MINUTES OF
PLANNING COMMITTEE

Monday, 3 June 2019
(7:00 - 8:46 pm)

Present: Cllr Muhammad Saleem (Chair), Cllr John Dulwich (Deputy Chair), Cllr Andrew Achilleos, Cllr Faruk Choudhury, Cllr Edna Fergus, Cllr Cameron Geddes, Cllr Simon Perry, Cllr Foyzur Rahman and Cllr Dominic Twomey

Apologies: Cllr Mick McCarthy

1. Declaration of Members' Interests

There were no declarations of interest.

2. Minutes - To confirm as correct the minutes of the meeting held on 24 April 2019

The minutes of the meeting held on 24 April 2019 were confirmed as correct.

3. Former Abbey Retail Park, Abbey Road, Barking- 18/02013/FUL

(Councillor Rahman 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 he had not been present throughout the entire discussion).

The Development Management Team Leader (DMTL) introduced a report concerning the phased comprehensive redevelopment of the former Abbey Retail Park, Abbey Road, Barking. The proposed development involved the clearance of the remaining structures and the erection of new buildings ranging from 2 to 29-storeys in height to provide 1,089 residential dwellings comprising a mix of 1, 2 and 3 bedroom flats, associated private amenity space, 2,070 sqm flexible commercial floorspace (Use Classes A1/A2/A3/A4/D1), 1,071 sqm employment floorspace (Use Class B1(a),(c), 637 sqm gymnasium (Use Class D2) and 470 sqm community facility (Use class D1), together with ancillary management and residents' facilities, plant rooms and refuse storage areas. The development also provided for new vehicular access points, car and cycle parking, public realm with hard and soft landscaping including a riverside walk and other associated works.

The application was accompanied by an Environmental Impact Assessment (EIA)

The DMTL stated that the proposed residential-led, mixed-use development would bring a prominent vacant site with Barking Town Centre back into use providing significant regeneration benefits for the Borough. It generally complied with relevant policies in the National Planning Policy Framework, the London Plan and the Local Plan with the exception of the proposed car parking provision which exceeded the draft London Plan standards. However, it was
noted that the Council’s Transport Development Management Officer considered on balance that car parking numbers have been suitably restricted and are acceptable.

189 neighbouring occupiers were consulted on the application from which a total of three objections have been received, one of which was from within the Borough, another from an address in Redbridge and one from an unknown address. The issues raised by the objectors generally related to the height and density of the development; and impacts on daylight, heritage and local traffic.

The DMTL explained that the proposed development was considered to be acceptable in design terms having regard to its height, scale, massing, layout and appearance and overall is considered to be of an exemplar design quality. Details of external materials are to be secured by condition.

The proposal was considered to result in less than substantial harm to the Abbey and Barking Town Centre Conservation Area, the Grade I listed Parish Church of St Margaret and the Grade II listed Curfew Tower and in accordance with policy this harm has been weighed against the public benefits of the scheme which are substantial and outweigh any harm to the Conservation Area and heritage assets.

In addition, it was not anticipated that the proposed development would result in any significant impact on the amenities of neighbouring properties with an accompanying sunlight and daylight report indicating that good levels of both will be retained to neighbouring residential properties, as well as within the new developments themselves. Noise conditions would also be secured so that appropriate levels are maintained.

Paul Scott, an objector to the application was invited by the Chair to address the Committee. He stated that he was speaking on behalf of the Barking and Dagenham Heritage Community Group and reiterated the points made in his written submission, namely there were significant concerns about the high-rise nature of the proposed development in the context of the loss of light and represented a health and safety concern. He considered that the areas was already too congested and that this development will add to the already stretched local health and education facilities. Given that the site was adjacent to Barking Abbey, it should be preserved for heritage and in his opinion is better suited to leisure and commercial activities.

Steve Hatton (on behalf of the applicant, Weston Homes), stated the proposals had been subject to an extensive period of pre-application discussions and addressed the concerns raised through the objections.

Members were concerned about the density of this potential development and the potential pressure on health facilities and school places. The DMTL stated that the high-density nature of the proposed development was considered to be justified by the quality of its design as well as the excellent public transport accessibility of the site and the close proximity to Town Centre amenities, and importantly accords with the policy set down in the draft London Plan.

Members were referred to the comments set out in the report in which it stated that the Environmental Statement (ES) concludes that additional primary and
secondary school places generated by the proposed development should be accommodated within existing capacity, and that there is scope within the development to accommodate an additional healthcare facility should the need arise.

The Committee enquired why the viability of the scheme was based on habitable rooms and not units. The applicant responded that they had sought to achieve a good mix of tenures across the development and that using the habitable room formula had resulted in more 3-bedroom sized dwellings, which reflected the Council's need for larger family accommodation.

Members sought clarification about the sub-market housing and it was confirmed that the 35% Discount Market Sale (DMS) units, the cost of which will be based on 80% of open market value of Borough property prices (not London-wide), would be prioritised for those on the Council’s housing waiting list. This represented a total of 129 units, of which 22 will be 3-bedroom properties. The applicant confirmed that additional units could have been achieved but they were mindful of the Council’s need for larger family properties. On the basis of being granted planning consent, the applicant would seek to secure additional grant-funding from the Mayor, which if successful would potentially mean increasing the % of sub-market housing units within the overall development.

Members enquired if the Greater London Authority would be prepared to allow the number of parking spaces which exceeds the draft London Plan standards. The DMTL confirmed that as the application was subject to referral to the Mayor for London for final determination, it was incumbent for the GLA to approve/refuse the application or request that amendments were made to the application.

Steve Hatton, on behalf of the applicant, responded that based on assessments of residential car parking need on nearby sites, the proposed number of spaces in the development was considered to be reasonable and proportionate to the size of development i.e. a ratio of 1 to 23. He acknowledged that the area was within a Controlled Parking Zone (CPZ) and this will in itself create parking problems that could only be addressed by parking enforcement.

Members were concerned about the planned size and likely demand for the proposed community facility within the development. In response, Steve Hatton on behalf of the applicant confirmed that they were not compelled to provide the space but felt it is was adequate space for what it is intended to be used for and which would be centrally managed.

Accordingly, the Committee granted conditional planning permission subject to any direction from the Mayor of London together with any amendments that might be necessary up to the issue of the Decision Notice, including any other conditions that may be required as a result of referral to the Mayor of London, and the completion of a S106 Agreement securing the following obligations:

- Achieve 35% sub-market housing (on a habitable room basis) on site and an early stage viability review mechanism.
- Submission of a marketing strategy for the residential units.
Anyone purchasing more than one residential unit shall use a Managing Agent.

A Management Company to be appointed for the day to day management of the development.

Same calibre architects to be used for construction drawings.

Enhancements to the public realm and highway in the vicinity of the site, including any traffic management measures (scheme to be agreed); developer to improve the local bus stop facility on London Road; implement all off-site highway works prior to first occupation of the development; 24-hour access to be provided to public realm areas and riverside walk; fund repair of public roads damaged during construction.

A commitment to local labour/local supply.

Implement restrictions preventing future residents from obtaining parking permits for any controlled parking zone (CPZ).

Provision of two new car club spaces (including active electric vehicle charging points) within the proposed new layby on Abbey Road.

A commitment to provide two years’ membership to the local car club scheme per residential unit (on their request).

The submission, implementation and monitoring of a Travel Plan for the development.

A commitment to connect the development to the Barking Town Centre District Heating Network, subject to heat network being delivered and operational to supply the development and agreement of commercial terms.

Obtain a minimum 35% reduction in carbon dioxide emissions over Part L of the Building Regulations 2013 through on-site provisions for the residential and non-residential uses and the remaining carbon emissions to zero-carbon for the residential uses to be subject to a carbon offset payment.

A contribution of up to £30,000 (subject to detailed proposals and costs) towards the production of a book following the completion of the Post Excavation Assessment (October 2020), which will present the findings from the ‘A Magnifying Glass on Barking Abbey’s Archaeological Project’.

Within 18 months of completion of the post-investigation assessment stage of the site archaeological investigation (secured by condition), the Council will either: a) require the developer to implement the relevant subsequent part of the condition securing analysis and publication of the site archaeological archives, or b) may instead require that a financial contribution of the same value be paid to the Council to assist in funding the planned publication of the wider Barking Abbey archaeological investigations.

Developer to carry out discussions with the Council’s Parks Team and other interested parties around the potential for a new footpath on Abbey Green and to fund at their own expense any agreed footpath, including obtaining any relevant permissions/consents.

Developer to pay the Council’s professional fees associated with the preparation and completion of the S106 Agreement.

Planning 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:

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Phasing Plan

3. No development shall take place until a Phasing Plan showing how the development will be implemented in a comprehensive manner has been submitted to and approved in writing by the Local Planning Authority. The development shall then be implemented only in accordance with the approved Phasing Plan.

Reason: The Phasing Plan is required prior to commencement of development.
to allow the community infrastructure levy (CIL) liability to be calculated for each Phase and for any relief to be determined.

Groundwater and Contaminated Land

4. No development shall commence in a Phase until:

(a) An investigation and risk assessment for the relevant Phase, 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’; and

(b) A detailed remediation scheme for the relevant Phase, 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.

(c) The approved remediation scheme must be carried out in accordance with its terms for the portion of the site due to be commenced, prior to commencement of the relevant Phase, 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 for the relevant Phase, 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. The report shall include results of sampling and monitoring carried out to demonstrate that the site remediation criteria have been met.
(d) No development shall commence in a Phase until a monitoring and maintenance plan in respect of contamination for the relevant Phase, including a timetable of monitoring and submission of reports to the Local Planning Authority, has been submitted to and approved in writing by the Local Planning Authority. Reports as specified in the approved plan, including details of any necessary contingency action arising from the monitoring, shall be submitted to and approved in writing by the Local Planning Authority.

(e) 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 (a), and where remediation is necessary a remediation scheme must be prepared in accordance with the requirements of (b), 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: Contamination must be identified prior to commencement of development in each Phase 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 and Site Waste Management**

5. No development shall commence in a Phase, including any works of demolition, until a Construction Environmental Management Plan (CEMP) and a Site Waste Management Plan (SWMP) for the relevant Phase 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.

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. Any works which are associated with the generation of ground borne vibration are only to be carried out between the hours of 08:00 and 18:00 Monday to Friday.

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.

