be mitigated and improved in the future. Section 106 monies had been secured to undertake a feasibility study in this respect.

The SDMO added that in terms of biodiversity, the Section 73 application was acceptable and that it had been designed to ensure that any risks from flooding were minimised and acceptable.

Members enquired how close the proposed development will be to residents at Barking Riverside and it was stated that it was approximately 280 metres.

Members were worried about air quality and toxicity in relation to people and biodiversity in the area and they wanted further assurance on air quality. Mark Shinners, the applicant, was invited to address the Committee in response. He confirmed that the proposed development was a gasification process rather than incineration (a process that converts organic or fossil fuel-based carbonaceous materials into carbon monoxide, hydrogen and carbon dioxide) and the applicant required 10% extra waste tonnage. He advised that in terms of air quality, this was addressed by regulations which were required to be met and tested through an Environmental Permit and if the regulations were not adhered to, the plant would be shut down. Mr Shinners added that this application would allow for an extra 20K tonnes of waste creating greater renewable energy and create 66 new jobs lasting 25 years. By handling more waste, this would allow for 70% increase in output and would be more efficient. Mr Shinners also stated that there was a long-term benefit of cheap electricity and reduction of waste going to landfill. He confirmed that the applicant was paying £15k under a section 106 agreement for a feasibility study to improve the Goresbrook Interchange Junction, in addition to the Community Infrastructure Levy (CIL) and other Section 106 contributions as part of the original planning permission.

The Senior Development Management Officer (SDMO) introduced a report concerning Thames Gateway Waste To Energy Ltd, Plot 2, London Sustainable Industries Park North, Clove Street, Dagenham. This application sought a variation of conditions 2, 3, 20 and 21 to the planning permission granted in 2014 for: “Erection of a building (8,925m\(^2\) internal area) incorporating 55 metre- high stack and associated plant to be used as an energy generation facility to generate electricity from residual waste along with car parking, boundary treatment and landscaping”. This Section 73 application sought to increase the waste throughput capacity by 11% (from 180,000 tonnes to 200,000 tonnes per year).

Pre-commencement conditions had been discharged and the planning permission has been implemented. Construction works to date include the approved foundation and drainage infrastructure.
The development fell within Schedule 1 of the Town and Country Planning (Environmental Impact Assessment) Regulations 2017 and was therefore accompanied with an updated Environmental Statement (ES). The application site was located within the London Sustainable Industries Park (LSIP), Dagenham Dock and forms part of the Green Enterprise District which focussed on high technology 'green' environmental businesses.

Renewable energy was generated in this facility through the processing of commercial and industrial waste that is non-recyclable. This Section 73 application seeks to increase the throughput of waste for two reasons:

1. Significant improvement to the energy efficiency of the combustion process which will result in a higher level of energy output for export: from 19.6 Mega Watts (MW) to 33.6 MW.
2. The process will significantly reduce the input of natural gas required – by around 50%. It has been identified that certain calorific value wastes (‘alternative waste feedstock’) will be used.

As a result, the increase of 20,000 tonnes of waste per annum will be used as follows:

a. Up to 15,000 tonnes for alternative waste feedstock;
b. Up to 5,000 tonnes to form part of the standard throughput to reflect the increase in size of the plant.

The benefits included reducing the amount of waste that would otherwise go to landfill and the generation of renewable energy for export into the grid. This application was of strategic importance and would contribute to the vision of a more sustainable circular economy where resources were not wasted but re-purposed and re-used in the form of energy.

The facility would operate 24 hours a day, 7 days a week and would generate around 11 additional jobs (66 full time in total, roughly 52 of these will be production based and 14 office based).

The proposed increase of waste throughput for this development would satisfy a number of the Borough’s and London Plan strategic objectives and policies: Strategic Objectives SO6, SO8, SO9, SO12, Policies CM1, CR1, CR3, CR4 and CC3 of the Core Strategy; Policies BR1, BR2, BR4, BR5, BR9, BR10, BR11, BR13, BR14, BR15 and BP8 of the Borough Wide Development Plan; and Policies 2.17, 4.4, 4.10, 5.1, 5.2, 5.3, 5.8, 5.12, 5.13, 5.16, 5.17, 5.21, 6.3, 6.9, 6.10, 6.13, 7.14 and 7.15 of the London Plan.

