

Notice of Meeting

PLANNING COMMITTEE

Wednesday, 24 July 2024 - 7:00 pm
Council Chamber, Town Hall, Barking

Members: Cllr Muhammad Saleem (Chair), Cllr Jack Shaw (Deputy Chair), Cllr Faruk Choudhury, Cllr Alison Cormack, Cllr Edna Fergus, Cllr Cameron Geddes, Cllr Giasuddin Miah, Cllr Dominic Twomey and Cllr Sabbir Zamee

Date of publication: 16 July 2024

Fiona Taylor
Chief Executive

Contact Officer: John Dawe
Tel. 020 8227 2135
E-mail: john.dawe@lbbd.gov.uk

Please note that this meeting will be webcast via the Council's website. Members of the public wishing to attend the meeting in person can sit in the public gallery on the second floor of the Town Hall, which is not covered by the webcast cameras. To view the webcast online, click [here](#) and select the relevant meeting (the weblink will be available at least 24-hours before the meeting).

Councillors who are not members of the Planning Committee may speak at a meeting with the agreement of the Chair but must sit separately from the Committee Members and must declare whether they have had any contact with the applicant / objector / property owner or their agents, and whether they are speaking on behalf of a third party and, if so, who (Councillors' Code of Conduct for Planning Matters)

AGENDA

- 1. Apologies for Absence**
- 2. Declaration of Members' Interests**

In accordance with the Council's Constitution, Members are asked to declare any interest they may have in any matter which is to be considered at this meeting.

- 3. Minutes - To confirm as correct the minutes of the meeting held on 20 May 2024 (Pages 7 - 18)**

New Planning Applications

Ward

- 4. Plot 3, Segro Park Choats Road, Dagenham, RM6 6LF (Pages 19 - 79)**

Barking
Riverside

5. **Jolly Fisherman Public House, 108 North Street,
Barking, IG11 8LA - Ref 23/01952/FULL (Pages 81 -
125)**

Northbury

6. **Any other public items which the Chair decides are
urgent**

7. **To consider whether it would be appropriate to pass a
resolution to exclude the public and press from the
remainder of the meeting due to the nature of the
business to be transacted.**

Private Business

The public and press have a legal right to attend Council meetings such as the Planning Committee, except where business is confidential or certain other sensitive information is to be discussed. The list below shows why items are in the private part of the agenda, with reference to the relevant legislation (the relevant paragraph of Part 1 of Schedule 12A of the Local Government Act 1972 as amended). ***There are no such items at the time of preparing this agenda.***

8. **Any confidential or exempt items which the Chair
decides are urgent**

Our Vision for Barking and Dagenham

**ONE BOROUGH; ONE COMMUNITY;
NO-ONE LEFT BEHIND**

Our Priorities

- Residents are supported during the current Cost-of-Living Crisis;
- Residents are safe, protected, and supported at their most vulnerable;
- Residents live healthier, happier, independent lives for longer;
- Residents prosper from good education, skills development, and secure employment;
- Residents benefit from inclusive growth and regeneration;
- Residents live in, and play their part in creating, safer, cleaner, and greener neighbourhoods;
- Residents live in good housing and avoid becoming homeless.

To support the delivery of these priorities, the Council will:

- Work in partnership;
- Engage and facilitate co-production;
- Be evidence-led and data driven;
- Focus on prevention and early intervention;
- Provide value for money;
- Be strengths-based;
- Strengthen risk management and compliance;
- Adopt a “Health in all policies” approach.

The Council has also established the following three objectives that will underpin its approach to equality, diversity, equity and inclusion:

- Addressing structural inequality: activity aimed at addressing inequalities related to the wider determinants of health and wellbeing, including unemployment, debt, and safety;
- Providing leadership in the community: activity related to community leadership, including faith, cohesion and integration; building awareness within the community throughout programme of equalities events;
- Fair and transparent services: activity aimed at addressing workforce issues related to leadership, recruitment, retention, and staff experience; organisational policies and processes including use of Equality Impact Assessments, commissioning practices and approach to social value.

Use Classes Order 1987 (as amended)		
Use Class	Use/Description of Development	Permitted Change
A1 Shops	Shops, retail warehouses, hairdressers, undertakers, travel and ticket agencies, post offices (but not sorting offices), pet shops, sandwich bars, showrooms, domestic hire shops, dry cleaners, funeral directors and internet cafes.	State funded school for single academic year – see footnote 2 . Some temporary uses – see footnote 4 . A1 plus two flats above C3 residential use - see footnote 5 Bank, building society, credit union or friendly society (A2) but not for other purposes falling within A2 – see footnote 6 A2 A3 (up to 150 m2) see footnote 9 D2 (up to 200 m2) see footnote 10
A2 Financial and professional services	Financial services such as banks and building societies, professional services (other than health and medical services) including estate and employment agencies.	A1 (where this is a ground floor display window) plus two flats above A2 plus two flats above State funded school for single academic year – see footnote 2 . Some temporary uses – see footnote 4 . C3 residential use - see footnote 5 A3 (up to 150 m2) – see footnote 9 . D2 (up to 200 m2) see footnote 10
A3 Restaurants and cafés	For the sale of food and drink for consumption on the premises - restaurants, snack bars and cafes.	A1 or A2 State funded school for single academic year – see footnote 2 . Some temporary uses – see footnote 4 .
A4 Drinking establishments	Public houses, wine bars or other drinking establishments (but not night clubs).	A1, A2 or A3 unless listed as an Asset of Community Value State funded school for single academic year – see footnote 2 . Some temporary uses – see footnote 4 .
A5 Hot food takeaways	For the sale of hot food for consumption off the premises.	A1, A2 or A3 State funded school for single academic year – see footnote 2 . Some temporary uses – see footnote 4 .
B1 Business	a) Offices, other than a use within Class A2 (Financial Services) b) Research and development of products or processes c) Light industry appropriate in a residential area	B8 (where no more than 500 sqm) B1a - C3 subject to prior approval - see footnote 1 . State funded school for single academic year – see footnote 2 . State funded school or registered nursery subject to prior approval - see footnote 3 Some temporary uses – see footnote 4 .
B2 General industrial	General industry: use for the carrying out of an industrial process other than one falling in class B1. (excluding incineration purposes, chemical treatment or landfill or hazardous waste).	B1 or B8 (B8 limited to 500 sqm) State funded school for single academic year – see footnote 2 .
B8 Storage and distribution	Storage or distribution centre. This class includes open air storage.	B1 (where no more than 500 sqm) State funded school for single academic year – see footnote 2 . C3 (where no more than 500 sqm) see footnote 7 .
C1 Hotels	Hotel, boarding house or guesthouse, where no significant element of care is provided. (Excludes hostels).	State funded school for single academic year – see footnote 2 . State funded school or registered nursery subject to prior approval - see footnote 3
C2 Residential institutions	Hospital, nursing home or residential school, college or training centre where they provide residential accommodation or care to people in need of care (other than those within C3 dwelling houses).	State funded school for single academic year – see footnote 2 . State funded school or registered nursery subject to prior approval - see footnote 3
C2A Secure residential institution	Secure residential accommodation, including use as a prison, young offenders institution, detention centre, secure training centre, custody centre, short term holding centre, secure hospital, secure local authority accommodation or use as a military barracks.	State funded school for single academic year – see footnote 2 . State funded school or registered nursery subject to prior approval - see footnote 3
C3 Dwelling houses	Use as a dwelling house by a single person or by people living together as a family or by not more than 6 residents living together as a single household	Article 4 direction removes permitted development right to convert to C4 House in Multiple Occupation. State funded school for single academic year – see footnote 2

C4 Houses in multiple occupation	Small shared houses occupied by between three and six unrelated individuals, as their only or main residence, who share basic amenities such as a kitchen or bathroom.	C3 (dwelling houses) State funded school for single academic year – <u>see footnote 2</u>
D1 Non-Residential Institutions	Clinics & health centres, crèches, day nurseries & day centres, museums, public libraries, art galleries & exhibition halls, law court, non-residential education & training centres. Places of worship, religious instruction & church halls.	Some temporary uses – <u>see footnote 4</u> . State funded school for single academic year – <u>see footnote 2</u> .
D2 Assembly & Leisure	Cinema, concert hall, bingo hall, dance hall, swimming bath, skating rink, gymnasium, or area for indoor or outdoor sports or recreations, not involving motor vehicles or firearms.	State funded school for single academic year – <u>see footnote 2</u> . State funded school or registered nursery subject to prior approval - <u>see footnote 3</u> Some temporary uses – <u>see footnote 4</u> .
Sui – Generis	A use on its own, for which any change of use will require planning permission. Includes, theatres, nightclubs, retail warehouse clubs, amusement arcades, launderettes, petrol filling stations, casinos, taxi businesses, waste management facilities, motor car showrooms, betting offices and pay day loan.	Casino to Class D2 Amusement arcades/centres and casinos to C3 (up to 150 m2) <u>See footnote 8</u> Betting offices and pay day loan to A1 and A2 plus two flats above Betting offices and pay day loan plus two flats above Betting offices, pay day loan and casinos to A3 (up to 150 m2) <u>See footnote 9</u> . Betting offices and pay day loan to D2 (up to 200m2) – <u>see footnote 10</u> . Betting offices and payday loan to C3 residential use - <u>see footnote 5</u>

Footnotes	
1	B1a (Offices) can change use to C3 (Dwelling houses) provided development commenced before 30/06/16. Need to apply to Council for prior approval to confirm no significant transport and highway impacts, contamination risks and flood risks.
2	State funded schools can open without planning permission for a single academic year without planning permission from any existing use within the Use Classes Order. School must be approved by Secretary of State and school must notify Council before they open. School must revert to its previous use at end of year. Does not apply to listed buildings.
3	B1 (business), C1 (hotel), C2 (residential institution), C2A (secured residential institution) and D2 (assembly and leisure) can convert to a state funded school or registered nursery providing early years childcare without planning permission. Need to apply to Council for prior approval to confirm no significant transport and highways impact, noise impacts and contamination risks. D2 uses that have changed use from A1 or A2 using permitted development right (see footnote 10) cannot then change use to state funded school or registered nursery under this permitted development right
4	A1 (shops), A2 (financial and professional services), A3 (restaurants and cafes), A4 (pubs), A5 (takeaways), B1a (offices), B1b (light industry), B1c (R&D), D1 (non-residential institutions) and D2 (assembly and leisure) can change to A1, A2, A3, B1a,b & c without planning permission. Change of use must be less than or equal to 150 square metres. Applies for single continuous period of two years. Can change to other permitted use within two year period. Must revert to original use at end of two year period and notify Council before use begins.
5	A1 (shops) and A2 (financial and professional services) can change to C3 (residential). Building operations and partial demolition works that are “reasonable necessary” are also permitted. Prior approval required for transport and highways impact, contamination, flooding, the design and external appearance of the building and undesirable impacts on shopping facilities. This right only applies to buildings of 150 square metres or less and does not apply in Conservation Area or to listed buildings.
6	Does apply in Conservation Areas but not to listed buildings.
7	B8 (storage of distribution) to C3 (residential). Prior approval required for transport and highways impact, air quality impacts on intended occupiers, noise impacts of the developments, risks of contamination, flooding and the impact the changer of use would have on existing industrial uses and or storage or distribution uses. Right only applies to buildings in B8 use on or before 19 March 2015 and development must be begun before 15 April 2018. Building must have been in B8 use for four years.
8	Prior approval required for transport and highways impact, flooding, contamination and where building works are to be carried out under the permitted development right, design.
9	A1 (shops), A2 (financial and professional services) and betting offices and pay day loans to A3 (restaurants and cafes). Prior approval required for noise, smell/odours, transport and highways, hours of opening as well as siting and design in relation to extraction, ventilation, waste management, storage and undesirable impacts on shopping facilities.
10	A1 (shops) and A2 (financial and professional services) can change to D2. Applies to premises in A1 or A2 use on 5 December 2013. Prior approval required for transport and highways impact, hours of opening, noise impacts of the development and undesirable impacts on shopping facilities. Does not apply to listed buildings.

Planning Application Procedure

1. The Chair introduces the Planning Officer who will present the item.
2. The Planning Officer presents the report to the Committee and advises on any relevant additional information received after the completion of the report. The Planning Officer will also refer to the recommendation (it is assumed that Members will have read the report).
3. Registered objectors may speak for up to three minutes.
4. Councillors who are not members of the Planning Committee may address the Committee with the Chair's permission. They are not permitted to take part in the discussions or question objectors, supporters, applicants or applicants' representatives.
5. Registered supporters, applicants or applicants' representatives for the application may speak for up to three minutes.
6. Committee Members may, through the Chair, seek clarification from Council officers or any other speakers on any relevant planning issue that may have arisen.
7. The Committee shall debate the item. Where the application is considered to be straightforward and there are no speakers present, the Committee may make a decision based on the report and without any debate.
8. The Committee will vote on the matter (including any proposed supplementary conditions or recommendations). In the event that the Committee's decision is to refuse or allow an application contrary to the report's recommendation, Committee Members must give valid reasons for the decision based on relevant planning policies.
9. The Chair shall announce the Committee's final decision.

Notes

- The opportunity to ask questions may not be used to make general or specific comments or observations. General comments can be raised at the discussion point of the proceedings.
- Committee Members must be present during the entire debate on an application in order to be allowed to participate in the deliberations and vote on the matter. Any Committee Member who is not present at the beginning of the consideration of an application, or who leaves the room at any stage during the consideration of the application, shall be excluded from participating and voting on the application.
- If a Committee Member needs to leave during consideration of an application and wishes to take part in the deliberations and vote, they should seek the permission of the Chair for a short adjournment.
- Members should avoid expressing a view about an application until after the applicant has spoken to avoid the impression of bias.
- If there is a substantial point which needs to be clarified before a vote can take place, the Committee may agree to defer the application.
- The Chair may ask members of the public and press to leave the room to enable the Committee to consider information which is confidential or exempt (in accordance with Schedule 12A of the Local Government Act 1972).

**MINUTES OF
PLANNING COMMITTEE**

Monday, 20 May 2024
(7:00 - 9:50 pm)

Present: Cllr Muhammad Saleem (Chair), Cllr Jack Shaw (Deputy Chair), Cllr Alison Cormack, Cllr Edna Fergus, Cllr Cameron Geddes, Cllr Giasuddin Miah, Cllr Summya Sohaib, Cllr Dominic Twomey and Cllr Sabbir Zamee

Apologies: Cllr Faruk Choudhury

26. Declaration of Members' Interests

There were no declarations of interest.

27. Minutes (22 April 2024)

The minutes of the meeting held on 22 April 2024 were confirmed as correct.

28. Plot 3 Segro Park, Choats Road, Dagenham RM6 6LF - 23/01947/OUTALL

The application was withdrawn.

29. 33 Beccles Drive, Barking IG11 9HX - Change of Use - 23/01824/FULL

The Development Management Officer (DMO), Be First, introduced a report on an application from Invision Care seeking a planning permission for a change of use of an existing property at 33 Beccles Drive, Barking IG11 9HX for use as a children's care facility (Use Class C2) to house up to six children, aged between 11 and 17 of mixed gender who required urgent placement. The report summarised the extent of support which would be required. It was emphasised that the children would all be of low to moderate risk in terms of needs and support.

A total of five notification letters were sent to neighbouring properties from which ten representations of objection were received, the material planning considerations of which were addressed in the report and referred to by the DMO in their presentation to the Committee.

The presentation focussed on the key issues seen as the principle of development, including the loss of a family sized dwelling, quality of accommodation, the design and quality of materials, the impact on neighbouring amenity including daylight and sunlight and noise and disturbance, and sustainable transport. The DMO stated that in response to the consultation with internal and external bodies, specifically the Council's Childcare Commissioning Team and Transport, amendments had been made to the application to address concerns, namely refining the proposed support that would be provided to the children, reducing the number of off-street

parking spaces and amending the location of long-term cycle parking to the rear of the property.

In terms of staffing this had been set at 12 members of staff, working on a shift rotation with two providing care at any one time.

With the permission of the Chair, and in accordance with the provisions of the Constitution, a verbal representation was made at the meeting by Councillor Rocky Gill in his capacity as a Longridge Ward Councillor, in addition to which four residents from Beccles Drive, all of whom objected to the application at the consultation stage, made representations. In summary their objections to the proposed development were for the following reasons:

- Loss of family sized large dwelling, despite their being a significant need for such dwellings in the Borough
- The location was not suitable for a care home, being in a quiet residential setting and was deemed to be contrary to policy (BC4)
- Conflict of views from the LBBDC Childcare Commissioning Team as to the suitability of the property for placing vulnerable children in need, and the potential for out of borough children to be placed in the home
- Potential for anti-social behaviour
- Local shopping parades not conducive to young people with a variety of fast-food outlets and off license sales
- Parking and access concerns both at the property, the Road and wider Lefley Estate, which has a CPZ in place
- The property being located on a bend had associated road safety concerns
- Poor bus connections
- The immediate neighbours shared party walls and garden fences and the report had no regard to the potential problems this would generate including noise and disturbance and issues of access
- One of the adjoining neighbours had an elderly relative whose bedroom backed onto the property, and who would suffer from a lack of privacy and would not be able to enjoy their rear garden space
- The management of the children's complex emotional, behavioural and other needs and the professional competency of the staff to deal with them and to ensure that the quality of life for local residents was maintained
- Car parking on site/access would be compromised
- Ongoing sewage problems in the area would be compounded by the significant usage of the property
- The road already contained an old persons care home opposite the site with a children nursery in a surrounding street, which collectively were eroding the residential nature of the location. Whilst recognising the need for this type of facility, surely it would be best to be purpose built in a more appropriate location.
- Would the property be licensed, and would its use be subject to regular review?

The DMO explained that should the application be approved, the permission will be in perpetuity. As for licencing this would be provided and managed through OFSTED. Adding to this any matters relating to general disturbance, including noise, anti-social behaviour etc would be addressed/enforced by the Council's Environmental Protection Team.

In response to the points made by the ward councillor the Committee sought clarification regarding the loss of a family sized dwelling. In that respect it was noted in the officer report that in January 2020 an appeal was made in the Borough against the refusal of planning permission for another care home, whereupon the Planning Inspector at that time in upholding the appeal recognised that although converting a family dwelling (under C3 use) to a care home conflicted with policy BC4, the change would still provide suitable living accommodation. Additionally, there was no stipulation that the dwelling needed to be occupied by a family specifically, suggesting that the care home would still retain the characteristics of a 'family-sized' property. The care home's intended use would maintain essential residential functions such as shared meals, a structured routine, and involvement in household tasks, thus it was not considered that the proposal would adversely affect the availability of family-sized homes in the area.

Another reason given by the ward councillor for opposing the application centred on a conflicting views expressed during the consultation by the LBBB Childcare Commissioning Team, whereupon the Disability Team did not believe the site would be suitable for children with moderate to high learning difficulties, as opposed to the General Social Care Team who felt that the site would be suitable for accommodating children with no specific care needs but who required support. Consequently, Members were satisfied that there was no conflict, seeing the proposal was to provide placements to the latter group

As for the suggestion that some out of borough children could be placed in this setting, the point was made that the need for this type of facility to help support local children was significant and consequently Members would be looking for assurances from the applicant/care provider that the Borough's children would be prioritised. As it was, many of the objectors had recognised the need for such care facilities, albeit not at this specific location.

In response to the points made about noise and disturbance it was highlighted in the report that as a large family house if it functioned as a residential dwelling it could house up to 12/13 persons, and therefore with a maximum of 12 persons on site for short periods and with the majority of time only eight being on site, it was not envisaged there would be any more noise than that of a large family.

The applicant (Invision) represented by Adam Gostling, planning agent introduced Mark Clement, Chair of Invision who outlined the behavioural characteristics of the children they would look to place in the care home which as stated would have low to moderate profiles. He assured Members that all the children would come from within the Borough. He was extremely sensitive to the concerns of local residents, and similarly assured them that would not

seek to place disruptive children. The applicant would work closely with the LBBD Social Services to ensure the children operated in a family setting and to that end he would expect the individual children to agree to and sign up to a code of conduct setting strict ground rules governing behaviour. Any individuals found to breach those rules in any significant way would be removed. As for the impacts on noise there would also be rules set although he recognised that children by their nature were noisy, but it was all about how it would be managed.

In relation to the regulation of the care home he referenced the role of OFSTED who were duty bound to carry out yearly inspections/audits as well as unplanned ones without warning.

Given the objections outlined at the meeting the Chair asked the applicant what steps they would take to reassure residents regarding their understandable concerns about the application. Mr Clement repeated his undertaking to ensure the appropriate profile of the children placed in the care home and to implement strict codes of conduct, rules etc, and that ultimately in the event of persistent non-compliance, to remove the offending children. He regarded good community relations as vital and would encourage dialogue with residents to ensure their privacy and enjoyment of neighbourhood amenity was maintained. A Care Management Plan will form one of the conditions on the planning consent and this would include setting up formal channels of dialogue with residents, addressing issues that may arise from time to time, and setting up a formal complaints' procedure etc.

In relation to the parking etc the applicant had engaged a traffic consultant to advise as part of the application process. In recognising that the area was subject to a CPZ, and that parking was limited, the staff would be encouraged to use public transport and/or cycles which would be made available and stored on site. Mr Gostling assured the Committee that the amount of car movements generated by the care home would not exceed that typically associated with a large 6-bedroom family sized dwelling.

A number of further questions were asked and responded to by the applicant. These concerned what steps would be taken to encourage staff to use public transport and how the allocated parking (two spaces) would be regulated and managed. The applicant stated that staff would be made aware of the limited off-street parking provision and that the area was subject to a CPZ, and consequently they would be encouraged to use public transport or cycle. Additionally, all visits to the property would be subject to prior arrangement/approval.

Recognising that a noise management plan would be put in place, where would the boundaries of such a plan extend to outside of the property?

The applicant would not encourage/tolerate gatherings at the front of the property which would form part of the social contract that all the placed children would be expected to sign up to.

The officer summed up that the proposal aimed to convert a three-story, six-bedroom residential house into a care home. Despite the loss of a family-sized dwelling, which were in high demand, the plan aligned with the need for more children's care homes as highlighted by recent policies and a Ministerial Statement. The Childcare Commissioning Team's feedback was supportive, subject to a condition which would address the concerns of the Disabilities Team regarding suitability for children with moderate to high learning difficulties.

The proposal would therefore provide an acceptable quality of accommodation and adequate transport arrangements to facilitate a residential care home which is in high need within the borough. As such, the proposal was considered to accord with the relevant Development Plan Policies, and was supported, subject to the proposed measures being implemented with conditions.

In conclusion the Deputy Leader made a statement that everybody deserved a safe space in which to lead their lives. These young people being residents of the Borough were entitled to a place to live. Consequently, it came down to where that should be. The Committee received assurances from the applicant that the children who would be placed in this setting would be of a low to moderate profile and that was seen as key, bearing in mind the genuine and understandable concerns that had been expressed by objectors. As ever in such situations it came down to a balancing act, and in those circumstances,

The Committee **RESOLVED** to:

Agree the reasons for approval as set out in the report, and delegate authority to the Strategic Director of Inclusive Growth (or authorised Officer) to grant planning permission subject to the Conditions listed at Appendix 4 of the report.

30. Eastbrook Hotel, Dagenham Road, Dagenham RM10 7UP - 23/01878/FULL & 23/01937/LBC

The Senior Development Management Officer (SDMO), Be First, introduced a report on an application from Scientific Designs seeking a planning permission (23/01878/FULL) and listed building consent (23/01937/LBC) at the Eastbrook Public House, Dagenham Road, Dagenham for a change of use to a hotel (Use Class C1) with retention of the public house (sui generis) at ground floor, partial demolition to internal areas and to the rear elevation, and the construction of a part one storey, part two storey and part three storey extension, and loft conversion including front and rear dormers.

A total of 85 notification letters were sent to neighbouring and nearby properties together with appropriate site and press notices. A total of nine objections were received including a petition from residents in Felhurst Crescent, the material planning considerations of which were addressed in the Planning Officer's assessment set out in the report and highlighted in a

presentation to the Committee. There were no representations of objection presented at the meeting. Mr Avinash Tiwari, representing the applicant (Scientific Designs) was available at the meeting to respond to any questions.

The SDMO in their presentation referenced the planning history of the site, as well as a detailed planning and heritage assessment of the application including design, landscaping, car parking and impacts on neighbouring amenity, particularly in relation to privacy and overlooking.

The SDMO concluded that the proposed development sought the retention of the public house at ground floor, with the conversion of the upper floors to provide 18 hotel rooms. This would help to secure the optimal viable use of a Grade II heritage asset and preserve an important public house of heritage, community and cultural value. Whilst some 'less than substantial' harm would result from the proposals; the scheme was considered to be generally well considered and designed. Restoration and refurbishment of the full building would also be secured as part of any consent. It would not result in harmful neighbouring amenity or transport impacts. The application was supported by the relevant consultees, most notably Historic England and Be First's Heritage Officer.

It was acknowledged that the applicant had engaged in a robust pre-application and presented a scheme which was considered would help secure the long-term viable future of the building and that of the public house, for future residents and visitors of LBBD to enjoy. It had therefore been recommended for approval.

In response to the presentation assurances were sought and confirmed by the applicant that as part of the remedial works, those fixtures and fittings with limited heritage value would not be disposed of, but that the Council would be consulted on the basis of retaining some of the more valuable pieces in heritage terms at Valence House Museum.

The SDMO confirmed that specific conditions which formed part of the listed building consent would ensure that the remedial works were carried out in the correct manner, a point echoed by the applicant.

Accordingly, the Committee **resolved to:**

1. Agree the reasons for approval as set out in the report; and
2. Delegate authority to the Strategic Director of Inclusive Growth (or authorised Officer) to grant planning permission subject to the conditions listed in Appendix 5 of the report, and to grant listed building consent subject to the conditions listed in Appendix 6 of the report.

31. The Bull Inn, Rainham Road South, Dagenham RM10 8AQ - 23/01494/FULL

The Senior Development Management Officer (SDMO), Be First, introduced a report on an application from Rainham Road South Ltd seeking a planning permission (23/01494/FULL) for the demolition of all existing buildings and structures in connection with the construction of 72 residential units (Class C3), provision of car parking, landscaping, and other ancillary works on the site of the Bull Inn, Rainham Road South, Dagenham.

A total of 529 notification letters were sent to neighbouring and nearby properties together with appropriate site and press notices. A total of eleven objections were received, of which nine were from local residents, one from the Barking and Dagenham Heritage Conservation Group and one collectively from the three Village ward councillors; the material planning considerations of which were addressed in the Planning Officer's assessment set out in the report and highlighted in a presentation to the Committee.

In addition to the published papers, a supplementary report was presented which contained a number of amendments/replaced sections of the published report together with details of a further representation of objection submitted by Jon Cruddas, the Dagenham and Rainham Constituency MP, the Planning Officer's response to which was also included and referenced in their presentation to the Committee. In addition, further late representations were noted from the prospective Conservative candidate for the Dagenham and Rainham Constituency as well as residents from Shafter Road and Rainham Road South, Dagenham.

The officer presentation referenced the planning history of the site and focussed on the key issues seen as the principle of development including the loss of a non-designated heritage asset, the dwelling mix and tenure and quality of accommodation, matters of design, construction and materials, the impacts on neighbouring amenity including daylight and sunlight, existing education provision, external amenity, play space, health and safety, accessible units as well as noise and disturbance, sustainable transport, meeting the needs of local residents, employment, impacts to existing provision, car parking, accessibility and inclusion, waste management, delivering sustainable development, heritage, biodiversity and sustainable drainage together with habitat regulation and assessment.

In response to the officer presentation a point of clarification was sought by Members as to why in planning terms good design balanced out concerns expressed as to the height of buildings, and which was particular pertinent to the application? The SDMO stated that the policy stated that buildings of at least 6 storeys were regarded as 'tall buildings', and as such that 'tall buildings' (in this case nine storeys) were assessed on their individual merits, ensuring that they were appropriate in the townscape and that the visual impact was regarded as acceptable. Having reviewed the views of this proposal and the design qualities, officers considered this to be acceptable as it would contribute to the emerging townscape and character of the area.

A question arose as to the fact that this would be a car free development and how would that play out for onward sales and/or where individual circumstances changed requiring residents to purchase a car. Also, a total restriction on parking provision would preclude say essential workers who required a car for work such as a district nurse. The SDMO replied that car free developments were supported both in the local and London Plan as a move towards mitigating transport impacts in locations with good public transport provision. The mitigation measures of removing CPZ rights to incoming residents would apply for the life of the development including onward sales. Also, the package of measures included financial contributions for the expansion of CPZ's and the development of car clubs.

In terms of monitoring the issue of the permits, the Council's Parking team would be provided with the list of properties, and consequently any applications from those properties for parking permits would be rejected.

Turning to the employment during the construction stage. How would officers propose to enforce the provision to ensure that up to 25% new jobs would be filled by LBBB residents? The SDMO confirmed that the obligation to secure local employment would be monitored by the Council's S106 team who would also monitor an obligation secured through condition that the applicant would be required to submit an Employment and Skills Plan six months before construction commenced.

In accordance with the provisions of the Constitution, verbal representations of objection were presented at the meeting by Councillors Lee and Phil Waker, Village ward councillors together with a local resident, who objected to the application at the consultation stage. In summary the objections to the proposed development were for the following reasons:

- Protection of a non-designated heritage asset including loss of the historic former public house
- Officers wrongly using the draft local plan to justify the principle of development
- The height, design and architecture of the proposed residential development was out of character with the location and surrounding area, which consisted of predominately low-rise development
- The site and residents would benefit from high quality community facilities, missing from the development as proposed
- Detrimental effect of daylight and sunlight on surrounding development especially in Ibscott Close
- Insufficient play facilities
- Flooding of the surrounding areas which would be compounded by the proposed development along with inadequate drainage provision
- Experience demonstrated a lack of commitment and support from applicants once developments such as being proposed were built out, leaving longer term broken promises with properties in private ownership becoming a series of HMO's.
- These sites invariably become run down with accumulating rubbish attracting anti-social behaviour, none of which benefits local people.

- Properties were not affordable for local people, despite claims to the contrary
- Lack of parking
- Dagenham East underground station was not accessible despite the claims to the contrary as described in the submitted transport assessment

Recognising the genuine concerns expressed by ward councillors and objectors Members of the Committee were reminded that as a quasi-judicial meeting they could only consider material planning matters when deciding on the application.

Responding to a point about the relevance in planning terms of the former Bull Inn and the site as a non-designated heritage asset when compared to the previous application on the agenda (redevelopment of the Grade II listed Eastbrook Public House), the SDMO stated officers had considered that the adjacent Dagenham Conservation area and the listed buildings contained therein to be sufficiently distanced from the application site to mitigate the impact of the development.

As for remarks about car free developments, it was recognised that whilst some residents may want to own a car it would be for the Council to use its non-planning enforcement powers to manage the situation.

Members sought and received clarification from the officers regarding the difference between habitable v non-habitable rooms in the context of the acceptable loss of daylight/sunlight re policy terms, how concerns expressed by the Metropolitan Police had been addressed through a secure by design condition and comments expressed by the Be First Heritage officer as regards the treescape provision within the development.

Anna Sinnott, Be First Consultancy team, and Kevin Parsons representing Hollybrook (the applicant) and Marco Tomasi, Formation, Architects responded to the issues highlighted by Members and objectors. In the context of density, it was reaffirmed in policy terms that the site had been earmarked for housing for a significant amount of housing provision. Also, it was emphasised that the 35% affordable housing offer on the site made up of discount market rent and social rent was considered as genuinely affordable for local residents.

Whilst recognising that the existing former public house had been a feature since the 1920's, however a balance had to be struck in terms of its heritage value and the harm caused by the development, given it was neither a designated site nor locally listed.

It was recognised that the height of the buildings had been a key concern, however a range of factors had been taken into consideration during the pre-application process stage including the site location, the housing density and its distance from other heritage assets in the locality. The car parking issues were also addressed as was the impact of sunlight/daylight on Ibscott Close.

With regards to the impacts of the planned development on drainage and flooding, the view was that the technical work and relevant studies conducted would address the concerns expressed by the objectors.

A number of additional matters were raised by the Committee and responded to by the applicant concerning the viability of constructing a new public house on the ground floor of the development, reference to the minimum provision for blue badge holders, details of the site viability assessment, the fire escape arrangements for the six and nine storey blocks as well as further references to matters of heritage, to be secured by additional condition(s).

In conclusion the SDMO acknowledged that the site was a non-designated heritage asset and would result in the loss of retail units. Notwithstanding this it was noted that the site was in an out-of-town centre location and that there was ample retail provision in the local area. With regard to the site's non-designation, it was accepted that the historical and architectural significance of the building was limited, and this was supported by the fact that the building had never been listed nationally or locally. On that basis it was considered that the benefits of the introduction of seventy-two good quality homes, all with acceptable internal space standards and access to balconies, would outweigh any harm arising from the loss of retail units or a non-designated heritage asset. On balance therefore the principle of development was supported.

The scheme also met the GLA requirements for 'Fast Track' and would provide 35% affordable homes at a tenure split of 50% discounted market rent and 50% Social Rent. At ground level the scheme would deliver safe, accessible and useable amenity space with adequate provision for 0–11-year-old play on site. A contribution had been secured to go towards upgrades for 11–18-year-old play off site.

The design of the scheme was viewed as acceptable on the basis it had been planned to reflect and respect the character of the area whilst having an acceptable impact on the nearby Grade listed heritage assets and conservation area. The set back of the development from these assets and the existing screening in place would further reduce the impact on the area.