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

Reason: The CEMP and SWMP are required prior to commencement of development in each Phase 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

6. No development shall commence in a Phase, including any works of demolition, until a Construction Logistics Plan for the relevant Phase 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 each Phase 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

7. A) No development shall take place in a Phase until the developer has secured the implementation of a programme of archaeological works for the relevant Phase in accordance with a Written Scheme of Investigation which
has been submitted to and approved in writing by the Local Planning Authority in conjunction with Historic England.

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

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

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

Programme of Public Archaeological Interpretation and Outreach

8. No Phase of the development hereby permitted shall be occupied until a programme of public archaeological interpretation and outreach for the relevant Phase has been submitted to and approved in writing by the Local Planning Authority in conjunction with Historic England. The programme shall be implemented in accordance with the approved details.

Reason: Important archaeological remains will be affected by the scheme and the Local Planning Authority requires that public benefit may be demonstrated from the scheme in keeping with paragraphs 199 and 200 of the National Planning Policy Framework.

Surface Water Drainage

9. a) No development shall commence in a Phase, except any works of site clearance and demolition, until a Surface Water Drainage Scheme for the relevant Phase, 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 relevant Phase of the development is completed.

b) No drainage systems for the infiltration of surface water to the ground are permitted other than with the written consent of the Local Planning Authority. Any proposals for such systems must be supported by an assessment of the risks to controlled waters. The development shall be carried out in accordance with the approved details.

Reason: Surface Water Drainage details are required prior to commencement of development in each Phase in order to reduce the risk of flooding and to protect controlled waters and in accordance with policy BR4 of the Borough Wide Development Policies Development Plan Document and policy 5.13 of the London Plan.
Flood Defences

10. No development shall commence until a strategy for maintaining and improving the flood defences has been submitted to and approved in writing by the Local Planning Authority. This strategy will include the following components:

(1) Intrusive ground investigations and a determination of the residual life of the flood defences.

(2) A scheme, based on the results of (1), to undertake any required improvements, repairs or replacement of the flood defences. The submitted scheme shall demonstrate how the flood defences will be raised to 5.7m AOD by 2065 and 6.2m AOD by 2100 in line with the requirements of the Thames Estuary (TE2100) Plan and in accordance with the submitted document ‘Design Note 001’ (titled River Wall EA Response, dated 29 March 2019, prepared by Meinhardt). The scheme shall also include a plan for any required long-term monitoring and maintenance.

The scheme shall be fully implemented and subsequently maintained in accordance with the scheme’s timing/phasing arrangements, or within any other period as may subsequently be agreed in writing by the Local Planning Authority.

Reason: The strategy is required prior to commencement of development in order to prevent flooding on site and elsewhere by ensuring that the tidal flood defences are in satisfactory condition which is commensurate with the lifetime of the development; to ensure the statutory defence level will be maintained and the TE2100 defence levels will not be precluded by the development; and in accordance with paragraphs 160 and 163 of the National Planning Policy Framework.

Habitat Creation

11. No above ground new development shall commence in a Phase until a detailed scheme for the provision and management of habitat creation, such as a Landscape and Ecological Management Plan (LEMP) or similar, for the relevant Phase has been submitted to and approved in writing by the Local Planning Authority. Thereafter, the relevant Phase shall be implemented in accordance with the approved scheme.

Reason: In order to ensure biodiversity net gain and in accordance with paragraph 175 of the National Planning Policy Framework, policy CR2 of the Core Strategy and policy BR3 of the Borough Wide Development Policies Development Plan Document.

External Materials

12. No above ground new development shall commence in a Phase until the developer enters into detailed discussions with the Local Planning Authority around the external facing materials for the relevant Phase, including, but not limited to, providing on-site sample boards and strategies for balcony designs, shopfronts, window reveals and rooflines. Full details, including samples,
specifications, annotated plans and fire safety ratings, of all external facing materials for the relevant Phase shall then be submitted to the Local Planning Authority for approval in writing. The relevant Phase 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.

Fire Statement

13. No above ground new development shall commence in a Phase until a Fire Statement for the relevant Phase has been submitted to and approved in writing by the Local Planning Authority. 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 relevant Phase of 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 and policy D11 of the Draft London Plan.

Wind Mitigation Measures

14. No above ground new development shall commence in a Phase until a detailed scheme of wind mitigation measures for the relevant Phase have been submitted to and approved in writing by the Local Planning Authority. The approved details shall be implemented prior to occupation of the relevant Phase.

Reason: To ensure a safe pedestrian environment and 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 and policies 7.1, 7.4 and 7.6 of the London Plan.

Hard Landscaping

15. No Phase of the development hereby permitted shall be occupied until full details of the hard landscaping for the relevant Phase 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) play spaces and any related play equipment;
c) street furniture, including on-street cycle stands;
d) boundary treatment, including to the riverside and roof terraces; and
e) management and maintenance.

The hard-landscaping scheme shall be implemented prior to occupation of the relevant Phase 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

16. No Phase of the development hereby permitted shall be occupied until a detailed scheme of soft landscaping for the relevant Phase 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 relevant Phase, whichever is the sooner. Any trees or plants which within a period of 5 years from the completion of the relevant Phase 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.

All landscaping and planting should be of a nature which is unattractive to birds so as not to have an adverse effect on the safety of operations at London City Airport by encouraging bird roosting and creating sources of food for birds and thereby presenting a bird strike threat to aircraft operating at the Airport.

Reason: To secure the provision of the landscaping in the interests of the visual amenity of the area, to ensure that the landscaping will not adversely affect the operation of London City Airport 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 and External Lighting

17. No Phase of the development hereby permitted shall be occupied until a security management scheme has been submitted to and approved in writing by the Local Planning Authority. The scheme shall include details of how the development adopts the principles of “Secured by Design” and shall provide details of security management measures including external lighting, location of CCTV and concierge services, door entry systems and car park security. 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 relevant Phase 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 CP3 of the Core Strategy and policies BC7 and BP11 of the Borough Wide Development Policies Development Plan Document.

Refuse Strategy

18. No Phase of the development hereby permitted shall be occupied until a detailed residential and commercial refuse strategy for the relevant Phase, 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 relevant Phase 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 of the Borough Wide Development Policies Development Plan Document.

Scheme of Acoustic Protection

19. Prior to commencement of façade construction of residential units in a Phase full details of a scheme of acoustic protection of habitable rooms in the relevant Phase against transport noise shall be 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:

a. 35 dB LAeq in living rooms and bedrooms (07:00 hours to 23:00 hours) with windows closed; and
b. 30 dB LAeq in bedrooms (23:00 hours to 07:00 hours) with windows closed.

Additionally, where the internal noise levels will exceed 40 dB LAeq in living rooms and bedrooms (07:00 hours to 23:00 hours) or 35dB LAeq in bedrooms (23:00 hours to 07:00 hours) 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.

Noise Insulation of Party Construction

20. No above ground new development shall commence in a Phase until a scheme of noise insulation of party construction between the residential units and the non-residential uses in the relevant Phase has been submitted to and approved in writing by the Local Planning Authority. The approved scheme shall be fully implemented before the first occupation of the non-residential / residential unit(s) to which it relates.
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 Non-Residential Uses and Plant and Structure Borne Noise Emissions

21. Noise from the non-residential uses hereby permitted, including, but not limited to, live and amplified music shall be controlled so as to be inaudible inside adjoining and other noise-sensitive premises in the vicinity of those uses. 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 such noise is or is not audible the following numerical limits shall be used to determine compliance with this condition:

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

CUAN = Commercial/Community Use Activity Noise Level, WCUAN = representative background noise level without commercial/community use activity noise, both measured 1 metre from the façade of the noise-sensitive premises.

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 in this regard shall be made according to the methodology and procedures presented in BS4142:2014.

Any machinery and equipment installed pursuant to this permission shall be designed and installed to ensure that structure borne (re-radiated) noise emissions shall not exceed 35 LAeq dB (5 min) when measured in any habitable room in adjoining residential premises.

Reason: To ensure that the proposed and surrounding residential properties and other noise-sensitive premises in the vicinity of site 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.

Ventilation Scheme for Residential Units Affected by Poor Air Quality

22. No above ground new development shall commence in a Phase until a ventilation scheme for the mitigation of air quality in affected residential units predicted to be exposed to Nitrogen Dioxide (NO2) in excess of the annual mean standard for NO2 (as prescribed in the Quality Standards Regulations 2010) as identified in report “Abbey Retail Park, Barking, Air Quality Assessment” (reference AQ_assessment / 2018 / Abbey Road_Barking, dated
14th November 2018) has been submitted to and approved in writing by the Local Planning Authority. The approved scheme shall be fully implemented before the first occupation of the residential unit(s) to which it relates and retained permanently thereafter. It is expected that the design of the scheme will include, but not be limited to, the positioning of air intakes for buildings as high as possible and away from the direct influence of air pollution from the A123, Abbey Road junction.

Reason: To mitigate against air pollution and in accordance with policy BR14 of the Borough Wide Development Policies Development Plan Document and policy 7.14 of the London Plan.

Details of Any Commercial Kitchen Extract Ventilation System

23. Prior to occupation of any non-residential unit hereby permitted with a commercial kitchen, details of any ventilation system for the removal and treatment of cooking odours from any commercial catering, including its appearance and measures to mitigate system noise, are to be submitted to and approved in writing by the Local Planning Authority. The measures shall have regard to and be commensurate with guidance and recommendations in:

- The current edition of publication “Specification for Kitchen Ventilation Systems”, DW/172, Heating and Ventilating Contractors Association, or other relevant and authoritative guidance; and

The approved details shall be fully implemented before the first use of the relevant non-residential unit 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, odours and noise in accordance with policies BR13, BP8 and BP11 of the Borough Wide Development Policies Development Plan Document.

Car Parking, Blue Badge Car Parking and Electric Vehicle Charging Points

24. No Phase of the development hereby permitted shall be occupied until a Car Parking Design and Management Plan for the relevant Phase has been submitted to and approved in writing by the Local Planning Authority. The Plan must include details of how car parking will be allocated, including blue badge parking spaces.

The proposed development shall not exceed a total of 237 residential car parking spaces and 11 commercial car parking spaces, including blue badge parking provision.

20% of all car parking spaces shall be installed with active electric vehicle charging points (EVCPs) and 80% shall be installed with passive EVCPs.

33 residential blue badge car parking spaces (3% provision) shall be
constructed and marked out prior to the occupation of the relevant Phase as accessible parking bays (to be clearly marked with a British Standard disabled symbol). Further details should be submitted showing how a further 76 residential blue badge car parking spaces (7% provision) could be provided on site should future demand arise.

Reason: To ensure sufficient off-street parking, to encourage the use of electric cars in order to reduce carbon emissions and to promote easier access for disabled persons and 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.