The SDMO advised that the application also sought a change in site layout. The current site was overgrown following piling works being undertaken. During the consultations there were three individual objectors on grounds of noise, pollution, odours, congestion and safety issues. The Environmental Health Officer (EHO) initially had some reservations around the methodology used to assess the air quality and noise impacts but following detailed assessment of the air quality and noise reports and further clarifications from the applicant, the EHO did not have any objections to the scheme as it complied with relevant air quality and noise standards. The SDMO added that the Section 73 application would not create any significant additional vehicle movements, however in
relation to existing issues with traffic and air quality at the Goresbrook Junction, the cumulative impact would need to be mitigated and improved in the future. Section 106 monies had been secured to undertake a feasibility study in this respect.

The SDMO added that in terms of biodiversity, the Section 73 application was acceptable and that it had been designed to ensure that any risks from flooding were minimised and acceptable.

Members enquired how close the proposed development will be to residents at Barking Riverside and it was stated that it was approximately 280 metres.

Members were worried about air quality and toxicity in relation to people and biodiversity in the area and they wanted further assurance on air quality. Mark Shinners, the applicant, was invited to address the Committee in response. He confirmed that the proposed development was a gasification process rather than incineration (a process that converts organic or fossil fuel-based carbonaceous materials into carbon monoxide, hydrogen and carbon dioxide) and the applicant required 10% extra waste tonnage. He advised that in terms of air quality, this was addressed by regulations which were required to be met and tested through an Environmental Permit and if the regulations were not adhered to, the plant would be shut down. Mr Shinners added that this application would allow for an extra 20K tonnes of waste creating greater renewable energy and create 66 new jobs lasting 25 years. By handling more waste, this would allow for 70% increase in output and would be more efficient. Mr Shinners also stated that there was a long-term benefit of cheap electricity and reduction of waste going to landfill. He confirmed that the applicant was paying £15k under a section 106 agreement for a feasibility study to improve the Goresbrook Interchange Junction, in addition to the Community Infrastructure Levy (CIL) and other Section 106 contributions as part of the original planning permission.

Members were particularly concerned to ensure that the Goresbrook Interchange Junction needed to be improved as part of this application.

The Committee granted planning permission subject to conditions and the completion of a Deed of Variation to the agreement under Section 106 of the Town and Country Planning Act 1990 to incorporate a financial contribution of £15,000 (index linked) for a feasibility study to improve the Goresbrook Interchange Junction.

**Conditions:**

**1. Time Limit**

The development permitted on 5 November 2014 under permission 13/01134/FUL was implemented before the expiration of three years from the date of the 13/01134/FUL permission.

Reason: To comply with Section 91 of the Town and Country Planning Act 1990 (as amended by Section 51 of the Planning and Compulsory Purchase Act 2004).
2. Approved Drawings

The development hereby permitted shall be carried out in accordance with the following approved plans:

CPMG 20-002 Rev 001 16/12/13
CPMG 7487-20-111 Rev P01 07/08/2018
CPMG 7487-70-001 Rev - 16/12/13
CPMG 7487-70-002 Rev - 16/12/13
CPMG 7487-70-011 Rev 02 04/09/2018
CPMG 7487-70-103 Rev P05 23/07/2018
CPMG 7487-70-104 Rev P03 23/07/2018
CPMG 7487-70-105 Rev P03 06/08/2018
CPMG 7487-70-110 Rev 3 06/08/2018
CPMG 7487-73-101-P03
CPMG 7487-73-102-P03 07/08/2018
Millward MA9580-P1 09/08/2018
Millward MA9580-P2 08/2018
Millward MA9580-P3 08/2018
Millward MA9580-P4 09/08/2018
Millward MA9580-P5 09/08/2018
Millward MA9580-P6 09/08/2018
Millward MA9580-P7 09/08/2018
Millward MA9580-P8 09/08/2018
Millward MA9580-P9 09/08/2018
Millward MA10911-200 Rev - 06/09/2018
Millward MA10911-201 Rev - 06/09/2018
TGP-LP-01 Rev C 08/2018
CPW-18065-E-EXT-SITE-XX-01 Rev P1
CPWP 180635-E-EXT-SITE-XX-01 Rev P1 08/2018
CPWP 180635-E-EXT-SITE-XX-02 Rev P1 08/2018
CS 040_A54 Rev D 16/08/2018