Whilst the scheme would result in some loss of daylight and sunlight to neighbouring sites, principally around Ibscott Close, on balance it was considered that the benefits of the scheme would outweigh any harm caused to neighbouring residents. It was also noted that additional conditions relating to noise and external lighting had been secured.

The scheme being car free provided for three blue badge spaces on site, thus meeting the 3% of dwellings to have access to blue badge space from onset. Whilst not making any further provision in this respect, given the site's proximity to public transport, the introduction of a car free development in this location was supported. It was noted that S106 obligations securing removal of CPZ, Car Club Contributions and CPZ Contributions had been secured to mitigate any transport impacts of the development. Ample cycle parking

provision would be provided on site to encourage the use of more sustainable modes of transport.

Whilst the site was reliant on an existing prescriptive right of way across a strip of unregistered land, necessary works to the access point had been agreed and secured by a s106 obligation.

Officers were also satisfied that the development would deliver safe access and egress for all pedestrians, cyclists, and vehicles. In addition, the Developer/Owner had agreed to a scheme of improvement works across the strip of unregistered land to improve the overall visual appearance of the site and visibility at access and egress. They would be responsible for the maintenance of these works for the lifetime of the development, similarly, secured by way of a s106 obligation. Noting the proposed works, officers were satisfied that the scheme would have an acceptable impact on transport and enable safe access and egress onto the highway for all modes of transport.

The scheme would deliver a sustainable development which would also contribute to enhancing urban greening, ecology as well as diversity in the area.

Overall, officers had considered the benefits arising from the scheme to outweigh any harms caused by the development and that on balance the proposal was considered acceptable and in keeping with development policies.

Accordingly, the Committee **RESOLVED** to:

1. Agree the reasons for approval as set out in the report;
2. Delegate authority to the Strategic Director of Inclusive Growth in consultation with the Head of Legal Services to grant planning permission subject to the completion of a legal agreement under s106 of the Town and Country Planning Act 1990 (as amended) based on the Heads of Terms identified at Appendix 6 and the Conditions listed in Appendix 5 of the report together with an additional condition setting out a Heritage Interpretation Strategy as follows:

Heritage Interpretation Strategy

- a) Prior to above ground works, a detailed heritage interpretation strategy shall be submitted to and approved in writing by the Local Planning Authority. The strategy shall include details as to how the historical significance of the site has informed the detailed design of the development, landscaping, signage and naming of the development and where appropriate the re-use of any historic fabric, and
- b) The development shall be implemented in accordance with the approved strategy and thereafter be retained for the lifetime of the development.

Reason: To safeguard the historic significance of the site.

3. That, if by 22 November 2024 the legal agreement has not been completed, the Strategic Director of Inclusive Growth be delegated authority to refuse planning permission or extend this timeframe to grant approval.

Working in partnership



LONDON BOROUGH OF BARKING & DAGENHAM

PLANNING COMMITTEE

24th July 2024

Application for Outline Planning Permission (All Matters Reserved)

Case Officer:	Kathryn McAllister	Valid Date:	09-January-24
Applicant:	SEGRO (East Plus) Ltd	Expiry Date:	09-April-24
Application Number:	23/01947/OUTALL	Ward:	Barking Riverside
Address:	Plot 3, Segro Park Choats Road, Dagenham, RM6 6LF		

The purpose of this report is to set out the Officer recommendations to Planning Committee regarding an application for planning permission relating to the proposal below at Plot 3, SEGRO Park.

Proposal:

Outline planning application (all matters reserved), for the construction of an industrial building (Use Class B2, B8, E(g)(iii)), with ancillary offices; creation of new vehicular accesses from Choats Road and Halyard Street; cycle, motorcycle and car parking; pedestrian access; hardstanding and circulation areas; ancillary infrastructure and all other ancillary and enabling works including landscaping, drainage, engineering, substation, ground stability works and boundary treatment.

Officer Recommendations:

Planning Committee is asked to resolve to:

1. Agree the reasons for approval as set out in this report; and
2. Delegate authority to the London Borough of Barking & Dagenham's Director of Inclusive Growth in consultation with the Head of Legal Services to grant planning permission subject to the completion of a legal agreement under s106 of the Town and Country Planning Act 1990 (as amended) based on the Heads of Terms identified at Appendix 6 of this report and the Conditions listed in Appendix 5 of this report; and
3. That, if by 24th January 2025 the legal agreement has not been completed, the London Borough of Barking & Dagenham's Director of Inclusive Growth is delegated authority to refuse planning permission or extend this timeframe to grant approval.

Conditions Summary:

General

1. Reserved Matters to be Submitted.
2. Timing of Reserved Matters Submission
3. Timing of Reserved Matters Commencement
4. Approved Parameter Plans and Documents

Information required within reserved matters

5. Fire Statement

6. Noise Impact Assessment
7. External Lighting assessment
8. Transport Assessment
9. In- Principal Highway works Plan
10. Delivery and Servicing Plan
11. Travel Plan
12. BREEAM Target- Excellent
13. Circular Economy Statement
14. Details of all boundary treatment and landscaping.
15. Waste and Recycling strategy
16. Energy statement
17. Ecological impact assessment
18. Foul sewage and utilities strategy
19. Urban Greening Factor and Biodiversity Enhancements

Prior to commencement of development

20. Landscape Management Plan
21. Sustainable Drainage System
22. Contamination
23. Construction Environmental Management Plan (CEMP) and Site Waste Management Plan (SWMP)
24. Construction Logistics Plan
25. Construction Noise

Information required prior to above ground floor works

26. Electric vehicle charging points and rapid electric vehicle charging points.
27. Cycle parking.
28. Emergency flood risk
29. Car park management plan

Compliance

30. Archaeology
31. BREEAM
32. Circular Economy Statement- post construction
33. Maximum quantum of floorspace
34. Site specific non-road mobile vehicles
35. Flood risk assessment.
36. Maximum car parking numbers
37. No open storage
38. Secure by design
39. Noise from non-residential uses and plan and structure borne noise emissions.
40. Industrial use of site
41. Site clearance

S106 – Summary of Heads of Terms:

Schedule 1- Administrative:

- Payment of the Council's professional and legal costs, whether or not the deed completes;
- Payment of the Council's £ 20,000 reasonable fees in monitoring and implementing the Section 106 and payable on completion of the deed; and,
- Indexing – all payments are to be index linked from the date of the decision notice to grant planning permission to the date on which payment is made, using BCIS index.
- The agreement shall allow for the pro rata reduction of the sum of all contributions payable in the event that a reduced floorspace is approved at the Reserved Matters stage on the basis that the current contributions are calculated based on the maximum floorspace of the development of [10,128sqm GEA] and the contributions payable will be reduced at an equivalent reduction to the amount of approved floorspace.

Schedule 2- Employment and Skills:

- Local Employment and Skills Obligations

The Owner will use reasonable endeavours to ensure that jobs are provided to LBBB residents, during the construction of this proposed scheme.

The Owner will use reasonable endeavours to:

- ensure 25% of the total construction jobs (calculated on an FTE basis) created are new jobs filled by LBBB residents, either with the contractor or through the supply chain.
- Advertise all vacancies through the council's job brokerage services, with notification of job vacancies exclusively available to residents for a minimum of 10 days before being advertised more widely.
- Provide a skill forecast for the development and highlight any shortages to the council's job brokerage service at least three months before commencement of the development.

➤ Training during Construction The Owner will use reasonable endeavours to ensure the following:

- Deliver one training opportunity for every 10 construction workers – at least half of which (or 5% of the FTE workforce) must be apprenticeships leading to a full recognised qualification.
- Provide 10 weeks of work experience for every 6 months of the construction phase – with each placement lasting a minimum of 2 weeks;
- Provide at least one educational workshop / visit per educational term for the duration of the construction phase to support local schools and careers services.

➤ Supply chain development during Construction

The Owner will use reasonable endeavours to:

- Submit a Tender Event Schedule detailing the list of work packages being offered to competitive tender for the developer and all sub-contractors, including timeframes, values of packages and framework agreements;
- Source good and services from the borough wherever possible, with an aim that this will represent at least 25% of the value of all goods and services required for the development;
- to ensure companies based in LBBB will be given a genuine opportunity to tender for all contracts and sub-contracts arising from the development;
- Provide details each time a package is awarded including information about any local contractors that have tendered for work (both successful and unsuccessful, with the reasons why);
- Participate in at least two events in each year of the development to promote opportunities to local suppliers and build their capacity and/or contribute financially to the delivery of such activity to ensure local suppliers are able to access opportunities arising from the development.

➤ Employment- End User Obligations

The Owner will use reasonable endeavours to ensure that the Owner/ Occupiers' employees and jobs (including employees and jobs with its contractors) are provided to LBBB residents, during the end user phase in accordance with the following:

- ensure 25% of the total end user jobs (calculated on an FTE basis) created are new jobs filled by LBBB residents within the first 5 years of operation.
- Work closely with the council's employment and skills brokerage to achieve a target of **25% of all jobs** within the tenants' workforce on site to be filled by local residents within 5 years of operation.
- Advertise all vacancies through the council's job brokerage services, with notification of job vacancies exclusively available to residents for a minimum of 10 days before being advertised more widely.

For end-user jobs, encourage tenants to work closely with the applicant and LBBB to advertise all newly created vacancies through the council's Job Brokerage service including through introducing tenants to LBBB's Job Brokerage service to help provide a skills forecast for the development and highlight any shortages to the Council's job brokerage service, a minimum of six month before operational end use commences; and where feasible including relevant commitments within terms and conditions of tenancies.

A commitment to collaborative working through the employment of a designated Employment co-ordinator to liaise with and where feasible provide access on site for the Councils Job Brokerage service.

➤ Monitoring

- Once the development has commenced monitoring forms must be submitted to the Council by the designated coordinator responsible for managing recruitment and training monthly for the first three months and quarterly thereafter.
- This designated employment coordinator will attend with the Council regular site visits or meetings to ensure compliance with this schedule and discuss how the obligations contained in this schedule are progressing. These site visits and meetings will take place quarterly in cases where the Council has concerns that the Owner or its contractors/sub-contractors have not been adequately complying with their obligations contained in this schedule. Where the Owner can demonstrate to the Council that they are complying with their obligations in this schedule, such site visits and meetings will be held on a less regular basis at the Council's discretion.
- Confirmation that all obligations have been met – or appropriate employment and training compensation agreed – must be provided before the Council will approve a developer's application for discharge of the obligations in this Agreement.
- Employment and training compensation will be calculated based on: the shortfall against the target number of jobs for LBBB residents X £5,000 (average cost of supporting an unemployed borough resident into work) and the shortfall against the target number of apprenticeship starts X £8,000 (approximate wage costs of a one-year apprenticeship at the minimum apprenticeship rate);
- Subject to the findings of evidence collected through the agreed employment and training processes, the Owner will pay employment and training compensation to the Council within 30 days of the Council's written request if it is found that the shortfall in the delivery of any employment or training specified in this schedule can be attributed to the Owner having not used all reasonable endeavours to follow the agreed processes.
- The Owner shall be responsible for all legal costs incurred by the Council in enforcing or ensuring compliance with this schedule.

➤ Training and Employment Contribution

Financial contribution of £132,579 (BCIS Index Linked) to go towards the cost of training and employment support for local residents in respect of the construction and end user phase of the Development.

Trigger: To be paid on commencement of the development.

Schedule 3: Energy and Sustainability

➤ Carbon Reduction

On practical completion of the development, the Developer shall submit to the Council an assessment of the carbon reduction measures implemented within the Development demonstrating it achieves a minimum of 35% reduction over Part L of the Building Regulations 2021 through on-site provisions.

➤ Carbon Offset Contribution

No later than 3 months from the date of Practical Completion of the development, where it is clearly demonstrated that zero-carbon standards (based on net-zero regulated CO2 emissions) cannot be achieved on-site, any shortfall should be provided through a cash in lieu contribution (£95/per tonne over a 30 year period or at the rate in place at the time of the application's determination) paid to the council.

The site shall not be occupied until the carbon offset contribution has been paid.

➤ Future proof development in order to ensure it could connect to a District Heating Network

Prior to the commencement of Development, permitted under subsequent reserved matters, the Owner will submit a District Heating Network (DHN) Statement to the Council for approval to detail how the development could connect to the DHN or future DHN.

Trigger: statement to be submitted prior to commencement of development permitted under subsequent reserved matters.

➤ Dagenham Dock Decentralised Energy Network Potential Study Contribution

A financial contribution £8,254 (BCIS Index Linked) towards a wider study for Dagenham Dock decentralised energy network potential.

The Owner and Be First will agree the scope of the study through the steering group at the time of commission. The progress of the study will be reported to the Steering Group.

Trigger: payment to be made Prior to commencement of development permitted under subsequent reserved matters (excluding demolition/enabling and remediation works).

➤ Be Seen

- a) Prior to each Building being occupied, the Owner shall provide updated accurate and verified 'as-built' design estimates of the 'Be Seen' energy performance indicators for each Reportable Unit of the development, as per the methodology outlined in the 'As-built stage' chapter / section of the GLA 'Be Seen' energy monitoring guidance (or any document that may replace it). All data and supporting evidence should be submitted to the GLA using the 'Be Seen' as-built stage reporting webform (<https://www.london.gov.uk/what-wedo/planning/implementing-london-plan/london-plan-guidance-and-spgs/be-seen-energy-monitoring-guidance>). The owner should also confirm that suitable monitoring devices have been installed and maintained for the monitoring of the in-use energy performance indicators, as outlined in the 'In-use stage' of the GLA 'Be Seen' energy monitoring guidance document (or any document that may replace it).
- b) Upon completion of the first year of Occupation or following the end of the Defects Liability Period (whichever is the later) and at least for the following four years after that date, the Owner is required to provide accurate and verified annual in-use energy performance data for all relevant indicators under each Reportable Unit of the development as per the methodology outlined in the 'In-use stage' chapter / section of the GLA 'Be Seen' energy monitoring guidance document (or any document that may replace it). All data and supporting evidence should be submitted to the GLA using the 'Be Seen' in-use stage reporting webform (<https://www.london.gov.uk/what-wedo/planning/implementing-londonplan/london-plan-guidance-and-spgs/be-seen-energy-monitoring-guidance>). This obligation will be satisfied after the Owner has reported on all relevant indicators included in the 'In-use stage' chapter of the GLA 'Be Seen' energy monitoring guidance document (or any document that may replace it) for at least five years.
- c) In the event that the 'In-use stage' evidence submitted under Clause b) shows that the 'As-built stage' performance estimates derived from Clause a) have not been or are not being met, the Owner should investigate and identify the causes of underperformance and the potential mitigation measures and set these out in the relevant comment box of the 'Be Seen' in-use stage reporting webform. An action plan comprising measures identified in Clause b) shall be submitted to and approved in writing by the GLA, identifying measures which would be reasonably practicable to implement and a proposed timescale for implementation. The action plan and measures approved by the GLA should be implemented by the Owner as soon as reasonably practicable.

Schedule 4- Air Quality:

➤ Air Quality off-setting contribution.

A payment at the off-setting contribution rate of £29,000 per tonne of NOx over the benchmark applicable to B2/B8/E(g)(iii) uses (as set out in the Mayor of London's London Plan Air Quality Neutral Guidance applicable at the date of this Agreement (being London Plan Air Quality Neutral Guidance February 2023), will be applied if the approved air quality report concludes that the development is not air quality neutral.

Trigger: The assessment must be submitted to the Council prior to practical completion of the development and (if payable) to pay the contribution within 3 months of approval by the Council of the Air Quality Report.

Schedule 5- Transport:

➤ Submission of a revised Car Parking Management Plan

To use reasonable endeavours to ensure that the End User submits by the 10th anniversary of occupation of the development, a revised Car Park Management Plan (CPMP) to the local planning authority for determination. The revised CPMP shall be accompanied with a report monitoring usage of the car park since first occupation. Subject to the CPMP demonstrating that the spaces are not essential for operation purposes, to use reasonable endeavour to ensure that the End Use removes up to 10% of approved parking spaces by the 10th anniversary of first occupation of the development.

Trigger: The Plan must be submitted to the Council before the tenth anniversary of occupation of the Development

➤ Site Wide Travel Plan

The Owner shall develop a Site Wide Travel Plan that accords with the approved Framework Travel Plan in consultation with TfL.

Trigger: submitted to the Council for their approval before practical completion

- On the 1st, 3rd, 5th anniversary of the commencement of the operation of the development, the applicant or successive owner in title shall submit a Travel Plan monitoring report to demonstrate that best and reasonable endeavours have been undertaken to ensure that the occupiers/tenants have aimed to engage and encourage active, inclusive, and carbon-free sustainable travel to and from the site with their associated users.

➤ Bus Service Contribution

A financial contribution of £257,936 (BCIS Index Linked) towards the enhancement of local bus services at the morning peak and night times to serve the development.

Trigger: Payable on commencement of the development

➤ Strategic Infrastructure Masterplan Study Contribution

A financial contribution of £8,254 (BCIS Index Linked) towards the development of a strategic infrastructure masterplan study focused on modal shift, including the river / rail freight proposition, innovation, promotion and support of low carbon and autonomous vehicles.

The scope of the masterplan study will be submitted to the Council for approval. The scope will be discussed with relevant members of the Steering Group.

Trigger: Payment to be made prior to commencement of development permitted under subsequent reserved matters (excluding demolition/enabling and remediation works).

➤ S.278 Agreement

The Owner will enter into a S278 Agreement for the creation of new access/egress arrangements to the site and adjustments to Choats Road to accommodate safe movements for all road users.

The S278 Agreement (and all related approvals and consents) shall not be unreasonably withheld or delayed by the highway authorities (the highway authority being LBBB and TfL). The highway authority shall use all reasonable endeavours to ensure congestion mitigation measures provided for in the S278 Agreement are in place prior to the intended date of first occupation. An agreed programme specifying all

necessary procedural and implementation stages and their anticipated dates shall be included in the S106/278 Agreement and the parties shall carry out such stages in accordance with the programme.

➤ Road Network Improvements

A financial contribution of £51,587 (BCIS Index Linked) towards road network improvements. The financial contribution will be towards localised highways improvements including any improvements along Choats Road.

Trigger: Payment to be made prior to commencement of development

Schedule 6- Public Realm:

➤ Public Realm Improvement Contribution

A financial contribution of £103,175 (BCIS Index Linked) towards Public Realm enhancements in and around Dagenham Dock C2C station and Chequers Lane.

Trigger: payment to be prior the commencement of development

Schedule 7- Steering Group:

➤ Steering Group Obligation.

A steering group set up by the Council on Commencement of Development which shall deal with the extent of the areas to be benefitted by the Dagenham Dock Decentralised Energy Network Potential Study, the Strategic Infrastructure Masterplan Study and the Public Realm Improvements.

➤ Application Implementation

The Owner agrees and covenants with the Council that:

1. There shall be no Commencement of Development of this planning permission [reference 23/01947/OUTALL] if planning permission reference 21/01355/FULL is Commenced and vice versa.

OFFICER REPORT

Planning Constraints:

- The site falls within the Joint Waste Development Plan Document
- Strategic Industrial Locations: Dagenham Dock
- Air Quality Management Area
- Existing Waste Site: Dagenham Dock
- Strategic Planning Sub Area Boundaries: Dagenham Dock and Deam Park
- SIL: Dagenham Dock
- Riverside Opportunity Area
- Archaeological Priority Areas: Tier II- Barking Level and Dagenham Marsh

Site, Situation and relevant background information:

The application site is Plot 3, Segro Park.

The site was previously granted full planning consent for the *construction of an industrial building (Use Class B2, B8, E(g)(iii)), with ancillary offices; access ramp; creation of new vehicular accesses from Choats Road and Halyard Street; pedestrian and cycle access from Choats Road; cycle, motorcycle and car parking; roof mounted solar panels; hardstanding and circulation areas; roof terrace; sprinkler tanks; pump; and all other ancillary and enabling works including landscape, drainage, engineering, ground stability works and boundary treatment (21/01355/FULL). This was approved subject to legal agreement.*

It is understood that SEGRO will not be speculatively developing this plot in the short term. This application is for Outline Planning Permission (All Matters Reserved) which will offer flexibility to the site and enable the submission of a future reserved matters with an agreed occupier in place.

The outline planning permission and full planning permission will run in parallel providing occupiers with the flexibility to either build out the FULL permission or submit reserved matters.

Key issues:

- Principle of the proposed development
- Design and quality of materials
- Impacts to neighbouring amenity
- Sustainable Transport
- Employment
- Waste management
- Delivering Sustainable Development (Energy / CO₂ reduction / Water efficiency)
- Biodiversity & Sustainable drainage

Planning Assessment:

Principle of the development:

<i>Existing use(s) of the site</i>	Vacant Brownfield Site
<i>Proposed use(s) of the site</i>	Use Class B2, B8 and E(g)(iii)

- 1.1 The National Planning Policy Framework has regard to the need to build strong, competitive economy through creating conditions which allow businesses to invest, expand and adapt. Likewise, decisions should promote an effective use of land in meeting the needs of residents and local businesses whilst ensuring safe and healthy conditions.
- 1.2 Policy GG2 of the London Plan supports the best use of land and proprieties the development of Opportunity Areas and Brownfield Sites.

- 1.3 Policy E5 seeks to ensure Strategic Industrial Locations are managed proactively to sustain them as London's largest concentrations of industrial, logistics and related capacity for uses that support the functioning of London's economy. Policies in particular support opportunities to intensify and make more efficient use of land within SILs and therefore support proposals where the uses proposed fall within the industrial type activities. Details of the activities supported in these areas are outlined in policy E4 of the London Plan.
- 1.4 Policy E4 sets out the need for a sufficient supply of land within London to meet the current and future demand for industrial and related functions should be provided and maintained. In particular it sets out that flexible Class E(g)(iii), B2 and B8 uses would be supported within SILs.
- 1.5 Policy E7 'Industrial intensification, colocation and substitution' supports the intensification of land for industry, logistics and services. In relation to Opportunity Areas London Plan Policy SD1 seeks to promote ongoing growth. This policy supports and sustains the growth of SILs by considering opportunities to intensify and make more efficient use of SIL - in accordance with London Plan Policies E4, E5 and E7, as identified above.
- 1.6 Policy CM1 of the adopted Core Strategy seeks to ensure employment growth is focussed on the borough's industrial locations including Strategic Industrial Land with which the site is located.
- 1.7 Policy CE3 of the Core Strategy DPD outline that the Strategic Industrial Locations at River Road Employment Area, Rippleside and Dagenham Dock will be safeguarded, promoted, and managed. It is noted that the site is located within the Dagenham Dock SIL.
- 1.8 Draft Local Plan Policy SPDG1 'Delivering Growth' supports the delivery of distinct places and ensures that the Council will take a positive approach to development which reflects a presumption in favour of sustainable development. Draft Local Plan Policy DME1 'Utilising the borough's employment land more efficiently' sets out the LBB's support for proposals which will deliver new employment floorspace.
- 1.9 Policy SP5 of the Draft Local Plan (regulation 19) seeks to ensure land located within designated Strategic Industrial Locations (SIL) is protected, strengthened and intensified. Policy DME1 further sets out that the release of SIL land will only be considered in accordance with policy E7 of the London Plan. With regard to SIL sites policies priorities the intensification of these sites for warehousing and logistics uses.
- 1.10 Policy SPP3 of the Draft Local Plan regulation 19 designates the site for economic use and locates it within the Dagenham Dock Transformation Area.
- 1.11 As detailed above, policies support developments which contribute to protecting, strengthening and intensify strategic industrial locations through the retention of the industrial and related functions within these areas. As a result, developments within SIL locations which seek to deliver new employment floor spaces will be supported.
- 1.12 The application site to the south of Choats Road, adjacent to The Gores. Access to the site is off Choats Road and Halyard Street. The site is 1.88 hectares in size and comprises of most vacant, previously developed scrubland with some trees/hedges along the site boundaries. The site is located within the Dagenham Dock SIL. In line with the above, policies support the protection of this land for industrial and related functions.
- 1.13 Outline planning permission with all matters reserved for the construction of an industrial building (Use Class B2, B8 and E(g)(iii)) is sought to comprehensively redevelop this site which has been underutilised for a number of years. The site has existing consent for the construction of a multi-storey industrial building for use in Class B2, B8 and E(g)(iii). This permission was granted in February 2023. It is understood that should this application be approved the outline planning permission (all matters reserved) will run in tandem with the existing full planning consent. This will provide occupiers with the flexibility to either build out the existing consent or submit reserved matters.
- 1.14 Officers sought further clarity on this. The applicant confirmed "*Given the current economic climate, it has been agreed with the GLA that SEGRO will not be speculatively developing these plots in the short-term. The strategy is therefore pre-let dependant and to work in tandem with the City of London Corporation in particular over the short term to address a strategic need for expansion space for their supply chain, requiring SEGRO to be flexible in terms of what can be provided. The*

outline applications will offer this flexibility and enable the submission of a future reserved matters with an agreed occupier in place. Linked to the flexibility point above, SEGRO has only submitted maximum parameters with the outline planning applications. The consented schemes define the maximum parameters of what could be delivered in terms of floorspace and building height on both plots. We are not intending to submit minimum parameters, however the structural landscaping/green infrastructure shown in green on the parameter plans is a minimum, depending on the proposed building design/footprint/configuration”.

- 1.15 The proposed outline permission seeks permission for the construction of an industrial building to be used in Use Class B2, B8 and E(g)(iii). The proposed use of the site is considered to be an appropriate use in this location given it will contribute to enhancing the provision of industrial and employment floorspace on site. It is noted the maximum parameters of the outline will align with the existing consent. This aligns with policy aspirations.
- 1.16 Notwithstanding, officers note that the existing consent was for stacked industrial use. In granting outline planning permission (all matters reserved), occupiers will have the opportunity to submit reserved matters, hence, enabling the detailed design of the scheme to be either single or double storey. As detailed above only maximum parameters will be secured. Given the existing consent is for stacked industrial, should only single storey industrial be built on site, officers raise concerns that this would result in an overall reduction in industrial and employment floorspace when compared to the existing consent. This would not make the best use of the land.
- 1.17 The applicant states *“outline permission would provide maximum flexibility for the site to come forward and that the parameters sought comprise the same use class (Use Class B2, B8, E(g)(iii)) and the same maximum floorspace and building height as the extant full consent. This will offer flexible planning permissions that enable SEGRO to strategically adapt to the critical needs of businesses by allowing for a range of different building layouts and formats to be developed. SEGRO can then submit a reserved matters application with an agreed Occupier place. This will accord with the design limits set by the Parameters Plan.... Indeed, if this regeneration opportunity were not to come forward there is a danger that the Site would sit redundant, and this outline application seeks to maximise marketability of the site and therefore maximise the prospect of development delivery at this site”.*
- 1.18 Officers believe the applicant seeks to provide flexibility on site. Noting current market conditions, it is understood the extant permission is unlikely to come forward. The submission of the outline permission (all matters reserved) is proposed to maximise the marketability of the site and therefore the likelihood that development is delivered on site. Whilst officers acknowledge the need for flexibility, it would be regrettable should the maximum employment floorspace was not delivered on site.
- 1.19 Nevertheless, given the proposal will provide the site with flexibility and increase the likelihood of development delivery. As the proposed uses would enhance the quantum of industrial and employment floorspace on site when compared to the existing vacant on-site provision. Overall, on balance officers consider the principle of development to be supported and still represents an important opportunity to increase economic activity within this part of the designated SIL and the Borough.
- 1.20 Should this application be approved, an obligation will be attached restricting development to either the extant full planning permission or the proposed outline planning permission (all matters reserved). Additionally, conditions securing the use of the site to Class B2, B8 or E(g)(iii), maximum floor space and the submission of reserved matters, timing of reserved matters submission, timing of reserved matters commencement and parameter plans will be secured by condition. In addition a condition will be attached restricting the use of the site for open storage.
- 1.21 **Waste Allocation**
- 1.22 The application site also falls within the Joint Waste Development Plan Document (JWDPD) for the East London Waste Authorities of Barking and Dagenham, Havering, Redbridge and Newham. The purpose of the Joint Waste DPD which was adopted in 2012 is to set out a planning strategy to 2021 for sustainable waste management which enables the adequate provision of waste management facilities (including disposal) in appropriate locations for municipal and commercial and industrial waste. It is also noted, the emerging local plan includes a number of references to the JWDPD effectively safeguarding the policies regarding to waste sites.

- 1.23 Updated evidence base for the East London Joint Waste Plan was published in November 2022. This evidence base shows that London Borough of Barking and Dagenham has met its apportionment criteria and there is a capacity surplus on waste sites in the Borough. Therefore, it is clear from the evidence that there is no demand for any additional operational capacity is required.
- 1.24 The site is located within the JWDPD area. The proposal does not seek to bring forward a waste facility. Noting the current site is vacant and does not accommodate any existing waste facilities and given there is no demand for any additional operational waste capacity in the borough. On this basis officers consider the loss of a waste site/ waste capacity to be acceptable noting there is no requirement for this in the borough. This loss was accepted in application 21/01355/FULL, therefore, for consistency officers maintain that this position is acceptable.
- 1.25 **Summary**
- 1.26 Overall, subject to the imposition of an obligation securing implementation of either extant full permission or outline planning permission (all matters reserved) and several planning conditions, officers consider the principle of development to be supported. The proposal is acceptable and in keeping with the development policies, offering an important to increase economic activity within this part of the designated SIL.

Employment:

- 2.1 Employment and Skills
- 2.2 Policy SD1 of the London Plan support development which create employment opportunities, support wider regeneration, and ensures that development proposal integrate into the surrounding areas. This is further supported by policy GG5 of the London Plan which seek to ensure development contribute to providing sufficient employment and industrial space in the right locations to support economic development and regeneration.
- 2.3 Policy E4 of the London Plan outlines that land for industrial and related functions should be provided and maintained, considering strategic and local employment land reviews.
- 2.4 Policy E8 of the London Plan sets out that employment opportunities across a number of sectors should be promoted and supported as such developments should contribute to ensuring the availability of suitable workspaces. This is further supported by policy E11 which states development proposals should support employment, skills development, apprenticeships, and other education and training opportunities in both the construction and end-use phases, including through Section 106 obligations where appropriate.
- 2.5 Policy CC3 of the Core Strategy further notes that in order to achieve sustainable growth and maximise the quality and contribution of new development. Developer contributions could be used to provide employment, skills and training initiatives and premises.
- 2.6 Policy SP5 of the Draft Local Plan (reg 19) seeks to ensure the Council delivers at least 20,000 new jobs and wider employment base.
- 2.7 This application is for outline planning permission (all matters reserved) for the construction of an industrial building for flexible use in class B2, B8 and E(g)(iii). Given the nature of the scheme officers acknowledge that employment opportunities will be provided on site. Whilst the exact numbers are unclear at present given the speculative nature of the proposal. It would be expected that the development contributes to providing local employment and skills opportunities. In order to secure the full employment generated on site, and to ensure it is of benefit to local residents a number of planning obligations are considered necessary. The LBB Employment and Skills Team were consulted who recommended that an employment and skills obligation is secured by obligation. Details of the employment and skills plan should be provided 6 months prior to commencement of the development.
- 2.8 Officers note that policies and the draft obligations SPD (September 2022) requires all new major developments to ensure a minimum of 25% of the total workforce during the construction and occupation phase to be resident of LBB.
- 2.9 The employment obligations to be secured are broken down further below into the following areas.
- 2.10 Construction related obligations.
- 2.11 Obligations securing reasonable endeavours to ensure jobs created construction phases are provided to LBB residents are proposed to be secured within the s106 agreement. The reasonable endeavour requirements are detailed further within the s106 Heads of Terms.

- 2.12 In relation to the supply side during construction, officers have secured obligations requiring tender schedules to be submitted to the Council and aiming for at least 25% of the value of all goods and services to be sourced by the borough.
- 2.13 End User Obligations
- 2.14 Obligations securing reasonable endeavours to ensure that during the End User Phase a minimum of 25% of full-time jobs are provided to LBBB residents within the s106 agreement.
- 2.15 To meet the policy requirements listed above planning obligations are required to ensure the employment, skill and training benefits which are considered necessary are secured. The imposition of the above obligations is to ensure the employment benefits of the Proposed Development are realised and have wider regenerative benefits, resulting in the Proposed Development becoming a significant employment generator within Barking and Dagenham.
- 2.16 Further, noting the size of the scheme it is likely the proposal will generate significant employment opportunities. It is noted a training and employment contribution of £128,500.00 was previously secured under the extant permission 21/01355/FULL to go towards the cost of trainings and employment support for residents in respect of the construction and end user phase of the development.
- 2.17 In providing flexibility to the development of the site, officers would expect that the site contributes to provide contribution to training and employment opportunities in the same manner as the extant permission. Therefore, it is proposed to impose two s106 Heads of Terms to secure employment and skills throughout construction and operation; and a contribution to go towards the cost of training residents. It is noted that the contribution has been inflated to take account of indexation. The new contribution amount will be £132,579. Further, all employment and skills plan should be provided to the council 6 months prior to commencement of the development.
- 2.18 Summary
- 2.19 Subject to the imposition of employment and skills obligations and securing a financial contribution officers consider the proposal to be acceptable and in keeping with the development policies.