Cycle Parking

25. No Phase of the development hereby permitted shall be occupied until details of the cycle parking facilities for the relevant Phase, as shown on drawing Nos. 32847-A-PL-NS-03-000 Rev A and 32847-A-PL-NS-03-MEZ 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 relevant Phase of 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.

Energy and Sustainability

26. The development hereby permitted shall be carried out in accordance with the submitted Energy Strategy dated November 2018 and the Energy & Sustainability Strategy – Addendum dated April 2019, both prepared by Iceni Projects Ltd. Minor amendments to the submitted Energy Strategy may be agreed in writing from time to time by the Local Planning Authority. No Phase of the development shall be occupied until details of the location and quantum of any photovoltaic panels for the relevant Phase have been submitted to and approved in writing by the Local Planning Authority. The relevant Phase of the development shall not be occupied until the approved details have been implemented.

The relevant non-residential units with a floor area greater than 500 square metres shall achieve a Building Research Establishment Environmental Assessment Method (BREEAM) rating of ‘Very Good’ to ‘Excellent’, unless otherwise agreed in writing with the Local Planning Authority.

Reason: In the interests of safeguarding the environment and providing sustainable development in accordance with policy CR1 of the Core Strategy, 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

27. No Phase of the development hereby permitted shall be occupied until bird nesting and bat roosting bricks/boxes for the relevant Phase 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.

London City Airport Safeguarding – Details of Cranes and Scaffolding

28. No cranes or scaffolding shall be erected on the site unless, and until, construction methodology and diagrams clearly presenting the location, maximum operating height, radius and start/finish dates for the use of cranes during the development have been submitted to and approved in writing by the Local Planning Authority in conjunction with London City Airport.

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

Building Regulations M4 (2) and M4 (3)

29. No above ground new development shall commence in a Phase until a plan showing the location of the M4 (3) ‘wheelchair adaptable dwellings’ in the relevant Phase has been submitted to and approved in writing by the Local Planning Authority. The relevant Phase shall only be implemented in accordance with the approved details.

10% of the residential units hereby permitted shall meet Building Regulations Approved Document M Volume 1 (2015 Edition) M4 (3) ‘wheelchair adaptable dwellings’ and 90% 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 sufficient 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.

Communal Television and Satellite System

30. No Phase of the development hereby permitted shall be occupied until details of a communal television and satellite system for the relevant Phase have been submitted to and approved in writing by the Local Planning Authority. The approved system shall be provided prior to occupation of the
relevant Phase and be made available to each residential unit within the Phase. 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

31. No Phase of the development hereby permitted shall be occupied until a Delivery and Servicing Plan for the relevant Phase has been 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 for the relevant Phase 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 the Borough Wide Development Policies Development Plan Document and policy 6.3 of the London Plan.

Boreholes

32. No above ground new development shall commence in a Phase until a scheme for managing any borehole installed in the relevant Phase for the investigation of soils, groundwater or geotechnical purposes has been submitted to and approved in writing by the Local Planning Authority. The scheme shall provide details of how redundant boreholes are to be decommissioned and how any boreholes that need to be retained post-development for monitoring purposes will be secured, protected and inspected. The scheme as approved shall be implemented prior to the occupation of the relevant Phase of the development.

Reason: To ensure that redundant boreholes are safe and secure and do not cause groundwater pollution or loss of water supplies in line with paragraph 170 of the National Planning Policy Framework and Position Statement N Groundwater resources of ‘The Environment Agency’s approach to groundwater protection’.

Piling

33. Piling, deep foundations and other intrusive groundworks using penetrative methods shall not be carried out other than with the written consent of the Local Planning Authority. The development shall be carried out in accordance with the approved details.
Reason: In order to reduce the impact of construction on controlled waters and on the amenities of neighbouring residents, and in accordance with policy BP8 of the Borough Wide Development Policies Development Plan Document.

**Water Efficiency**

34. 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 the Borough Wide Development Policies Development Plan Document and policy 5.15 of the London Plan.

**Inclusive and Unhindered Access**

35. No Phase of the development shall be occupied until details have been submitted to the Local Planning Authority for approval in writing demonstrating that inclusive and unhindered access for the relevant Phase will be provided to all 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.

**Flexible Uses**

36. Following the first occupation of the flexible use non-residential units hereby permitted, 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 provide flexibility of use between the approved uses in accordance with Class V, Part 3 of Schedule 2 of The Town and Country Planning (General Permitted Development) (England) Order 2015.

**Hours of Use of Non-Residential Uses and Delivery/Collection Hours**

37. Other than with the prior written approval of the Local Planning Authority, the proposed non-residential uses hereby permitted are to be permitted to trade between the hours of 07:00 and 23:00 on any day and at no other time.

The delivery/collection of goods associated with the non-residential uses hereby permitted shall only be 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.
Vegetation Clearance and Tree Works

38. There shall be no vegetation clearance or tree works during the bird breeding season (February to September). If this is not possible the vegetation should be surveyed immediately prior to removal by a suitably qualified ecologist. If nests/nesting birds are present, the relevant works must be delayed until the nesting season is over and the fledglings have left the surrounding area.

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

4. Former Site of Sebastian Court, Meadow Road, Barking- 19/00624/FUL

The Principal Development Management Officer (PDMO) introduced a report concerning a planning application by London Borough of Barking & Dagenham regarding the redevelopment of the former site of Sebastian Court, Meadow Road, Barking involving the construction of three x 7-storey buildings compromising a total of 95 residential units to provide 58 x 1-bedroom and 37 x 2-bedroom units together with 133 sqm Class D1 community room and ancillary works. The housing mix would secure 100% sub-market housing comprising low cost rented units (30%); affordable rented units (35%) and shared ownership units (35%).

The PDMO outlined the site location and its surroundings which was set in an area consisting of primarily low-rise residential properties with good public transport links, both rail and bus. The nearby A13 was the major connection between London and Essex.

The application was accompanied by a Statement of Community Involvement (SCI) which outlined an applicant consultation event which took place at Eastbury Manor House on 6 March 2019 and to which 436 invites were posted out to local households. During the course of the application, 201 letters of consultation were issued from which twelve responses were received including ten objections, primarily about the lack of car parking within the development. Full details were contained in the report to the Committee.

The PDMO has concluded that overall the proposal accords with the relevant policy (BP8) of the Local Plan and would not have an unduly detrimental impact on the amenity of neighbouring properties. The planned provision of eight blue badge spaces was considered appropriate for this location and accords with the draft London Plan which sought to increase development in areas of good public transport. A S106 Agreement would secure a restriction on future occupiers applying for permits to park vehicles on the public highway, a move supported by the Transport Development Management Officer. This alongside conditions to secure cycle facilities, two electric charging points and a Travel Plan to ensure sustainable modes of travel were promoted and encouraged, were seen as sufficient in terms of traffic and parking matters generally. There were also plans to review the surrounding area CPZ’s in early 2020 which could benefit the area of the development.

The issue of possible motor theft that was raised by an objector was outside
the Council’s control as it could not legislate as to where residents park nor is it able to substantiate a concern over where residents currently park. In relation to noise from the play area, this was considered acceptable.

In summing up, the PDMO stated that the development as presented was strongly supported and was of exemplar design quality to justify its location, height and residential density. It would provide 95 high-quality units, all of which will be sub-market housing providing affordable homes for local residents along with a ground floor community use.

The proposed development generally complied with the relevant policies set out in the National Planning Policy Framework, the London Plan and the Local Plan.

Emily Sakai, a leaseholder from an adjoining property was invited by the Chair to address the Committee. She made an observation that the 7-storey building closest to her property looks higher and she was concerned it will overshadow her garden.

Sean Alderson-Claeys, a local resident was invited by the Chair to address the Committee. He stated that he has lived in Meadow Road for more than 20 years and whilst he has no problem with the redevelopment of the site, he was, despite assurances provided by planning officers, was concerned about the lack of parking provision and feels the community space when used will attract more traffic and parking issues as well as noise problems. He too felt the block at the end facing his Road was taller and closer with external balconies which he suggests will be overbearing and overlooking his property.

Responding to the objectors, Ben Whitehead, the Architect and Ben Green, Be First on behalf of the applicant, outlined the history of the former site and how the proposed development will be a significant improvement both from a design and layout perspective. As for the height of the block nearest the existing residential area it was estimated to be about a metre and half taller.

There was then a debate by the Committee on the merits of the scheme from which a number of issues/questions arose together with responses, predominately associated with the proposed community space as follows:

It was noted that the community space was envisaged to accommodate up to 60 people. What were the considerations in relation to the use of this space and the parking implications?

Ben Whitehead advised that as part of the management of the space, tenants will be advised that there will no parking available, however in recognising the points made by Members there are available up to two additional car parking spaces that could be brought forward as part of this application to help mitigate the parking concerns.

Accordingly, the Committee granted conditional planning permission subject to both any amendments necessary up to the issue of the Decision Notice, and a Section 106 Agreement, the details of which are set out below:
**Sub-Market Housing**
Secure 100% sub-market housing comprising low cost rented units (30%); affordable rented units (35%) and shared ownership units (35%).

**Local Labour / Local Supply**
Secure a commitment to local labour/local supply so that residents and businesses in the Borough will benefit from the proposed development.

**Restrictions on Controlled Parking Zone (CPZ) Permits**
Secure restrictions preventing future residents from obtaining parking permits for any controlled parking zone (CPZ).

**Energy and Carbon Offset**
The development shall achieve a minimum 35% reduction in carbon emissions over Part L of the Building Regulations 2013 through on-site provisions and the remaining carbon emissions to zero-carbon should be offset through a monetary contribution to the Local Authority’s carbon offset fund calculated on the basis of £60 per tonne over 30 years.

**S106 Legal Fees**
Pay the Council’s professional fees associated with the preparation and completion of the S106 Agreement.