Reason: For the avoidance of doubt and in the interests of proper planning.

3. Maximum Annual Throughput

The development hereby permitted shall not exceed a total annual throughput of 200,000 tonnes per annum. The applicant shall keep such records as may be required to permit the Local Planning Authority to determine compliance or otherwise with this condition. Those records shall be made available to the Local Planning Authority on request.

Reason: To accord with the submitted scheme and ensure that all planning related impacts are adequately considered.

4. External Materials

No development shall take place following the piling stage until full details, including samples, specifications and annotated plans of all external materials and plant have been submitted to and approved in writing by the Local Planning Authority. The development shall only be implemented in accordance with the approved details.
Reason: To ensure a satisfactory standard of external appearance, in accordance with Policy CP3 of the Core Strategy (July 2010) and Policy BP11 of the Borough Wide Development Policies DPD (March 2011).

5. Open Storage

No open storage shall be permitted on site unless otherwise agreed in writing with the Local Planning Authority.

Reason: To ensure a satisfactory standard of external appearance, in accordance with Policy CP3 of the Core Strategy (July 2010) and Policy BP11 of the Borough Wide Development Policies DPD (March 2011).

6. Travel Plan (Implementation)

The development hereby permitted shall only be occupied in accordance with the Travel Plan prepared by Thames Gateway Waste to Energy Ltd (March 2014). The approved Travel Plan shall be implemented and monitored in accordance with the approved scheme.

Reason: In order to encourage the use of sustainable transport and in accordance with policy BR10 of the Borough Wide Development Policies DPD (March 2011).

7. BREEAM Rating

The development hereby permitted shall achieve as a minimum a BREEAM 'Excellent' rating. A certificated BREEAM Post Construction Review, or other verification process agreed with the Local Planning Authority, shall be provided, confirming that the agreed standards have been met.

Reason: To ensure that the proposed development is constructed in an environmentally sustainable manner and in accordance with Policy BR1 of the Borough Wide Development Policies DPD (March 2011).

8. Noise and Vibration

No development shall take place until a scheme to control noise and vibration emanating from the completed development has been submitted to and approved in writing and implemented to the satisfaction of the Local Planning Authority.

Reason: To protect the amenity of adjoining occupiers, in accordance with Policy BP8 of the Borough Wide Development Policies DPD (March 2011).

9. Noise Level

The rating level of the noise from the combined operation of plant installed pursuant to this permission shall not exceed the existing background noise level at the outside of noise sensitive buildings. Any assessment of compliance with this condition shall be made according to the methodology and procedures presented in BS4142:2014.
10. Nitrogen Dioxide Limit

The development shall achieve a daily average nitrogen dioxide ($\text{NO}_2$) limit of no greater than 150 mg/Nm$^3$ at the conditions set out in the Industrial Emissions Directive Annex VI Part 3. The applicant shall keep such records as may be required to permit the Local Planning Authority to determine compliance or otherwise with this condition. Those records shall be made available to the Local Planning Authority on request.

Reason: To protect the amenity and air quality of existing and future residents and neighbours, in accordance with Policy BP8 and BR14 of the Borough Wide Development Policies DPD (March 2011).