Affordable Workspace

- 3.1 Policy E3 of the London Plan supports the provision of affordable works space and outlines that in defined circumstances planning obligations may be used to secure affordable workspace at rents maintained below the market rate for that space for a specific social, cultural or economic development purpose.
- 3.2 Policy DME2 of the Draft Local Plan further supports these stating developments of 1,000sqm employment space or greater will be required to incorporate and appropriate provision of affordable workspace on stie, offered at below market rate, for shared workspace or small business units through s106 agreements subject to viability. It is noted this policy applies specifically to planning use class E: Commercial, Business and Service. This is also reiterated in the Draft Obligations SPD.
- 3.3 It is noted this application seeks permission for the construction of an industrial building for use in Class B2, B8 and E(g)(iii). The proposed Class E would trigger the need to provide affordable workspace. Notwithstanding, it is noted that application 21/01355/FULL did not require provision to be made on site or a contribution to be made in lieu. On this basis in the interest of consistency affordable workspace will not be secured under this application.
- 3.4 On balance officer consider the proposal to be acceptable and in keeping with the development policies.

Design and quality of materials:

- 4.1 The NPPF sets out the Government's requirement for good design in new developments. It states that good design creates better places in which to live and work and that design should ensure that development functions well and adds to the overall quality of the area and create spaces that are safe, inclusive and accessible.
- 4.2 The NPPF, Policies D1, D4 and D6 of the London Plan expect all development to be of high-quality design. This is echoed at local level through Policy BP11 of the Local Plan and Policy SP4 of the Draft Local Plan.

- 4.3 Policy D3 of the newly adopted London Plan requires all development to make the best use of land through a design led approach which responds to the site's context and capacity for growth.
- 4.4 Policy D9 of the newly adopted London Plan explains that boroughs should determine the locations where tall buildings may be an appropriate form of development.
- 4.5 London Plan Policy D4 sets out how good design can be delivered, including maintaining good design quality. Specifically, it states that the design quality of development should be retained through to completion by ensuring maximum detail appropriate for the design stage, providing clarity within conditions and obligations on design quality, avoiding deferring the assessment of design quality to a condition or reserved matter and retaining the involvement of the original design team.
- 4.6 Policy CP3 of the Core Strategy sets out that all development proposals will be expected to achieve high quality standards of design, including high standards of inclusivity, safety, and sustainability. Whilst Policy BP11 of the Development Policies sets out that the design and layout of new buildings should comply with a set of principles which include the following of relevance to this proposal: provide attractive, high quality architecture and landscaping, provide inclusive features, provide durable , flexible and adaptable buildings, encourage design that improves health, provide safe environments, incorporate sustainable design and construction features, provide suitable waste facilities and storage on site, configure site and building design and layout to minimise and mitigate any impact on flood risk and water quality, use of renewable energy features wherever possible. It also sets out that the design of the public realm should apply the following principles: provide public routes that are attractive and work for all, promote accessibility and local permeability and prioritise pedestrian-orientated modes integrating land use and transport. These principles are further supported by policies SP2 and DMD1 of the draft local plan reg 19 version.
- 4.7 The proposal seeks outline planning permission (all matters reserved). The matters reserved include appearance, means of access, landscaping, layout and scale. Parameter plans have been submitted to accompany this application. It is noted that the maximum parameter plans will align with the design of the scheme consented under application 21/01355/FULL.
- 4.8 Amount
- 4.9 The application site is located on a major strategic route which connects Central London with East London and South Essex. Located within an existing industrial area. The proposed construction of an industrial building for use in class B2, B8 and E(g)(iii) would be highly supported at this location. As detailed by the applicant "the maximum cumulative floorspace that could come forward as part of the proposed development is 10,128m² (GEA) (which would comprise B2/B8/ E(g)(iii), Ancillary Offices, Gatehouse/Entrance Buildings, Plant, Ramps, Servicing Areas, Parking/Cycle Storage, Industrial Landscaping, Ancillary Infrastructure and Substation), as annotated on the Proposed Parameters Plan (reference: 31603-PL-211B)".
- 4.10 Parameter plans have been submitted which details the maximum industrial floor space permitted on site. It is noted that details of height and scale have also been included. This will be assessed in further detail below. With regard to amount. It is noted application 21/01355/FULL sought permission for stacked industrial. As detailed by officers in the report which accompanies 21/01355/FULL "The layout has been proposed to respond to the site constraints and multi-storey type of development to accommodate an access ramp and maximising the height of the development by incorporating the ancillary office space to the upper floor with direct access to daylight, benefitting from a roof terrace and views across the Gores Brook to the west". It is noted that this application was for the delivery of approximately 10,128sqm of industrial and ancillary office floor space.
- 4.11 The maximum amount to be provided under this outline permission aligns with the previous consent which officers welcome.
- 4.12 As previously stated, officers have concerns that in granting outline permission the site could potentially under deliver of industrial and ancillary office floor space. The indicative plans provided show a single storey scheme and a multi storey scheme which could be built out. It is noted no minimum parameters have been submitted. The applicant states "*Linked to the flexibility point above, SEGRO has only submitted maximum parameters with the outline planning applications. The consented schemes define the maximum parameters of what could be delivered in terms of floorspace and building height on both plots. We are not intending to submit minimum parameters, however the structural landscaping/green infrastructure shown in green on the parameter plans is a minimum, depending on the proposed building design/footprint/configuration*".
- 4.13 Whilst the under delivery of the site would be regrettable. Officers note that this application will provide flexibility, which will improve the chances of development delivery on a site which would otherwise be left vacant. On this basis, whilst officers encourage the delivery of the maximum

provision, on balance, noting the need for flexibility. Officers consider the proposed maximum amount to be acceptable and in keeping with the development policies.

4.14 Layout and Access

4.15 The layout of the scheme aligns with that previously consented under application 21/01355/FULL. Parameter plans have been submitted which show the indicative layout of the site. Access and egress remain off Choats Road and Halyard Street. This aligns with the access/egress points previously consented which officers welcome. The retention of access off these roads will contribute to activating these streets and creating legible access points. Further, the parameter plans show the sitting of the development plot and location of the industrial building. Similarly, the areas of structural landscaping and green infrastructure have been provided. As shown on the indicative plans the industrial building to come forward will have ancillary office space which is supported. Officers welcome the requirement to deliver landscaping on site and consider this to contribute to urban greening and biodiversity net gain. Whilst the detailed design has not yet come forward, given the proposed parameters align with the existing consent. Overall, the layout and access proposed for the site is acceptable.

4.16 Scale and Design

4.17 Maximum parameters have been provided for the site. As shown on the parameter plans the maximum area proposed is 10,128 sqm GEA and the maximum building height is 28 metres AFL. It is noted that these parameters align with the design of the development which benefits from existing consent. The applicant states “the scale of development will be determined by the demands of floor space with the potential occupiers. This flexibility in building size that the site offers will address the potential demand from prospective operators who have requirements for strategically located accommodation in this area. The scale of the building coming forward within the site will be of a size which is appropriate for its function”. Whilst a maximum height and area has been proposed, officers believe that the final scale of the development will be subject to the likely occupier.

4.18 The application is accompanied by indicative drawings have been submitted showing the likely design and scale of 2 different development options. 1 shows a single storey building whilst the other shows a multi storey. The proposed access, scale and design parameters lends itself to the intended use of the site and will enable a well-proportioned and designed building on this site. Indicative elevation drawings show the building to be designed for its intended industrial use. It would be expected that any development coming forward on this plot is high quality, constructed of robust and long-lasting materials which enables it to serve its intended purpose. Details of this should be submitted with any future reserved matters application.

4.19 Landscaping

4.20 The parameter plans show areas safeguarded for landscaping. This area is predominantly on the boundary with Choats Road, on the western boundary of the site and along Halyard Street. Officers welcome the introduction of landscaping on site and consider this to compliment the proposed use of the site and enhance its visual character and appearance. Should this application be approved it is recommended a condition is attached requiring details of boundary treatment and landscaping to be submitted at reserved matters.

4.21 Archaeology

4.22 The NPPF and policy HC1 of the London Plan seeks to ensure developments which affect heritage settings have a clear understanding of the historic environment and heritage values of the site and their relationships with their surroundings and contribute to conserving their significance. This policy speaks to the need to protect significant archaeological assets and landscapes. Care should be taken to identify these assets to minimise harm. This is further supported by policy CP2 of the Core Strategy DPD, BP3 of the Borough Wide DPD and policy DMD4 of the Draft Local Plan reg 19 (December 2021).

4.23 The site is located within an archaeological priority area. An archaeological desk-based assessment has been submitted to accompany this application. Historic England were consulted who agreed that it is unlikely that the development will have an impact on the archaeological or geoarchaeological resource, additional to those assessed in relation to planning consent 21/01355/FULL

4.24 It is noted that a Written Scheme of Investigation was submitted with application 21/010355/FULL, and a further archaeological desk-based assessment submitted with this application. Owing to the fact it is unlikely that the development a greater impact additional to those previously assessed. Historic England GLAAS have recommended that a condition is secured to ensure that the archaeological commitments of the application are fully met. The condition will require a post-investigation assessment with an updated project design to be submitted in line with the previously approved WSI.

- 4.25 Subject to the inclusion of this condition, officers consider the proposal to have an acceptable impact on archaeological assets. The proposal is considered acceptable and in keeping with the development policies.
- 4.26 Design out Crime.
- 4.27 The design out crime officer (Met Police) was consulted who confirmed they raised no objections subject to the specific concerns raised in their response letter and a Secure by Design planning condition being attached. Noting the detailed design of the proposal is not yet available a condition will be attached requiring the scheme to be designed to the appropriate secure by design standards. Subject to the imposition of conditions officers consider the proposal to be acceptable and in keeping with the development policies.
- 4.28 Fire Safety
- 4.29 A fire strategy statement has been submitted to accompany this application. This provides the fire strategy for the development should the maximum quantum be built out. Noting the final design and layout of the scheme has not yet been confirmed, at present officers are unable to make an accurate assessment of measures proposed to ensure fire safety of the building. An up-to-date fire safety statement should be submitted with the reserved matters application providing details of the safety strategy proposed for the final design. Should this application be approved it is recommended that this is conditioned requiring a fire statement to be submitted at reserved matters. This should include details of building materials, means of access including for those less able, management and maintenance plan etc. Subject to the imposition of condition, officers consider the proposal to be acceptable and in keeping with the development policies. The London Fire Brigade was consulted who have no further observations to make on this.
- 4.30 Public Realm
- 4.31 Application 21/01355/FULL secured a contribution of £100,000 by s106 obligation to go towards public realm improvements around Dagenham Dock and Chequers Lane to deal with the increase footfall and to improve it to an acceptable level to encourage use of the C2C station. In granting outline planning permission officers consider it necessary to continue to encourage public realm improvements to encourage the use of more sustainable transport. Whilst it is accepted that the scheme to be brought forward could be smaller than the existing permission. To ensure the maximum impact of the development is mitigated the contribution will be secured again under this application. However, the figure will be increased to take account of BCIS indexation between the two applications. The contribution to be secured by S106 Obligation to go towards public realm improvements is £103,175.
- 4.32 Summary
- 4.33 It is noted the detailed design showing the scale, appearance, design, means of access and landscaping are secured by reserved matters. As such, the finalised details will be provided through reserved matters. Overall, subject to the implementation of S106 obligation securing public realm contributions and several planning conditions officers consider the proposed parameter plans to be acceptable and in keeping with the character and appearance of the area.

Impacts to neighbouring amenity:

- 5.1 The NPPF, The London Plan Policies GG1, GG3 and D14, all have relevance to the importance of quality development which addressing neighbouring amenity and avoiding unacceptable impacts.
- 5.2 Policy DMD1 of the Draft Local Plan Reg 19 seeks to ensure all development proposals consider the impact on neighbouring amenity with regard to significant overlooking (loss of privacy and immediate outlook) and overshadowing (unacceptable loss of daylight/sunlight). Policy DMSI3 further expands on this noting development proposals which generate an unacceptable level of nuisance including noise, waste, comings and goings and general disturbances will be resisted. This is supported by policy BP8 of the Borough Wide DPD.
- 5.3 Daylight and Sunlight
- 5.4 The detailed design application site is located within a SIL location. At present the impact of the proposal on daylight and sunlight cannot be fully assessed. Notwithstanding, the application site is located within a designated SIL site. Industrial site sits to the east. The maximum parameters will align with the development approved under application 21/01355/FULL. Noting the sites proximity to neighbouring residents' officers consider the proposal to have an acceptable impact on daylight and sunlight.

5.5 Noise

- 5.6 Policy D14 of the London Plan requires developments to reduce, manage and mitigate noise to improve health and quality of life, residential and other non-aviation development proposal by avoiding significant adverse noise impacts on health and quality of life; reflect the Agent of Change principle set out in policy D13 of the London Plan; mitigate and minimise the existing and potential noise on, from, within the site; and improving and enhancing the acoustic environments and promoting appropriate soundscapes.
- 5.7 Policy D13 of the London Plan outlines the agent of change principles. These principles place the responsibility for mitigating impacts from existing noise and other nuisance- generating activities or uses on the proposed new noise-sensitive development. Development should be designed to ensure that established noise and other nuisance-generating uses remain Viable and can continue to grow without unreasonable restrictions being placed on them.
- 5.8 Policy BR13 of the Borough Wide DPD requires any new development likely to generate harmful levels of noise to be directed away from existing noise sensitive locations, or areas allocated for noise sensitive developments. Where it is not possible to fully separate noise sensitive and noise generating land uses, planning permission will only be granted if there will be no exposure to noise above an acceptable level.
- 5.9 Policy DMS13 of the draft local plan states that all major development must submit a noise and vibration assessment to reduce any adverse impact to an acceptable level using the most appropriate layouts, orientation, design and use of the building.
- 5.10 A noise impact assessment has been submitted to accompany this application. This assessment concludes that the noise likely to be generated by the proposal including increase in traffic flow on local roads due to the proposed development is unlikely to be significant. The assessment advises that a condition is secured requiring a noise assessment to be submitted with the reserved matters application. Noting the final design, layout and use of the scheme is not yet confirmed.
- 5.11 The environmental protection officer was consulted who agreed with the points raised above. They note "This is a preliminary assessment, and the findings are based on one 24-hour unattended survey and without benefit of the design layout of the project. As the proposal involves nighttime operation it would be prudent to undertake a longer period of monitoring to establish "typical" background noise levels over a week. The following conditions are recommended: noise generating mechanical services plant and noise impact report". It is recommended that an updated noise impact assessment is secured by condition to take account of the additional details commented on above.
- 5.12 Officers note that a condition securing noise from non-residential uses and plan and structure borne noise emissions was previously secured on this application. The requirements of the conditions are similar. In the interest of consistency officers will secure the same condition as previously imposed. In addition, conditions securing construction noise will be attached. Subject to the imposition of these conditions' officers consider the noise impacts to be acceptable and note the position of the site within a designated SIL location.
- 5.13 Contaminated Land
- 5.14 The NPPF sets out at paragraph 174 that policies and decisions should contribute to and enhance the natural and local environment by remediation and mitigating despoiled, degraded, derelict, contaminated and unstable land, where appropriate. Policy SI10 of the London Plan seeks to ensure steps are taken to reduce the environmental impact of aggregate sites and facilities by ensuring that potential impacts, in particular to the natural and historic environment and to human health, are assessed and effectively controlled. Policy BR5 of the Borough Wide DPD further supports this states that development on or near land that is known to be contaminated or which may be affected by contamination will only be permitted where appropriate site investigation and risk assessment has been carried out and if contamination is found suitable remediation measures have been carried out. This is supported by policy DMS15 of the draft local plan reg 19.
- 5.15 A preliminary risk assessment and geo-environmental assessment has been submitted with this application. The environmental protection officer was consulted who stated "I have reviewed the Preliminary Risk Assessment & Geo- Environmental Assessment Plot 3, SEGRO Park, Dagenham Project No: 106530.603903 / 17-0084.38 and the Remediation and Verification Strategy by Delta Simons which provide an insight into the potential contamination of the site and possible remediation measures. As the risk assessment is preliminary and was undertaken without prior knowledge of the site layout it is recommended that a condition securing contaminated land is attached". Noting the detailed design is not yet available the recommended condition will be imposed. Subject to the imposition of this condition officers consider the land contamination impacts to be acceptable.

- 5.16 Further a condition securing construction environmental management plan (CEMP) and a Site Waste Management Plan (SWMP) will be secured. This will be imposed in order to reduce the environmental impact of the construction.
- 5.17 External Lighting.
- 5.18 An external lighting assessment has been submitted. This document sets out how external lighting should be designed to ensure no loss of amenity and to reduce possible light spill. Officers note that without full details of the layout and design of the scheme it is not possible to make an accurate assessment of the external lighting impacts of the scheme. It is recommended that with the submission of a reserved matters application this is accompanied by details of external lighting. Notwithstanding, regardless of detailed layout of the scheme it would be expected that the site achieved appropriate levels of illumination without having unacceptable impacts on the surrounding area. The environmental protection officer was consulted who agreed with officers' comments. Therefore, it is recommended that an external lighting condition is attached securing the maximum lux levels. Subject to the imposition of conditions officers consider the proposal to be acceptable and in keeping with the development policies.
- 5.19 Agent of Change
- 5.20 The NPPF seeks to ensure new development can be integrated effectively with existing businesses and community facilities (such as places of worship, pubs, music venues and sports clubs). Existing businesses and facilities should not have unreasonable restrictions placed on them because of development permitted after they were established.
- 5.21 This is carried through Policies E7 and D13 of the London Plan and Policy DMD 1 of the new Local Plan (reg 19 version). London Plan Policy D13 requires applicants to take account of the Agent of Change principles and consider and mitigate for existing noise and other nuisance generating uses in a sensitive manner in new development. London Plan Policy D14 provides further detail on managing noise, such as separating noise sensitive uses from major noise sources and incorporating good acoustic design principles.
- 5.22 Given the location of the site within a predominantly industrial area, designated as SIL and surrounded by major roads and railway lines, the noise and nuisance implications in the immediate vicinity of the site are not considered to raise any agent of change issues and several conditions are imposed to ensure this.
- 5.23 Overall, officers are therefore satisfied the Proposed Development at this location is an appropriate land use within the SIL and subject to conditions and details required at reserved matters will not have an unduly detrimental impact on surrounding uses.
- 5.24 Summary
- 5.25 Overall, subject to the imposition of conditions officers consider the proposal to have an acceptable impact on neighbouring amenity in keeping with the development policies.

Sustainable Transport:

- 6.1 The NPPF recognises that sustainable transport has an important role to play in facilitating sustainable development but also contributing to wider health objectives. It offers encouragement to developments which support reductions in greenhouse gas emissions and those which reduce congestion. The NPPF also outlines that developments which generate significant vehicle movements should be located where the need to travel will be minimised and the use of sustainable transport options can be maximised. It is also expected that new development does not give rise to the creation of conflicts between vehicular traffic and pedestrians. However, it also stated that development should only be prevented or refused on highways grounds if there would be an unacceptable impact on highway safety, or the residual cumulative impacts on the road network would be severe.
- 6.2 This is echoed by the London Plan (2021) through policies T6 and T6.2. It is noted that all car parking provision at use class B2 and B8 should have regard to office parking standards and take account of the significantly lower employment density in such development. Further policies require all operational parking to provide infrastructure for electrical charging points. Regarding cycle parking policy T5 sets out the requirements for cycle parking provision and design. This is further supported by policies DMT 2 and DMT3 of the Draft Local Plan Reg 19 and policies BR9, BR10 and BR11 of the Borough Wide DPD.
- 6.3 As detailed above policies support developments which facilitate the use of more sustainable modes of transport. The application site is located within PTAL 1b which represents poor access to public transport. The site is 9-minute bus journey/20-minute walk from Dagenham Dock Station. The site is

served by the EL2 bus which runs regularly between Becontree Heath Leisure Centre and Dagenham Dock via Choats Road.

6.4 Car Parking

- 6.5 An outline transport assessment has been submitted. The submitted assessment is not sufficient to assess the transport impacts of the development. It is requested that a full transport assessment along with all supplementary analysis and management plans are submitted as part of a reserved matters application. This will be conditioned.
- 6.6 The maximum parameters to be secured by this application will align with full application 21/01355/FULL. The approved application provided a total of 63 off-street car parking spaces including 3 blue badge spaces. The proposed number of parking spaces for the outline permission will reflect the consented application. In line with policy developments for B2 and B8 uses in Outer London Opportunity Areas should provide up to 1 space per 600sqm. Noting the maximum parameters of the site, in line with policy only a maximum of 50 parking spaces should be provided on site. Officers note this quantum of car parking is significantly in excess of the London Plan standards. Notwithstanding, the London Plan states “ for industrial sites, the role of parking- both for workers and operational vehicles- varies considerably depending on location and the type of development proposed. Provision should therefore be determined on a case-by-case basis. In application 21/01355/FULL officers found the provision of 63 car parking spaces to be acceptable subject to a commitment to reduce on site car parking provision. A conditions and obligation was attached to this application to limit the number car parking spaces and requiring a car parking management plan to be submitted which seeks to reduce car parking on site within 10 years of operation. It is proposed to impose these again to ensure the proposed provision of car parking is maintains an acceptable impact on the highway.
- 6.7 The applicant has provided an illustrative scheme showing a single storey unit of 6,930sqm. It is understood that this seeks to deliver up to 63 car parking spaces as before. Justification of car parking provision has been submitted. It is understood these spaces will be used for operational purposes and potential commuter parking for staff where required. Details of comparative sites have been provided which the applicant considers demonstrates that the operational parking provision is appropriate for a development of this size and location. Notwithstanding, officers raise concerns with regard to the excess quantum of parking being proposed. Should the size of the scheme be reduced it would be expected that the provision of parking is also reduced proportionally. Notwithstanding, a condition will be imposed limiting the maximum number of car parking spaces.
- 6.8 Noting the final design and layout of the scheme is not yet available. It would be expected that the proposed parking space provision is proportional to the intended use and demand. The final number of car parking spaces should be justified in the transport assessment submitted as part of the reserved matters application. The submission of this assessment will be conditioned.
- 6.9 Noting the maximum quantum of car parking will not exceed what was previously approved under application 21/01355/FULL officers do not consider the maximum provision to have a greater impact on the highway than the existing permission. A condition will be attached limiting the number of car parking spaces to 63 in total. In addition, an obligation will be secured requiring the submission of a Car Park Management Plan which seeks to reduce the number of car parking spaces on site within 10 years of operation. Subject to the imposition of S106 obligation and conditions officers do not consider the impacts of this development to have a greater impact on the highway than previously proposed under application 21/01355/FULL. On this basis car parking provision is considered acceptable and in keeping with the development policies.
- 6.10 Furthermore, to support better air quality, a condition was attached to application 21/01355/FULL requiring 25% of the proposed parking spaces to be active for electric charging in accordance with the London Plan and a further 5% of the total provision to be Rapid Charging points. The remaining parking spaces will be future proofed to allow for additional electric charging points to be added as and when required through passive provision. It would be expected that this is replicated in the outline permission. As such, this matter will be conditioned.
- 6.11 The LBBP Parking Project Officer was consulted who raised no concerns with this arrangement.
- 6.12 Subject to the imposition of conditions and obligations officers consider the car parking provision to be acceptable.
- 6.13 Notwithstanding, a condition securing a construction logistics plan will also be imposed to ensure acceptable impact throughout the construction phase.

6.14 Trips Generated

6.15 Trip generated analysis has been submitted with this application. It is noted that the maximum parameters of this outline will align with the development approved under application 21/01355/FULL. Last mile logistics were not previously tested. However, under this outline permission the impact of this has been. The submitted assessment takes the impact of last mile logistics into account. Officers accept the trips generated from a B2/B8 use would not have a greater impact on the highway than the previous permission. However, there are concerns over the impact the development would cause if it was used for last mile logistics. Section 6.6 of this report states "In the AM peak, a B8 Last Mile Distribution occupier may lead to a decrease of 24 total vehicles from the approved B2 trip demands but there would be a marginal increase HGVs (45 over the hour based on the TRICS assessment, this would introduce one additional vehicle every minute and 20 seconds). This is expected to have little impact on the local link and junction analysis prepared for the approved scheme. The B8 Last Mile Distribution analysis based on TRICS provides the worst-case scenario and the actual occupier of the unit may generate fewer Heavy Goods Vehicle trips due to an alternative land use/business type. In the PM peak, there will be an overall reduction in demand in two-way vehicle trips when compared with the consented B2 use". Reviewing table 6.4 which shows the change from approved trips it is evident that last mile logistics will result in an increase in HGV's during the morning peak. It is evident that should the maximum parameters of the proposal be built out and be used for last mile logistics this would generate a greater impact on the highway.

6.16 Notwithstanding, officer note this is a designated SIL site as such the proposed use would be appropriate in this industrial location. In addition, the scheme will contribute to the delivery of additional employment and industrial floor space. Whilst the development could result in greater impact on the highway. Given the local and economic benefits arising from the scheme. On balance officers consider the benefits arising from the proposal to outweigh any significant harm. The proposed impact is considered inconsequential. The proposal is acceptable and in keeping with the development policies. harm caused by the proposal impact of trips generated.

6.17 Road Network Improvements

6.18 The consented application 21/01355/FULL secured £50,000 to go towards Road Network Improvements for localised highway improvements including any improvements agreed along Choats Road. In granting permission at this site, it would be expected that the development contributes to improving the road network in the immediate area. This application will provide flexibility on site which could result in a smaller scheme to being brought forward. Notwithstanding, noting the maximum parameters to be secured will align with the dimensions of application 21/01355/FULL. Officers consider it to be necessary for the package of mitigation measures secured by this application to mitigate the maximum potential impact the scheme could have. It is acknowledged that the scheme brought forward could be smaller in size as such a pro rata approach should be taken. TfL were consulted who agreed with this point. It is accepted that contributions should be applied proportionally, as such, a mechanism to enable this to be secured pro-rata will be secured by s106 obligation. Taking into account indexation officers consider it reasonable for a contribution of up to £51,587 being the contribution to be paid should the maximum parameters be built out. This will be secured by s106.

6.19 On this basis whilst the design and layout of the scheme is not yet available. Subject to the imposition of s106 obligation officers are satisfied that the trips generated by the scheme and the transport/highway impacts are acceptable and in keeping with the development policies.

6.20 Cycle Parking

6.21 London Plan Policy T2 seeks to promote Healthy Streets and in particular within Opportunity Areas and other growth areas, new and improved walking, cycling and public transport networks should be planned at an early stage, with delivery phased appropriately to support mode shift towards active travel and public transport. Furthermore, Policy T3 of the London Plan seeks to ensure development proposals support capacity, connectivity and other improvements to the bus network and ensure it can operate efficiently to, from and within developments, giving priority to buses and supporting infrastructure as needed.

6.22 In relation to cycling Policy T5 seeks to ensure development proposals help remove barriers to cycling and create a healthy environment in which people choose to cycle. Policy BR11 of the local plan seeks to improve conditions for cyclists and for pedestrians. This is carried through within DMT3 of the Draft Local Plan (Regulation 19). Policy DMT1 requires cycle routes to be segregated from road transport.

- 6.23 Policy BR10 of the local plan seeks to ensure sustainable Transport. This is carried through within Strategic Policy SP8, and Policy DMT1 of the draft Local Plan seek the development of local public transport networks and sustainable modes of travel such as wider footpaths, good cycling infrastructure and well-designed public realm walking and cycling routes.
- 6.24 In line with London Plan policy T5 Use class E(g)(iii) should provide 1 long term space per 250sqm and 1 short term space per 1000sqm. For Use Class B2 and B8 provision should be made for 1 long term space per 500sqm and 1 short term space per 1000sqm. It would be expected that cycle parking is provided in line with policy requirements. Details of which will be conditioned.
- 6.25 S.278 Agreement
- 6.26 A s.278 agreement will be secured by legal agreement. The highway works to be completed by the application will be agreed in due course. In granting planning permission, it would be expected that the development contributes to improvements to the highway immediately around the site. Application for reserved matters should be accompanied by an 'in-principal' plan which set out the highways works proposed for the site. A condition will be attached requiring this to be submitted. Further, a s106 obligation will be attached requiring the owner to enter into a s.278 highways agreement. Overall, subject to the imposition of conditions and obligations officers consider the proposal to be acceptable and in keeping with the development policies.
- 6.27 Bus Contributions
- 6.28 The application site has a PTAL of 1b which represents very poor access to public transport. The site is in close proximity to the EL2 bus stop located on Choats Road between 180m and 290m from the application site. The EL2 runs from Becontree Heath Leisure Centre to Dagenham Dock Terminus between 5:10 am and 23:55pm. The site is also 16-minute walk/11-minute bus journey from Dagenham Dock Station or 36-minute walk/ 22-minute bus journey from Barking Riverside Overground Station. The site is accessible via public transport. The development is likely to be in operation 24 hours a day.
- 6.29 A package of s106 obligation were previously agreed under application 21/01355/FULL. This included a bus contribution of £250,000 to go towards the enhancement of local bus services. Officers in application 21/01355/FULL stated that "providing a good service frequency will support and encourage modal shift from private vehicles and support local employment. the contribution to be secured will assist in improving the local bus services in the area to serve the development. It is acknowledged that a contribution is also proposed at SEGRO 2, and this quantum is proportionate to the size of the development".
- 6.30 Noting the maximum quantum of development proposed under this development will reflect the existing permission. Officers consider it necessary to mitigate the maximum impacts of the development. It is recognised that a smaller scheme could be brought forward. However, as the final design is not yet available to ensure the full impact of any proposal is fully mitigated a contribution of £257,936 will be secured by s106 to go towards improvements to local bus services. This reflects the contribution secured previously and adjusts it in line with indexation. Officers acknowledge that the development delivered under this permission could be smaller than the consented scheme. However, in granting permission officers need to be sure that the maximum impacts of the scheme have been appropriately mitigated. Careful consideration needs to be given to ensure that the bus contributions can cover the full costs of additional services to improve the service in the local area to support the development. It would not be beneficial to the local bus services if a contribution proportional to the scale of the development only covered the cost of half a service as TfL would not be able to run this.
- 6.31 Notwithstanding, TfL were consulted who note that given the particular set of circumstances they are happy to accept pro-rata bus contributions for this plot. Additionally, TfL note that bus costs have increased disproportionately due to the move to a fully electric fleet- so cost will need to be recalculated to reflect this. Whilst officers acknowledge the additional costs attached to the now fully electric fleet. Noting the maximum size and scale of the development proposed will be in line with application 21/01355/FULL, in the interest of consistency officers consider the implementation of a contribution proportional to what was previously secured is reasonable. As noted above this has been inflated to account for indexation, the maximum total contribution to be secured is £257,936 to go towards bus contributions, however, this will be secured pro-rata.
- 6.32 Should this application be approved it is recommended that this is secured by s106 obligation. This will be payable on commencement of the development.
- 6.33 Cycle Route
- 6.34 Cycle contributions were not previously secured under this permission. Whilst it is understood that there are plans to upgrade the cycle route on Choats Road. In the interest of consistency and noting

the previous permission (21/01355/FULL) did not secure any contributions no further contributions will be secured under this application.

6.35 Travel Plan

6.36 It would be expected that a framework travel plan is submitted with the reserved matters application. Notwithstanding, once completed it would be expected that details of a site wide travel plan are provided. A condition will be attached requiring a travel plan to be submitted with reserved matters. A travel plan will be secured by s106 obligation requiring a further travel plan to be submitted on the 1st, 3rd and 5th year of the occupation of the development. A monitoring fee of £5,000 will be attached to cover the cost of the reviews of this plan. Subject to the inclusion of conditions and s106 obligation officers consider the proposal to be acceptable and in keeping with the development policies.

6.37 Delivery and Servicing

6.38 Details of delivery and servicing should be submitted as part of the reserved matters application. Full details of delivery and servicing should be submitted prior to first use of the site. It is recommended that a condition is attached to this application securing this.

6.39 Strategic Infrastructure Masterplan Study Contribution

6.40 In application 21/01355/FULL officers stated "In relation to River and Rail, to ensure discussions continue on sustainable modes of transport which are yet to be developed. A financial contribution has been secured towards a strategic infrastructure masterplan study focused on modal shift, including the river / rail freight proposition, innovation, promotion and support of low carbon and autonomous vehicles. Should these measures be implemented in the future they could lead to a further reduction of trips within the vicinity". To continue supporting the delivery of more sustainable modes of transport, in providing flexibility to the site, it would be expected that a contribution to this study is retained. Consented application 21/01355/FULL secured £8,000 towards this study. The maximum impact will need to be mitigated. Notwithstanding, it is acknowledged that if a smaller scheme is brought forward then contributions in proportion should be secured. A mechanism for this to occur pro- rata has been included in the s106 agreement. Should this application be approved it is recommended that this contribution is secured again by s106 obligation. The proposed contribution will be up to a maximum of £8,254 to take account of indexation between the consented scheme and this application. The area to be benefitted by this decision should be decided by the Steering Group in consultation with TfL and other stakeholders. Requirement for a steering group to be set up. This will also be secured by S106 obligation.

6.41 Summary

6.42 Overall, subject to the imposition of S106 obligation securing Strategic Infrastructure Masterplan Study Contribution, Travel Plan, LSIP Cycle Route Works, Bus Contribution, s.278, Car Park Management Plan and Road Network Improvement Contributions and conditions officers consider the proposed transport impact of the development to be acceptable and in keeping with the development policies.

Waste management:

- 7.1 The NPPF and policy S17 of the London Plan outlines that waste planning authorities should encourage waste minimisation and waste prevention through the reuse of material and using fewer resources in the production and distribution of products. Likewise, developments should be designed with adequate, flexible, and easily accessible storage space and collection systems that support, as a minimum the separate collection of dry recyclables and food.
- 7.2 Policies CR3 and BR15 of the Core Strategy and Borough Wide policy document outline the need for development in the Borough to minimise waste and work towards a more sustainable approach for waste management. These objectives are further emphasised in the emerging Local plan (Regulation 19) through Strategic Policy SP7 and Policy DMSI8.
- 7.3 Details of a waste and recycling should be submitted with the reserved matters application. This will be conditioned.
- 7.4 Subject to the imposition of conditions, officers consider the proposal to be acceptable and in keeping with the development policies.