**PLANNING 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:

SEB-PTE-1A-ZZ-DR-A-10300, SEB-PTE-1A-ZZ-DR-A-10501,
SEB-PTE-1B-ZZ-DR-A-10100, SEB-PTE-1B-ZZ-DR-A-10301,
SEB-PTE-1C-ZZ-DR-A-10100, SEB-PTE-1C-ZZ-DR-A-10302,
SEB-PTE-XX-ZZ-DR-A-10200, SEB-PTE-XX-ZZ-DR-A-10300,
SEB-PTE-XX-ZZ-DR-A-10301, SEB-PTE-XX-ZZ-DR-A-10500,
SEB-PTE-XX-ZZ-DR-A-10501, SEB-PTE-XX-ZZ-DR-A-10502,
SEB-PTE-XX-ZZ-DR-A-10503, SEB-PTE-XX-ZZ-DR-A-10504,
SEB-PTE-ZZ-00-DR-A-10001, SEB-PTE-ZZ-00-DR-A-10002,
SEB-PTE-ZZ-00-DR-A-10003, SEB-PTE-ZZ-00-DR-A-10005,
SEB-PTE-ZZ-01-DR-A-10001, SEB-PTE-ZZ-ZZ-DR-A-10002,
SEB-PTE-ZZ-ZZ-DR-A-10003, SEB-PTE-ZZ-ZZ-DR-A-10004,
SEB-PTE-ZZ-ZZ-DR-A-10100, SEB-PTE-ZZ-ZZ-DR-A-10101,
Crime Prevention Measures

3. The development hereby permitted shall not be occupied 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.

Contaminated Land Risk Assessment

4. a) No development shall commence 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’.

b) No development shall commence 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.

c) 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.

d) 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 4a), and where remediation is necessary a remediation scheme must
be prepared in accordance with the requirements of Condition 4b), 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: 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.

Noise and Vibration Controls

5. a) The development shall be carried out in accordance with the mitigation
measures specified within section 6 (p11) of the Road Traffic Noise
Assessment prepared by Acoustic Associates Sussex Ltd, issue 3 dated
05/04/2019, unless otherwise agreed in writing by the Local Planning Authority.

b) 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

c) Any machinery and equipment installed pursuant to this permission shall be
designed and installed to ensure that structure borne (re-radiated) noise
emissions shall not exceed 35 LAeq dB (5 min) when measured in any habitable room in adjoining residential premises.

d) If piling or other ground improvement work is undertaken pursuant to this permission then the 5% 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 and development on the amenities of neighbouring residents, and in accordance with policy BP8 of the Borough Wide Development Policies Development Plan Document.

Community Use Controls

6. The community use as identified on drawing No. SEB-PTE-1A-ZZ-DR-A-10100 Rev A shall be carried out in accordance with the following requirements:
   a) The handling of bottles and/or the movement of bins and rubbish associated with the community use is 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.
   b) The delivery/collection of goods is only permitted to take place between the hours of 07.00 hrs and 21.00 hrs on any day.
   c) The proposed community use is permitted to trade between the hours of 07.00 and 23.00 on any day and at no other time.
   d) Noise from the community use, including, but not limited to, live and amplified music 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 such noise is or is not audible the following numerical limits shall be used to determine compliance with this condition:

   - the L\text{Aeq (CUAN)} shall not exceed L\text{A90 (WCUAN)}; and
   - the L\text{10 (CUAN)} shall not exceed L\text{90 (WCUAN)} in any 1/3 octave band between 40Hz and 160Hz.

   CUAN = Commercial Use Activity Noise Level, WCUAN = representative background noise level without commercial use activity noise, both measured 1 metre from the façade of the noise-sensitive premises.

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.

Construction Management Plan & Site Waste Management Plan and Hours of
Operation

7. a) No development shall commence, 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:

I. construction traffic management;
II. the parking of vehicles of site operatives and visitors;
III. loading and unloading of plant and materials;
IV. storage of plant and materials used in constructing the development;
V. the erection and maintenance of security hoarding(s) including decorative displays and facilities for public viewing, where appropriate;
VI. wheel washing facilities;
VII. 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;
VIII. noise and vibration control;
IX. a scheme for recycling/disposing of waste resulting from demolition and construction works;
X. the use of efficient construction materials;
XI. methods to minimise waste, to encourage re-use, recovery and recycling, and sourcing of materials; and
XII. 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.

b) 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. The approved the Plans shall be adhered to throughout the construction period.

c) 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. Any works which are associated with the generation of ground borne vibration are only to be carried out between the hours of 08.00 and 18.00 Monday to Friday.

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
Provision and retention of cycle parking and refuse facilities

8. The development hereby permitted shall not be occupied until the 162 cycle parking spaces within the buildings, 10 cycle spaces outside the buildings and refuse stores as shown on drawing Nos. SEB-PTE-1A-ZZ-DR-A-10100 Revision A and SEB-PTE-ZZ—00-DR-A-10000 Revision A have been fully implemented. Thereafter, the cycle parking facilities and refuse stores shall be permanently retained for the duration of the development.

Reason: In the interests of promoting cycling as a safe, efficient and non-polluting mode of transport and sustainable waste management and in accordance with policies BR11 and BR15 of the Borough Wide development Policies Development Plan Document.

Samples of materials

9. No above ground new development shall commence until full details, including samples (brick with mortar), specifications, annotated plans and fire safety ratings, of all external facing materials have been 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.

Full details of any signage

10. Prior to the occupation of the relevant part of the development, full details of any signage for the buildings and/or the community use shall 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.

Tree Protection Measures

11. The trees identified to be retained shall be protected during construction in accordance with the Arboricultural Method Statement found within section 6.0 of the Tree Survey BS 5837:2012, Trees in relation to design, demolition and construction – Recommendations prepared by Cedar Land Management dated February 2019.

Reason: To ensure a high-quality environment in accordance with policy BP11 of the BoroughWide Development Policies Development Plan Document.
Landscaping and Play Design

12. The development shall not be occupied until:

a) The implementation of the Landscape Design as set out within document D-002 dated March 2019. The development shall be maintained in accordance with the details provided.

b) Until a Recreation and Play Strategy has been submitted to and approved in writing by the Local Planning Authority. The scheme should include details of the play equipment and how the communal areas will be managed. The development shall be carried out in full prior to first occupation and maintained in accordance with the details provided.

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 Supplementary Planning Guidance.

Archaeology

13 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.

Piling Impact
14. 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.

Building Regulations 10% units M4 (2) and M4 (3)

15. 10% of the residential units hereby permitted shall meet Building Regulations Approved Document M Volume 1 (2015 Edition) M4 (3) ‘wheelchair adaptable dwellings’ and 90% 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 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.

Water conservation

16. 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 the Borough Wide Development Policies Development Plan Document and policy 5.15 of the London Plan

Implementation of energy strategy

17. The development hereby permitted shall be carried out in accordance with the submitted Energy and Sustainability Assessment for Planning, 27th March 2019, Issue 3. Minor amendments to the Energy Strategy may be agreed in writing from time to time 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.

Surface Water Drainage
18. No building hereby permitted shall be occupied until the sustainable drainage scheme for the site has been completed in accordance with the Drainage Strategy Report prepared by Price and Myers. 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.

Blue Badge and Electric Vehicle Charging Points

19. The 8 blue badge car parking spaces 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). Two blue badge car parking spaces shall be fitted with active electric vehicle charging points and the two shall have passive provision.

Reason: To ensure and promote easier access for disabled persons, to ensure sufficient off-street parking, and to encourage the use of electric cars in order to reduce carbon emissions, 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.

Travel Plan

20. The development shall be carried out in accordance with the objectives (set out in section 5) and Travel Plan Management (set out in section 6) of the submitted Travel Plan prepared by Price & Myers dated March 2019, unless otherwise agreed in writing by the Local Planning Authority.

Reason: In accordance with the requirements of policies 6.3 and 6.11 of the London Plan.

Communal Television and Satellite System

21. 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 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 building in accordance with policy CP3 of the Core Strategy and policy BP11 of the Borough Wide Development Policies Development Plan Document.

*22. The culvert shown in ‘27262-SK10-1 shall be condition surveyed within 3 months post construction to check for any distress or displacement following
the construction works. Any damage that may have arisen during construction is to be remediated at no cost to the Environmental Agency. Any necessary remedial works shall be fully implemented prior to occupation and subsequently in accordance with the scheme’s timing/phasing arrangements.

Reason: To ensure the structural integrity of the existing culvert thereby reducing the risk of flooding. This is in line with paragraphs 160 and 163 of the National Planning Policy Framework.

*Additional condition requested following late representations by the Environment Agency

5. Parsloes Park, Gale Street, Dagenham- 19/00319/FUL

(Councillor Choudhury left the meeting at 8.07 pm and did not take any further part in the meeting)

The Principal Development Management Officer (PDMO) introduced a report concerning a planning application by LBBD concerning the redevelopment of Parsloes Park including the following works:

- the demolition of the existing changing facility;
- reconfiguration of the roadway entrance and route to the building and amendments to car parking provision;
- 3 full size artificial grass pitches which are fenced and floodlit;
- 4 covered seating stands to one pitch and 2 No. dugout shelters to all pitches;
- a replacement and enhanced changing pavilion including a gym and studio space;
- ancillary buildings to include two covered cycle stands, electricity sub-station and refuse and recycling store; landscaping and associated works;
- associated drainage and engineering operations; on and off-site supporting infrastructure as necessary to facilitate re-development of the site.

In presenting the report the Committee’s attention was drawn to the supplementary agenda (page1) where a replacement ‘aerial view of football stands’ document had been published.

The PDMO explained that the proposal resulted in development on Metropolitan Open Land (MOL), subject to the same planning policies as the Green Belt. Consequently, the principle of development had been assessed against the relevant policies. Reviving Parsloes Park has the potential to address a number of the Borough’s challenges, including improving health and well-being, inclusive access and recreation, active and sustainable travel, adapting to climate change, and conserving and enhancing its biodiversity and heritage. Importantly the regeneration of the Park also has the potential to deliver upon key aspects of the Borough’s strategic vision and priorities, and therefore it was considered that exceptional circumstances applied in this application and to to support the development as set out in the report.

It was advised that the applicant had submitted a Statement of Community Involvement which details a range of engagement with the local community, businesses and local and national organisations running from July 2017 until the submission of the application. In addition, a total of 698 letters were issued
to neighbouring properties together with 15 notices around the park and a local press notice. This resulted in 5 responses (3 from the same resident) with two objections. The main issues of concern were increased car usage and parking and the impact of such specifically on Terrace Walk, light pollution to the surrounding residents from the floodlit pitches, a loss of views, restricting the area for recreation and a lack of consultation with residents.

In referring to the objections, the PDMO explained that results of commissioned parking surveys demonstrated that there was significant reserve capacity on the site, and it was considered that there would not be any significant overspill parking demand as a result of the proposal. The loss of views was not considered a material consideration. In addition, the design of the floodlighting has been specified in order to minimise the impact on the amenity of local residents and the potential impact on local wildlife.