11. Odour Mitigation

In the event that complaints regarding smell/odour are received by the Local Planning Authority during construction or once the development is operational, from any sensitive receptor, and thereafter notified to the operator, an immediate assessment of the complaint shall be undertaken. A report on the findings, with proposals for removing, reducing or mitigating identified adverse effects resulting from the operation, and a programme for the implementation of remedial measures to be undertaken shall be submitted to the Local Planning Authority no later than 5 working days from the receipt of the complaint, unless otherwise agreed in writing by the Local Planning Authority.

Reason: To protect the amenity and air quality of existing and future residents and neighbours, in accordance with Policy BP8 and BR14 of the Borough Wide Development Policies DPD (March 2011).

12. Hydrogeological Risk Assessment

Development shall take place in accordance with the Hydrogeological Risk Assessment (Rev B) prepared by Enzygo and dated June 2014, as approved under planning permission 14/01252/CDN. Minor amendments may be agreed in writing from time to time by the Local Planning Authority.

Reason: To ensure that risks from land contamination to the future users of the land and neighbouring land are minimised, together with those to controlled waters, property and ecological systems, and to ensure that the development can be carried out safely without unacceptable risks to workers, neighbours and other offsite receptors in accordance with Policies BR4 and BR5 of the Borough Wide Development Policies DPD (March 2011).

13. Contamination Verification Report

No occupation of each phase of development shall take place until a verification report demonstrating completion of works set out in the approved remediation strategy and the effectiveness of the remediation shall be
submitted to and approved, in writing, by the local planning authority. The report shall include results of sampling and monitoring carried out in accordance with the approved verification plan to demonstrate that the site remediation criteria have been met. It shall also include any plan (a "long-term monitoring and maintenance plan") for longer-term monitoring of pollutant linkages, maintenance and arrangements for contingency action, as identified in the verification plan. The long-term monitoring and maintenance plan shall be implemented as approved.

Reason: To ensure that risks from land contamination to the future users of the land and neighbouring land are minimised, together with those to controlled waters, property and ecological systems, and to ensure that the development can be carried out safely without unacceptable risks to workers, neighbours and other offsite receptors in accordance with Policies BR4 and BR5 of the Borough Wide Development Policies DPD (March 2011).

14. Soft Landscaping Cover Soil

All areas of soft landscaping are to be provided with 300mm clean cover soil as a barrier. The screening criteria for a commercial use presented in Page 33 of the Geo environmental report, CRM.035.006.R.002.B, dated October 2013, are to be used as minimum soil acceptance criteria.

Reason: To ensure that risks from land contamination to the future users of the land and neighbouring land are minimised, together with those to controlled waters, property and ecological systems, and to ensure that the development can be carried out safely without unacceptable risks to workers, neighbours and other offsite receptors in accordance with Policies BR4 and BR5 of the Borough Wide Development Policies DPD (March 2011).

15. Unexpected Contamination

In the event that contamination is found at any time when carrying out the approved development that was not previously identified it must be reported in writing immediately to the Local Planning Authority. An investigation and risk assessment must be undertaken and where remediation is necessary a remediation scheme must be prepared and implemented to the satisfaction of the Local Planning Authority.

Reason: To ensure that risks from land contamination to the future users of the land and neighbouring land are minimised, together with those to controlled waters, property and ecological systems, and to ensure that the development can be carried out safely without unacceptable risks to workers, neighbours and other offsite receptors in accordance with Policies BR4 and BR5 of the Borough Wide Development Policies DPD (March 2011).

16. Piling Risk Assessment

Development shall take place in accordance with the Risk Assessment for Piling Works prepared by Balfour Beatty Ground Engineering and with reference 33741, as approved under planning permission 15/00002/CDN. Minor amendments may be agreed in writing from time to time by the Local Planning Authority.
17. Surface Water Infiltration

No infiltration of surface water drainage into the ground is permitted other than with the express written consent of the Local Planning Authority, which may be given for those parts of the site where it has been demonstrated that there is no resultant unacceptable risk to controlled waters. The development shall be carried out in accordance with the approved details.

Reason: To protect the quality of the water environment in accordance with Policy BR4 of the Borough Wide Development Policies DPD (March 2011).