Delivering Sustainable Development (Energy / CO2 reduction / Water efficiency):

- 8.1 The NPPF emphasises that the planning system should support the transition to a low carbon future in a changing climate and should help to shape places that contribute to radical reductions in greenhouse gas emissions, and encourage the reuse of existing resources, including the conversion of existing buildings.

- 8.2 The Mayor of London has set ambitious targets for London to be net zero-carbon. London Plan Policy SI2 'minimising greenhouse gas emissions' directs that major development should be net zero-carbon, through reducing greenhouse gas emissions in accordance with the Be Lean, Be Clean, Be Green, Be Seen hierarchy. The policy requires a minimum on-site reduction of at least 35% beyond Building Regulations for major development. Residential development should achieve 10 per cent, and non-residential development should achieve 15 per cent through energy efficiency measures. Where it is clearly demonstrated that the zero-carbon target cannot be fully achieved on-site, any shortfall should be provided, in agreement with the borough. Policy SI 3 states that major development proposals within Heat Network Priority Areas should have a low-temperature heating system. The heat source for the communal heating system should be selected in accordance with the following heating hierarchy: a) connect to local existing or planned heat networks b) use zero-emission or local secondary heat sources (in conjunction with heat pump, if required) c) use low-emission combined heat and power (CHP) (only where there is a case for CHP to enable the delivery of an area-wide heat network, meet the development's electricity demand and provide demand response to the local electricity network) d) use ultra-low NOx gas boilers. Policy SI4 sets policies to minimise adverse impacts on the urban heat island and requires major development proposals to demonstrate through an energy strategic how they will reduce potential for internal overheating, following a cooling hierarchy.
- 8.3 Policy CR1 of the Core Strategy sets out measures to address the causes and potential impacts of climate change, requiring all new development to meet high environmental buildings standards and encourage low and zero carbon developments. Policy BR2 'Energy and on-site renewable of the Borough Wide Development Policies DPD outlines the expectations for significant carbon reduction targets to be achieved. Draft Local Plan Policy DMSI2 'Energy, heat and carbon emissions' sets out the Council's expectations for major development to contribute and where possible exceed the borough's target of becoming carbon neutral by 2050 by maximising potential carbon reduction on-site and demonstrating the achievement of net zero carbon buildings. The policy also prioritises decentralised energy and sets an expectation for development proposals to connect to any existing or planned low carbon district energy networks.
- 8.4 The application is accompanied by an Energy and Sustainability Strategy prepared by MBA consulting engineers [Revision P1] dated 18.12.2023. This sets out how the development accords with the energy hierarchy set out in policy SI2 of the London Plan. In line with policy major developments should achieve a minimum 35% on site carbon reduction whereby 10% is achieved through energy efficiency measures (Be Lean). The assessment concludes that the proposal will comply with policy SI 2 of the London Plan and achieve 100% carbon reduction through the energy hierarchy and carbon offset. Noting the detailed design of the scheme has not yet been presented. Should this application be approved, a condition will be attached requiring the development to achieve a minimum of 35% on site carbon reduction with the remaining being offset through financial contribution. This contribution will be secured by S106 obligation at a rate of £95/tonne over the benchmark level. This is the minimum requirement set by policy and therefore it would be expected that the development is able to achieve this.
- 8.5 An energy assessment which sets out how the development meets the Be Lean, Be Clean and Be Green Stages of the energy hierarchy along with any financial contribution should be submitted with the reserved matters.
- 8.6 BREEAM
- 8.7 The NPPF emphasises that the planning system should support the transition to a low carbon future in a changing climate and should help to shape places that contribute to radical reductions in greenhouse gas emissions, and encourage the reuse of existing resources, including the conversion of existing buildings.
- 8.8 Policy SI2 of the London Plan seeks to ensure developments contribution to reducing operation carbon on site. This policy seeks to ensure that this is achieved from energy efficiency measures. Achieving energy credits as part of the BREEAM rating can demonstrate that energy efficiency targets have been met. As such, boroughs are encouraged to include BREEAM targets within their local policies. Policy CR1 of the Core Strategy sets out measures to address the causes and potential impacts of climate change, requiring all new development to meet high environmental buildings standards and encourage low and zero carbon developments. Policy BR1 of the Borough Wide DPD seeks to ensure all developments meet high standards of sustainable design and construction. As a result, all non-

residential major developments should achieve a minimum standard of BREEAM 'Very Good-Excellent' rating.

- 8.9 Policy SP7 of the Draft Local Plan seek to ensure major development are new zero carbon and employ low carbon technologies. This is further supported by policy DMSI 1 which outlines that all new non-residential developments over 500sqm floorspace must be designed and built to meet or exceed a BREEAM 'Excellent' rating.
- 8.10 A BREEAM Pre-Assessment has been submitted which concludes that the development is targeting an Excellent rating... this report provides a pre-assessment of the project in line with the BREEAM criteria and identified the key sustainability measures and strategies required to secure the required certification. A score of at least 5% over the 70% required for Excellent is recommended and potential credits have been highlighted to help increase this margin.... The projected BREEAM rating is considered suitable for the development based on the proposed design and information which is available at the time of the outline stage submission".
- 8.11 Officers believe that the development will be able to achieve a BREEAM 'Excellent' rating. It is acknowledged that the detailed design is yet to be provided as such, at present the final score cannot be confirmed. However, officers welcome the assurance that the development is targeting BREEAM 'Excellent' in line with policies. Should this application be approved, it is recommended that a condition is attached requiring the future development to achieve BREEAM 'Excellent'.
- 8.12 Overall, subject to the inclusion 2 conditions securing a minimum of 35% on site carbon reduction and BREEAM 'Excellent' and an obligation securing a financial contribution to achieve net zero carbon. Officers consider the proposed development to provide sustainable development in line with policy. The proposal is considered acceptable and in keeping with the development policies.

8.13 Air Quality

- 8.14 An air quality assessment report has been submitted. This assessment states "Due to the proximity of nearby receptors the Site is considered to have a medium risk of impacts with regards to dust soiling and PM10 concentrations. However, following the implementation of appropriate mitigation measures impacts associated with the construction of the development are likely to be insignificant...An Air Quality Neutral assessment has been undertaken which has shown the development proposals will be air quality neutral in relation to both building and transport emissions. No mitigation of operational emissions is therefore considered necessary. The outline application, providing a maximum of 9,493 m3 GIA of employment use, would meet current national and local air quality planning policy and based on the above, air quality does not pose a constraint to development of the site for E(g)(iii)/B2/B8 purposes". The environmental protection officer was consulted who stated the submitted assessment is based on previous information and would therefore benefit from updating. Notwithstanding, the applicant noted the assessment has assessed the most intensive use of the site and concluded that this would be air quality neutral. They note that with an update it is unlikely that this would change. Officers have reviewed and accept this position. It is noted an obligation will be attached requiring an air quality assessment to be submitted to demonstrate air quality neutral development. In the event that the scheme is not air quality neutral a contribution will have to be paid.
- 8.15 The financial contribution will also be secured by s106 obligation. Where developments exceed the benchmark value a financial contribution at a rate of £29,000/tonne over the benchmark should be sought and secured by S106 legal agreement. It is recommended that this is secured by planning obligation. Subject to the imposition of a condition and obligation officers consider the proposal to be acceptable. Further a condition securing a construction environmental management plan and site waste management plan and site specific non-road mobile vehicles will be attached to this application.

8.16 Dagenham Dock De-Centralised Energy Network

- 8.17 In order to meet the policy requirements of Policy SI 3 of the London Plan which seeks to establish the future energy and infrastructure requirements arising from large-scale development proposals such as Opportunity Areas, Town Centres, other growth areas or clusters of significant new development. A financial contribution towards a wider study for Dagenham Dock de-centralised energy network potential has been secured. It is noted that application reference 21/01355/FULL secured a contribution of £8,000 It is proposed to secure this again which officers consider to be

proportionate to the maximum possible scale of development. However, this can be adjusted to be proportional to the scale of development should a smaller scheme be brought forward. It is noted this will be adjusted to take account of indexation, as such, a contribution of £28,254 will be secured by s106 obligation.

8.18 Whole Life Carbon

8.19 Policy SI2 of the London Plan requires development proposals referable to the Mayor to calculate whole life-cycle carbon emissions through a nationally recognised Whole Life-Cycle Carbon Assessment. It is noted that this application is not referable. However, the applicant has submitted some information on this within the outline section of the GLA template. It is acknowledged that detailed design of the scheme is not available yet, as such, at present the final details are not available. Officers note this application is not GLA referable. Policy SI2 of the London Plan states that “development proposals referable to the Major should calculate whole-life carbon...”. Given this application is not referable there is no policy requirement for this to be calculated. Additionally, it is noted that no requirements for Whole Life Carbon were previously secured in application 21/01355/FULL. On this basis in the interest of consistency officers maintain the position that this will not be required under this application.

8.20 Circular Economy

8.21 Policy SI7 of the London Plan seeks to promote the circular economy through improved resource efficiency and innovation to keep products and materials at their highest use for as long as possible. This policy seeks to minimise waste and encourage the reuse and recycling of materials. In particular it seeks to ensure development target 95% reuse/recycling/recovery during construction and demolition and ensure 95% beneficial use throughout excavation. This is supported by policy DMSI8 of the Draft Local Plan.

8.22 A circular economy statement has been submitted which demonstrates how the proposal has considered a range of circular economy principles. It is acknowledged that detailed design of the scheme is not available yet, as such, at present the final details are not available. A full circular economy assessment should be submitted at reserved matters. A condition will be attached requiring this to be submitted at reserved matters stage. In addition, should this application be approved it is advised that a whole life carbon post construction monitoring condition is attached to the proposal.

8.23 Summary

8.24 Overall subject to the imposition of s106 obligation securing net zero carbon development and air quality neutral development as well as several planning conditions. Officers consider the proposed development to be acceptable and in keeping with the development policies.

Biodiversity & Sustainable drainage:

9.1 Urban Greening Factor

9.2 The NPPF states that planning systems should minimise impacts on and provide net gains for biodiversity, including by establishing coherent ecological networks that are more resilient to current and future pressures. Policy G6 of the London Plan requires new developments to make a positive contribution to the protection, enhancement, creation and management of biodiversity wherever possible. Policy G5 of the London Plan requires major developments to contribute to the greening of London by including urban greening as a fundamental element of site and building design. Boroughs should develop and Urban Greening Factor (UGF) to identify the appropriate amount or urban greening required. The Mayor recommends a UGF target of 0.4 for residential developments and 0.3 for commercial developments, however, this excludes use class B2 and B8. Policy D8 encourages the incorporation of green infrastructure to the public realm to support rainwater management. Policies CR2 and BR3 of the Core Strategy and Borough Wide policies echo the London Plan in its strategic approach to protect and enhance biodiversity and to provide a net gain in the quality and quantity of the Borough's natural environment. This approach is also set out in Policy SP6 of the emerging Local Plan (Regulation 19 stage). Emerging policy DMNE2 of the draft local plan supports developments that maximise opportunities for urban greening. This policies requires developments to calculate their UGF in line with policy G5 of the London Plan. Policy DMNE3 of the draft local plan seeks to enhance nature conservation and biodiversity within scheme,

as such, all development proposals are required to minimise the impact of development on biodiversity and nature in accordance with policy G6 of the London Plan.

- 9.3 As noted above policies support developments which maximise opportunities for urban greening, including landscaping, street trees, green and brown roofs, green walls, food growing, rain gardens and nature-based sustainable drainage. In line with policy G5 of the London Plan a target score of 0.3 should be achieved for commercial developments. It is noted that B2 and B8 are excluded from having to achieve the minimum UGF score. The proposal is for the construction of a building in use class B2, B8 and E(g)(iii). In line with policy should the detailed design bring forward an industrial building in use Class B2 or B8 they would be excluded from having to achieve UGF in line with policy G5. Notwithstanding, if the final scheme was to deliver a building in E(g)(iii). In line with policy, it is expected that this achieves a UGF of 0.3. Officers are unable to make an accurate assessment of this at this stage noting a detailed design of the scheme has not been submitted. It is noted the site is predominantly industrial as such there is no requirement to meet UGF score. However, the applicant should demonstrate how urban greening has been considered as a fundamental element of the site and provide a calculation. It is recommended that this is conditioned.
- 9.4 Biodiversity
- 9.5 An ecological impact assessment was submitted with this application. Gores Brook and the Ship and Shovel Sewer DINC falls partly on-site in the north-west and runs adjacent to the Site along the rest of the western boundary. The assessment concludes that whilst the Brook will not be adversely affected by the proposals, depending on the landscaping scheme, there is potential for water voles to be adversely affected, if present, as such, further surveys and appropriate mitigation may be required. All suitable habitat for common lizards will be lost from the Site and, depending on timescales for the development further surveys may be required to determine suitable long-term measures required to support the population. It is recommended that an updated ecological appraisal is submitted with this application. This should be prepared in line with the ecological impact assessment dated December 2023 and submitted with the reserved matters. This will be conditioned. The development is expected to provide ecological enhancements. To ensure all enhancements are appropriately managed a Landscape Management Plan (LMP) will be secured by condition.
- 9.6 Since February 2024 it has been mandatory for all major development. Notwithstanding, this application was submitted prior to this requirement becoming mandatory. To this end, whilst officers can encourage the provision of 10% biodiversity net gain this cannot be enforced at this stage given the requirement came in throughout the determination of the application. The applicant has submitted an ecological impact assessment. In terms of biodiversity net gain this concludes "From the illustrative plans, it will not be possible to achieve a 10 % net gain in biodiversity on-Site. However, in line with the Environment Act 2021 and associated guidance, mandatory BNG will only apply to new applications for planning permission for major development made after January 2024 and reserved matters will not be required to fulfil mandatory BNG if the outline is submitted before BNG is mandated (from Jan 2024)". Officers believe that the applicant will not be meeting the 10% BNG requirement given it is not a compulsory requirement given the timing of the submission of the application. This is acknowledged and accepted. Notwithstanding, the applicant should demonstrate how biodiversity net gain principles have been implemented in the design and layout of the scheme. It is recommended that a condition securing details of urban greening factor and biodiversity enhancements is attached to the proposal.
- 9.7 Further, a site clearance condition will be attached to ensure that any vegetation removal works do not have an unacceptable impact on existing ecological assets.
- 9.8 Sustainable Drainage
- 9.9 The NPPF states that new development should be planned for in ways that avoid increased vulnerability to the impacts arising from climate change. Policy highlights that inappropriate development in areas at risk of flooding should be avoided, and that where development is necessary in such areas, the development should be made safe for its lifetime without increasing flood risk elsewhere.
- 9.10 London Plan policy SI13 supports sustainable drainage. This policy states that development proposals should aim to achieve greenfield runoff rates and ensure that surface water run-off is managed as close to the source as possible. There should be a preference for green over grey features, in line with the drainage hierarchy. Drainage should be designed and implemented to promote benefits including urban greening, improved water quality and water efficiency. Policies CR4 and BR4 of the Core Strategy and Borough Wide Policies and Policy DMSI6 of the emerging Local plan (Regulation 19 stage), set out the local policy position.

- 9.11 The application site is located in flood zone 3, this presents 1% or greater probability of flooding from rivers or 0.5% or greater probability of flooding from the sea. Noting the nature of the development, officers are satisfied there will be no sleeping accommodation proposed at ground floor level or below the breach flood level. The submitted flood risk assessment confirmed that whilst the building finished floor levels have not been confirmed, once designed these will be set as close to the tidal breach level (or above) as possible which officers welcome. Additionally, the flood risk assessment concludes that the area is understood to benefit from a range of River Thames tidal flood defences which provide a level of protection up to 1 in 1000-year flood event a level of 7.1m AOD. The environmental protection was consulted who raised no objections on flood risk grounds. Notwithstanding, they have recommended conditions relating to previously unidentified contamination, SuDS infiltration of surface water into ground, piling and verification report. The EA consider the development to be unacceptable without the inclusion of these conditions. Officers have reviewed these conditions and recommend these are imposed should the application be approved. It is noted that the contamination and verification report conditions have been drafted as 1 condition, with SuDS infiltration of surface water and piling being separate conditions. In addition, as condition securing the submission of an emergency flooding plan shall be imposed on this application.
- 9.12 In terms of drainage and outline drainage system has been provided. It would be expected that during reserved matters stage a detailed drainage strategy in line with the drainage hierarchy is submitted. This should incorporate a sustainable drainage and be designed so that it does not increase the flow rates in the receiving watercourses including ensuring that the peak flow during heavy rainfall event can be accommodated within the site without increasing a flood risk to downstream catchments. This is recommended by the submitted flood risk assessment and drainage system report and aligns with the system consented under the full planning application. Details of a drainage system will be secured under planning conditions.
- 9.13 Thames Water were consulted as part of this application. They have no comments to make on the proposal.
- 9.14 Subject to the imposition of conditions officers consider the proposed drainage strategy to be acceptable and in keeping with the development policies.
- 9.15 Utilities Assessment
- 9.16 A utilities assessment report has been submitted with this application. This provides an overview of the utility's services in the area. It is recommended that applications for reserved matters are accompanied by a foul sewage and utilities strategy which sets out how the development will connect to existing utility services. This will be conditioned.
- 9.17 Summary
- 9.18 Subject to the impositions of conditions officers consider the proposed development to be acceptable and in keeping with the development policies.

Conclusions:

This application seeks outline planning permission for a maximum of 10,128sqm of industrial floor space for use in B2/B8/E(g)(iii). The proposed use is considered appropriate in this location. The maximum parameters of the scheme align with the development previously approved under application 21/01355/FULL. It is proposed for this outline permission to run in parallel to the extant full planning permission to provide flexibility to the site. Future owners/occupiers will have the opportunity to either build out the full permission or submit reserved matters. It is acknowledged that in providing flexibility this could result in a smaller scheme being brought forward. Whilst this would be regrettable officers believe this will ultimately enable the delivery of a scheme to provide new employment and industrial floor space. The principle of development is acceptable in policy terms.

All matters are reserved, notwithstanding, the maximum parameters to be secured will align with the previously approved full application. In design terms the proposal is considered to have an acceptable impact on the character and appearance of the area. It is likely the development will be design for a practical use which is supported in this designated SIL location.

The proposal will present high quality sustainable development whilst also having an acceptable impact on neighbouring site. Conditions and S106 obligations have been attached to ensure this is brought forward.

It is noted the development may result in greater impacts on the highway than application 21/01355/FULL should the development be built out to its maximum capacity and used for last mile logistics. Nevertheless, officers consider the proposed use to be entirely appropriate in this location, likewise it would generate

new employment and industrial opportunities in the borough within an existing vacant brownfield site that is designated as SIL. The benefits arising from the scheme are considered to outweigh the harm caused and can be mitigated against with the proposed package of financial obligations. Therefore, on balance the highway impacts are acceptable in this instance.

The development will contribute to enhancing urban greening and biodiversity onsite and intends to deliver and sustainable drainage.

Overall, subject to the imposition of conditions and s106 obligations officers consider the proposal to be acceptable and in keeping with the development policies. It is recommended outline planning permission is granted.

Appendix 1:

<p>Development Plan Context: The Council has carefully considered the relevant provisions of the Council’s adopted development plan and of all other relevant policies and guidance. Of particular relevance to this decision were the following Framework and Development Plan policies and guidance:</p>	
<p><i>National Planning Policy Framework (NPPF) (December 2023)</i></p>	
<p><i>The London Plan (March 2021)</i></p>	<p>Policy GG2 Making the best use of land Policy E5 Strategic Industrial Locations (SIL) Policy E4 Land for industry, logistics and services to support London’s economic function Policy E7 Industrial intensification, co-location and substitution Policy E3 Affordable Workspace Policy SD1 Opportunity Area Policy E8 Sector growth opportunities and clusters Policy D1 London’s form, character and capacity for growth Policy D4 Delivering good design Policy D6 Housing quality and standards Policy HC1 Heritage conservation and growth Policy GG1 Building Strong and Inclusive Communities Policy GG3 Creating a healthy city Policy D14 Noise Policy D13 Agent of Change Policy SI10 Aggregates Policy E7 Industrial intensification, co-location and substitution Policy T6 Car Parking Policy T6.2 Office Parking Policy T5 Cycling Policy T2 Healthy Streets Policy T3 Transport capacity, connectivity and safeguarding Policy SI7 Reducing waste and supporting the circular economy Policy SI2 Minimising Greenhouse Gas Emissions Policy SI3 Energy Infrastructure Policy SI4 Managing Heat Risk Policy G6 Biodiversity and access to nature Policy G5 Urban Greening Policy D8 Public Realm Policy SI13 Sustainable Drainage</p>
<p><i>Local Development Framework (LDF) Core Strategy (July 2010)</i></p>	<p>Policy CM1 General Principles for Development Policy CE 3 Safeguarding and Release of Employment Land Policy CC3 Achieving Community Benefits through Developer Contributions Policy CP3 High Quality Built Environment Policy CP2 Protecting and Promoting our Historic Environment Policy CR3 Sustainable Waste Management Policy CR1 Climate Change and Environmental Management Policy CR2 Preserving and Enhancing the Natural Environment Policy CR4 Flood Management</p>

<p><i>Local Development Framework (LDF) Borough Wide Development Plan Document (DPD) (March 2011)</i></p>	<p>Policy BP11 Urban Design Policy BP3 Archaeology Policy BP8 Protecting Residential Amenity Policy BR13 Noise Mitigation Policy BR5 Contaminated Land Policy BR9 Parking Policy BR10 Sustainable Transport Policy BR11 Walking and Cycling Policy BR15 Sustainable Waste Management Policy BR2 Energy and On-Site Renewables Policy BR1 Environmental Building Standards Policy BR3 Greening the Urban Environment Policy BR4 Water Resource Management</p>
<p><i>The London Borough of Barking and Dagenham’s Draft Local Plan: (Regulation 19 Submission Version, December 2021) is now at an “advanced” stage of preparation, having gone through Local Plan Examination in Public in November 2023. Having regard to NPPF paragraph 48, the emerging document is now a material consideration and significant weight will be given to the emerging document in decision-making.</i></p>	
<p><i>The London Borough of Barking and Dagenham’s Draft Local Plan: (Regulation 19 Consultation Version, December 2021)</i></p>	<p>Policy SPDG1 Delivering growth in Barking and Dagenham Policy SP5 Promoting inclusive economic growth. Policy DME1 Utilising the borough’s employment land more efficiently. Policy SPP3 Dagenham Dock and Freeport Policy DME2 Providing flexible, affordable workspace. Policy SP2 Delivering a high quality and resilient built environment. Policy DMD1 Securing high-quality design. Policy DMD4 Heritage assets and archaeological remains. Policy DMSI3 Nuisance Policy DMSI5 Land Contamination Policy DMT2 Car Parking Policy DMT3 Cycle Parking Policy DMT1 Making better connected neighbourhoods. Policy SP7 Securing a clean, green, and sustainable borough. Policy DMSI8 Demolition, construction, and operational waste Policy DMSI2 Energy heat and carbon emissions Policy DMNE2 Urban Greening Policy DMNE3 Nature conservation and biodiversity Policy DMSI6 Flood risk and defences.</p>

<p>Additional Reference:</p>
<p><i>Human Rights Act</i></p> <p>The provisions of the Human Rights Act 1998 have been taken into account in the processing of the application and the preparation of this report.</p> <p><i>Equalities</i></p> <p>In determining this planning application, the BeFirst on behalf of the London Borough of Barking & Dagenham has regard to its equalities obligations including its obligations under section 149 of the Equality Act 2010 (as amended).</p> <p>For the purposes of this application there are no adverse equalities issues.</p>

Appendix 2:

Relevant Planning History:			
<i>Application Number:</i>	23/01844/SCREEN	Status:	Issued
<i>Description:</i>	Request for an EIA Screening Opinion Under Regulation 6 of the Town and Country Planning (Environmental Impact Assessment) Regulations 2017 (as amended): Outline planning application (all matters reserved), for the construction of an industrial building (Use Class B2, B8, E(g)(iii)), with ancillary offices; creation of new vehicular accesses from Choats Road and Halyard Street; cycle, motorcycle and car parking; pedestrian access; hardstanding and circulation areas; ancillary infrastructure and all other ancillary and enabling works including landscaping, drainage, engineering, substation, ground stability works and boundary treatment.		
<i>Application Number:</i>	21/01355/FULL	Status:	Approved Subject to Legal Agreement
<i>Description:</i>	Construction of an industrial building (Use Class B2, B8, E(g)(iii)), with ancillary offices; access ramp; creation of new vehicular accesses from Choats Road and Halyard Street; pedestrian and cycle access from Choats Road; cycle, motorcycle and car parking; roof mounted solar panels; hardstanding and circulation areas; roof terrace; sprinkler tanks; pump; and all other ancillary and enabling works including landscape, drainage, engineering, ground stability works and boundary treatment.		

Appendix 3:

The following consultations have been undertaken:

- Ward Councillors
- LBBB My Place
- LBBB Inclusive Growth
- LBBB Employment and Skills
- LBBB Leisure, Parks and Heritage
- LBBB Trees
- LBBB Commissioning Lead Sustainability
- LBBB District Heating/Energy
- LBBB Strategic Refuse and Recycling
- LBBB Refuse Services
- LBBB Specialist Services
- LBBB Access Officer
- LBBB Lead Local Flood Authority
- Essex and Suffolk Water Company
- London Fire Brigade
- Thames Water
- Historic England
- TfL Underground
- TfL Planning
- Environmental Agency
- Be First Transport
- Design out Crime.
- LBBB Highways
- Highways England
- LBBB Environmental Protection Officer.
- LBBB Employment and Skills
- TfL London Overground
- LBBB Parking Enforcement and CPZ

Summary of Consultation responses:		
Consultee and date received	Summary of Comments	Officer Comments
Design out Crime Dated 27.02.2024	No objection subject to the specific concerns stated in Section 3 of the report being addressed and a Secure by Design condition being attached.	This has been assessed in section 4.26 of the report. The recommended condition has been attached.
LBBB Parking Project Officer Dated 25.01.2024	No concerns with the proposed	Comment has been noted.
London Underground/ DLR Infrastructure Protection Dated 12.01.2024	No comments	This is noted
Highways England Dated 01.02.2024	No objections	Comment noted
London Fire Brigade	No further observations to make.	Comment noted. This is assessed in section 4.28 and 4.29.

Dated 03.02.2024		
Historic England Dated 29.01.2024	<p>A Written Scheme of Investigation prepared by MOLA dated 2021 has previously been submitted and approved.</p> <p>A post-investigation assessment and an updated project design needs to be submitted. It is recommended that this is condition.</p>	<p>Comments noted and assessed in section 4.21.</p> <p>The recommended condition has been included.</p>
LBBB Environmental Protection Officer Dated 07.02.2024	<p>The following conditions are recommended:</p> <ul style="list-style-type: none"> • Contaminated Land • Noise Generating Mechanical Services Plant • Noise Impact Assessment Report • Air Quality and Air Quality Neutral Assessment • Floodlights, Security lights and Decorative External Lighting • Construction Environment Management and Site Waste Management • 	<p>Comments noted and conditions recommended have been attached to this application.</p>
LBBB Employment and Skills Dated 29.01.2024	<ul style="list-style-type: none"> • Can an employment, skills and suppliers plan (ESSP) be submitted 6 months prior to work commencing with standard clauses attached. • Previous financial contributions should be secured again under this application 	<p>Comments noted and assessed in section 2.1 to 2.13 of this report.</p> <p>An S106 obligation will be attached securing the submission of ESSP and financial contributions</p>
Thames Water Dated 24.01.2024	<ul style="list-style-type: none"> • Thames Water have no comments to make. 	<p>This is noted.</p>
Transport for London Dated 29.02.2024	<ul style="list-style-type: none"> • The general principle should be that the same contributions and mitigations should be secured, applied proportionately to the quantum of development in the RMA. However, there are a few considerations which would alter that: • We would hope to seek a lower contribution to mitigate the road network impact as a result of a lower proportion of commuter car parking. • Bus contributions – we can't charge for half an additional peak hour journey because we can't provide half a service. Whole costs in this case will need to be asked for. • Contribution sums should be increased in line with BCIS to ensure the applicant is paying for 	<p>Comments are noted and have been assessed in section 6 of the report.</p>

	<p>indexation between the two consents.</p> <ul style="list-style-type: none">• Bus costs have increased disproportionately due to the move to a fully electric fleet, so the costs would need to be recalculated afresh.• Some of the anticipated contributions for other matters were reduced because SEGRO were going to pay towards improvements at Goresbrook Interchange. There is now much more certainty over the implementation of the City of London's application which will result in improvement works at Goresbrook. This should allow diversion of funds to• On examination of an RMA, other items may come to light.• There is a particular issue, related to both sites for contributions and Plot 3 for layout. Many years ago a strip of land just south of the carriageway of Choats Road was safeguarded (I'm not sure whether there was any statutory safeguarding) for the Docklands Light Railway extension that was planned to support Barking Riverside before the rail intervention changed to Overground. There was talk about using this for sustainable travel (provision of high-quality cycle lanes) when considering the City Markets application, but I don't think anything specific was secured although there is funding and an obligation to spend it on cycling. This came up on Monday this week in a pre-app meeting for the Barking Riverside uplift (the NOPA). Some contributions towards this from both sites would appear to be reasonable. For Plot 3, the junction arrangements will affect the existing on-carriageway cycling provision and so contributions are further justified. However, much more importantly, while this strip of land is fenced by other landowners in the area, it's not built on, yet the Plot 3 indicative schemes show it built on for car parking. Loss of this single link in the chain would prevent	
--	---	--

	provision of high-quality cycling infrastructure in the future. I would ask that the applicant amends their parameter plans to show that this strip will not be built on	
--	--	--

Appendix 4:

Neighbour Notification:	
Date Site Notice Erected:	25.01.2024
Date of Press Advertisement:	17.01.2024
Number of neighbouring properties consulted:	169
Number of responses:	0

Appendix 5:

Conditions & Informatives:

General

1. Reserved Matters to be Submitted.

Approval of the details of the access, appearance, landscaping, layout and scale of the proposed development (hereinafter called "the reserved matters") shall be obtained from the Local Planning Authority in writing before any development begins (excluding demolition, remediation and enabling works) and the development shall not be carried out except in accordance with the details so approved.

Reason: The application is in outline only and these details remain to be submitted and approved.

2. Timing of Reserved Matters Submission

The applications for approval of the reserved matters shall be made to the Local Planning Authority before the expiration of three years from the date of this outline permission.

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).

3. Timing of Reserved Matters Commencement

The development hereby permitted shall be begun before the expiration of two years from the date of approval of the last of the reserved matters to be approved.

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).

4. Approved Parameter Plans and Documents

The development hereby permitted shall be completed in accordance with the following submitted Parameter Plans and documents, unless otherwise agreed in writing with the Local Planning Authority:

- 31603-PL-211B Plot 3 Proposed Parameters Plan [Revision B] dated 28.11.2023

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

Information required within reserved matters.

5. Fire Statement

At application for reserved matters a Fire Safety Statement, produced by a third party suitably qualified assessor shall be submitted to and approved in writing by the Local Planning Authority. The statement shall detail the building construction, methods products and materials uses; the means of escape for all buildings 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 statement shall demonstrate how the development meets the requirements of London Plan Policies D12(B) and D5(B5). The development shall be implemented in accordance with the approved Fire Statement and retained as such for the lifetime of the development.

Reason: In the interests of fire safety

6. Noise Impact Assessment

At application for reserved matters an updated Noise Impact Assessment Report to incorporate the reserved matters site layout and details of typical night time background noise levels over a week prepared by a competent Acoustic Consultant shall be submitted to and approved in writing by the Local Planning Authority. The report must identify the impact of the development on existing and proposed noise sensitive uses and where necessary detail the proposed mitigation measures to manage the impacts.

Reason: To ensure that residential and other noise sensitive premises are adequately protected from noise.

7. External Lighting Assessment

Application for reserved matters consent must be accompanied by details of any external lighting associated with the development including levels of illumination, position, structure, direction of illumination, which shall be submitted to and approved in writing by the Local Planning Authority.

The External artificial lighting at the development shall not exceed lux levels of vertical illumination at neighbouring premises that are recommended by the CIE guidance 2003 & 2017 and the ILP Guidance Notes for the Reduction of Obtrusive Light (2021). Lighting should be minimised, and glare and sky glow should be prevented by correctly using, locating, aiming and shielding luminaries, in accordance with the Guidance Notes.

Reason: To ensure that the amenity of occupiers of surrounding premises is not adversely affected by lightning

8. Transport Assessment

Application for reserved matters consent must be accompanied by a Transport Assessment prepared by a competent transport consultant which provides detailed layout of the vehicle parking spaces (including provision for HGV, LGV and Cars), delivery and servicing, trips generated and circulation within the site using junction model and VISSIM model submitted with the outline planning application. The assessment shall be submitted to and approved in writing by the Local Planning Authority.

The maximum number of vehicle parking spaces shall not exceed 63 parking spaces at any time.

The details should include the design of blue badge disabled parking spaces having regard to the adopted London Plan

Reason: In order to ensure an acceptable level of parking and to ensure that vehicle movements associated with the use hereby permitted remains consistent and that the use shall not represent any unacceptable level of vehicle movements such that the safety of pedestrians shall be unduly prejudiced.

9. In-Principal Highway works Plan

Application for reserved matters consent must be accompanied by a scheme of highways works setting out the improvement works proposed to the access/egress of and adjustments to Choats Road to accommodate safe movements for all road users. The plan shall be submitted to and approved in writing by the Local Planning Authority.