The PDMO considers that the proposal would result in a high-quality, well-designed facility and surrounding environment that meets all the expectations for allowing development on MOL. Therefore, it was considered that any impact on the openness of the area was outweighed by the nature and scale of the positive benefits which would be delivered to users of the facility, with the potential to make an important contribution to the health, well-being and employment prospects of young people in the local community together with an associated fall in anti-social behaviour. For those reasons, it was considered that ‘very special circumstances’ have been demonstrated which outweighed the harm to the openness of the MOL and justify the proposed development.

The Committee granted conditional planning permission subject to any direction from the Mayor of London together with any amendments that might be necessary up to the issue of the Decision Notice, including any other conditions that may be required as a result of referral to the Mayor of London:

**PLANNING 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. **Development in Accordance with Approved Plans**

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

19/BM255830217 01, 19/BM255830217 02, 19/BM255830217 03, 19/BM255830217 04, S-751, 02 A, 161209-310.02, PP-BWB-HKF-XX-DR-C-720 P1, 262-P-002 F, 262-P-003 D, 264-P-005 G, 264-P-006 D, 264-P-007, 161209-316.01, 161209-314.02 02, 161209-315.02 02, 161209-312.01, 161209-301.02 and 161209-306.03.
Reason: For the avoidance of doubt and in the interest of proper planning.

3. **Samples of 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 Landscaping**

No development above ground level shall take place until there has been submitted to and approved in writing 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. The landscaping shall include provision of new trees and biodiversity enhancement measures including the provision of 2 bird and 2 bat boxes.

The landscaping scheme as approved 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.

5. **Bat Surveys**

No development shall take place until a bat survey comprising a dusk emergence and dawn re-entry survey has been undertaken. The survey shall take place on three separate days within three different calendar months. 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 development to ensure that protected species are surveyed, and mitigation measures are 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.

6. **External Lighting**
Prior to the occupation of the development a lighting strategy must be submitted to and approved in writing by the Local Planning Authority. The lighting shall be informed by the findings of the Bat Survey (Condition 5) and be designed, installed and maintained 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: To secure 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.

7. Contaminated Land

a) A detailed remediation scheme which builds on the risk assessment presented in the report “London Borough of Barking and Dagenham Parsloes Park Dagenham, Phase 2 Geo-Environmental Assessment”, reference PPD-BWB-ZZ-XX-RP-YE-0002_Ph2_P1, dated December 2017, detailing mitigation measures and validation expectations for gas protection of the pavilion building and the quality assurance of any soils imported to the site 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.

b) 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.

c) 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.

d) 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 part b), which is subject to the approval in writing of the Local Planning Authority.

Reason: 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.

8. **Cycle Parking and Refuse Provision**

The cycle parking and refuse provision as shown on the submitted drawing No. 264-P-005 G shall be implemented prior to the occupation of the development and thereafter retained permanently for the duration of the development.

Reason: In the interests of promoting cycling as a safe, efficient and non-polluting mode of transport and sustainable waste management and in accordance with policies BR11 and BR15 of the Borough Wide development Policies Development Plan Document.

9. **Noise Controls**

a) Noise from entertainment, including live and amplified music associated with the use of the Pavilion building hereby permitted, shall be controlled so as to be inaudible inside adjoining and other noise-sensitive premises in the vicinity.

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 1m from the façade of the noise-sensitive premise

b) The combined rating level of the noise from any plant installed pursuant to this permission 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: In the interests of residential amenity, in accordance with policies BR13 and BP8 of the Borough Wide Development Policies Development Plan Document.

10. **Hours of Use**

The uses hereby approved shall only take place between the hours of 08.00
and 22.00 Monday to Friday and 09.00 and 22.00 at weekends, and any employees must leave the premises by 22:30 on any working day.

All external floodlighting shall be switched off between the hours of 22.00 and 07.00.

Reason: To protect the amenities of neighbouring residents in accordance with policies BR13 and BP8 of the Borough Wide Development Policies Development Plan Document.

11. Construction Environmental Management Plan and Site Waste Management Plan (SWMP)

a) 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:

I. construction traffic management;
II. the parking of vehicles of site operatives and visitors;
III. loading and unloading of plant and materials;
IV. storage of plant and materials used in constructing the development;
V. the erection and maintenance of security hoarding(s) including decorative displays and facilities for public viewing, where appropriate;
VI. wheel washing facilities;
VII. 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.
VIII. a scheme for recycling/disposing of waste resulting from demolition and construction works;
IX. the use of efficient construction materials;
X. 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 residents who have any problems or questions related to the ongoing development.

b) No external construction works, deliveries, external running of plant and equipment or internal works 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.

12. Crime Prevention Measures

No above ground new development shall take place until a scheme showing the provisions to be made for 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 users and visitors to the site and to reduce the risk of crime in accordance with policies BC7 and BP11 of the Borough Wide Development Policies Development Plan Document.

13. Section 278 Scheme of Highway 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 (S278 agreement) 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.

14. Tree and Root 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;

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;

c) 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: 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.

15. Travel Plan

The approved Travel Plan (prepared by BWB ref: PPD-BWB-GEN-XX-RP-TR-0003_ 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 Development Plan Document.

16. Retention of Accessible Parking

The accessible parking bays indicated on the submitted drawing 161209-316.01 shall be clearly marked with a British Standard disabled symbol prior to the occupation of the development and permanently retained for the use of disabled persons and their vehicles and for no other purpose.


17. Compliance with Energy Strategy

The development hereby permitted shall achieve as a minimum a 35% reduction in carbon dioxide emissions over Part L of the Building Regulations (2013).

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.

18. Electric Vehicle Charging Points

Prior to occupation of the development, two electric vehicle charging points shall be provided within the car park. 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 visitors of 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

19. Community Use Agreement

Prior to occupation of the development a final Community Use Agreement shall be submitted to and approved in writing by the Local Planning Authority. The agreement shall take the form of the submitted draft “Agreement in relation to arrangements for community use of sports facilities at Parsloes Park” and specify how affordable and accessible usage of the sports facility will be maintained for the duration of the development.

Reason: To ensure the proposal will increase or enhance the provision of sports and recreation facilities in accordance with policy 3.19 of the London Plan.

20. Drainage Strategy

The development hereby permitted shall be occupied until the sustainable drainage scheme for the site has been completed in accordance with the Drainage Strategy Statement prepared by BWB revision P3. 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.

6. Gascoigne Estate East, King Edwards Road, Barking- 19/00310/FUL (Variation to Planning permission)

The PDMO introduced a report concerning an application from the London Borough of Barking and Dagenham for a variation of condition 49 (approved parameter plans) in respect of planning permission 15/01084/FUL (Gascoigne Estate East redevelopment) to provide for alterations to Phase 2 including adjustments to site layout, and an increase in the maximum approved building height from 12-storeys to 14-storeys. At the request of the applicant, changes to the format of a number of the other conditions were presented in a supplementary report, put forward to simplify them through merging a number of conditions. The merges did not change the content or requirements of the conditions as drafted.

The purpose of the amendments was to maximise the delivery of residential units with Phase 2, to increase the proportion of sub-market housing to be secured through a S106 legal Agreement, and to improve the layout and design of this Phase, and to make an alteration to traffic circulation routes.

Site and press notices were issued, and 647 neighbouring occupiers were consulted on the application. One objection was received from Paul Scott (non-resident) who attended the meeting and addressed the Committee. He stated
that he was speaking on behalf of the Barking and Dagenham Heritage Conservation Group and reiterated the points made in his written submission, namely that increased building heights will result in greater density, additional residents will contribute to congestion adversely affecting local quality of life and will place a burden on local services.

The PDMO stated that having carried out an assessment of the application against key policies, it was considered that the development would contribute to the delivery of the Borough’s housing targets by optimising the potential of the site. The majority of the new housing would be sub-market including social rented tenure, and a significant increase in the proportion of sub-market housing would be secured in comparison with that agreed under the existing outline consent, thereby helping to address local housing need. It will contribute to the Borough’s vision and its strategic priorities.

The Committee granted conditional planning permission subject to any direction from the Mayor of London together with any amendments that might be necessary up to the issue of the Decision Notice, including any other conditions that may be required as a result of referral to the Mayor of London, and the completion of a S106 Agreement securing the following obligation

- Sub-market Housing – to be secured at 32.8% Market; 33.7% Shared Ownership; and 33.5% Affordable Rent on a phased approach with a review phase by phase on sub-market housing levels depending on market values and viability of the development;
- Land to be safeguarded within land parcel G for a secondary school;
- Land to be safeguarded within land parcel K for a primary school;
- The provision of a combined heat and power plant within Phase 1A;
- One-year free membership to Zipcar for residents – setting aside two spaces for the car club;
- Future monitoring of queuing/highway capacity of King Edwards Road and any subsequent highways improvement works as necessary;
- Cost of relocation and re-provision of bus stops and waiting facilities to enable the re-routing of the 62 London bus route and to allow a new junction to be formed with Ripple Road;
- Cost of traffic management orders;
- A local labour and suppliers’ agreement;
- Funding towards the provision of a new community facility;
- The re-provision of CCTV cameras and provision of appropriate infrastructure to allow installation of cameras if required.

PLANNING CONDITIONS

Reserved Matters

1. Approval of details of the access, appearance, landscaping, layout and scale of the proposed development for each Phase/Sub-Phase within Phases 2, 3 and 4 as highlighted on Phasing Parameter Plan 9157050100-PP/01 or any subsequent update agreed - (hereinafter called the 'reserved matters') shall be obtained from the Local Planning Authority in writing before any development within that Phase (excluding demolition) is commenced.
Reason: The application is in outline only, and these details remain to be submitted and approved.

**Parameter plans/ reserved matters time limit**

2. Plans and particulars of the reserved matters referred to in Condition 1 for each Phase/Sub-Phase shall be submitted in writing to the Local Planning Authority for approval, but shall not materially depart from the following Parameter Plans, or the Allies & Morrison Design Guidelines approved under planning permission 14/00703/OUT unless otherwise agreed in writing by the Local Planning Authority: 9157050100-PP/01; 157050100-PP/02; 157050100-PP/03; 157050100-PP/04; 157050100-PP/05; 157050100-PP/06; 157050100-PP/07; 157050100-P8; 157050100-P9; 157050100-P10. The Applications for approval of the reserved matters shall be made to the Local Planning Authority before the expiration of seven years from the date of this outline permission.

Reason: In order to secure a good standard of development and in accordance with policy BP11 of the Borough Wide Development Policies Development Plan Document and to comply with Section 92 of the Town and Country Planning Act 1990 (as amended by Section 51 of the Planning and Compulsory Purchase Act 2004).