18. Construction Environmental Management Plan

Development shall take place in accordance with the Construction Environmental Management Plan prepared by Volker Fitzpatrick and with reference C11579 – TWG2E, as approved under planning permission 14/01253/CDN. Minor amendments may be agreed in writing from time to time by the Local Planning Authority.

Reason: In the interest of pollution and residential amenity, in accordance with Policy BP8 of the Borough Development Policies DPD (March 2011).

19. Soft Landscaping (Implementation)

The soft landscaping plan TGP-LP-01-Rev C prepared by Design with Nature dated August 2018, hereby approved shall be implemented in the first planting season following first occupation. Any plants or trees required as part of the implementation of the condition that die or are removed, damaged or diseased within a period of FIVE years from the completion of the development shall be replaced in the next planting season with others of a similar size and species unless the Local Planning Authority gives written consent for a variation.

Reason: In the interest of design quality, public safety and biodiversity, in accordance with Policy CP3 of the Core Strategy (July 2010) and Policy BR3 of the Borough Wide Development Policies DPD (March 2011).

20. Hard Landscaping (Implementation)

The hard landscaping plan TGP-LP-01-Rev C prepared by Design with Nature shall be implemented in accordance with the approved details and thereafter permanently maintained. All external lighting shall be designed to prevent light spill into the Goresbrook.

Reason: In the interest of design quality, amenity, walking, accessibility, public safety and biodiversity, in accordance with Policy CP3 of the Core Strategy (July 2010) and Policy BR3 of the Borough Wide Development Policies DPD (March 2011).
21. Car Parking (Implementation)

The car parking areas indicated on drawing CPMG 7487-70-103 Rev P05 shall be constructed and marked out prior to the occupation of the development, and thereafter retained permanently for the accommodation of vehicles of employees and visitors to the premises and not used for any other purpose.

Reason: To ensure that sufficient car parking areas are provided and not to prejudice the free flow of traffic or conditions of general safety along the adjoining highway in accordance with Policies BR9 and BR11 of the Borough Wide Development Policies DPD (March 2011).

22. Electric Vehicle Charging Points

The development hereby permitted shall not be occupied until details of the electric vehicle charging points and passive provision have been submitted to and approved in writing by the Local Planning Authority. The scheme shall ensure that at least 20% of all spaces are for electric vehicles with an additional 10% passive provision (as defined in the London Plan March 2016) for future use. The scheme shall be implemented in accordance with the approved details, prior to the occupation of the development, and permanently retained thereafter.

Reason: In order to encourage the use of electric cars as a sustainable mode of transport, in accordance with Policy BR10 of the Borough Wide Development Policies DPD (March 2011) and Policy 6.13 in the London Plan.

23. Cycle Parking Details

The development hereby permitted shall not be occupied until full details of cycle parking, including its external appearance, location and the means of secure storage proposed, have been submitted to and approved in writing by the Local Planning Authority. The cycle parking shall be provided prior to the occupation of the development, and shall be retained thereafter, and used for no other purpose.

Reason: In order to encourage the use of cycling as a sustainable mode of transport, in accordance with Policy BR10 of the Borough Wide Development Policies DPD (March 2011).

24. Deliveries and Servicing Plan

The development hereby permitted shall not be occupied until a Deliveries and Servicing Plan has been submitted to and approved in writing by the Local Planning Authority. The Plan shall be designed to minimise deliveries and export of materials within the times of peak traffic congestion on the local road network. The Plan shall be implemented in accordance with the approved details and thereafter maintained.

Reason: In order to minimise the impact of the development on the free flow of traffic on the local highway network during peak periods and in the interests of highway safety and in accordance with Policy BR10 of the Borough Wide Development Policies DPD (March 2011).
25. Construction Vehicle Circulation

Development shall take place in accordance with the details of vehicle circulation as set out in the statement prepared by Amberley Consulting Ltd and on drawings ‘TGW2E – 01 Traffic Management’ and ‘TGW2E – 02 Traffic Management Proposal’, as approved under planning permission 14/01253/CDN. Minor amendments may be agreed in writing from time to time by the Local Planning Authority.