Reason: To ensure the development provides a safe and acceptable impact on the highway.

10. Delivery and Servicing Plan

Application for reserved matters consent must be accompanied by details of a Delivery and Servicing Plan in line with TfL Guidelines shall be submitted to and approved in writing by the Local Planning Authority. The approved details shall be fully implemented before the first occupation of all industrial units and shall thereafter be permanently retained in an efficient manner.

Reason: In order to ensure the design has suitably considered the transport needs of the development in the interests of highway safety.

11. Travel plan

Application for reserved matters shall include a Travel Plan which shall be submitted to and approved in writing by the Local Planning Authority in consultation with TfL. That Travel Plan shall include measures for minimising car trips and promoting and encouraging travel to/from the site by sustainable modes such as walking, cycling and public transport. The approved Travel Plan shall provide a programme for monitoring, reviewing, maintaining and developing the Travel Plan in relation to the targets.

Reason: To ensure that the proposal abides by the Council's sustainable transport objectives.

12. BREEAM Target- Excellent

The submission of reserved matters shall be accompanied with a statement demonstrating how the development is designed to achieve an 'Excellent' Building Research Establishment Environmental Assessment Methodology (BREEAM 2018) rating or equivalent.

Reason: In the interest of energy efficiency and sustainability.

13. Circular economy statement

The submission of reserved matters shall be accompanied by an updated Circular Economy Statement, which shall be submitted to and approved in writing by the Local Planning Authority. The statement shall include the principles set out in the Circular Economy Statement prepared by L.C.D Consulting dated 15.12.2023.

Reason: In the interest of creating safer, sustainable communities

14. Details of all boundary treatment and landscaping

The submission of reserved matters shall be accompanied by details of all boundary treatment and landscaping of the development hereby permitted have been submitted to and approved in writing by the Local Planning Authority. Development shall be carried out in accordance with the approved details and permanently retained thereafter.

Reason: To ensure that the finished appearance of the development will respect the character and visual amenities of the local area.

15. Waste and Recycling Strategy

Prior to occupation of the site, an Outline Operational Waste and Recycling Strategy providing details of how waster will be managed. The strategy shall be submitted to and approved in writing by the Local Planning Authority.

Reason: To ensure adequate levels of waste managed and recycling within the site.

16. Energy Statement

- a) The submission of reserved matters shall be accompanied by an energy statement which demonstrated that the development will achieve a minimum of 35% reduction over Part L of the Building Regulations 2021 through on-site provisions.
- b) A post completion report demonstrating compliance to the submitted Energy Statement, shall be provided and approved in writing by the Local Planning Authority within SIX (6) months of first occupation of any phase of the development. This report shall be submitted to and approved in writing by the Local Planning Authority.

Reason: To ensure an energy efficient and sustainable development.

17. Ecological Impact Assessment

The submission of reserved matters shall be accompanied by an updated Ecological Impact Assessment, which shall be submitted to and approved in writing by the Local Planning Authority. The statement shall include the principles set out in the Ecological Impact Assessment Plot 3, SEGRO Park [Issue 1] prepared by DeltaSimons dated December 2023.

Reason: To ensure the development provides biodiversity enhancements on site.

18. Foul Sewage and Utilities Strategy

The submission of reserved matters shall be accompanied by a foul water and utilities strategy, which shall be submitted to and approved in writing by the Local Planning Authority. The strategy shall demonstrate how the development connects to existing utility services in line with the principles set out in the Utility Assessment Report, Plot 3 [Revision 004] dated 13.12.2023.

Reason: To ensure acceptable impact on existing drainage and utility provision.

19. Urban Greening Factor and Biodiversity Enhancements

The submission of reserved matters shall be accompanied by an urban greening factor scheme which demonstrates urban greening principles and the measures taken to achieve urban greening on-site in line with London Plan guidelines. The scheme shall be constructed in accordance with the proposals, principles and biodiversity enhancements set out in the Ecological Impact Assessment (December 2023) prepared by Delta Simons.

Reason: To ensure that the development contributes to enhancing the quality and appearance of the urban environment.

Prior to commencement of development

20. Landscape Management Plan

A Landscape Management Plan (LMP) shall be submitted to and be approved in writing by the local planning authority prior to the commencement of any subsequent reserved matters application. The approved plan will be implemented in accordance with the approved details. The content of the LMP shall include the following:

Standard LMP information, including:

Description and evaluation of features to be managed. Aims and objectives of management.

IV. Appropriate management options for achieving aims and objectives.

V. Prescriptions for management actions.

VI. Preparation of a work schedule (including an annual work plan capable of being rolled forward over a five-year period).

VII. Details of the body or organization responsible for implementation of the plan.

VIII. Ongoing monitoring and remedial measures.

IX. The funding mechanism by which the long-term implementation of the plan will be secured.

Reason: To preserve and enhance the Borough's natural environment.

21. Sustainable Drainage System.

a) The development permitted under subsequent reserved matters shall not commence unless and until a surface water drainage scheme for the site (based on sustainable drainage principles SuDS) has been submitted to and approved in writing by the Local Planning Authority.

The surface water drainage scheme shall include:

i) a surface water drainage scheme for the site, based on sustainable drainage principles and an assessment of the hydrological and hydro-geological context of the development.

- ii) a demonstration that the surface water run-off generated up to and including the 100 years plus Climate Change critical storm period will not exceed the run-off from the undeveloped site following the corresponding rainfall event.
- iii) completed Barking and Dagenham Surface Water Drainage Pro-forma for new developments form.
- iv) details of how the proposed surface water drainage scheme will be maintained; and
- v) a drainage scheme nominating the ownership, management and maintenance arrangements.

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.

- b) The surface water drainage scheme shall be implemented prior to the first occupation and/or use of the development and be constructed in accordance with the approved details.

Reason: To safeguard the public from surface water flood risk, protect the environment and respond to climate change. The imposition of this prior to commencement planning condition is considered necessary to prevent commencement of works until the requirements have been met because the timing of compliance is fundamental to the decision to grant planning permission.

22. Contamination

The development permitted under subsequent reserved matters shall not commence until:

- a) 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, 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, 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 commencement of the 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. The report shall include results of sampling and monitoring carried out to demonstrate that the site remediation criteria have been met.

- 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 (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 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.

23. Construction Environmental Management Plan (CEMP) and Site Waste Management Plan (SWMP)

The development permitted under subsequent reserved matters shall not 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:

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

Once approved the Plans shall be adhered to throughout the construction period for the 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 07:00 and 19:00 Monday to Friday and 07:00 and 18:00 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 07:00 and 19:00 Monday to Friday and between 08:0 and 13:00 on Saturdays.

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

Reason: In order to reduce the environmental impact of the construction and the impact on the amenities of neighbouring occupiers.

24. Construction Logistics Plan

The development permitted under subsequent reserved matters shall not commence until a Construction Logistics Plan (CLP) 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 until the development has been completed.

Reason: The Construction Logistics Plan is required prior to commencement of development in order to minimise the impact of construction on the free flow of traffic on the local highway network and in the interests of highway safety.

25. Construction Noise

The development permitted under subsequent reserved matters shall not commence until an acoustic report has been submitted to and approved in writing by the Local Planning Authority. Such a report will demonstrate that construction noise levels at the nearest dwellings should not exceed 75 dB LAeq,10h during weekday daytime (07:00 –19:00) and 75 dB LAeq,5h during Saturday daytime (07:00 – 18:00). Where it is considered impractical to meet this noise limit the report should detail mitigation measures taken to reduce noise to a minimum. The approved measures for the mitigation of construction noise shall be implemented prior to the commencement of all works and be maintained until the development has been completed.

Reason: To ensure that works do not prejudice the ability of neighbouring occupier's reasonable enjoyment of their properties and to ensure that works shall not represent any unacceptable level of noise. The imposition of this prior to commencement planning condition is considered necessary to prevent commencement of works until the requirements have been met because the timing of compliance is fundamental to the decision to grant planning permission.

Information required prior to above ground floor works.

26. Electric Vehicle Charging Points and Rapid Electric Vehicle Charging Points

- a) Prior to above ground works of any development hereby permitted under subsequent reserved matters, details of vehicle parking spaces shall be accompanied by detailed plans showing the provision of Electric Vehicle and Rapid Electric Vehicle Charging Points to be submitted and approved in writing by the Local Planning Authority.
- i) A minimum of 5% of all car parking spaces should be provided as Rapid Charging Spaces
 - ii) A minimum of 25% of all spaces (not including those under part (i) shall be active spaces and
 - iii) The remainder 70% shall have passive provision.

The details shall be accompanied by a management and maintenance plan including details of key contacts.

b) Prior to first use of site the details approved under part (a) shall be implemented and thereafter retained for the lifetime of the development.

Reason: To restrict car usage and encourage the use of electric vehicles in order to reduce carbon emissions

27. Cycle Parking

a) Prior to above ground works of any development hereby approved under subsequent reserved matters, a detailed layout of cycle parking including the location, design and number of short and long stay car parking spaces demonstrating compliance with the London Plan 2021 and the London Cycle Design Standards shall be submitted to and approved in writing by the local planning authority (in consultation with TfL).

b) Prior to first use of the site the details approved under part (a) shall be implemented and thereafter retained for the lifetime of the development.

Reason: To ensure reasonable provision of cycle spaces is made within the site for the parking of bicycles and to encourage sustainable modes of transport.

Prior to occupation

28. Emergency Flood Risk

Prior to first use of the site an emergency flooding plan shall be submitted to and approved in writing by the Local Planning Authority. The scheme shall as a minimum include:

- a) Details of advanced flood warning measures;
- b) Advanced site preparation measures to be undertaken in the event of a flood warning;
- c) Site evacuation measures;
- d) Measures to monitor the surface water drainage system and drainage ditch system in the wider area;
- e) Dedicated named flood wardens who will be on site during all operational hours of the development, responsible for flood safety measures in accordance with emergency flood management plan.

The approved emergency flooding plan shall be relayed to all site workers and shall be implemented for the life of the development.

Reason: to ensure future occupiers are not susceptible to unacceptable flood risk.

29. Car Park Management Plan

Prior to occupation of the site, a car parking management plan shall be submitted to and approved in writing by the local planning authority in consultation with TfL. The car parking management plan should detail how the car parking spaces are allocated, managed and monitored. The development shall be carried out in accordance with the details approved.

Reason: To ensure that sufficient off-street parking areas are provided and not to prejudice the free flow of traffic or conditions of general safety along the adjoining highway, to ensure and promote easier access for disabled persons

Compliance

30. Archaeology

The development must be carried out in accordance with the submitted Written Scheme of Investigation for a geoarchaeological evaluation (WSI) prepared by the Museum of London Archaeology (dated November 2021).

The development shall not be occupied until a post-investigation assessment (PXA), with an updated project design and subsequent analysis, publication & dissemination and deposition of resulting material has been submitted to and approved by the Local Planning Authority in writing.

Reason: Heritage assets of archaeological interest survive on the site. The planning authority wishes to secure the provision of archaeological investigation followed by the subsequent recording of significant remains in accordance with recommendations given by the borough and in the NPPF.

31. BREEAM

The BREEAM 2018 post-construction assessment demonstrating how the development will achieve (BREEAM Excellent), shall be submitted to and approved in writing by the Local Planning Authority within SIX (6) MONTHS of occupation, to demonstrate that the development is in accordance with an agreed methodology to ensure that the required minimum rating has been achieved.

Reason: In the interest of energy efficiency and sustainability.

32. Circular Economy Statement- post-construction

A post completion report demonstrating compliance with the Circular Economy Statement must be provided and approved in writing by the Local Planning Authority within 6 months of first occupation of any part of the development.

Reason: In the interest of sustainable waste management and in order to maximise the re-use of materials.

33. Maximum Quantum of Floorspace

The development hereby approved shall be limited to a maximum of 10,128sqm and maintained thereafter.

Reason: In order to ensure that the development causes no additional impact that has not been assessed as part of the planning application proposal.

34. Site Specific Non-Road Mobile Vehicles

During onsite construction works, all non-road transportable industrial equipment or vehicles which are fitted with an internal diesel-powered compression ignition engine between 37 and 560KW and not intended for transporting goods or passengers on roads are required to be NRMM registered and comply with the emission standards set out in chapter 7 of the GLA's supplementary planning guidance 'Control of Dust and Emissions from Construction and Demolition SPG' July 2014. Such vehicles must be run on ultra-low sulphur diesel (also known as ULSD 'cleaner diesel' or 'green diesel'). "Ultra-low sulphur diesel" means fuel meeting the specification within BS EN 590. Where these standards are succeeded, they should be applied no later than 1 year after succession. Exemptions to these standards maybe granted for specialist equipment or for equipment with alternative emission reduction equipment or run-on alternative fuels. Such exemptions shall be applied for in writing to the LPA in advance of the use of such vehicles, detailing the reasons for the exemption being sought and clearly identifying the subject vehicles. Exemptions that are granted will be in writing and such vehicles must not be used until written exemption has been received by the applicant. No vehicles or plant to which the above emission standards apply shall be on site, at any time, whether in use or not, unless it complies with the above standards, without the prior written consent of the local planning authority.

Reason: To ensure that air quality is not adversely affected by the development and to protect the amenity of future occupants and/or neighbours.

35. Flood Risk Assessment

The development permitted by this planning permission shall only be carried out in accordance with the principles set out in the Flood Risk Assessment and Drainage Strategy dated 15.12.2023. There shall be no raising of existing ground levels on the site to facilitate the free passage of flood water in times of flooding.'

Reason: to minimise the risk of internal flooding and to ensure the safety of the occupants during a flood to ensure users of the site

36. Maximum Car Parking Numbers

The maximum number of vehicle parking spaces shall not exceed 63 parking spaces including blue badge disabled parking and thereafter maintained.

Reason: In order to ensure an acceptable level of parking and to ensure that vehicle movements associated with the use hereby permitted remains consistent and that the use shall not represent any unacceptable level of vehicle movements such that the safety of pedestrians shall be unduly prejudiced.

37. No Open Storage

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

Reason: To ensure a satisfactory standard of external appearance, in accordance with Policy CP3 of the Core Strategy and policy BP11 of the Borough Wide Development Policies Development Plan Document.

Reason: For clarity and in the interests of proper planning

38. Secure by Design

The submission of reserved matters shall be accompanied by a report detailing how the scheme has taken into account the principles and practices of Secured by Design in order to assist in reducing the opportunity for crime, minimising fear of crime, and creating a safer and more secure environment. The scheme shall be constructed in accordance with the approved Report.

Reason: To ensure safe and secure development and reduce crime.

39. Noise from Non-Residential Uses and Plant and Structure Borne Noise Emissions

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 residential dwelling. Any assessment of compliance in this regard shall be made according to the methodology and procedures presented in BS4142:2014.

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 the London Plan.

40. Industrial use of site

Notwithstanding the provisions of the Town and Country Planning (Use Classes) Order 1987 (as amended), the development hereby approved is for Use Class B2, B8 and E(g)(iii) only and shall be used for no other purposes within Class E or any provision equivalent to these Class in any statutory instrument revoking and re-enacting that Order with or without modification.

Reason: To safeguard the industrial use hereby permitted

41. Site clearance

Any vegetation removal works, including felling or pruning of the broadleaved and scrub clearance works shall be performed either before early March or after late August in order to avoid impacting any birds during the main period in which they are nesting. If, however, works are deemed necessary during the

nesting period an experienced ecologist will be required to check the Site habitats to confirm that no nesting birds will be affected by the proposed works.

Reason: to protect potential on-site habitats.

Appendix 6:

s.106 Proposed Heads of Terms:

The proposed heads of terms to be secured through a Section 106 Legal Agreement (agreed between the Council and the Applicant) are set out below:

Administrative:

1. Payment of the Council's professional and legal costs, whether or not the deed completes;
2. Payment of the Council's £ 20,000 reasonable fees in monitoring and implementing the Section 106 and payable on completion of the deed; and,
3. Indexing – all payments are to be index linked from the date of the decision notice to grant planning permission to the date on which payment is made, using BCIS index.
4. The agreement shall allow for the pro rata reduction of the sum of all contributions payable in the event that a reduced floorspace is approved at the Reserved Matters stage on the basis that the current contributions are calculated based on the maximum floorspace of the development of [10,128sqm GEA] and the contributions payable will be reduced at an equivalent reduction to the amount of approved floorspace.

Employment and Skills

5. Local Employment and Skills Obligations

The Owner will use reasonable endeavours to ensure that jobs are provided to LBBB residents, during the construction of this proposed scheme.

The Owner will use reasonable endeavours to:

- ensure 25% of the total construction jobs (calculated on an FTE basis) created are new jobs filled by LBBB residents, either with the contractor or through the supply chain.
- Advertise all vacancies through the council's job brokerage services, with notification of job vacancies exclusively available to residents for a minimum of 10 days before being advertised more widely.
- Provide a skill forecast for the development and highlight any shortages to the council's job brokerage service at least three months before commencement of the development.

4. Training during Construction The Owner will use reasonable endeavours to ensure the following:

- Deliver one training opportunity for every 10 construction workers – at least half of which (or 5% of the FTE workforce) must be apprenticeships leading to a full recognised qualification.
- Provide 10 weeks of work experience for every 6 months of the construction phase – with each placement lasting a minimum of 2 weeks;
- Provide at least one educational workshop / visit per educational term for the duration of the construction phase to support local schools and careers services.

5. Supply chain development during Construction

The Owner will use reasonable endeavours to:

- Submit a Tender Event Schedule detailing the list of work packages being offered to competitive tender for the developer and all sub-contractors, including timeframes, values of packages and framework agreements;
- Source good and services from the borough wherever possible, with an aim that this will represent at least 25% of the value of all goods and services required for the development;
- to ensure companies based in LBBB will be given a genuine opportunity to tender for all contracts and sub-contracts arising from the development;

- Provide details each time a package is awarded including information about any local contractors that have tendered for work (both successful and unsuccessful, with the reasons why);
- Participate in at least two events in each year of the development to promote opportunities to local suppliers and build their capacity and/or contribute financially to the delivery of such activity to ensure local suppliers are able to access opportunities arising from the development.

6. Employment- End User Obligations

The Owner will use reasonable endeavours to ensure that the Owner/ Occupiers' employees and jobs (including employees and jobs with its contractors) are provided to LBBB residents, during the end user phase in accordance with the following:

- ensure 25% of the total end user jobs (calculated on an FTE basis) created are new jobs filled by LBBB residents within the first 5 years of operation.
- Work closely with the council's employment and skills brokerage to achieve a target of **25% of all jobs** within the tenants' workforce on site to be filled by local residents within 5 years of operation.
- Advertise all vacancies through the council's job brokerage services, with notification of job vacancies exclusively available to residents for a minimum of 10 days before being advertised more widely.

For end-user jobs, encourage tenants to work closely with the applicant and LBBB to advertise all newly created vacancies through the council's Job Brokerage service including through introducing tenants to LBBB's Job Brokerage service to help provide a skills forecast for the development and highlight any shortages to the Council's job brokerage service, a minimum of six months before operational end use commences; and where feasible including relevant commitments within terms and conditions of tenancies.

A commitment to collaborative working through the employment of a designated Employment co-ordinator to liaise with and where feasible provide access on site for the Council's Job Brokerage service.

7. Monitoring

- Once the development has commenced monitoring forms must be submitted to the Council by the designated coordinator responsible for managing recruitment and training monthly for the first three months and quarterly thereafter.
- This designated employment coordinator will attend with the Council regular site visits or meetings to ensure compliance with this schedule and discuss how the obligations contained in this schedule are progressing. These site visits and meetings will take place quarterly in cases where the Council has concerns that the Owner or its contractors/sub-contractors have not been adequately complying with their obligations contained in this schedule. Where the Owner can demonstrate to the Council that they are complying with their obligations in this schedule, such site visits and meetings will be held on a less regular basis at the Council's discretion.
- Confirmation that all obligations have been met – or appropriate employment and training compensation agreed – must be provided before the Council will approve a developer's application for discharge of the obligations in this Agreement.
- Employment and training compensation will be calculated based on: the shortfall against the target number of jobs for LBBB residents X £5,000 (average cost of supporting an unemployed borough resident into work) and the shortfall against the target number of apprenticeship starts X £8,000 (approximate wage costs of a one-year apprenticeship at the minimum apprenticeship rate);
- Subject to the findings of evidence collected through the agreed employment and training processes, the Owner will pay employment and training compensation to the Council within 30 days of the Council's written request if it is found that the shortfall in the delivery of any employment or training specified in this schedule can be attributed to the Owner having not used all reasonable endeavours to follow the agreed processes.
- The Owner shall be responsible for all legal costs incurred by the Council in enforcing or ensuring compliance with this schedule.

8. Training and Employment Contribution

Financial contribution of £132,579 (BCIS Index Linked) to go towards the cost of training and employment support for local residents in respect of the construction and end user phase of the Development.

Trigger: To be paid on commencement of the development.

Energy and Sustainability

9. Carbon Reduction

On practical completion of the development, the Developer shall submit to the Council an assessment of the carbon reduction measures implemented within the Development demonstrating it achieves a minimum of 35% reduction over Part L of the Building Regulations 2021 through on-site provisions.

10. Carbon Offset Contribution

No later than 3 months from the date of Practical Completion of the development, where it is clearly demonstrated that zero-carbon standards (based on net-zero regulated CO₂ emissions) cannot be achieved on-site, any shortfall should be provided through a cash in lieu contribution (£95/per tonne over a 30 year period or at the rate in place at the time of the application's determination) paid to the council.

The site shall not be occupied until the carbon offset contribution has been paid.

11. Future proof development in order to ensure it could connect to a District Heating Network

Prior to the commencement of Development, permitted under subsequent reserved matters, the Owner will submit a District Heating Network (DHN) Statement to the Council for approval to detail how the development could connect to the DHN or future DHN.

Trigger: statement to be submitted prior to commencement of development permitted under subsequent reserved matters.

12. Dagenham Dock Decentralised Energy Network Potential Study Contribution

A financial contribution £8,254 (BCIS Index Linked) towards a wider study for Dagenham Dock decentralised energy network potential.

The Owner and Be First will agree the scope of the study through the steering group at the time of commission. The progress of the study will be reported to the Steering Group.

Trigger: payment to be made Prior to commencement of development permitted under subsequent reserved matters (excluding demolition/enabling and remediation works).

13. Be Seen

- d) Prior to each Building being occupied, the Owner shall provide updated accurate and verified 'as-built' design estimates of the 'Be Seen' energy performance indicators for each Reportable Unit of the development, as per the methodology outlined in the 'As-built stage' chapter / section of the GLA 'Be Seen' energy monitoring guidance (or any document that may replace it). All data and supporting evidence should be submitted to the GLA using the 'Be Seen' as-built stage reporting webform (<https://www.london.gov.uk/what-wedo/planning/implementing-london-plan/london-plan-guidance-and-spgs/be-seen-energy-monitoring-guidance>). The owner should also confirm that suitable monitoring devices have been installed and maintained for the monitoring of the in-use

energy performance indicators, as outlined in the 'In-use stage' of the GLA 'Be Seen' energy monitoring guidance document (or any document that may replace it).

- e) Upon completion of the first year of Occupation or following the end of the Defects Liability Period (whichever is the later) and at least for the following four years after that date, the Owner is required to provide accurate and verified annual in-use energy performance data for all relevant indicators under each Reportable Unit of the development as per the methodology outlined in the 'In-use stage' chapter / section of the GLA 'Be Seen' energy monitoring guidance document (or any document that may replace it). All data and supporting evidence should be submitted to the GLA using the 'Be Seen' in-use stage reporting webform (<https://www.london.gov.uk/what-we-do/planning/implementing-londonplan/london-plan-guidance-and-spgs/be-seen-energy-monitoring-guidance>). This obligation will be satisfied after the Owner has reported on all relevant indicators included in the 'In-use stage' chapter of the GLA 'Be Seen' energy monitoring guidance document (or any document that may replace it) for at least five years.
- f) In the event that the 'In-use stage' evidence submitted under Clause b) shows that the 'As-built stage' performance estimates derived from Clause a) have not been or are not being met, the Owner should investigate and identify the causes of underperformance and the potential mitigation measures and set these out in the relevant comment box of the 'Be Seen' in-use stage reporting webform. An action plan comprising measures identified in Clause b) shall be submitted to and approved in writing by the GLA, identifying measures which would be reasonably practicable to implement and a proposed timescale for implementation. The action plan and measures approved by the GLA should be implemented by the Owner as soon as reasonably practicable.

Air Quality

14. Air Quality off-setting contribution.

A payment at the off-setting contribution rate of £29,000 per tonne of NOx over the benchmark applicable to B2/B8/E(g)(iii) uses (as set out in the Mayor of London's London Plan Air Quality Neutral Guidance applicable at the date of this Agreement (being London Plan Air Quality Neutral Guidance February 2023), will be applied if the approved air quality report concludes that the development is not air quality neutral.

Trigger: The assessment must be submitted to the Council prior to practical completion of the development and (if payable) to pay the contribution within 3 months of approval by the Council of the Air Quality Report.

Transport

15. Submission of a revised Car Parking Management Plan

To use reasonable endeavours to ensure that the End User submits by the 10th anniversary of occupation of the development, a revised Car Park Management Plan (CPMP) to the local planning authority for determination. The revised CPMP shall be accompanied with a report monitoring usage of the car park since first occupation. Subject to the CPMP demonstrating that the spaces are not essential for operation purposes, to use reasonable endeavour to ensure that the End Use removes up to 10% of approved parking spaces by the 10th anniversary of first occupation of the development.

Trigger: The Plan must be submitted to the Council before the tenth anniversary of occupation of the Development

16. Site Wide Travel Plan

The Owner shall develop a Site Wide Travel Plan that accords with the approved Framework Travel Plan in consultation with TfL.

Trigger: submitted to the Council for their approval before practical completion

- On the 1st, 3rd, 5th anniversary of the commencement of the operation of the development, the applicant or successive owner in title shall submit a Travel Plan monitoring report to demonstrate

that best and reasonable endeavours have been undertaken to ensure that the occupiers/tenants have aimed to engage and encourage active, inclusive, and carbon-free sustainable travel to and from the site with their associated users.

17. Bus Service Contribution

A financial contribution of £257,936 (BCIS Index Linked) towards the enhancement of local bus services at the morning peak and night times to serve the development.

Trigger: Payable on commencement of the development

18. Strategic Infrastructure Masterplan Study Contribution

A financial contribution of £8,254 (BCIS Index Linked) towards the development of a strategic infrastructure masterplan study focused on modal shift, including the river / rail freight proposition, innovation, promotion and support of low carbon and autonomous vehicles.

The scope of the masterplan study will be submitted to the Council for approval. The scope will be discussed with relevant members of the Steering Group.

Trigger: Payment to be made prior to commencement of development permitted under subsequent reserved matters (excluding demolition/enabling and remediation works).

19. S.278 Agreement

The Owner will enter into a S278 Agreement for the creation of new access/egress arrangements to the site and adjustments to Choats Road to accommodate safe movements for all road users.

The S278 Agreement (and all related approvals and consents) shall not be unreasonably withheld or delayed by the highway authorities (the highway authority being LBBB and TfL). The highway authority shall use all reasonable endeavours to ensure congestion mitigation measures provided for in the S278 Agreement are in place prior to the intended date of first occupation. An agreed programme specifying all necessary procedural and implementation stages and their anticipated dates shall be included in the S106/278 Agreement and the parties shall carry out such stages in accordance with the programme.

20. Road Network Improvements

A financial contribution of £51,587 (BCIS Index Linked) towards road network improvements. The financial contribution will be towards localised highways improvements including any improvements along Choats Road.

Trigger: Payment to be made prior to commencement of development

Public Realm

21. Public Realm Improvement Contribution

A financial contribution of £103,175 (BCIS Index Linked) towards Public Realm enhancements in and around Dagenham Dock C2C station and Chequers Lane.

Trigger: payment to be prior the commencement of development

Steering Group

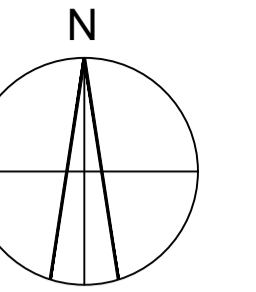
22. Steering Group Obligation.

A steering group set up by the Council on Commencement of Development which shall deal with the extent of the areas to be benefitted by the Dagenham Dock Decentralised Energy Network Potential Study, the Strategic Infrastructure Masterplan Study and the Public Realm Improvements.

23. Application Implementation

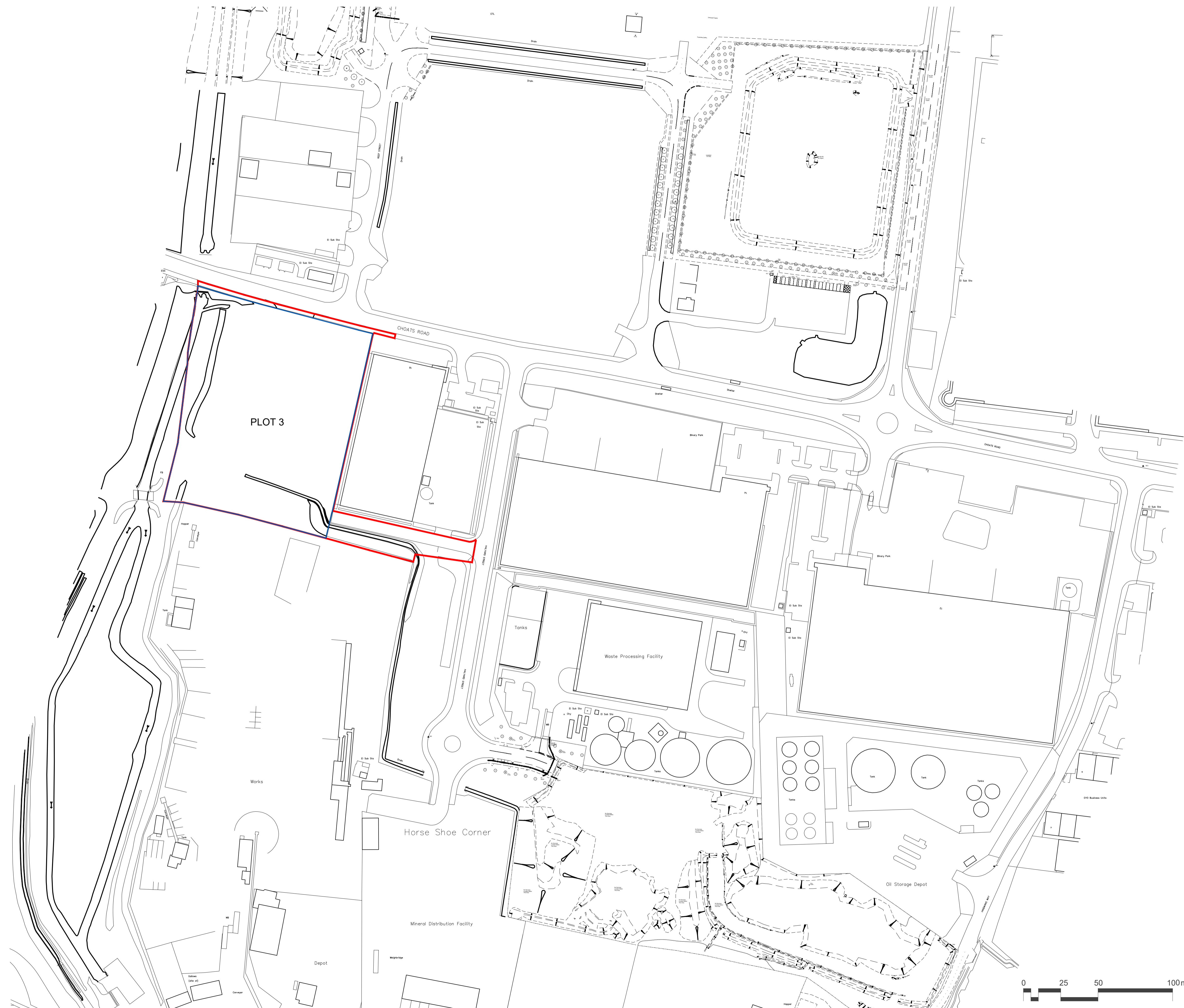
The Owner agrees and covenants with the Council that:

2. There shall be no Commencement of Development of this planning permission [reference 23/01947/OUTALL] if planning permission reference 21/01355/FULL is Commenced and vice versa.