**Commencement time limit**

3. Each Phase/Sub-Phase of the development shall be begun before the expiration of two years from the date of approval of the last of the reserved matters to be approved for that Phase/Sub-Phase.

Reason: To comply with Section 92 of the Town and Country Planning Act 1990 (as amended by Section 51 of the Planning and Compulsory Purchase Act 2004).

**Maximum quantum of development**

4. The development hereby approved shall be limited to a maximum quantum of floorspace/unit numbers as follows:
   - Housing (Use Class C3) 1,575 Residential Units
   - Education (Use Class D1) 21,550 sqm
   - Business (Use Class B1) 2,200 sqm
   - Community Uses (Use Class D1) 2,400 sqm
   - Flexible Retail/Business (Use Class A1/A2/A3/B1) 1,550 sqm

Reason: In order to ensure that the development causes no additional impact that has not been assessed as part of the planning application proposal and in accordance with policy CM1 of the Core Strategy.

**Construction Method Statement**

5. No development within any Phase or Sub-Phase consistent with Drawing No. 9157050100-PP/01 shall take place, including any works of demolition (except demolition the subject of a Prior Approval application under Part 31 of the General Permitted Development Order), until a Construction Method
Statement for that Phase or Sub-Phase 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 comply 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 shall provide for:

a) the parking of vehicles of site operatives and visitors;
b) details of access to the site;
c) loading and unloading and the storage of plant and materials used in constructing the development;
d) the erection and maintenance of security hoardings including decorative displays;
e) wheel washing facilities;
f) measures to control the emission of noise, vibration, dust and dirt during construction; including but not limited to non-road mobile machinery requirements (NRMM), are to be implemented throughout the works to which this permission relates;
g) a scheme for recycling/disposing of waste resulting from demolition and construction works.

Reason: 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.

Delivery and Servicing Plan (Use Class D1)

6. Prior to the commencement of the use of the primary school, secondary school or any permitted D1 use that is implemented a Delivery and Servicing Plan for the D1 use, to incorporate details of deliveries to the site, including size of vehicle, routing of deliveries, and times of deliveries shall be submitted to and approved in writing by the Local Planning Authority. The Plans shall be adhered to thereafter unless otherwise agreed in writing by the Local Planning Authority.

Reason: In order to minimise the impact of the developments on the local highway network and traffic congestion and in accordance with policy BR10 of the Borough Wide Development Policies Development Plan Document.

Construction Logistics Plan

7. Prior to the commencement of development (excluding demolition) within any Phase or Sub-Phase consistent with Drawing No. 9157050100-PP/01 (or any subsequent update agreed) a Construction Logistics Plan for that Phase/Sub-Phase 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: In order to minimise the impact of the development 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.

Boundary details

8. The relevant Phase or Sub-Phase consistent with Drawing No. 
9157050100-PP/01 (or any subsequent update agreed) of the development 
shall not be occupied 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 for that Phase or Sub-Phase of 
the development and the approved boundary treatment for that part of the 
development 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 

M4(2) & M4(3) 'Accessible and adaptable dwellings'

9. Ninety percent (90%) of the residential units hereby permitted (with the 
exception of those within Phases 2B and 2C) shall be constructed to achieve 
Building Regulation M4(2) 'Accessible and adaptable dwellings' standards and 
ten percent (10%) of the residential units hereby permitted (across the entire 
application site - Phases 1A; 1B; 2; 3 and 4 as an entirety) shall be constructed 
to achieve Building Regulation M4(3) 'Accessible and adaptable dwellings' 
standards (wheelchair adaptable units). The final layout of all the M4(3) units 
within any Phase or Sub-Phase, and all M4(2) units (excluding Phases 2B and 
2C) consistent with Drawing No.9157050100-PP/01 (or any subsequent update 
agreed) is to be approved in writing by the Local Planning Authority for that 
Phase/Sub-Phase prior to any above ground development within that Phase. 
The development shall then be carried out in accordance with the approved 
details. Minor variations may be agreed in writing by the Local Planning 
Authority.

Reason: To ensure that accessible housing is provided in accordance with 
policy BC2 of the Borough Wide Development Policies Development Plan 
Document and policy 3.8 of the London Plan. (In respect of M4(2) units within 
Phases 2B and 2C sufficient detail has been provided within reserved matters 
planning application ref. 19/00318/REM).

Scheme of road adoption/ parking management

10. No development shall commence above ground level within any Phase or 
Sub-Phase consistent with Drawing No. 9157050100-PP/01 (or any 
subsequent update agreed) until a detailed scheme for the design and 
materials of the estate roads including details of those areas proposed for 
adoption, and for the management and enforcement of both on-street parking
and off-street parking, and the allocation of parking spaces within that Phase or Sub-Phase, has been submitted to and approved in writing by the Local Planning Authority. The scheme shall also demonstrate that servicing and refuse vehicles would be able to access the relevant parts of the development in a safe manner. The development shall be carried out in accordance with the approved scheme and the approved parking strategy shall be implemented and thereafter maintained in accordance with the approved details.

Reason: In the interest of good design, and to ensure adequate parking facilities for each part of the residential development and not to prejudice the free flow of traffic or conditions of general safety along the adjoining highway, and in the interest of the residential amenity of the future occupants in accordance with policy BR10 of the Borough Wide Development Policies Development Plan Document.

Archaeological investigation

11. A) No development (‘development’ includes land remediation and ground works), with the exception of demolition down to existing ground level only or demolition including slab and foundations as approved under refs. 17/01262/PRIOR4 and 17/01364/PRIOR4 in respect of the sites of Barnes House, Rookwood House, 28-69, 70-98, 99-122, 124-159, 160-192, 193-219, 221-232 St. Marys & 117-125 Wheelers Cross (within Phase 2A and part of Phase 3A) shall take place in any Phase or Sub-Phase consistent with Drawing No. 9157050100-PP/01 (or any subsequent update agreed) until the applicant has secured the implementation of a programme of archaeological work in accordance with a Written Scheme of Investigation for that Phase/Sub-Phase which has been submitted by the applicant and approved by the Local Planning Authority, unless otherwise approved in writing by the Local Planning Authority.

B) No development excluding the exceptions set out in Part A) shall take place other that in accordance with the Written Scheme of Investigation approved under Part (A).

C) No Phase or Sub-Phase of the development shall be occupied until the site investigation and post investigation assessment has been completed for that Phase/Sub-Phase in accordance with the programme set out in the Written Scheme of Investigation approved under Part (A) and the provision made for analysis, publication and dissemination of the results and archive deposition has been secured.

Reason: To safeguard the heritage of the Borough by providing an adequate opportunity to investigate and excavate archaeological remains on the site before development is carried out in accordance with policy BP3 of the Borough Wide Development Policies Development Plan Document.
12. LAND CONTAMINATION

A) Land contamination site investigation

An investigation and risk assessment for any phase or sub-phase consistent with Drawing No. 9157050100-PP/01 (or any subsequent update agreed) (with the exception of Sub-Phase B (Blocks B1 and B2) of Phase 1A), in addition to any assessment provided with the planning application for that Phase or Sub-Phase, 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 for each phase or sub-phase 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 for that phase or sub-phase. The written report for each phase or sub-phase is subject to the approval in writing of the Local Planning Authority. The written report of the investigation and risk assessment in respect of Sub-Phase B (Blocks B1 and B2) of Phase 1A is approved under reference 15/01320/CDN. 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;

(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'.

B) Remediation scheme submission

Where indicated by the investigation and risk assessment, a detailed remediation scheme for the relevant phase or sub-phase of the site (with the exception of Sub-Phase B (Blocks B1 and B2) of Phase 1A) to bring it 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 for each phase or sub-phase, and is subject to the approval in writing of the Local Planning Authority. The scheme for each phase or sub-phase 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. (No remediation is required in respect of Sub-Phase B (Blocks B1 and B2) of Phase 1A).

C) Remediation scheme implementation

The approved remediation scheme for the relevant Phase or Sub-Phase must be carried out in accordance with its terms prior to the commencement of development other than that required to carry out remediation, and excluding demolition to ground level only, 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 for the relevant phase or sub-phase. 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 for the relevant phase or sub-phase, and is subject to the approval in writing of the Local Planning Authority.

D) 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 for the relevant phase or sub-phase in accordance with the requirements of condition 12 A), and where remediation is necessary a remediation scheme must be prepared in accordance with the requirements of condition 12 B), 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 for each phase or sub-phase must be prepared, which is subject to the approval in writing of the Local Planning Authority in accordance with condition 12 C).

Reason for Condition 12: 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.

Acoustic Protection Scheme

13.

A) No above ground development within Phase 3 or 4 or any Sub-Phase within Phases 3 or 4, consistent with Drawing No. 9157050100-PP/01 (or any subsequent update agreed) shall take place until full details of a scheme of acoustic protection of habitable rooms within that Phase/Sub-Phase against road traffic noise has been submitted to and approved in writing by the Local Planning Authority. Unless otherwise agreed in writing with 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 (07.00 hours to 23.00 hours) with windows closed. Additionally, where the internal noise levels will exceed 35 dB LAeq in bedrooms (23.00 hours to 07.00 hours) or 40 dB LAeq in living rooms (07.00 hours to 23.00 hours) 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.

B) Phase 2B and 2C of the development shall be carried out in accordance with the submitted Phase 2 acoustics report and the specified façade sound insulation requirements shall be installed to each building prior to its occupation.

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.

External lighting scheme

14. No above ground development of any Phase/Sub-Phase (with the exception of Phases 2B and 2C) as shown on Drawing No. 9157050100-PP/01 (or any subsequent update agreed) shall commence above ground level until a scheme showing the provisions to be made for all external lighting (including street lighting and floodlighting for the sports facilities) for that Phase/Sub-Phase has been submitted to and approved in writing by the Local Planning Authority. The external lighting is to be designed, installed and maintained so as to fully comply with The Institution of Lighting Professionals publication, "Guidance Notes for the Reduction of Obtrusive Light", reference GN01:2011. The design shall satisfy criteria to limit obtrusive light presented in Table 2 of the document, relating to Environmental Zone E3 - Medium district brightness areas - small town centre or suburban locations. External lighting in respect of Phases 2B and 2C shall be installed and thereafter maintained, prior to the occupation of the part of the development it serves, in accordance with the submitted External Lighting report, 31 Jan. 2019.

Reason: In the interests of enhancing 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.