Reason: To ensure the maintenance and operation of High Speed 1 is not prejudiced.

26. Buried Services

Development shall take place in accordance with the measures to identify and protect High Speed 1 and/or UK Power Networks buried services as set out in the statement prepared by Amberley Consulting Ltd and on drawings 0812-VOL-5952 Sheet 1 of 5, Sheet 2 of 5, Sheet 3 of 5, Sheet 4 of 5 and Sheet 5 of 5 prepared by Surveys, as approved under planning application 14/01253/CDN. Minor amendments may be agreed in writing from time to time by the Local Planning Authority.

Reason: To ensure the maintenance and operation of High Speed 1 is not prejudiced.

27. Risk Assessment to HS1 Transformer

Development shall take place in accordance with the risk assessment of the impact of the development on the High Speed 1 isolating transformer statement prepared by Amberley Consulting Ltd, as approved under planning permission 14/01253/CDN. Minor amendments may be agreed in writing from time to time by the Local Planning Authority.

Reason: To ensure the maintenance and operation of High Speed 1 is not prejudiced.

28. Assessment of Electromagnetic Compatibility

No development above ground shall take place until an assessment of Electromagnetic Compatibility (EMC) for the occupation of the site has been submitted to and approved in writing by the Local Planning Authority in consultation with High Speed 1. The assessment shall ensure that the design is compatible with EMC regulations.

Reason: To ensure the maintenance and operation of High Speed 1 is not prejudiced.

29. Drainage Layout
Development shall take place in accordance with the drainage details prepared by Millward and dated 17 April 2015 and with references MA9580-200 F and MA9580-201 F, as approved under planning permission 15/00555/CDN. Minor amendments may be agreed in writing from time to time by the Local Planning Authority.

Reason: To ensure the maintenance and operation of High Speed 1 is not prejudiced.

30. Hazardous Materials Storage

No development above ground shall take place until details of the materials and arrangements for the storage of combustible gases or hazardous materials for the operation phase of the development within 200m of High Speed 1 infrastructure have been submitted to and approved in writing by the Local Planning Authority in consultation with High Speed 1. No such materials shall be introduced to the site without the prior approval of the Local Planning Authority in consultation with High Speed 1.

Reason: To ensure the maintenance and operation of High Speed 1 is not prejudiced.

34. Town Planning Appeals

The Committee noted details of the following appeals:

Appeals Lodged

The following appeals have been lodged:

None.

Appeals Determined

The following appeals have been determined by the Planning Inspectorate:

a) Construction of a bungalow within rear garden – 19 Ashbrook Road, Dagenham (Reference: 17/01252/FUL – Heath Ward)

Appeal against the failure to issue a decision within 8 weeks.

Planning Inspectorate’s Decision: Appeal dismissed 5 November 2018

b) Enforcement appeal - unauthorised erection of containers being used for commercial purposes (A1 use) - Land and premises at the former Bull Inn, Rainham Road South, Dagenham (Village Ward)

Planning Inspectorate’s Decision: Appeal dismissed and enforcement notice upheld (with variations) 7 November 2018

c) Costs application by appellants in respect of the appeal referenced
Planning Inspectorate’s Decision: The application is refused 7 November 2018

d) Retention of loft conversion involving construction of gable end roof, rear dormer window and installation of front rooflight – 97 Church Elm Lane, Dagenham (Ref: 18/00193/FUL – Village Ward)

Application refused under delegated powers 8 August 2018 for the following reason:

1. The gable end roof design, by reason of its design and bulk, coupled with its proximity to the eastern site boundary, has an overbearing impact on the outlook and amenities of neighbouring occupiers at No.s 9 and 10 Crane Close contrary to policy BP8 of the Borough Wide Development Policies DPD (March 2011) and the Supplementary Planning Document for Residential Extensions and Alterations (February 2012).

Planning Inspectorate’s Decision: Appeal dismissed 22 November 2018

35. Delegated Decisions

The Committee noted details of delegated decisions for the period 1-16 November 2018.