NOTES:
 SUBJECT TO STATUTORY CONSENTS
 SUBJECT TO SURVEY
 BASED ON OS MAP REPRODUCED BY PERMISSION OF CONTROLLER OF HM STATIONARY OFFICE (c) CROWN COPYRIGHT
 COPYRIGHT RESERVED
 DO NOT SCALE THIS DRAWING
 DO NOT USE ELECTRONIC VERSIONS OF THIS DRAWING TO DETERMINE DIMENSIONS UNLESS SPECIFICALLY AUTHORISED BY MICHAEL SPARKS ASSOCIATES
 IF USING AN ELECTRONIC VERSION OF THIS DRAWING FIGURED DIMENSIONS TAKE PRECEDENCE AND NOTIFY MICHAEL SPARKS ASSOCIATES OF ANY DISCREPANCIES

- APPLICATION BOUNDARY
- SITE OWNERSHIP



PLANNING				
C	08/07/2021	Site Ownership line added Application boundary updated	PT	AC
B	25/06/2021	Planning Issue	PT	AC
A	21/06/2021	Red line boundary updated	PT	AC
-	16/06/2021	Draft Issue	PT	AC
REV	DATE	NOTE	DRAW	CHKC



CHARTERED ARCHITECTS
11 PLATO PLACE
ST. DIONIS ROAD
LONDON, SW6 4TU
TELEPHONE 020 7736 8182
FAX 020 7736 3896
www.msa-architects.co.uk



TITLE
SEGRO PARK, DAGENHAM
PLOT 3

DRAWING
PROPOSED SITE PLAN

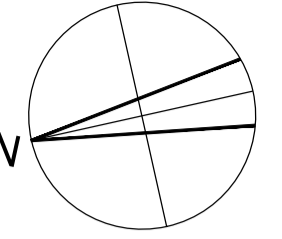
CLIENT
SEGRO

DATE JUNE 2021	SCALE 1:1250 @ A1	DRAWN PT
STATUS PLANNING		CHECKED AC

DRAWING NUMBER
31603-PL-100C


This page is intentionally left blank

NOTES:
 SUBJECT TO STATUTORY CONSENTS
 SUBJECT TO SURVEY
 BASED ON OS MAP REPRODUCED BY PERMISSION OF
 CONTROLLER OF HM STATIONARY OFFICE (C) CROWN
 COPYRIGHT
 COPYRIGHT RESERVED
 DO NOT USE ELECTRONIC VERSIONS OF THIS DRAWING TO
 DETERMINE DIMENSIONS UNLESS SPECIFICALLY
 AUTHORISED BY MICHAEL SPARKS ASSOCIATES
 IF USING AN ELECTRONIC VERSION OF THIS DRAWING
 FIGURED DIMENSIONS TAKE PRECEDENCE AND NOTIFY
 MICHAEL SPARKS ASSOCIATES OF ANY DISCREPANCIES



 APPLICATION BOUNDARY

 ACCESS / EGRESS

 ACCESS & EGRESS
BETWEEN ARROWS

 EGRESS ONLY

 STRUCTURAL LANDSCAPING/
GREEN INFRASTRUCTURE

 DEVELOPMENT PLOT
 Industrial Buildings (B2,B8,EGiii)
 Ancillary Offices
 Gatehouses/Entrance Buildings
 Plant
 Ramps
 Servicing areas
 Parking/cycle storage
 Industrial landscaping
 Ancillary Infrastructure
 Substation

DEVELOPMENT PLOT
 MAX AREA: 10,128 SQM GEA
 MAX BUILDING HEIGHT: 28M AFL

PLANNING				
REV	DATE	NOTE	DRAW	CHECK
B	28/11/2023	Updated	GZ	AC
A	27/11/2023	Updated	GZ	AC
-	30/08/2023	Planning Issue	GB	AC

MICHAEL SPARKS ASSOCIATES

CHARTERED ARCHITECTS

11 PLATO PLACE
STATIONS ROAD
LONDON SW6 4TU

TELEPHONE 020 7736 6162
www.msa-architects.co.uk

SEGRO

TITLE
SEGRO PARK, DAGENHAM

DRAWING
**PLOT 3
 PROPOSED PARAMETERS PLAN**

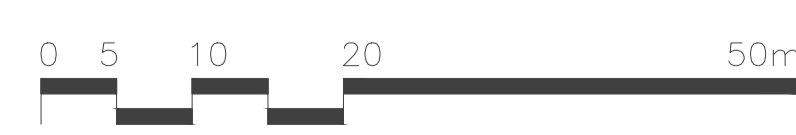
CLIENT
SEGRO

DATE AUGUST 2023	SCALE 1:500 @ A1	DRAWN GB
STATUS PLANNING		CHECKED AC

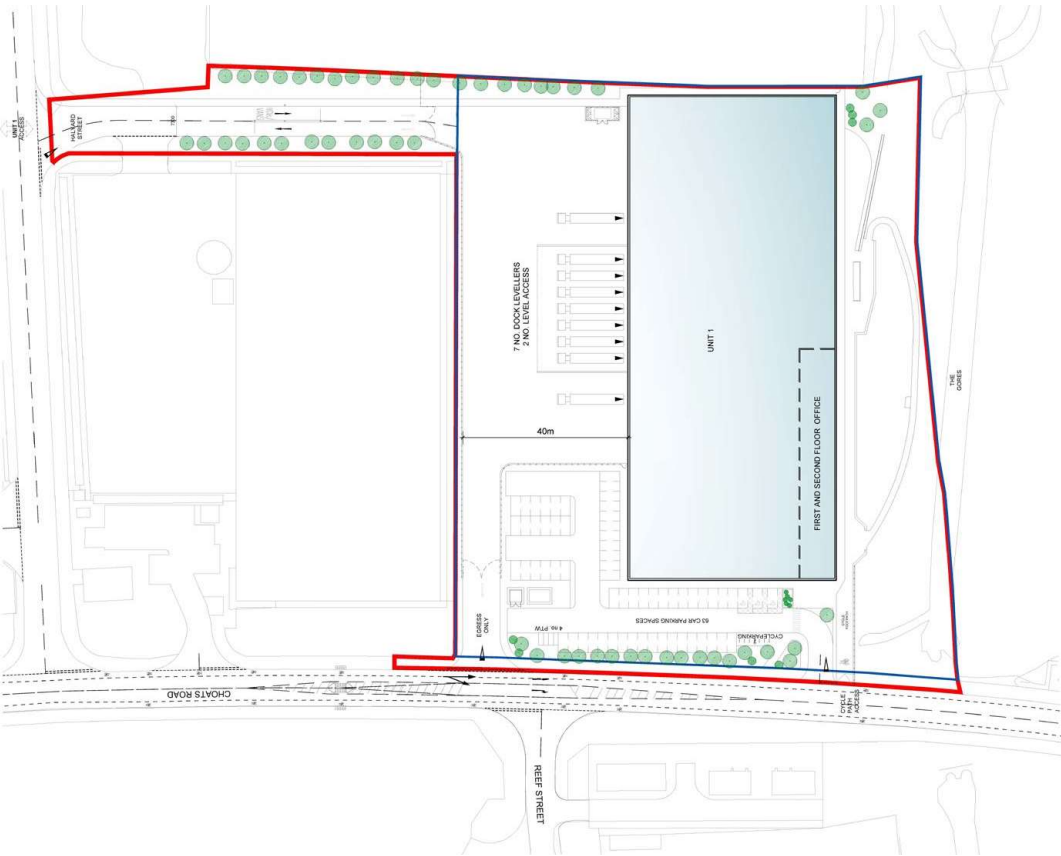
DRAWING NUMBER
31603-PL-211B



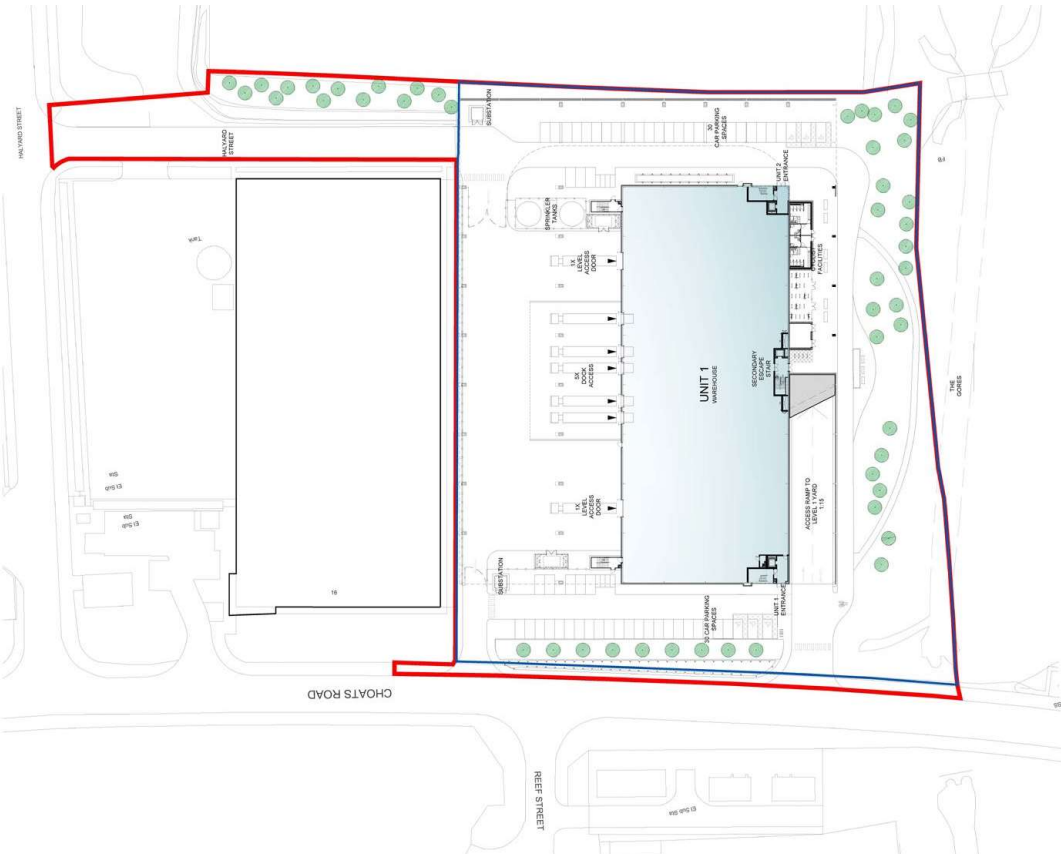
Page 73



This page is intentionally left blank



Indicative Site Layout Plan - Single Storey

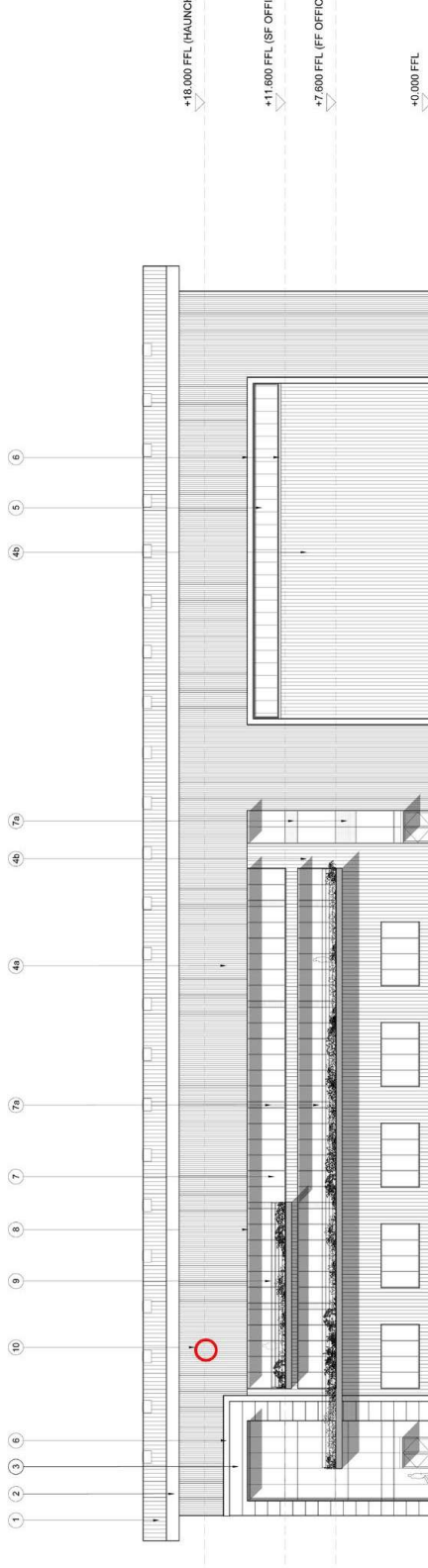


Indicative Site Layout Plan - Multi Storey

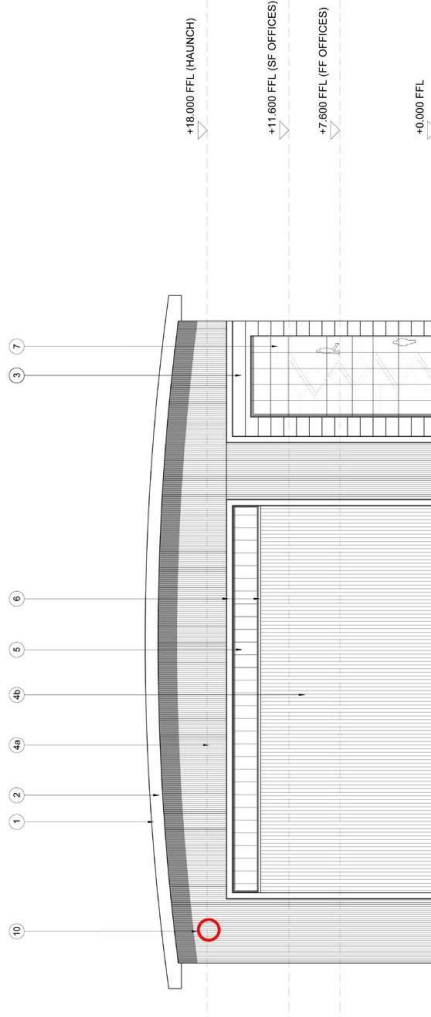
6.8 APPEARANCE

The application is in outline, therefore the design will be subject to further stages in the design process and will be subject to future reserved matters consents.

The indicative elevations illustrate the aspiration of the applicant to achieve a vision for a modern business park where building uses good quality and sustainable materials and is laid out to respond, flexibly and elegantly, to business needs of the prospective occupiers.



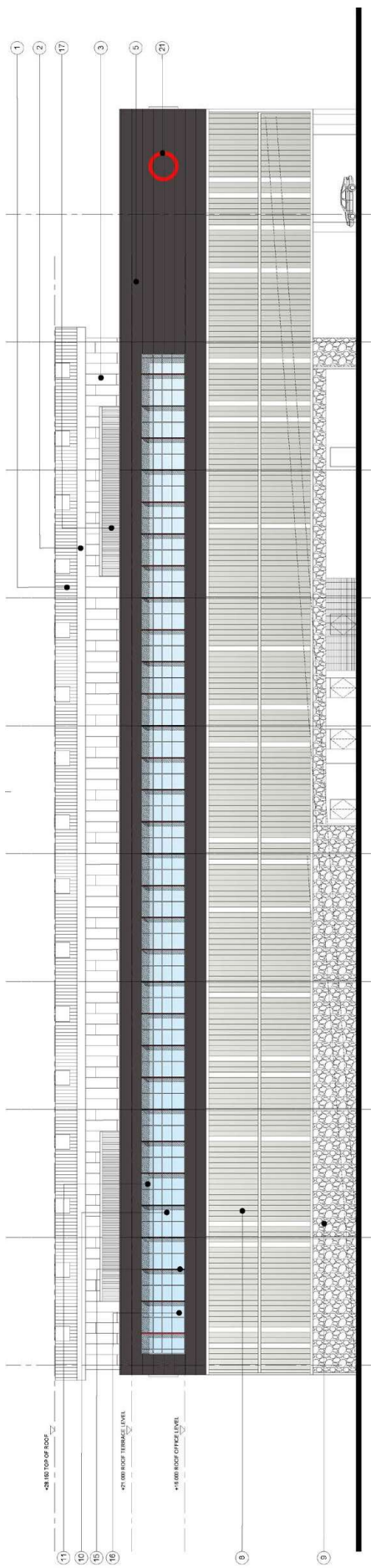
Indicative West Elevation - Single Storey



Indicative North Elevation - Single Storey

SCHEDULE OF FACING MATERIALS:

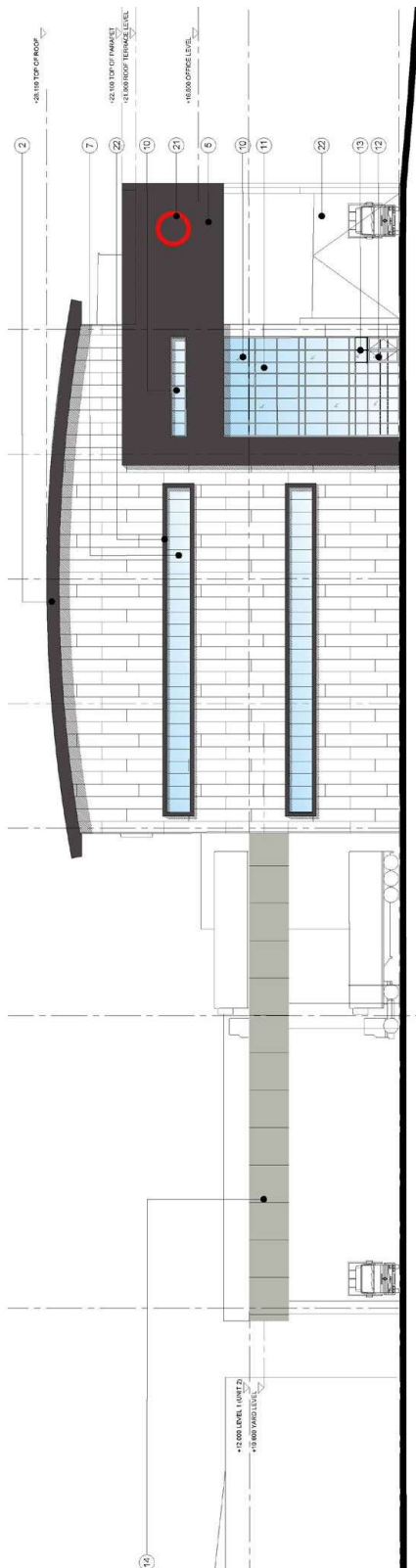
1	Curved Metal Roof	Build-up standing seam roof system Colour: HPS200 Colourocoat - Albatross
2	Metal Soffit and Fascia	2mm aluminium flat panel secret fixed cladding. Colour: PPC - Anthracite - Dark Grey
3	Flat Metal Cladding Panels	Flat composite panel, horizontal orientation Colour: Colourocoat Prima - Anthracite - dark grey.
4	Profiled Metal Cladding	Translucent profiled steel built up cladding system, vertical orientation 4a - Light Silver; 4b - Dark Silver.
5	Translucent Opaque Panels	Translucent panel, vertical orientation; Colour: White Opaque
6	Feature Band	0.7 steel profile, Colour: Colourocoat Prima- dark silver
7	Curain Walling	Glazed curtain walling with polyester powder coated aluminium sy frame and capping Glass Colour: clear anti-sun glass Frame Colour: PPC - Anthracite, RAL 7016 7a - spandrel panel, glazed with inner pane ceramic Anthracite ba 7b - spandrel panel, glazed with inner pane ceramic Anthracite ba
8	Office Brise Soleil	PPC perforated aluminium plate fixed to curtain walling frame, ven orientation, Colour: PPC Anthracite - dark grey.
9	Balcony Balustrade	Stainless steel circular handrail installed at 1.1m high
10	Building Signage	50mm deep aluminium preformed Segro Red 'O' letter fixed to e cladding, Colour: PPC SEGRO Red



Indicative West Elevation - Multi Storey

SCHEDULE OF FACING MATERIALS:

- | | | |
|----|-------------------------------------|--|
| 1 | Curved Metal Roof | Brushed metallic aluminium panels
Colour: HPS200, Colourcode: Alcobron |
| 2 | Metal Soffit and Fascia | Paint aluminium full panel secret fixed cladding
Colour: PPC - Anthracite - Dark Grey |
| 3 | Profiled Cladding A | Triaxial profiled steel built up cladding system (vertical orientation)
Colour: Colourcoat Prima - Light, Medium & Dark Silver |
| 4 | Profiled Cladding B | Triaxial profiled steel built up cladding system (vertical orientation)
Colour: Colourcoat Prima - Silver Metallic |
| 5 | Flat Metal Cladding Panels Type A | Flat composite panel, horizontal orientation
Colour: Colourcoat Prima - Anthracite - dark grey |
| 6 | Flat Metal Cladding Panels Type B | Flat composite panel, horizontal orientation
Colour: Colourcoat Prima - Silver Metallic |
| 7 | Translucent Opaque Panels | Translucent panel, vertical orientation
Colour: White Opaque |
| 8 | Profiled glass screen | Translucent panel, vertical orientation
Colour: White Opaque and Clear in a dark grey PPC steel frame |
| 9 | Carbon Cladding | Carbon baskets with facing stone |
| 10 | Curtain Walling | Glazed curtain walling with polyester powder coated aluminium frame
Glass Colour: Clear and-tan glass
1.2m high toughened and laminated glazed balustrade - Glass C clear
Stainless steel circular handrails installed at 1.1m high |
| 11 | Spandrel Panels | Glazed entrance door (main) curtain walling full height put be
Glass entrance canopy |
| 12 | Entrance Doors | Brushed concrete balustrade panels |
| 13 | Glass Canopy | 50mm deep PPC perforated aluminium fix, side fixed to cladding frame, vertical orientation, Colour: PPC Anthracite - dark grey / red edge Colour: PPC SEGRO Red |
| 14 | Service Yards and Ramp's Balustrade | 1.2m high toughened and laminated glazed balustrade - Glass C clear
Stainless steel circular handrails installed at 1.1m high |
| 15 | Office Bive Sidel | Aluminium or steel continuous louvre, Colour: PPC SEGRO Red frame |
| 16 | Office Balcony Balustrade | Painted metal factory finished, colour: light silver with dark grey frame |
| 17 | Ramp Room Screen | Painted metal factory finished, colour: light silver with dark grey frame |
| 18 | Personnel Door | Painted metal factory finished, colour: light silver with dark grey frame |
| 19 | Loading Doors - level access | Painted metal factory finished, colour: light silver with dark grey frame |
| 20 | Loading Doors - dock level access | 50mm deep aluminium perforated Signo Red 17 letter fixed cladding, Colour: PPC SEGRO Red |
| 21 | Building Signage | Pressed metal finished hand, 300x300mm Anthracite grey |
| 22 | Feature Bands | Concrete ramp on concrete or steel columns |
| 23 | Rampis | |



Indicative North Elevation - Multi Storey

This page is intentionally left blank



CGI View from Choats Road - Single Storey



CGI View from Choats Road - Multi Storey

This page is intentionally left blank

Working in partnership


**Barking &
Dagenham**
LONDON BOROUGH OF BARKING & DAGENHAM
PLANNING COMMITTEE
24th July 2024
Application for Planning Permission

Case Officer:	Kathryn McAllister	Valid Date:	20.12.2023
Applicant:	Ahlul Istiqamah Trust UK	Expiry Date:	14.02.2024
Application Number:	23/01952/FULL	Ward:	Northbury
Address:	The Jolly Fisherman Public House, 108 North Street, Barking, IG11 8LA		

The purpose of this report is to set out the Officer recommendations to Planning Committee regarding an application for planning permission relating to the proposal below at The Jolly Fisherman Public House.

Proposal:

Change of use from former public house (Sui Generis) to place of worship/community centre (F1) with addition of a rear extension and an extension to the first-floor dormer.

Officer Recommendations:

Planning Committee is asked to resolve to:

1. Agree the reasons for approval as set out in this report,
2. Delegate authority to the Strategic Director of Inclusive Growth in consultation with the Head of Legal Services to grant planning permission subject to the completion of a legal agreement under s106 of the Town and Country Planning Act 1990 (as amended) based on the Heads of Terms identified at Appendix 6 of this report and the Conditions listed in Appendix 5 of this report; and
3. That, if by 24 January 2025 the legal agreement has not been completed, the Strategic Director of Inclusive Growth be delegated authority to refuse planning permission or extend this timeframe to grant approval.

Conditions Summary:

1. Time Limit (compliance)
2. Approved Drawings (compliance)
3. Appearance of the buildings (compliance)
4. Amplified Music (compliance)
5. Delivery/Collection Hours (compliance)
6. Externally Generated Noise (compliance)
7. Security lights and Decorative External Lighting (compliance)
8. Community Use Agreement (detail)
9. Management Plan (detail)
10. External Material (detail)
11. Historic Repair and Retrofit (detail)
12. Construction Environmental Management Plan (detail)
13. Cycle Parking (detail)

14. Refuse and Recycling (detail)
15. Soft and Hard Landscaping (detail)
16. Soft Landscaping Management Plan (detail)
17. Biodiverse Roof (detail)
18. Noise Generating Mechanical Services Plant (detail)

Informative(s):

1. Asbestos
2. Community Safety
3. Contamination

S106 – Summary of Heads of Terms:

Schedule One – Administrative

1. Payment of the Council's professional and legal costs, whether the Section 106 Agreement completes or not the agreement completes and payable on completion of the deed.
2. Payment of £1,500 on signing to monitor the agreement.
3. Indexing – all payments are to be index linked from the date of the decision to grant of the planning permission to the date on which payment is made, using BCIS index.

Schedule Two – Travel Plan

1. The Travel Plan submitted as part of the application, and prepared by Markside Associate (reference TP01, revision A, dated 13/12/2024) must be implemented from the first use of the hereby approved use. The Owner/Developer must comply with the Travel Plan for at least the Travel Plan Monitoring Period of five (5) years.
2. At least three (3) months prior to the First Occupation of the Development the Owner or Developer must appoint and fund a suitable qualified Travel Plan Coordinator and notify the Council in writing of the name, address, telephone number and email address of the person appointed.
3. On the 1st, 3rd, and 5th anniversary of the Travel Plan / commencement of the use, the Owner or Developer must undertake and submit a Travel Plan Monitoring Report to the Council for approval.
4. Payment of £4,500 on first occupation of development for review of the Travel Plan Monitoring Report (£1,500 per review x 3 reviews).

OFFICER REPORT

Planning Constraints:

- Locally Listed Building
- Air Quality Management Area

Site, Situation and relevant background information:

The application site and Current Use

The application site is located on the east side of North Street. The building occupying the site is a locally listed public house and it is constructed over two storeys beneath a pitched slate tiled covered roof above a basement. There is also a trade garden to the side. The public house has ceased trading since March 2019.

The surrounding area

The application site is bounded by residential dwellings and Small World Family Centre to the north, North Street and residential dwellings to the west, North Street and Gurdwara Singh Sabha London to the east and the A124 to the south, and the external amenities serving Northbury Primary School to the east.

Local Environment

The building is located within walking distance to a town centre (Barking). The whole of Barking and Dagenham is designated as an Air Quality Management Area and also falls with an Air Quality Focus Area, where exposure is predicted to be high.

Transport

The site has a Public Transport Accessibility Level (PTAL) score of 6a which is the one of the highest possible. The site is within an acceptable walking distance from a number of bus stops that can be accessed the site's North Street frontage, or on London Road circa 400m south of the site. The PTAL rating is also achieved based on the site's proximity to the rail network, with Barking station located within a 650m walk distance of the site. From Barking Station there is access to the London Underground (District & Hammersmith & City Lines), the London Overground network, and National Rail Services to London Fenchurch Street in central London.

Key issues:

- Principle of the Development - Land Use
- Design and Material Quality
- Heritage
- Biodiversity and Landscaping
- Impacts to Neighbouring Amenity
- Designing out Crime
- Sustainable Transport
- Refuse and Recycling
- Air Quality
- Contamination

Planning Assessment:

Principle of the development:	
<i>Existing use(s) of the site</i>	Public House (Sui Generis)
<i>Proposed use(s) of the site</i>	Place of Worship/ Community Centre (Use Class F1)

Loss of a Public House

1.1 Policy

1.2 There is a clear policy objective at national, regional and local level to protect public houses. This includes protection from development that may harm a public house's ability to operate a viable business.

1.3 Paragraph 97 of the National Planning Policy Framework (NPPF) mentions inter alia that to provide the social, recreational and cultural facilities and services the community needs, planning policies and decisions should: a) plan positively for the provision and use of shared spaces, community facilities (such as local shops, meeting places, sports venues, open space, cultural buildings, public houses and places of worship) and other local services to enhance the sustainability of communities and residential environments;

1.4 Part B in Policy HC7 (Protecting public houses) of the London Plan states that applications that propose the loss of public houses with heritage, cultural, economic, or social value should be refused unless there is authoritative marketing evidence that demonstrates that there is no realistic prospect of the building being used as a pub in the foreseeable future. The supporting text at paragraphs 7.7.6 and 7.7.7 provide detail information how the boroughs should assess pubs value and what is expected from marketing evidence that needs to be submitted to justify the loss.

1.5 London Borough of Barking & Dagenham's (LBB) currently adopted Local Plan makes no specific reference to public houses. It does however refer to protection of community facilities which public houses are a part of. Policy CC2 (Social Infrastructure to Meet Community Needs) states that support will be given to proposals which lead to the provision of additional community facilities via protection, retention, and enhancement. The policy requires such facilities to be sustainable and accessible.

1.6 To support the above policy, LBB prepared a Supplementary Planning Document (SPD) called Last Orders? Preserving Public Houses SPD, adopted in June 2014. The SPD specifically supplements the following policies and objectives of the Local Plan: Core Strategy (June 2010) Policies CP1 (Vibrant Culture and Tourism) and CC2 (Social Infrastructure to Meet Community Needs); and Borough Wide Development Policies (2011) DPD Policy BC6 (Loss of Community Facilities).

1.7 Policy DMS 1 (Protecting and enhancing existing facilities) in the draft LBB Local Plan 2037 offers guidance on protecting and enhancing existing facilities. The policy states that development proposal which result in a net loss will be resisted unless the existing facility is being re-provided.

1.8 Policy DMS 3 (Public houses) gives specific protection to public houses in accordance with London Plan policy HC7.

1.9 Assessment

1.10 The proposed development will result in a loss of the existing public house use.

1.11 Paragraph 7.7.7 of the London Plan states that the pub should have been marketed as a pub for at least 24 months at an agreed price following an independent valuation, and in a condition that allows the property to continue functioning as a pub. The business should have been offered for sale locally and London-wide in appropriate publications and through relevant specialised agents.

1.12 Submitted Information

1.13 The application has been accompanied by a marketing assessment prepared by AG&G. The statement details that two marketing campaigns were carried out as follow:

1.14

- a) The first marketing campaign lasted a month from 21/11/2018 to 17/12/2018 with the asking price for the pub being £500,000. Total of 6 offers were received ranging from £460,000 and £600,000. All offers received were from property developers. All but one supplied satisfactory evidence of funds demonstrating their ability to transact swiftly and unconditionally.
- b) The second marketing campaign started from 03/11/2021 and it was instructed by the new owner (who purchased the site during the first marketing) after their planning application to convert the building to residential development was refused. It is not clear how long the marketing campaign was intended for. However, the campaign ended after the current applicant made an offer on the building on 17/01/2022 at £1,090,000.

1.15 AG&G concluded at paragraph 9 a marketing assessment that the outcomes of the marketing exercise showed that there was no interest from other public house landlords and operators. The following reasons were given for not wanting to take this property on:

- The pub lies within a predominantly residential area surrounded by mainly Council housing and lacks passing footfall compared to the town centre.
- The pub is too small to appeal to managed house pub operators.
- A lack of commercial kitchen and no customer car parking.

1.16 Paragraph 6.21 of the submitted planning statement prepared by Be First Consultancy mentions that a third marketing exercise is underway since May 2023 (circa 10 months). A marketing brochure has been attached to the submitted planning statement as appendix 2.

1.17 Analysis of the submitted information.

1.18 The table below detailed the required criteria for the marketing assessment mention in Policy HC7 and paragraph 7.7.7 of the London Plan policy and the application compliance with those requirements.

Item	Required	Provided
Length of overall marketing	Continuous 24 months	Circa 12 months with breaks
Independent valuation	yes	no
Was sale offered locally and nationally	yes	Not clear from the submitted marketing assessment

1.19 It is clear from the submitted documents that the applicant has made some attempt to market the property and that there was a limited interest with no interest from public house owners.

1.20 No independent valuation has been obtained and the significant increase in price (increasing from £500,000 asking price to £1,450,000 asking price in the currently marketing exercise) is not justified especially for the location of the property.

1.21 It is not clear whether the AG&G mailing list contained locally and nationally bases businesses. However, it can be seen from the information provided that the listing was available online and it could be viewed by a range of business if they searched for it.

1.22 Conclusion on the loss of the public house

1.23 It is acknowledged that the submitted marketing exercise does not fully comply with policy and lacks some of the detail required by policy HC7 of the London Plan and DMS1 of the Draft Local Plan. In making the decision on whether the change of use and the loss of public house is acceptable, officers have considered the proposed and alternative use, and in this instance, it is considered that the loss of public house is outweighed by the public benefit that that alternative use (worship and community use) will offer to the local community as is discussed in more detail at 1.35 and 1.36 below.

1.24 In addition, it is not considered that the proposal would result in the loss of a service or facility of heritage, economic, social, or cultural value to the local community. Reasonable efforts have been made to preserve the facility and the Public House would appear to be no longer economically viable. The proposed alternative use would not detrimentally affect the vitality of the area and the

character of the street scene.

1.25 **Provision of Community Service with Worship Space**

1.26 Policy

1.27 Paragraph 97 of the NPPF encourages planning policies and decision to plan positively for the provision and use of shared spaces, community facilities (such as local shops, meeting places, sports venues, open space, cultural buildings, public houses and places of worship) and other local services to enhance the sustainability of communities and residential environments.

1.28 Policy S1 (Developing London's social infrastructure) of the London Plan notes that social infrastructure plays an important role in developing strong and inclusive communities. Paragraph 5.1.1 notes that social infrastructure covers a range of services and facilities that meet local and strategic needs and contribute towards a good quality of life. It includes health provision, education, community, play, youth, early years, recreation, sports, faith, criminal justice, and emergency facilities.

1.29 Policy CC2 (Social Infrastructure to Meet Community Needs) of the Core Strategy states that support will be given to proposals which lead to the provision of additional community facilities which should be sustainable and accessible by way of:

- Being located where they can be accessed on foot, bicycle or public transport, rather than only by car;
- Where possible, being developed as part of mixed-use developments so their facilities are better linked to housing, jobs, shopping, leisure and other local services, in order to minimise travel distances;
- Where possible, being located in close proximity to the community that the facility will serve.