Construction hours

15. No construction related 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.

Flood risk assessment

16. A) The development (excluding demolition) of any Phase or Sub-Phase (with the exception of Phase 2B and 2C), each phase or sub-phase consistent with Drawing No. 9157050100-PP/01 (or any subsequent update agreed) shall not be commenced until a detailed surface water drainage scheme for that Phase/Sub-Phase, based on the agreed flood risk assessment (FRA), 11007 - Gascoigne Estate FRA Rev B, has been submitted to and approved in writing by the Local Planning Authority. The drainage strategy for that Phase or Sub-Phase shall include a restriction in run-off and surface water storage on site as outlined in the FRA. The scheme shall subsequently be implemented in accordance with the approved details before the development is completed, and no discharge of foul or surface water from the site shall be accepted into the public system until the drainage works referred to in the strategy have been completed.

B) Phases 2B and 2C shall be implemented in accordance with the submitted Phase 2 Flood Risk Assessment (ref. 1012-01) and the stated mitigation measures shall be installed and thereafter maintained prior to the occupation of Phase 2B and 2C.

Reason: To prevent the increased risk of flooding, to improve and protect water quality, improve habitat and amenity, to prevent sewage flooding, and to ensure that sufficient capacity is made available to cope with the new development, and in order to avoid adverse environmental impact upon the community and in accordance with policy CR4 of the Core Strategy.

Levels

17. Other than works of demolition, no development within any Phase or Sub-Phase consistent with Drawing No. 9157050100-PP/01 (or any subsequent update agreed) shall commence until details of the proposed finished external ground levels and finished levels of the lowest car park level for that Phase/Sub-Phase have been submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in accordance with the approved details.

Reason: In order that finished building heights comply with the approved plans and to protect the amenities of neighbouring residents and in accordance with policy BP8 of the Borough Wide Development Policies Development Plan Document.

Plant noise limit

18. The rating level of the noise from plant installed pursuant to this permission wherever it may be located shall not exceed the existing background noise
level at any time at the outside of windows to noise sensitive buildings in the vicinity of the development hereby permitted. Any assessment of compliance with this condition shall be made according to the methodology and procedures presented in BS4142:2014.

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.

Opening hours

19. The A1, A2 and A3 uses hereby permitted shall only be permitted to be open to the public between the hours of 07.00 and 23.00 on any day.

Reason: To prevent the use causing undue disturbance to the occupants of adjoining properties at unreasonable hours and in accordance with policy BP8 of the Borough Wide Development Policies Development Plan Document.

Ventilation details – Class A3 use

20. In the event of seeking an A3 use within the commercial units, details of a ventilation system for the removal and treatment of cooking odours which include measures to mitigate system noise are to be submitted to the Local Planning Authority prior to the commencement of that use. The details shall have regard to guidance and recommendations in DEFRA publication 'Guidance on the Control of Odour and Noise from Commercial Kitchen Exhaust Systems'. The approved details shall be fully implemented prior to the first use for that purpose and shall be maintained at all times so long the unit remains in A3 use. The measures shall have regard to and be commensurate with guidance and recommendations in:

- publication, “Control of odour and noise from commercial kitchen exhaust systems – Update to the 2004 report prepared by NETCEN for the Department for Environment, Food and Rural Affairs”, Ricardo.com, 2018. Details shall have regard to guidance and recommendations in DEFRA publication 'Guidance on the Control of Odour and Noise from Commercial Kitchen Exhaust Systems'.

The approved details shall be fully implemented prior to the first use for that purpose and shall be maintained at all times so long the unit remains in A3 use.

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

Air quality assessment

21. No development within any Phase or Sub-Phase (with the exception of Phases 2B and 2C) consistent with Drawing No. 9157050100-PP/01 (or any
subsequent update agreed) shall commence above ground level until the applicant has submitted to the Local Planning Authority for approval further details of an air quality assessment/air quality mitigation proposals for that Phase/Sub-Phase developed on the basis of a further Nitrogen Dioxide monitoring study, the details of which are to be provided to the Local Planning Authority.

If the air quality assessment identifies that dwellings/classrooms will be exposed to Nitrogen Dioxide (NO2) in excess of the relevant standards (as prescribed in the Quality Standards Regulations 2010), the assessment shall include details of a ventilation scheme for the mitigation of air quality in affected rooms. The ventilation scheme is to be fully implemented before the first use of the development to which it relates and is to be permanently retained thereafter. It is expected that the design of any ventilation scheme will include, but not necessarily be limited to:

a) The positioning or air intakes for buildings as high as possible and away from the direct influence of air pollution from the A13 road;

b) The location of air exhausts such that re-entry to a building, or ingestion into other nearby buildings, is minimised.

Reason: In order to protect the health and amenities of future occupiers and in accordance with policies BP8, BC10 and BR14 of the Borough Wide Development Policies Development Plan Document.

Travel plan

22. A) The development hereby permitted (with the exception of development within Phases 2B and 2C) shall not be occupied until there has been submitted to and approved in writing by the Local Planning Authority a Framework Travel Plan, from which a detailed Travel Plan for each Phase/Sub-Phase as shown on Drawing No. 9157050100-PP/01 (or any subsequently agreed update) shall be submitted to and approved by the Local Planning Authority for the site, which shall include proposals for minimising car-borne travel and encouraging walking, cycling and the use of public transport. No Phase shall be occupied until the detailed Travel Plan for that Phase has been approved in writing. The Travel Plan Framework and subsequent detailed plans shall include details of funding, implementation, monitoring and review. The approved Travel Plans shall be implemented and monitored in accordance with the approved scheme.

B) Phases 2B and 2C shall not be occupied until the implementation of the Phase 2 Transport Statement and Framework Travel Plan (ref. 1012/01 Rev. P01) which shall thereafter be maintained.

Reason: In order to encourage the use of sustainable transport and in accordance with policy BR10 of the Borough Wide Development Policies Development Plan Document.

Noise control – accessible roofs
23. With the exception of development within Phases 2B and 2C where roof(s) are to be accessible for recreational purposes a scheme for protecting the proposed upper floor dwellings from structure borne noise through the roof(s) concerned shall be submitted to and approved in writing by the Local Planning Authority prior to commencement of the relevant part of the development. The approved scheme shall be fully implemented before the first occupation of any of the applicable top floor dwellings in the building to which the scheme relates and shall be maintained at all times thereafter. Roof construction in respect of Phases 2B and 2C shall be in accordance with paragraph 4.8 of the submitted Phase 2 Acoustics report ref. 18410-R03-B.

Reason: In order to prevent noise nuisance to future occupiers and in accordance with policies BP8 and BR13 of the Borough Wide Development Policies Development Plan Document.

**Satellite dish restriction**

24. Prior to occupation of each part of the development within a Phase or Sub-Phase consistent with Drawing No. 9157050100-PP/01 (or any subsequent update agreed) a communal television and satellite system shall be provided and be available to each occupier of that part, Phase or Sub-Phase of the development. No satellite dishes may be installed on the exterior of the buildings, with the exception of a roof mounted dish on a flat block (not visible from ground level) providing the communal system or a rear elevation of a single dwelling house.

Reason: To safeguard the external appearance of the buildings in accordance with policy BP11 of the Borough Wide Development Policies Development Plan Document.

**Bird/bat boxes**

25. No Phase/Sub-Phase of the development (as shown on Drawing No. 9157050100-PP/01 (or any subsequent update agreed)) shall be occupied until bird nesting and bat roosting boxes (where feasible incorporated into the structure of the buildings or roof spaces in accordance with Biodiversity for Low and Zero Carbon Buildings: A Technical Guide for New Build (Publ. by RIBA, March 2010)) have been installed for that Phase/Sub-Phase in accordance with details which shall have been submitted to and approved in writing by the Local Planning Authority.

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

**Energy efficiency**

26. All buildings within the development shall, as a minimum, meet Part L 2010 of the Building Regulations through energy efficiency measures alone.

Reason: In order to ensure that fabric energy efficiency is prioritised in the
interest of minimising carbon emissions and in accordance with policy 5.2 of the London Plan.

**Energy Strategy**

27. The development shall be carried out in accordance with the site-wide energy strategy (Project Ref: 29311, Rev: 3.4), and in respect of Phases 2B and 2C in accordance with the submitted Energy Statement (11 Feb 2019), including the timing of heat network connections and the installation and connection of photovoltaic panels, and the entirety of the site shall achieve the stated 40 per cent CO2 reduction beyond Part L 2010 (as a minimum). The onsite energy infrastructure and the approved energy strategy shall thereafter be maintained.

Reason: In order to minimise carbon emissions and 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.

**District Heat Network connections**

28. Unless otherwise agreed in writing with the Local Planning Authority, no more than 60% of the total number of units that are to be connected to the District Heat Network, as highlighted in the PBA Energy Statement shall be occupied, until the Combined Heat & Power Plant has become fully operational.

Reason: To ensure that the energy strategy is implemented and to minimise carbon emissions arising from the development and in accordance with policy BR2 of the Borough Wide Development Policies Development Plan Document.

**Estate roads implementation**

29. None of the development within a Phase or Sub-Phase consistent with Drawing No. 9157050100-PP/01 (or any subsequent update agreed) of the development hereby approved shall be occupied unless and until the estate roads and associated drainage, footways, cycleways, street lighting, and strategic landscaping granted planning permission consistent with the approved Parameter Plans and accompanying Allies & Morrison Design Guidelines have been implemented for that Phase/Sub-Phase in full, or with respect to landscaping, such other timescales as may be agreed in writing with the Local Planning Authority.

Reason: In order to ensure an acceptable standard of services and appearance for future occupiers of the development and in accordance with policy BP8 of the Borough Wide Development Policies Development Plan Document.

**Crime prevention details**

30. No development of any Phase/Sub-Phase as shown on Drawing No. 9157050100-PP/01 (or any subsequent update agreed) shall commence above ground level until a scheme showing the provisions to be made for access
control, and any other measures to reduce the risk of crime for that Phase/Sub-
Phase has been submitted to and approved in writing by the Local Planning
Authority taking full account of the Access Statement prepared by Lord
Consultants in support of the planning application ref. 14/00703/FUL. 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 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.

Vehicular/pedestrian access details

31. With the exception of development within Phases 2B and 2C details
of the vehicular and pedestrian accesses for any Phase or Sub-Phase
consistent with Drawing No. 9157050100-PP/01 (or any subsequent update
agreed) consistent with the siting, size, dimensions and other details shown on
Drawing No. 9157050100-PP/01 (or any subsequent update agreed) shall be
submitted to and approved in writing by the Local Planning Authority prior to
the commencement of the relevant Phase/Sub-phase of the development. The
development shall be carried out in accordance with the approved details.

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.

School traffic management plan

32. Prior to occupation of either School facility identified in Phases 2A and 3A
on approved Drawing No. 9157050100-PP/01 - or any subsequent amendment
approved by the Local Planning Authority, a management plan must be
submitted to and agreed with the Local Planning Authority and Transport for
London in order to identify measures to spread arrival and departure times of
pupils and staff in order to reduce overloading of buses and minimise on-street
congestion. The development shall be carried out in accordance with the
approved plan and thereafter maintained.

Reason: In order to minimise traffic congestion and in accordance with policies
BR9, BR10 and BR11 of the Borough Wide Development Policies
Development Plan Document.

Refuse storage details

33. No above ground development in any Phase or Sub-Phase within Phases 2
- 4 (with the exception of Phases 2B and 2C) as shown on Drawing No.
9157050100-PP/01 (or any subsequent update agreed) shall be commenced
until details of refuse enclosures for the relevant Phase or Sub-Phase of the
development showing the design, location and external appearance in respect
of dwellings and the permitted A1, A2, A3, B1, and D1 uses have been
submitted to and approved in writing by the Local Planning Authority. The approved enclosures shall be provided before the occupation of any part of the development that they are designed to serve 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 of the Borough Wide Development Policies Development Plan Document.

Car parking spaces details

34. Prior to the commencement of any above ground development (excluding demolition) within a Phase or Sub-Phase within Phases 2 - 4 (with the exception of Phases 2B and 2C) as shown on Drawing No. 9157050100-PP/01 (or any subsequent update agreed) details of the car parking spaces including the accessible parking bays for the relevant part of the development (within that Phase/Sub-Phase) shall be submitted to and approved in writing by the Local Planning Authority. The approved parking spaces shall be installed and the accessible parking bays shall be clearly marked with a British Standard disabled symbol prior to the occupation of the relevant part 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 ensure and promote easier access for disabled persons to the development and 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 policies BC2 and BR9 of the Borough Wide Development Policies Development Plan Document.

Cycle parking details

35. No development within Phases 2 - 4 of any Phase/Sub-Phase (with the exception of Phases 2B and 2C) as shown on Drawing No. 9157050100-PP/01 (or any subsequent update agreed) shall commence above ground level until details of the cycle parking facilities for that Phase/Sub-Phase 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, and in the case of non-residential elements of the proposed development provide details of changing and shower facilities. The relevant part of the development shall not be occupied until the approved details for that part of the development have been implemented. Thereafter, the cycle parking facilities shall be permanently retained.

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.

School – acoustic protection scheme

36. No above ground development of the school buildings shall take place until a scheme of acoustic protection has been submitted to and approved in writing by the Local Planning Authority. The approved scheme for that relevant school shall be fully implemented prior to occupation and shall be maintained at all
times thereafter.

Reason: In order to secure a suitable learning environment and in accordance with policy BR13 of the Borough Wide Development Policies Development Plan Document.

**Sports facilities hours of use**

37. The sports facilities hereby permitted shall not be illuminated or open to the public outside the hours of 07.00 and 22.00 Mondays to Sundays. No variation to the above hours shall be permitted without the prior written approval of the Local Planning Authority.

Reason: To prevent the use causing undue disturbance to the occupants of adjoining properties at unreasonable hours and in accordance with policy BP8 of the Borough Wide Development Policies Development Plan Document.

**Office use restriction**

38. The permitted B1 uses shall be used for B1(b) or B1(c) purposes and for no other purpose (including any other purpose in Class B1 of the Schedule to the Town and Country Planning (Use Classes) Order 1987 or in any provision equivalent to that Class in any statutory instrument revoking and re-enacting that Order).

Reason: In order to ensure that the permitted B1 use is utilised for research or light industrial purposes and not as an 'out of centre' office that would be contrary to policy CE2 of the Core Strategy.

**Green/living roofs**

39. In respect of Phases 2 - 4 details of the proposed living roofs for that phase or sub-phase as shown on Drawing No. 9157050100-PP/01 (or any subsequent update agreed) including their type, location and specific purpose together with a maintenance schedule shall be submitted to and approved in writing by the Local Planning Authority (in consultation with London City Airport) prior to the construction of the parts of the building containing a living roof. The details shall include design measures to detract birds that could adversely affect the safety of operations at London City Airport, and shall include a bird management strategy in relation to ongoing maintenance of the roofs. The living roofs shall be constructed in accordance with the approved details and thereafter maintained in accordance with the approved maintenance schedule and bird management strategy.

Reason: In the interests of reducing the impact of the development on the mains drainage system, enhancing the insulation of the building, contributing to biodiversity, and to avoid harm to aircraft safety and in accordance with policy CR1 of the Core Strategy and policies BR3, BR4 and BP11 of the Borough Wide Development Policies Development Plan Document.

**Bat survey**

40. Prior to the commencement of the development of any part of either Phase
2B or 2C as shown on Drawing No. 9157050100-PP/01 (or any subsequent update agreed) a bat emergence survey of the existing buildings to be demolished shall be carried out between May and August by a qualified ecologist and the results shall be submitted to the Local Planning Authority. If there is evidence of bat roost(s) on the site no development, of the relevant part of the site, shall commence until the submission to and approval by the Local Planning Authority of a bat habitat mitigation strategy. The development shall then be carried out in accordance with the approved strategy.

Reason: In order to prevent harm to wildlife habitats and in accordance with Policy BR3 of the Borough Wide Development Policies Development Plan Document.

Bird nest protection

41. There shall be no vegetation clearance or tree works during the bird breeding season (February to September). If this is not possible, a nesting bird survey should be carried out by a qualified ecologist no more than 2 days prior to the works. If nesting birds are found:

i. works to that part of the site shall be delayed until the nesting season is over and the fledglings have left the area and a qualified ecologist's report has been submitted to the Local Planning Authority to confirm this;

ii. a strategy shall be submitted to and approved in writing by the Local Planning Authority to ensure the nesting birds are not disturbed by any other works taking place on the site.

Reason: In order to prevent harm to wildlife habitats and in accordance with policy BR3 of the Borough Wide Development Policies Development Plan Document.

Fire Statement

42. No part of the approved development shall be constructed above ground level until a Fire Statement for that part, has been submitted to and approved in writing by the Local Planning Authority. 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 and policy D11 of the Draft London Plan.

7. Gascoigne Estate East, King Edwards Road, Barking- 19/00318/REM (Reserved Matters Application)
The PDMO introduced a report concerning a planning application for approval of all reserved matters relating to Phases 2B and 2C Gascoigne Estate East redevelopment.

The development comprised 526 dwellings, 822 sqm of commercial floor space (use Classes A1, A2, A3 and B1) in buildings ranging in height between 2 and 14-storeys, a public square and associated access roads, car parking and landscaping. The reserved matters deal with the detail of the appearance, layout, scale, means of access and landscaping of the site in respect to Phases 2B and 2C only.

A site and press notice was issued and 647 neighbouring occupiers were consulted on the application. One objection was received from Paul Scott (non-resident) in which he stated he was objecting on behalf of the Barking and Dagenham Heritage Community Group on the basis that the increased building heights will result in greater density, additional residents will contribute to congestion adversely affecting local quality of life and will place a burden on local services.

Members were concerned about the external design, materials and colours of the blocks and in response, officers confirmed that architects were working with a range of different materials so each block will have its own identity, thereby creating a sense of place and ownership for the residents.

Having made an assessment of the application against the key policies the PDMO concluded that the proposed development refined and enhanced the originally consented masterplan for Phase 2 for Gascoigne Estate East, to provide a well-designed and attractive living environment for future residents that is in compliance with the development plan.

Accordingly, the Committee granted conditional reserved matters planning permission for Phases 2B and 2C of the development, subject to the prior grant of amended outline planning permission ref. 19/00310/FUL and the following conditions together with any amendments that might be necessary up to the issue of the Decision Notice, including any other conditions.

**PLANNING CONDITIONS**

**Approved drawings**

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

   - ZZZ-XXX-DR-A-0101
   - ZZZ-XXX-DR-A-0102
   - ZZZ-XXX-DR-A-0103
   - C10-002-DR-A-1001
   - C10-010-DR-A-1001
   - C10-020-DR-A-1001
   - C10-030-DR-A-1001
   - C10-040-DR-A-1001
   - C10-050-DR-A-1001
   - C10-060-DR-A-1001
Reason: For the avoidance of doubt and in the interests of proper planning

Details of materials

2. No above ground development of any building hereby approved shall take place until details/samples of all materials to be used in the construction of the external surfaces of that building 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.

Hard landscaping

3. Each part of the hard-landscaping scheme (including play facilities and equipment) shown on the hereby approved drawings (excluding the estate roads and pavements) shall be completed prior to the occupation of the part of the development it serves and shall thereafter be permanently retained. Minor variations may be agreed in writing by the Local Planning Authority.

Reason: To safeguard and improve the appearance of the area in accordance with policy BP11 of the Borough Wide Development Policies Development Plan Document. (Note: details of the materials for the estate roads is to be submitted pursuant to condition no. 11 of 19/00310/FUL).

Soft landscaping

4. The soft landscaping scheme, for each part of the development, shown on the hereby approved drawings (and in accordance with the submitted Planting list) shall be carried out in the first planting and seeding seasons following the occupation or the completion of that part 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. Minor variations may be agreed in writing by the Local Planning Authority.

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.

Tree protection

5. 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;

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 the commencement of development and adequately protected during the

Lighting

6. Prior to the occupation of each hereby approved building the external lighting for that building shall be installed in accordance with the submitted ‘Skelly and Couch’ lighting report and shall thereafter be maintained.

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 and cycle storage

7. Prior to the occupation of each hereby approved building the refuse and cycle storage enclosures for that building, as indicated on the hereby approved drawings, shall be constructed and thereafter permanently retained for the use of the occupiers of the development.

Reason: To provide satisfactory refuse and cycle storage provision in the interests of the appearance of the site and locality and in the interests of promoting cycling as a sustainable and non-polluting mode of transport in accordance with policies BP8, BP11 and BR11 of the Borough Wide Development Policies Development Plan Document.

Electric Vehicle Charging Points

8. Electric Vehicle Charging Points shall be installed (20% active, 80% passive) to serve each off-street car park within the development. The charging points shall be installed prior to the occupation of the building within which the basement car park is situated and thereafter retained permanently for the use of occupiers and visitors to the premises.

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.

Wheelchair accessible parking

9. The accessible parking bays indicated on the hereby approved drawings 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, unless otherwise agreed in writing by the Local Planning Authority.