1.30 Part 1(d) in Policy SP 4 (Delivering social and cultural infrastructure facilities in the right locations) talks about the Council supporting proposed for enhanced social and cultural infrastructure facilities where they meet an identified need in line with the Council's latest Infrastructure Delivery Plan, contribute to capacity, quality, usability, sustainability, and accessibility of existing and enhances facilities and services particularly where development will increase demand.

1.31 The most recent Infrastructure Delivery Plan has been prepared in September 2020. Paragraph 7.12.14 reads:

The Faith Groups and Meeting Places: Evidence Base Study (2017) suggests a need for circa 38,400m² additional purpose-built principal meeting room floor space by 2050, to meet the additional need generated by anticipated growth. Based on assumptions on faith space requirements outlined in the Faith Groups and Meeting Places Evidence Study, a total of 27,532.7sqm of new faith spaces across the Borough are required over the Plan period. Requirements for faith spaces by sub- area over the Plan period are outlined in Table 20.

1.32 The application site sits within Barking Town Centre. The faith space requirement over the Plan period (sqm) (up to 2037) in this area is 10,030.7sqm. This is information taken from the table 20 linked to the above-mentioned paragraph.

1.33 The Council's Planning Advice Note (PAN) 4 (Religious Meeting Places) was adopted in 2007 it is a material consideration, but limited weight is afforded to advice contained in the document as it has not been carried thought to any adopted or emerging Local Plan policies.

1.34 Assessment

1.35 The proposal would change the use from public house to a mosque with a community centre. The proposed use is considered to remain in a community use.

1.36 The application site is located in an area where there is rising demand for additional Islamic prayer space. Looking at the Census data overall in Barking & Dagenham, there has been extensive growth in the Muslim population in the borough (10.7% growth since 2011 and 20% since 2001). The 2021 Census showed that for Barking Central area, the Middle Layer Super Output Area (MSOA) shows that 33.9% of the inhabitants identified as being of the Muslim faith. When looking at the site more granularly, the Lower Super Output Areas (LSOA's) of "E00000052" and "E000000" show the areas as being 36.3% and 32.7% Muslim.

- 1.37 The Participation Manager (Partnerships) noted that there is currently a lack of Islamic worship spaces to service this growing community in the borough. The proposed application would fill in the identified need in this area.
- 1.38 In addition, it is noted that the application states that the premises will be made available for hire for community use, with a multi-functional space providing capacity. A community use agreement will be secured by planning condition requiring details of this to be submitted. This is a welcomed proposal which aligns to the aspirations of policy SP4 of the Draft Local Plan and policy S1 of the London Plan which support proposals for new social infrastructure facilities that create multi-functional spaces and meet an identified need. This use can be satisfactorily controlled by Planning Condition. A community use agreement condition will be imposed and secured by planning condition.
- 1.39 **Principle of Development – Balancing Exercise**
- 1.40 The existing public house closed in 2019 (nearly 5 years ago). Despite the applicants' efforts to market the building and find another public house operator, none has been found. The proposed development seeks to change the use to a community centre and mosque. The proposed use would be open to the community and there is clear and convincing evidence that there is a need for worship space and community use as the one proposed in the borough. The need for a new facility has been identified above and is therefore supported by policies SP4 of the Draft Local Plan and policy S1 of the London Plan.
- 1.41 The loss of the public house is resisted by policy HC7 of the London Plan, policy DMH3 of the Draft Local Plan. Policy DMS1 of the Draft Local Plan and policy S1 of the London Plan resist the net loss of community facilities unless they are replaced. On this occasion, the loss of the public house is considered acceptable given that it has been demonstrated to an acceptable degree that its continued use as a public house is unlikely and when weighed against the benefit that the proposed scheme will deliver in terms of repairing the locally listed building, bringing the building to use, offering the facility to community use, and creating a new mosque which responds to the identified need for such facilities in the local area. The proposal finely balances the aspirations of policies DMS1 and SP4 of the Draft Local Plan, policy S1 of the London Plan, policy CC2 of the Core Strategy DPD and policy BC6 of the Brough Wide DPD. The site will remain in community use although not a public house the new use will address an identified need in the borough and respond to changing demand.
- 1.42 It is acknowledged that previous planning application reference 19/01766/FUL on this site was refused on the grounds that the change of use of the public house had not been fully justified. Application 19/01766/FUL sought permission for the construction of a mixed-use development comprising of retail on the ground floor with residential units above. The development proposed in this application is substantially different to application 19/01766/FUL in terms of the nature of proposed development, the extent of public benefit provided and the retention of the site in community use. In both scenarios the proposal would result in the loss of public house. However, as discussed in sections 1.35 and 1.36 of this report the current proposal will restore the existing listed building and retain its use as a community facility. The benefits arising from this development are considered to demonstrably outweigh the harm caused by the loss of the pub.
- 1.43 Overall, other principal development is considered to be acceptable and in keeping with the Development Plan.

Heritage, Design and quality of materials:	
<i>Does the proposed development respect the character and appearance of the existing dwelling?</i>	Yes
<i>Does the proposed development respect and accord to the established local character ?</i>	Yes
<i>Is the proposed development acceptable within the street scene or when viewed from public vantage points?</i>	Yes
<i>Is the proposed development acceptable and policy compliant?</i>	Yes

2.0 Policy

- 2.1 Paragraph 131 of the National Planning Policy Framework (NPPF) states that the creation of high quality, beautiful and sustainable buildings and places is fundamental to what the planning and development process should achieve. Paragraph 135 states that planning policy and decision inter alia should ensure that development will function well and add to the overall quality of the area, is

visually attractive as a result of good architecture, layout and appropriate landscaping, is sympathetic to local character and history including surrounding built environment and creates places that are safe, inclusive and accessible.

2.2 The requirements of the NPPF are reflected in Policies D4 (Delivery good design) and D5 (Inclusive Design) of the London Plan, Policy CP3 (High quality built environment) of the Core Strategy, Policy BP11 (Urban design) of the Borough Wide Development Policies DPD, strategic policy SP 2 (Delivering a high quality and resilient built environment) as well as policies DMD 1 (Securing high-quality design) and DMD 6 (Householder extensions and alterations) of the Draft Local Plan 2037 (Reg 19).

2.3 Assessment

2.4 As well as the change of use, the proposed development comprises of a demolition of the existing single storey rear extension, a construction of a replacement extension, and extension to the existing first floor rear extension.

2.5 There is no objection to the demolition of the existing single storey rear extension. The proposed replacement extension would have the same footprint as the existing with the main difference being in height. The increase in height is considered minor in merit consideration. Given that the extension would replace the existing and they would be very similar in massing and scale, there are no concerns with the appearance and size of the extension.

2.6 The proposed first floor rear extension would add further massing and scale to the already existing extension. The additional bulk would not be readily visible from the public domain and the existing building would have similar appearance when viewed from public domain. Given that relative minor scale of the additional bulk and the fact that the extension would not be readily visible there are no concerns with the appearance and size of the extension.

2.7 With regards to the external materials used for the construction of those extension, the applicant mentioned that they intend to use materials that are prevalent throughout the building. To ensure that the building constructed in high quality materials it is considered necessary to add a condition that would require the applicant to submit a material palette that would be used.

2.8 The proposed community centre will be arranged over 3 levels- basement, ground floor and roof level. Each floor will be accessed via staircase only. LBBB Access officer raised concerns over this arrangement. Discussion with the applicant confirmed that the installation of a lift would not be possible without significant internal reconfiguration. It is understood that the applicant has sought to minimise alterations where possible, as any significant alterations would detract from the character and appearance of the building. Notwithstanding, the applicant has confirmed that a disabled WC containing ablution facilities and classrooms have been provided at ground level. Disabled users will therefore have access to equal facilities throughout. There will be level access into the site from the front and the side. Sufficient corridor and lobby space has been proposed to enable disabled access into the site. Whilst it is unfortunate that the development is unable to provide equal access to all areas of the site it is acknowledged that the development has been designed to enable inclusive and equal access to all the facilities and services the proposed development would offer. This aligns with the requirements of policy D5 of the London Plan, policy CP3 of the Core Strategy, policy SP2 and DMD1 of the Draft Local Plan which seeks to ensure all developments are accessible and inclusive.

2.9 **Heritage**

2.10 Policy

2.11 Paragraph 195 of the NPPF states that heritage assets range from sites and buildings of local historic value to those of the highest significance. These assets are an irreplaceable resource and should be conserved in a manner appropriate to their significance. Paragraph 200 mentions local planning authorities should require an applicant to describe the significance of any heritage assets affected, including any contribution made by their setting. Paragraph 209 states that the effect of an application on the significance of a non-designated heritage asset should be taken into account in determining the application. In weighing applications that directly or indirectly affect non-designated heritage assets, a balanced judgement will be required having regard to the scale of any harm or loss and the significance of the heritage asset.

2.12 The requirements of the NPPF are reflected in Policy HC1 (Heritage conservation and growth) of the London Plan. Policy CP2 (Protection and Promoting our Historic Environment) of the Core Strategy, Policy BP2 (Conservation areas and Listed Buildings) of the Borough Wide DPD, and Policy DMD 4 (Heritage assets and archaeological remains) of the draft LBBB Local Plan 2037.

2.13 Assessment

- 2.14 The Jolly Fisherman Public House is well over a century old, and it is one of several Edwardian and late Victorian buildings along North Street and across Barking town centre. Although not listed the majority of nearby Northbury School was built in the 1890s, opposite the close by Quaker Cemetery (where Elisabeth Fry was buried) is the Quake/Friends Meeting House (now part of the Gurdwara) of 1908 and Red Lion PH of 1899 (now residential) and former Co-op building (1900) and former Bull Inn (1925). North Street is a historic street in Barking (the former high road from the abbey and marketplace to Ilford). The Jolly Fisherman Public House is locally listed but not a statutory listed building. The proposal will be assessed in line with Chapter 16 of the NPPF, policy HC1 of the London Plan and policy DMD4 of the Draft Local Plan as a non-designated heritage asset. In line with these policies the proposed development should consider the significance of the historical asset and demonstrate how the development will protect and enhances its historical significance.
- 2.15 As detailed in section 2.3 to 2.7 of this report the proposal comprises of the demolition and replacement of a single storey rear extension and extension to the existing first floor rear extension. These extensions are modest in scale and will not significantly impact the overall visual appearance of the building. The proposal will protect the historical character and appearance of the existing building in line with the NPPF, policy HC1 of the London Plan and policy DMD4 of the Draft Local Plan.
- 2.16 The submitted documents mention that all external features of the public house building would be retained with refurbishments made to the façade, roof, and side elevations to preserve and enhance the locally listed heritage asset. There is a benefit to the local community from the applicant repairing the building and bringing some of lost or damage features. In the absence of any drawings and/or document that clearly outlines how the restoration will take place and which features that might have been lost will be brought back, it is considered necessary to condition a detail heritage improvement document which would secure plans for both external and internal improvements that would be carried out before any development starts on site. Subject to the imposition of a planning condition officers consider the proposal to meet the requirements of the NPPF, policy HC1 of the London Plan and policy DMD4 of the Draft Local Plan as it will enhance and protect the visual appearance, character and quality of the historical asset.
- 2.17 Overall, officers consider the proposed extensions and refurbishment works to be acceptable and in keeping with the Development Plan. The retention and refurbishment of the locally listed building is also considered to be a key public benefit of the proposal.

Biodiversity and Landscaping

3.0 Policy

- 3.1 Policy G5 (Urban greening) states that major development proposals should contribute to the greening of London by including urban greening as a fundamental element of site and building design, and by incorporating measures such as high-quality landscaping (including trees), green roofs, green walls, and nature based sustainable drainage. The policy encourages boroughs to develop an Urban Greening Factor (UGF) to identify an appropriate amount of urban greening required in new developments.
- 3.2 Policy BP11 (Urban Design) of the Borough Wide Development Policies DPD in one of the design principles requires that development provide attractive and high-quality landscaping.
- 3.3 Policy DMNE 2 (Urban greening) of the LBBDD draft Local Plan 2037 stated that development proposal will be supported where they maximise opportunities for urban greening. The policy also states that applicant will be expected to apply UGF in line with Policy G5 (Urban greening) of the London Plan. Part 3 (b) in Policy DMD 1 (Securing high-quality design) specifically states that major and strategic planning proposals should “clearly demonstrate consideration of the individual and cumulative impact on amenity, neighbouring buildings, skyline, infrastructure and the natural and historic environments, provision of public realm, amenity space (private, communal and child play space)”. Biodiversity Net Gain is now a mandatory requirement. However, as this application was submitted prior to the 2 April 2024 theses requirement do apply.

3.4 Assessment

- 3.5 The proposed and replacement single storey rear extension would have a biodiverse green roof. Biodiverse roofs help with surface water running off the roof, they provide opportunities for urban greening, and they can provide additional layers of noise mitigation. The proposal to provide a biodiverse green roof is supported. It is noted that the applicant did not submit any information about the type of plants that would be planned on the proposed roof. There is also no maintenance plan and strategy. It is considered that that information can be secured by a planning condition.
- 3.6 In addition to the provision of a biodiverse green roof, the applicant is proposing to improve the landscaping to the side of the application building. The proposed plans show a few new trees being planted as well as some play equipment/benches being provided. As with a biodiverse roof the applicant did not submit any information about the type of trees, shrubs, and plants that would be planned on the ground. There is also no maintenance plan and strategy. It is considered that that information can be secured by a planning condition. This would include any information of the play equipment or any garden furniture.
- 3.7 Overall, the proposal contributes to improving landscaping, urban greening, ecology, and biodiversity on site. The proposal is acceptable and in keeping with the Development Plan.

Impacts on Neighbouring Amenity

4.0 Daylight/Sunlight, Overshadowing, Privacy

4.1 Policy

- 4.2 Paragraph 135(f) of the NPPF states that developments should create places that are safe, inclusive and accessible and which promote health and well-being, with a high standard of amenity for existing and future users.
- 4.3 Part D in Policy D6 (Housing Quality and Standards) of the London Plan, Policies BP8 and BP11 of the Borough Wide DPD, and Policies DMD1 and DMD6 of the Draft Local Plan 2037 (Reg 19) all emphasize that new development must consider the impact on the amenity of neighbouring properties, avoiding significant overlooking (loss of privacy and immediate outlook) and overshadowing (loss of daylight and sunlight).

4.4 Assessment

- 4.5 With regards to loss of daylight, sunlight, overshadowing, privacy it is considered that the proposal would not have a significant impact on adjoining residential properties. The single storey rear extension would have the same footprint as the existing with the main difference being in height. The increase in height is considered minor in merit consideration. The first-floor rear extension would be positioned at an appropriate distance from the shared boundary, and it would be small in scale. The proposal would not have a greater impact on neighbouring properties than existing in keeping with the Development Plan.
- 4.6 LBBD Environmental Protection were consulted who advised that given the proximity to neighbouring properties details of external lighting should be submitted to ensure impact on neighbouring amenity is minimised. It is recommended this is secured by Planning condition.

4.7 Noise and Disturbance

4.8 Policy

- 4.9 Policy D14 (Noise) of the London Plan requires developments to reduce, manage and mitigate noise to improve health and quality of life, residential and other non-aviation development proposal by avoiding significant adverse noise impact on health and quality of life; reflect the Agent of Change principles set in the Policy D13 (Agent of change) of the London Plan; mitigate and minimise the

existing and potential noise on, from, within the site; and improving and enhancing the acoustic environments and promoting appropriate soundscapes.

4.10 Policy BR13 (Noise mitigation) of the Borough Wide Development Policy DPD requires any new development likely to generate harmful levels of noise to be directed away from existing noise sensitive locations, or areas allocated for noise sensitive developments. Where it is not possible to full separate noise sensitive and noise generating land uses, planning permission will only be granted if there will be no exposure to noise above an acceptable level.

4.11 Policy DMSI 3 (Nuisance) of the draft Local Plan states that all major development must submit a noise and vibration assessment to reduce any adverse impacts to an acceptable level using most appropriate layouts, orientation, design and use of the building.

4.12 Assessment

4.13 The application has been accompanied by Noise Assessment prepared by KP Acoustics (reference 26799.NIA.01, revision B, dated 13/12/2023). The submitted report was reviewed by the Environment Protection. No objection to the proposal has been received. The officer advised that the findings are based upon no amplified music or voice occurring at the premises, on the existing structure with some internal alteration and extensions. If the proposal is to deviate from the details on which the report was originally based the situation will need to be reassessed by a suitably qualified person. The officer also suggested several planning conditions which will be imposed to ensure that a suitable noise environmental list maintained to neighbouring occupiers during the construction period as well as the use of the development. It is also recommended that conditions restricting the hours of use and music from the site are added.

4.14 **Neighbour Comments**

4.15 The application was subject to a public consultation exercise in accordance with statutory requirements and Council's policy. On 04/01/2024, 37 neighbouring properties and relevant interest and amenity groups were consulted.

4.16 *Letters of Support*

4.17 14 letters of support were received from 12 local residents raising the following points:

- The proposed community centre and mosque would respond the existing need for such services in the local area given the change in the local demographic.
- The proposed community centre and mosque would strengthen community.
- The provision of varied community offer is supported. The proposed use is not going to be only a place of worship and it would help foster understanding amongst different faiths, the centre has a chance of becoming a symbol of unity, promoting social harmony within our neighbourhood.
- Sustainable location for the proposed use in terms of public transport accessibility
- The proposal would repair the derelict public house.
- The new facility would provide step free access and would be accessible to all especially those with disabilities

4.18 *Letters of Objection*

4.19 4 letters of objection were received from local residents and 1 objection received from the Singh Sabha London East Gurdwara raising the following issues.

No.	Issue Raised	Officer Comment

1	The existing building has a great deal of historical value as a public house	The applicant proposed to repair and retain all historical features of the building which is part of the heritage of the site which would remain. A planning condition has been attached securing this. This is discussed in section 2.9- 2.17 of this report.
2	Barking is in need of more leisure facilities to improve the quality of life for its residents	The proposal would offer a facility which would facilitate and allow for a number of activities that would be available to allow members of the local community. This is discussed in section 1.34 of this report.
3	There are already many other mosques in proximity, including a very big one which is a 5-10-minute walk away	The application site is located in an area where there is rising demand for additional Islamic prayer space. The change in demographic in the local area is also supported by the data collected via census. This is discussed in section 1.31 -1.34 of this report.
4	The proposed use would add to noise and congestion	See Impacts to Neighbouring Amenity and Sustainable Transport section of the report.
5	The rights of all men and women in this community must be considered and not just a select few without discriminating against any of the community	See Principle of Development section of the report specifically section 1.34 of this report.
6	Other public houses in the local area are overcrowded	The concern is noted however this site has been marketed and no public house operator/owner wishes to take the site forward and continue to operate as a public house. This is discussed in section 1.1-1.22 of this report.
7	Traffic congestion, parking, disabled parking and proximity to busy junction.	See Sustainable Transport sections 6.0-6.23 of the report.
8	Unable to demonstrate 24 months marketing to evidence the loss of the public house.	See Principle of Development sections 1.1-1.22 of this report.
9	Pubs and similar venues should be protected to respect the local nighttime economy	This concern is noted; however, the public house has been closed for several years. This is discussed in section 1.1-1.22 of this report.

4.20 The proposal is considered to have an acceptable impact on neighbouring amenity in keeping with the Development Plan.

4.21 Summary

4.22 Overall, subject to the imposition of conditions the proposed development is considered to have an acceptable impact on neighbouring residents in keeping with the Development Plan.

Design out Crime

5.0 Policy

5.1 Policy D11 (Safety, security, and resilience to emergency) of the London Plan states that development proposals should maximise building resilience and minimise potential physical risks, including measures to design out crime. This approach is supported by Policy CP3 (High quality-built environment) of the Core Strategy and Policy BC7 (Crime prevention) of Borough Wide Development Policies DPD.

5.2 Assessment

- 5.3 The proposed development would have a clear and legible access to the building from North Street with no obvious public areas which are obscured from public vantage points. The activation of the building on all elevations will ensure the natural passive surveillance of the public realm and the building surrounds.
- 5.4 No objections to the proposal have been received from the Metropolitan Police: Designing Out Crime Officer and the recommended conditions and informative will be imposed ensuring that the development is designed to Secure by Design standards and achieves accreditation. Subject to the imposition of planning condition the proposal is considered acceptable and in keeping with the Development Plan.

Sustainable Transport:

6.0 General Policy

6.1 Paragraph 108 of the NPPF requires the Council and the applicant to consider transport issues from the earliest stage of plan-making and development proposal, so that the potential impacts on transport networks can be addressed, opportunities from existing or proposed transport infrastructure, and changing transport technology and usage, are realised, opportunities to promote walking, cycling and public transport use are identified and pursued, the environmental impacts of traffic and transport infrastructure can be identified, assessed and taken into account, patterns of movement, streets, parking and other transport considerations are integral to the design of schemes, and contribute to making high quality places.

6.2 Trip Generation

6.3 The anticipated attendee over the full day is fewer than the total number of trips across the day that could be generated by the existing use. The trip generation uses information on the anticipated attendees broken down by activity and the previous use's trip generation is generated through TRICS database. The total number of daily trips has been reduced from 315 to 245 based on the busiest proposed day. The proposed scale of development is not likely to have a material impact on the operation of the local highway and local public transport network.

6.4 Cycle Parking

6.5 Policy

6.6 Policy T5 (Cycling) and Table 10.2 of the London Plan states that Development Plans and development proposals should help remove barriers to cycling and create a healthy environment in which people choose to cycle. This will be achieved through securing the provision of appropriate levels of cycle parking which should be fit for purpose, secure and well-located.

6.7 Policy BR9 (Parking) of the Borough Wide Policies DPD states that in relation to cycle parking TfL cycle parking standards, will be used as a minimum parking standard of new development.

6.8 Policy DMT 3 (Cycle parking) of the draft Local Plan states that all development must adopt the maximum London Plan cycle parking standards with the design and layout of cycle parking being in accordance with the London Cycling Design Standards.

6.9 Assessment

6.10 The development proposals provide six secure and sheltered cycle parking spaces in accordance with London Plan cycle parking standards. The proposed floor plan (drawing number 786 / JBZ / PP -101, revision A) shows cycle parking to be located on the site of the building and within the confinement of the site. The proposed cycle parking does not appear to be designed to shelter the bikes. This is one of the requirements of the policy. A further detail of the cycle parking will be secured

by a planning condition. Subject to the condition officers consider the development to meet the requirements of the Development Plan.

6.11 Car Parking

6.12 Policy

6.13 Policy T6 (Car parking) together with Table.10.3 of the London Plan provide maximum parking standards for new residential developments. The policy aims to restrict car parking in line with levels of existing and future public transport accessibility and connectivity. Car-free development should be the starting point for all development proposals, if this cannot be achieved a car lite approach should be taken. Car-free development has no general parking but should still provide disabled persons parking in line with Part E in Policy T6. The policy also required that any car parking providing include electrical charging points.

6.14 Policy BR9 (Parking) of the Borough Wide Policies DPD states that car parking standards set out in the London Plan will be used as a maximum parking standard for new development. Policy DMT 2 (Car parking) also adopts the maximum London Plan car parking standards and other aspirations.

6.15 Assessment

6.16 As mentioned earlier in the report, the application site has a PTAL score of 6a which means that the site has excellent access to public transport. The immediate vicinity of the site is under Zone B Controlled Parking Zone covering every day from 8.30am to 9pm. Therefore, it can be assumed that the visitors of the new development will be discouraged from driving to the facility. A Travel Plan has been submitted which sets out the means of promoting the use of sustainable modes of transport to the site. The implementation and monitoring of this document will be secured by s106 obligation. Reflecting the highly accessible location of the site and anticipated local population that it will serve the development proposals are for car-free. This is considered to be acceptable.

6.17 Policy T6.5 of the London Plan requires a minimum of 2 designated disabled spaces. No provision has been proposed on site. It is understood the proposal will be reliant on existing LBBDD controls which allow blue badge holders to park on-street within established CPZs. Be First's Transport Officer confirmed valid blue badge holders are permitted to park for free in residential parking bays providing they have a valid blue badge displayed. The non-provision of disabled parking is acknowledged, however, considering the CPZ, proximity to public transport and proposed use the transport officers are confident that users are unlikely to arrive by car negating the need for a dedicated disabled bay. The proposal does not comply with policy T6.5 which requires at least one on or off-street disabled persons parking bay to be provided. Notwithstanding, the site is located 10-minute walk from Barking Station which has step free access. The number 368 bus stops immediately outside the site and is a 3- minute bus journey from Barking Station. Officers accept the number 368 bus only runs every 13-20 minutes; however, the site is near several other services which run more frequently from London Road and Barking Station. It is clear the proposal is accessible via public transport. Noting the existing CPZ and proposed use, the increased reliance on on-street parking for disabled users is unlikely to have an impact on existing parking amenity or the highway. On this basis the non-provision of disabled parking is acceptable.

6.18 Access

6.19 Policy T2 of the London Plan and policy DMT1 of the Draft Local Plan has regard to healthy streets and seeks to encourage the provision of safe and useable streets which promote the walking, cycling and use of public transport.. Users of the site will be reliant on walking, cycling and public transport to access the site. The site is located in close proximity to the A124 junction Access to the site remains from the front A Management Plan will be secured via Planning Condition requiring details of crowd management and dispersal and travel demand management plan to be submitted. Case officers consider the submission of these details to overcome any concerns regarding pedestrian safety resulting from crowds leaving the site at the same time and the proximity to the junction. This

will ensure the development encourages users to use of more sustainable modes of transport which speaks to the aspirations of Policy T2 of the London Plan and policy DMT1 of the Draft Local Plan.

6.18 Travel Plan

6.19 Policy

6.20 Part B in Policy T4 (Assessing and mitigating transport impacts) of the London Plan aims to reduce the negative impact of development on the transport network and reduce potentially harmful public health impacts. Travel Plans are one way that this impact can be mitigated.

6.21 Part 8 in Policy DMT 1 (Making better connected neighbourhoods) states that any development which is likely to have a significant impact on the borough’s transport network will be required to submit a robust Transport Assessment (TA) or Transport Statement (TS) and a Travel Plan 52, in accordance with Policy T4 of the London Plan: assessing and mitigating transport impacts.

6.22 Assessment

6.23 The application has been accompanied by a travel plan prepared by Markside Associates (revision A, dated 13/12/2023). The submitted report was reviewed by the Highway officer. No objection to the proposal has been received. The travel plan will be secured via a Section 106 of the Town and Country Planning Act 1990 (as amended) together with monitoring of the plan for a period of five (5) years. The travel plan shows how people can access the site without harm to amenity, and using methods of transport other than private cars, to reduce disturbance to the local area.

6.24 Construction

6.25 Policy

6.26 Policy T7 (Deliveries, servicing and construction) of the London Plan states that development proposals should facilitate sustainable freight movement by rail, waterways and road. Additionally, the policy requires that construction logistic plans should be development in accordance with TfL guidance.

6.27 Assessment

6.28 The proposed would result in a number of deliveries and given proximity to the junction with Northern Relief Road (A124) and surrounding housing densities in the local area, it is considered necessary to add requirements to provide information about logistics in the already suggested condition relating to Construction Environmental Management Plan (CEMP) as the construction vehicles will be few and far between.

6.29 Summary

6.30 Overall, subject to the imposition of conditions and S106 obligation securing a travel plan. The proposal is considered acceptable and in keeping with the Development Plan.

Refuse and Recycling

7.0 Policy

7.1 Policy BR15 (Sustainable Waste Management) Borough Wide Development Plan DPD outline the need for development in the borough to minimise and work towards a more sustainable approach for waste management.

7.2 Part 3 in Policy DMSI 8 (Demolition, construction and operational waste) of the draft Local Plan requires all new and refurbishment development proposals must submit a strategy for the minimisation and collection of waste and recycling and include sufficient and accessible space in their design and layout for waste storage and collection within developments, in accordance with the London Waste Recycling Board's (LWARB) latest guidance on recycling and storage. As a minimum, appropriate facilities must be provided, both within individual units and for the building as a whole, in order to separate and store dry recyclables (card, paper, mixed plastics, metals, glass), organic and residual waste.

7.3 Further advice on waste and recycling is provided within the LBBB Planning Advice Note on Waste and Recycling Provisions in New and Refurbished Residential Developments (20/05/2021).

7.4 Assessment

7.5 The proposed floor plan (drawing number 786 / JBZ / PP -101, revision A) does not detail any refuse and recycling bins. Given that there is an ample area to the side of the application building this detail can be secured by a planning condition.

7.6 Subject to the imposition of conditions the proposal is considered to be in keeping with the Development Plan.

Air Quality

8.0 Policy

8.1 Policy SI 1 (Improving air quality) of the London Plan requires among other things that development proposals must be at least Air Quality Neutral. The policy is supported by supplementary London Plan Guidance (LPG) documents. The Greater London Authority (GLA) carried out three months consultation of the Draft Air Quality Positive LPG. The consultation ended on 27th February 2022.

8.2 Policy CR1 (Climate change and environmental management) of the Core Strategy and Policy BR14 (Air quality) of the Borough Wide Development Policies DPD states that to contribute towards global, national, regional, and local sustainability the Council will protect water and air quality.

8.3 Policy DMSI 4 (Air quality) of the draft Local Plan support the aims of the London Plan and require proposals to be air quality neutral.

8.4 Assessment

8.5 The Environment Protection officer noted that the application site is in an area designated as an Air Quality Focus Area. Whilst they did not raise an objection to the proposal, they recommended that an air quality neutral assessment is submitted.

8.6 The comments from the Environment Protection officer were shared with the applicant planning agent who said that the requirement of an Air Quality Neutral Assessment is considered to be excessive compared to the proposals. The London Plan Guidance 'Air Quality Neutral LPG' states that a full air quality assessment including an Air Quality Neutral Assessment is not typically required for minor developments. Given that the proposals are car-free with no additional trip generation compared to the existing use as a public house and are seeking minor changes to the existing public house building it is not considered appropriate nor necessary for an Air Quality Neutral Assessment to be prepared.

8.7 Officers have discussed the applicant response with the Environment Protection officer, and it was agreed that they recommended condition can be removed.

8.8 The proposal is considered to be acceptable and in keeping with the Development Plan.

Contamination

9.0 Policy

9.1 Policy CR1 (Climate change and environmental management) of the Core Strategy promotes the remediation of contaminated land. Policy BR5 (Contaminated land) of the Borough Wide Development Policies DPD states that development on or near land that is known to be contaminated or which may be affected by contamination will only be permitted where an appropriate site investigation and risk assessment has been carried out as part of the application to identify any risk to human health. This is supported by Policy DMSI 5 (Land contamination) of the draft Local Plan.

9.2 Assessment

9.3 The Environment Protection officer noted that the proposal includes the demolition of an existing temporary structure, areas of hard-standing/floor and potential made ground. These previous uses could give rise to contamination. They recommended that an air quality neutral assessment is submitted.

9.4 The comments from the Environment Protection officer were shared with the applicant planning agent who said that this condition is not considered to be of the scale or relevant to the proposals. The scheme is made for internal alterations and replacement of the rear extension. The rear extension will be small in scale and therefore will not require any deep piling or digging, and so there is unlikely to be any exposure to contaminated land. In addition, its existing use as a public house is of a similar community use to what is proposed and therefore the scheme is not introducing additional receptors or a more sensitive receptor.

9.5 Officers have discussed the applicant response with the Environment Protection officer, and it was agreed that they recommended condition can be removed from the originally suggested list.

9.6 On this basis the proposal is considered to be acceptable and in keeping with the Development Plan.

Conclusions:

The main issues relating to this application are the loss of public house, the acceptability of the proposed place of worship use, the impact that the proposal would have upon the appearance and character of the host property and the setting of the locally listed building and impact upon residential amenity, and environmental impacts.

Having had regards to the above, and having carefully balanced the harm of the proposed development against the public benefits, the loss of the public house and its replacement with a place of worship that would retain and refurbish the locally listed building are considered acceptable. It is not considered that nearby residents would be unacceptably impacted by the development or that the character and appearance of the surrounding area or the locally listed building would be adversely affected. It is therefore recommended that conditional planning permission be granted.

Appendix 1:

Development Plan Context:	
The Council has carefully considered the relevant provisions of the Council's adopted development plan and of all other relevant policies and guidance. Of particular relevance to this decision were the following Framework and Development Plan policies and guidance:	
<i>National Planning Policy Framework (NPPF) (December, 2023)</i>	
<i>London Plan (March 2021)</i>	<ul style="list-style-type: none"> • Policy D4 (Delivery good design) • Policy D6 (Housing Quality and Standards) • Policy D14 (Noise) • Policy D13 (Agent of change) • Policy D11 (Safety, security, and resilience to emergency) • Policy HC1 (Heritage conservation and growth) • Policy HC7 (Protecting public houses) • Policy G1 (Green infrastructure) • Policy G5 (Urban greening) • Policy SI 1 (Improving air quality) • Policy T4 (Assessing and mitigating transport impacts) • Policy T5 (Cycling) • Policy T6 (Car parking) • Policy T7 (Deliveries, servicing and construction)
<i>Local Development Framework (LDF) Core Strategy (July 2010)</i>	<ul style="list-style-type: none"> • Policy CP1 (Vibrant Culture and Tourism) • Policy CP2 (Protecting and Promoting our Historic Environment) • Policy CP3 (High quality built environment) • Policy CC2 (Social Infrastructure to Meet Community Needs) • Policy CR1 (Climate change and environmental management) • Policy CR2 (Preserving and enhancing the natural environment)
<i>Local Development Framework (LDF) Borough Wide Development Plan Document (DPD) (March 2011)</i>	<ul style="list-style-type: none"> • Policy BC6 (Loss of Community Facilities) • Policy BC7 (Crime prevention) • Policy BP2 (Conservation areas and Listed Buildings) • Policy BP3 (Archaeology) • Policy BP8 (Protecting Residential Amenity) • Policy BP11 (Urban design) • Policy BR3 (Greening the Urban Environment) • Policy BR5 (Contaminated land) • Policy BR9 (Parking) • Policy BR13 (Noise mitigation) • Policy BR14 (Air quality) • Policy BR15 (Sustainable Waste Management)
The London Borough of Barking and Dagenham's Draft Local Plan: (Regulation 19 Submission Version, December 2021) is now at an "advanced" stage of preparation, having gone through Local Plan Examination in Public in November 2023. Having regard to NPPF paragraph 48, the emerging document is now a material consideration and significant weight will be given to the emerging document in decision-making.	
<i>The London Borough of Barking and Dagenham's Draft Local Plan: (Regulation 19,</i>	<ul style="list-style-type: none"> • Policy DMS 1 (Protecting and enhancing existing facilities)

<p><i>Proposed Main Modification Version, February 2024)</i></p>	<ul style="list-style-type: none"> • Policy SP 2 (Delivering a high quality and resilient built environment) • Policy DMD 1 (Securing high-quality design) • Policy DMD 4 (Heritage Assets and Archaeological remains) • Policy DMS 3 (Public houses) • Policy DMNE 2 (Urban greening) • Policy DMNE 3 (Nature conservation and biodiversity) • Policy DMSI 3 (Nuisance) • Policy DMSI 4 (Air quality) • Policy DMSI 5 (Land contamination) • Policy DMSI 8 (Demolition, construction and operational waste) • Policy DMT 1 (Making better connected neighbourhoods) • Policy DMT 2 (Car parking) • Policy DMT 3 (Cycle parking)
<p><i>Other Relevant Documents</i></p>	<ul style="list-style-type: none"> • Last Orders? Preserving Public Houses Supplementary Planning Documents (SPD) • LBBD Green Roofs Planning Advice Note 1 (2003) • LBBD Planning Advice Note on Waste and Recycling Provisions in New and Refurbished Residential Developments (20/05/2021) • LBBD Planning Advice Note 4 (Religious Meeting Places) (2007) • The Faith Groups and Meeting Places: Evidence Base Study (2017).

<p>Additional Reference:</p>	
<p><i>Human Rights Act</i></p> <p>The provisions of the Human Rights Act 1998 have been taken into account in the processing of the application and the preparation of this report.</p> <p><i>Equalities</i></p> <p>In determining this planning application, the BeFirst on behalf of the London Borough of Barking & Dagenham has regard to its equalities obligations including its obligations under section 149 of the Equality Act 2010 (as amended).</p> <p>For the purposes of this application there are no adverse equalities issues.</p>	

Appendix 2:

Relevant Planning History:			
<i>Application Number:</i>	68/00211/TP	<i>Status:</i>	Approved on 08/07/1968
<i>Description:</i>	<i>Erection of a single storey extension to provide additional toilet accommodation</i>		
<i>Application Number:</i>	81/00429/TP	<i>Status:</i>	Approved on 08/12/1981
<i>Description:</i>	<i>Erection of single storey rear extension to food preparation room</i>		
<i>Application Number:</i>	19/01766/FUL	<i>Status:</i>	Refused on 14/02/2020 and Dismissed at Appeal
<i>Description:</i>	<p><i>Redevelopment of existing public house to provide retail unit at ground floor and residential at first floor, with additional residential accommodation at roof level. The existing beer garden is to be developed to provide storage, bike parking, bins area and 7 apartments.</i></p> <p><u>Reason for Refusal:</u></p> <ol style="list-style-type: none"> 1. The change of use of the public house has not been fully justified, as such, the proposal fails to conform with policy BP2 of the Local Plan, the Boroughs SPD Last Orders Preserving Public Houses 2014 and policy HC7 of the draft New London Plan. 2. The proposed development, due to its form, massing, siting, design and layout would be dominant, poorly designed and out of character in its location. As such, the proposal would represent an overdevelopment of the site and would result in an overly dominant and visually intrusive addition to the street scene. Furthermore, the proposed developments would overlook the neighbouring primary school, as such it would be contrary to policies BP8 and BP11 of the LDF Borough Wide DPD and policy CP3 of the LDF Core Strategy DPD. 3. The proposed development fails to provide adequate private outdoor amenity space for two flats, which would be detrimental to the standard of living of future residents, as such, it would be contrary to policy BP5 of the LDF Borough Wide DPD. <p><u>Reason/Conclusion for Appeal being Dismissed:</u></p> <ul style="list-style-type: none"> • Paragraph 23 of the Appeal Letter/Decision read: <i>Whilst I have not found harm to the living conditions of the future occupiers of the proposed development, this does not outweigh the harm I have found in relation to the loss of the public house and the effect on the character and appearance of the area.</i> 		

Appendix 3:

The following consultations have been undertaken:

- Northbury Ward Councillors
- LBBB Inclusive Growth
- LBBB Community Groups
- LBBB Heritage and Culture
- LBBB Refuse Services
- LBBB Access Officer
- Be First Transport
- Design out Crime.
- LBBB Environmental Protection

Summary of Consultation responses:		
Consultee and date received	Summary of Comments	Officer Comments
<p>Metropolitan Police- Design out Crime</p> <p>Dated 04.01.2024</p>	<p>In light of the information within the report prepared by Police, its's requested the following condition and informative be added, if the local authority are mined to support this application. The request of such a condition/s is to mitigate the impact of the proposed development on local residents and deliver a safer environment in line with the boroughs Local Development Framework policies. Police would also like to draw your attention to Section 17 CDA 1988 and the NPPF in support of such recommendations. (See appendix 1)</p> <p>Security condition:</p> <p>The proposed development shall achieve a Certificate of Compliance in respect of the Secured by Design scheme, or alternatively achieve security standards (based on Secured by Design principles) to the satisfaction of the local authority & Metropolitan Police, details of which shall be provided to the Local Planning Authority for its written approval prior to the first occupation of the approved development. All security measures applied to the approved development shall be permanently retained thereafter.</p> <p>Reason: To ensure safe and secure development and reduce crime.</p>	<p>Comments are assessed in Section 5.0 of the report.</p>
<p>Be First, Heritage Engagement Officer</p> <p>Dated 04/01/2024</p>	<ul style="list-style-type: none"> • I support the Change of Use of the former Jolly Fisherman from Public House (vacant for several years) to an Islamic Place of Worship/Community Centre, for all the reasons outlined in the Planning Statement, including changing demographics in the surrounding area and current community needs. • This would be caveated with the preservation and ideally restoration of the locally listed building which pleasingly forms a crucial part of the planning statement. • I would just like to emphasise that the welcome planned 'refurbishment' and 'repairs' to the facade, of the Edwardian exterior to this 1906 	<p>Comments are assessed in section 1.0 and 2.0 of the report.</p>

building, should be good quality *restorations*, due to planning commitments to 'protect' and 'enhance' our limited number of heritage assets within the borough.

- It is also noted that the internal alterations are necessary and will hopefully be carried out with sympathy to the internal fabric of the building and will retain original features.
- Although not designated I think it would be wise to follow the guidance of Historic England and The National Lottery Heritage Fund in recommending that any timber framed windows (on the North Street facade) which may need replacing should be repaired by experts or replaced with new timber sash windows and that attention be paid to the quality of materials used on the facade 'repairs', to help to restore it to its former glory by matching any other damaged materials such as the first floor exterior tiles. Ideally these particular works would preferably be undertaken by skilled craftspeople - are we allowed to recommend such specialists, like those used for restoration works on the Barking heritage Project?
- They may wish to investigate whether they can obtain funding for their heritage restorations: [Fundraising Tips | Historic England](#)
- I support the replacement of the inferior extension at the rear of the property with an improved/accessible one, as it is low level and should not detract from the original building or be of concern to the neighbouring school. Hopefully this will be substantial enough to house any future growth, so they will not require further planning apps at a later date. [Not for publication: but a relevant comparison - the owners of the former Hope PH on Gascoigne Road (Al Noor Islamic Centre) are researching a pre-app for a request to now remove the locally listed building.] The loss of a heritage asset is of far greater heritage concern than a change of use is, so I hope we can prevent the former from happening at a later date.
- It is pleasing that the garden will be kept for children to use.
- The inspector's reference to a lack of 'historical/local interest in the building' belies its historical significance to the borough and particularly Barking Town - we have very few designated assets and therefore there is a greater desire to preserve undesignated heritage assets retained as evidence of an illustrious history, emanating from its Saxon origins and abbey. The former Jolly Fisherman is well over a century old, and it is one of several Edwardian and late Victorian buildings along North Street and across Barking town centre. Although not listed the majority of nearby Northbury School was built in the 1890s, opposite the close by Quaker

	<p>Cemetery (where Elisabeth Fry was buried) is the Quake/Friends Meeting House (now part of the Gurdwara) of 1908 and Red Lion PH of 1899 (now residential) and former Co-op building (1900) and former Bull Inn (1925). These buildings stand on the site of far older buildings (the Bull has existed since at least the fourteenth century) as North Street is a historic street in Barking (the former high road from the abbey and marketplace to Ilford) . Frogley a local historian from the Edwardian era remarked on the relevance of 'Jolly Fisherman' moniker as representing a bygone era of the fishing industry and Barking characters (including the fish-wives) even then, but local people today still find it fascinating that Barking had such a significant fishing heritage - the Gurdwara pays homage in an engraving of a fishing smack on their new marble building.</p> <ul style="list-style-type: none"> • Will there be an effort to commemorate the fishing heritage associated with the name of this former PH - some would see that more important than the PH heritage. • Will the 'Jolly Fisherman' sign on the exterior of the building be retained? • Does the original door exist beneath the shutter and will there be an effort to retain it? Likewise the boarded ground floor feature windows - Heritage of London Trust may be able to help fund restoration of original windows). • I hope these comments/questions will be useful to consider before and during the construction phase. I am very pleased that the planners and owners are valuing this heritage asset and hope that the works uphold this sentiment. I am aware that some local construction firms lack knowledge and experience in this field and that the client may need further support/advice on quality of work and materials for the restorations to the facade of the building. 	
<p>Participation Manager (Partnerships) Dated 04.01.2024</p>	<ul style="list-style-type: none"> • The applicants have stated that their current site (Medite House) is not fit for purpose and their activities are limited by the floorspace and lack of appropriate specialist facilities. • The current site offers a range of services to the local community, alongside the primary function of operating as a Place of Worship. • The organisation also goes on to state that they would like to offer a wider range of services, from a newly developed space, including a range of traditional support services, which many other faith organisations in B&D offer. Within this wider offer, the applicant has specifically stated that they would have an “Interfaith” element, which is welcome in an area where several other faith organisations operate, including; 	<p>Comments are assessed in Section 1.0 of the report.</p>

	<ul style="list-style-type: none"> ○ Al Madina Mosque ○ Singh Sabha Gurdwara ○ RCCG Hall of Mercy ○ City of Faith Ministry ○ Ahmadiyah Community (who hire space locally) ○ St Margaret's Parish Church ○ Catholic Church of St Mary and St Ethelburga <ul style="list-style-type: none"> ● In our experience, smaller facilities rapidly begin to exceed reasonable capacity levels. Therefore, it is favourable that a group would look to develop a larger site, which has the capacity to accommodate a larger worshipping community. ● The application specifically addresses the issue of the provision of separate worship space for women/girls to pray, which is increasingly in demand in the borough. ● The space operates in an area where there is rising demand for additional Islamic prayer space. In the 2021 Census, the MSOA (Middle Layer Super Output Area) of Barking Central where the site sits, 33.9% of the inhabitants identified as being of the Muslim faith. When looking more granularly, the LSOA's (Lower Super Output Areas) of "E00000052" and "E000000" show the areas as being 36.3% and 32.7% Muslim. ● When looking at the Census data overall in Barking & Dagenham, there has been extensive growth in the Muslim population in the borough (10.7% growth since 2011 and 20% since 2001). ● There is currently a lack of Islamic worship spaces to service this growing community in the borough. ● The application states that the premises will be made available for hire for community use, with a multifunctional space providing capacity. ● We note that another Mosque, Al Madina, is approximately 0.4 miles from the proposed development. We also note the proximity of other possible sites which could potentially be explored as offering additional capacity e.g. on Fridays, including; <ul style="list-style-type: none"> ○ Northbury Primary School ○ Abbey Community Centre ● We note that local, informal consultation on the development of the space has taken place with Northbury Primary School and other neighbouring properties, inviting them to comment on the planning application. ● It would be advantageous to the organisations application if they can show further evidence of how they will encourage the use of the facility by a wider demographic. ● We also note that generally the organisations users are more likely to "walk to pray", and it is more likely they will be from the immediate surrounding residential area. 	
--	--	--

	<ul style="list-style-type: none"> • Whilst we recognise that there is guidance in place to protect and retain Public Houses and other spaces of cultural significance to the community, this proposal, alongside the lack of interest from landlords in operating the space as a pub, indicates that it would service a clear additional community need as an Islamic Place of Worship/Community Facility. • We would have no objections to the proposal. 	
<p>LBBB Access dated 04.01.2024</p>	<p>I would like to make the following comments.</p> <ol style="list-style-type: none"> 1. Accessible WC door needs to open outwards. 2. Ambulant disabled WC is required within basement WC's. 3. Some Disabled females cannot access the classrooms as there's no lift provided. 	<p>Comments are assessed in Section 2.0 of the report.</p>
<p>LBBB Environmental Protection dated 04.01.2024</p>	<p><u>Original Comments issued on 19/01/2024</u></p> <p>Noise</p> <p>I have reviewed the Noise Impact Assessment report reference 26799.NIA.01.REVB by KP Acoustics . The findings are based upon no amplified music or voice occurring at the premises, on the existing structure with some internal alteration and extensions. If the proposal is to deviate from the details on which the report was originally based the situation will need to be reassessed by a suitably qualified person. Based on the findings of the report the following conditions are recommended:</p> <ul style="list-style-type: none"> • Delivery/Collection Hours • Externally Generated Noise • Noise Generating Mechanical Services Plant <p>Air Quality</p> <p>The development lies within an Air Quality Focus Area and the following condition is recommended:</p> <ul style="list-style-type: none"> • Air Quality Neutral Assessment <p>Construction Phase</p> <p>The development is in close proximity to existing residential uses, a school and within an Air Quality Focus Area, therefore the following condition is recommended:</p> <ul style="list-style-type: none"> • Construction Environmental Management Plan <p>Contaminated Land</p> <p>The proposal includes the demolition of an existing "temporary" structure, areas of hardstanding/floor and</p>	<p>Comments are assessed in Section 4.0, 8.0 ad 9,0 of the report.</p>

	<p>potential made ground. These previous uses could give rise to contamination and the following condition is recommended:</p> <ul style="list-style-type: none"> • Site Contamination <p>Lighting</p> <p>The proposal is in close proximity to existing residential property and the following condition is recommended:</p> <ul style="list-style-type: none"> • Security lights and Decorative External Lighting <p>Informative</p> <p>In addition, the following informative is proposed:</p> <ul style="list-style-type: none"> • Asbestos Informative <p><u>Additional Comments issued on 06/02/2024</u></p> <p>Following discussion with the applicant and the case officer it was agreed that the suggested conditions relating to site contamination and air quality neutral assessment can be removed from the suggested list of conditions.</p>	
<p>Be First Highway dated 04.01.2024</p>	<p>Introduction</p> <p>This is an application for the Change of use from former public house (Sui Generis) to place of worship/community centre (F1) with addition of a rear extension and an extension to the first-floor dormer. Site Access No new access to the property is proposed. The existing pedestrian access is maintained.</p> <p>Car Parking</p> <p>The site is in PTAL 6a meaning it has excellent access to public transport. The immediate vicinity of the site is under B controlled parking zone covering every day from 8.30am to 9pm. Therefore, it can be assumed that the visitors of the new development will be set back from driving to the facility. Reflecting the highly accessible location of the site and anticipated local population that it will serve the development proposals are for car-free. This is acceptable.</p> <p>Cycle Parking</p> <p>The development proposals provide six secure and sheltered cycle parking spaces in accordance with London Plan cycle parking standards. The plans show cycle parking location; however, it doesn't show a</p>	<p>Comments are assessed in Section 6.0 Sustainable Transport.</p>

sheltered space. This must be secured via condition to be installed prior to occupation of the development.

Trip Generation

The anticipated attendees over the full day is fewer than the total number of trips across the day that could be generated by the existing use. The trip generation uses information on the anticipated attendees broken down by activity and the previous use's trip generation is generated through TRICS database. The proposed scale of development is not likely to have a material impact on the operation of the local highway and local public transport network. It is recommended that a condition on the operational times as per the activities suggested and conditions on the type of activities should be considered.

Travel Plan Statement

Applicant has submitted a Travel Plan Statement for review and I'm satisfied with the content and the review system.

Doors

It is noted from the plans that the front door of the development is opening outwards. It is recommended that the doors, windows, gates or other openings should open inwards.

Appendix 4:

Neighbour Notification:	
Date Neighbour Consultation:	04.01.2024
Number of neighbouring properties consulted:	23
Number of responses:	12 support and 5 objections
Address:	Summary of response:
<i>14 Arundel Gardens, IG3 9SX on behalf of Southwest Essex Campaign for Real Ale and Dagenham Heritage Conservation Area</i>	<ul style="list-style-type: none"> • Object to the conversion of the public house to a form of non-public house usage. • Existing building has historical value as a pub. • LBBD has policies which protect the demolition and alteration of pubs. • Town needs more leisure facilities. • Enough traffic congestion and car use. • No consultation with met office during construction or design phase.
<i>119 Westrow Drive</i>	<ul style="list-style-type: none"> • Support for the development. • Big benefit to the community and the location is perfect. • This will allow people to worship especially as alternative venues have transport and parking issues. • Demographic change means people are in need of something like this and the building will be pit usage by locals.
<i>Anonymous</i>	<ul style="list-style-type: none"> • Growing number of peoples who need placed of worship. • This is the best outcome and should be accepted.

<p><i>Anonymous</i></p>	<ul style="list-style-type: none"> • Please reject the application • The pub has been part of the heritage and history of this local area for decades. • It should be used to serve all the community not just a section. • There are many other mosques in proximity. • Barking is already very congested. • There is a school, residential area and another religious centre. • The main road is very busy, and this will add noise and congestion in the area.
<p><i>Cllr Ashraf</i></p>	<p>Responding to the above planning proposal, I am fully in favour of it.</p>
<p><i>Anonymous</i></p>	<ul style="list-style-type: none"> • Object to the proposal. • Unclear who the applicant is. • The rights of all men and women in this community should be considered not just a select few. • Changes would result in the loss of historical status as a pub. • Pubs should be protected due to their contribution to the nighttime economy. • Diminishes the choice of venue for locals to attend. • Traffic congestions • Proximity of several places of worship • Security of place of worship • Refused on cultural and heritage reasons.

<p><i>Anonymous</i></p>	<ul style="list-style-type: none"> • Support this application to strengthen the community. • Concerns regarding traffic, historic heritage and crime are baseless. • Kindly request that this application is accepted.
<p><i>Anonymous</i></p>	<ul style="list-style-type: none"> • Establishing community centre and place of worship is crucial for building a cohesive and integrated community. • Opportunities for educational initiatives, cultural events and charitable endeavours • Aligns with values of creating welcoming environment and ensuring individuals from diverse backgrounds are valued and respected. • This will address communal need and enhance the quality of life of resident.
<p><i>Anonymous</i></p>	<ul style="list-style-type: none"> • Institution has helped the community in many ways by raising charity events, strengthening community ties, educating children and giving the youth a safe space. • Transforming the derelict pub to a place of communal gathering and worship will do good for the area. • This will help strengthen communities and give youth a safe space.
<p><i>Anonymous</i></p>	<ul style="list-style-type: none"> • Support for the proposed change of use and extension. • The transformation aligns with the evolving needs of the community and enhances safety particularly for children. • Change of use will foster a positive environment that contributes to community well-being. • Additional extensions amplify the potential positive impact on safety and communal engagement. • The proposal will create a safe and inclusive space for everyone. • This is supported.

<p><i>Anonymous</i></p>	<ul style="list-style-type: none"> • Local mosque have contributed to the betterment of the LBBB community • Proposal will lead to further improvement to the local area. • Jolly Fisherman has been closed since 2019 so claims to historical prevalence are simply reactionary. • Time to turn a derelict, unused building into a beacon for the community.
<p><i>Anonymous</i></p>	<ul style="list-style-type: none"> • Support the proposal. • This will create a new community use for resident. • It will respond to the changing demographic of Northbury Ward. • Community of Northbury ward have evolved. • The proposal will reflect this.
<p><i>Anonymous</i></p>	<ul style="list-style-type: none"> • Will be a great place for worship and public community
<p><i>Anonymous</i></p>	<ul style="list-style-type: none"> • Important to provide our youth a place to worship and grow. • Existing facilities are not accessible and usually on top floors of old buildings with no lift access. • Important proposal which will address several community needs.
<p><i>Anonymous</i></p>	<ul style="list-style-type: none"> • Support the community centre. • Provide a space for community-based activities and for people to meet. • It can be used as an effective vehicle for social change such as reducing crime. • Support community projects, promote healthy living, encourage creativity and culture, shares valuable information and offers education opportunities.

<p>5 Shirley Gardens</p>	<ul style="list-style-type: none"> • Planning application should be refused. • There is already no parking and the flats nearby have little parking. • The building is locally listed • Borough needs more housing for people there are plenty of mosques.
<p>Singh Sabha London East (SSLE)</p>	<ul style="list-style-type: none"> • We object to the proposal. • There is already alternative and established places of worship with community facilities within close proximity to the site. • The proposal would result in significant usage and visitor numbers during peak hours. • No parking or disabled parking have been provided. • Site is next to an extremely busy junction and the site won't be able to accommodate large groups crossing during peak times. • Bus service is very infrequent and will not be able to accommodate large groups. • The proposal is unable to demonstrate 24 months of marketing required by policy.

Officer Summary:

Officers note receipt of the objections listed above. The material planning considerations are addressed within the planning assessment.

Appendix 5:

Conditions & Informatives:

Conditions:

1. Time Limit (compliance)

The development hereby permitted must be commenced before the expiration of three years from the date of this permission.

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

2. Approved Drawings (compliance)

The development hereby approved must only be carried out in accordance with the following approved drawings unless it has been otherwise agreed in writing with the Local Planning Authority:

- Site Location Plan (drawing number 786 / JBZ / SU - 010)
- Existing Floor Plans (drawing number 786 / JBZ / SU - 101)
- Proposed Floor Plan (drawing number 786 / JBZ / PP - 101, revision A)
- Existing Elevations and Sections (drawing number 786 / JBZ / SU - 102)
- Proposed Elevations and Sections (drawing number 786 / JBZ / PP - 102, revision A)

Reason: To ensure that the development is undertaken in accordance with the approved plans and documents.

3. Appearance of the buildings (compliance)

Other than those shown on the approved drawings, no soil stacks, soil vent pipes, flues, ductwork or any other pipework shall be fixed to the elevations of the building hereby approved.

Reason: To ensure that the development is carried out to the highest standards of architecture and materials.

4. Amplified Music (compliance)

No amplified or other music shall be played in the external areas to the approved use at any time.

Reason: To prevent any undue disturbance to residential occupiers and occupants of neighbouring properties at unreasonable hours.

5. Delivery/Collection Hours (compliance)

Deliveries and service operations associated with the community use hereby permitted shall only be permitted to take place between the hours of 07:00 hrs and 21:00 hrs on any day. Unless otherwise agreed in written by the Local Planning Authority.

Reason: To prevent any undue disturbance to residential occupiers and occupants of neighbouring properties at unreasonable hours.

6. Externally Generated Noise (compliance)

a. Prior to first occupation a Noise Management plan as recommended in section 6 of the Noise Impact Assessment Report (reference 26799.NIA.01, revision B) prepared by KP Acoustics shall be submitted to and approved in writing by the Local Planning Authority.

b. The approved plan shall be implemented in full and always maintained.

Reason: To prevent any undue disturbance to residential occupiers and occupants of neighbouring properties at unreasonable hours.

7. Security lights and Decorative External Lighting (compliance)

External artificial lighting at the development shall not exceed the lux levels of vertical illumination at neighbouring premises that are recommended by the CIE guidance 2003 & 2017 and the ILP Guidance Notes for the Reduction of Obtrusive Light (2021). Lighting should be minimised, and glare and sky glow should be prevented by correctly using, locating, aiming, and shielding luminaires, in accordance with the Guidance Notes.

Reason: To ensure that the amenity of occupiers of surrounding premises is not adversely affected by lighting.

8. Community Use Agreement (detail)

a. Use of the development shall not commence until a community use agreement has been submitted to and approved in writing by the Local Planning Authority. The agreement shall apply to application building and include details of pricing policy, hours of use, access by non-educational establishment, management responsibilities and a mechanism for review.

b. The development shall not be used otherwise than in strict compliance with the approved agreement.

Reason: To secure well managed safe community access to the community facility to ensure sufficient benefit to the development of local community.

9. Management Plan (detail)

Prior to the first occupation of the hereby approved use, a management plan shall be submitted to and approved in writing by the Local Planning Authority. The plan must include the following information:

- a. crowd management and dispersal.
- b. travel Demand Management Plan in line with the Travel Plan which promotes travel by sustainable modes of transport to reducing travel by car and local car parking demand.
- c. information of who to contact in case of any issues.

Reason: To enable visitors to consider sustainable transport options, as part of the measures to limit any net increase in travel movements by car.

10. External Material (detail)

a. No development shall take place until external material schedule for all facing materials used for the construction of new and old parts of the building is submitted to and approved in writing by the Local Planning Authority.

b. The development shall be carried out in accordance with the approved details and maintained as such thereafter.

Reason: To safeguard the visual amenities of the area and to satisfy.

11. Historic Repair and Retrofit (detail)

- a. No development shall commence until heritage scheme that details how the locally listed building would be repaired and developed both internally and externally must be submitted to and approved by the Local Planning Authority in consultation with Heritage Engagement.
- b. The development shall be carried out strictly in accordance with the details so approved.

Reason: The planning authority wishes to secure public benefit from the promotion of the history of the site and area.

12. Construction Environmental Management Plan (detail)

- a. No development shall commence, including any works of demolition, until a Construction Environmental Management Plan (CEMP) has been submitted to and approved in writing by the Local Planning Authority. This Plan shall incorporate details of:

1.

- a. number and size of construction vehicles coming/leaving the site;
- b. information on traffic management;
- c. the parking of site operatives' vehicles
- d. loading and unloading of plant and materials;
- e. storage of plant and materials used in constructing the development;
- f. measures to control the emission of dust, dirt and emissions to air during construction;
- g. noise and vibration control;
- h. a waste management plan for recycling/disposing of waste resulting from demolition and construction works.

Demolition and construction work and associated activities, other than internal works inaudible 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.

- b. Once approved the CEMP shall be adhered to throughout the construction period for the development.

Reason: The CEMP is required prior to commencement of development in order to reduce the environmental impact of the construction and the impact on the amenities of neighbouring residents Development Plan Document.

13. Cycle Parking (detail)

- a. Notwithstanding any details of cycle parking shown on the approved drawings, no above ground works shall take place until details of the provision to be made for cycle parking are submitted to and approved in writing by the Local Planning Authority in line with the requirements of Policy T5 of the London Plan and London Cycling Design Standards.
- b. Prior to the first occupation of the development, the approved cycle parking shall be provided in accordance with the approved details and thereafter be retained.

Reason: To ensure that secure cycle spaces are provided.

14. Refuse and Recycling (detail)

- a. No above ground works shall take place until details of refuse and recycling storage/enclosure is submitted to and approved in writing by the London Planning Authority. The detail must include the location, number, and design of the enclosure including the proposed materials.
- b. Prior to the first occupation of the development, the approved cycle parking shall be provided in accordance with the approved details and thereafter be retained.

Reason: In the interest of good design and to ensure that the Local Planning Authority may be satisfied that the storage facilities do not have a harmful impact on the appearance of the surrounding area.

15. Soft and Hard Landscaping (detail)

- a. No above ground works shall take place until details of both hard and soft landscape works shall be submitted to and approved in writing by the Local Planning Authority. The detailed landscaping scheme shall include:

1.
 - i. soft planting: including any grass and turf areas, trees, planters, shrub and herbaceous areas including details of species, sizes, numbers/densities and sections of landscaped areas;
 - ii. 'Tree Planting Statement' providing full details, locations, specifications and construction methods for all purpose-built tree pits and associated above ground features, including specifications for tree protection and a stated volume of suitable growing medium to facilitate and promote the healthy development of the proposed trees, ensuring each tree has a soil volume equivalent of 0.6 times its canopy area at maturity;
 - iii. hard landscaping: including ground surfaces, kerbs, edges, ridge and flexible paving, furniture, steps, refuse disposal points and if applicable synthetic surfaces for ground level
 - iv. play spaces and play equipment;
 - v. an external lighting strategy; and
 - vi. any other landscaping feature(s) forming part of the scheme.

- b. All landscaping approved under part a shall be carried out prior to first occupation and/or during the first planting and seeding seasons following completion of construction works.

- c. Any trees or shrubs planted (including any such replacements) which die within five years from the date of planting shall be replaced in the next planting season with the same species, and of comparable maturity.

Reason: To ensure a satisfactory appearance of the site and to provide for suitable areas of amenity.

16. Soft Landscaping Management Plan (detail)

- a. Prior to first occupation of the development, a management programme for the lifetime of the development, which shall include: long term design objectives, management responsibilities and maintenance schedules for all soft landscape areas including the biodiverse roof, and details of any temporary landscaping (including boundary treatment) to be provided and management thereof.

- b. The development shall be carried out strictly in accordance with the details so approved and shall be maintained in accordance with the approved management programme.

Reason: To ensure a satisfactory appearance of the site and to provide for suitable areas of amenity.

17. Biodiverse Roof (detail)

- a. No above ground works shall take place until details of the biodiverse green roof is submitted and approved in writing by the Local Planning Authority. The green roofs detail must include information about any grass and turf areas, trees, planters, shrub and herbaceous areas including details of species, sizes, numbers/densities and sections of landscaped areas.
- b. The development shall be carried out strictly in accordance with the details so approved and shall be maintained in accordance with the approved management programme.

Reason: To ensure a satisfactory appearance of the site and to provide for suitable areas of amenity.

18. Noise Generating Mechanical Services Plant (detail)

- a. Before any mechanical services plant including heating, ventilation, and air conditioning (HVAC), refrigeration and kitchen extraction plant to which the application refers, is used at the premises, a scheme shall be submitted to and approved in writing by the Local Planning Authority which demonstrates that the following noise design requirements can be complied with.
 - i. The cumulative measured or calculated rating level of noise emitted from the mechanical services plant to which the application refers, shall be lower than the existing background noise level by 5dB at all times when the plant is in operation.
 - ii. Measurements shall be made at a height of 1.2 – 1.5 metres above the adjacent ground level and at least 3.5 metres from any sound reflecting surfaces other than the ground or 1 metre from the
 - iii. facade of the nearest first floor (or higher) noise sensitive premises, and in accordance with the latest British Standard BS4142:2014, and the measurement value adjusted to remove the additional
 - iv. sound energy contribution from reflected surfaces other than from the ground.
 - v. A commissioning acoustic test and report shall be undertaken within 7 Days of mechanical services commissioning in order to demonstrate that condition a) above has been achieved.
- b. The results of the test shall be submitted to and approved in writing by the Local Planning Authority and the scheme shall thereafter be retained as approved.

Reason: To ensure that residential premises are adequately protected from noise.

Informative(s):

1. Asbestos

There is a legal requirement to remove most asbestos containing materials (ACMs) from buildings and structures before demolition and you should ensure that this is done, where reasonably practicable. Asbestos cement sheet and textured coating (artex) materials may be removed by non-licensed contractors, but should be done in accordance with the Health and Safety Executive guidance, [a14.pdf \(hse.gov.uk\)](#). Most other ACMs must be removed by a contractor licensed by the Health and Safety Executive. If at any stage during a construction or demolition process asbestos is suspected, the work should stop immediately, and the material should be investigated.

2. Community Safety

In aiming to satisfy any Secured by Design condition, the applicant must seek advice of the Metropolitan Police Service Designing out Crime Officers (DOCOs) to achieve accreditation. The

services of MPS DOCOs are available free of charge and can be contacted via docomailbox.ne@met.police.uk

3. Contamination

Pursuant to the provisions of the National Planning Policy Framework responsibility for securing a safe development rests with the developer and/or landowner. It is recommended that a watching brief is implemented for the presence of unexpected land contamination throughout the construction works (if during any groundwork contaminated land or suspected contaminated land is discovered or identified, this should be reported to the below email). In the event that contamination is found at any time when carrying out the development it should be reported in writing immediately to the Local Planning Authority. An investigation and risk assessment must then be undertaken and where remediation is necessary a remediation scheme must be prepared, implemented and verified with copies of all relevant records being provided to the Local Planning Authority. In the first instance contact environmentalprotection@lbbd.gov.uk.

Appendix 6:

s.106 Proposed Heads of Terms:

The proposed heads of terms to be secured through a Section 106 Legal Agreement (agreed between the Council and the Applicant) are set out below:

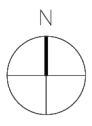
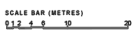
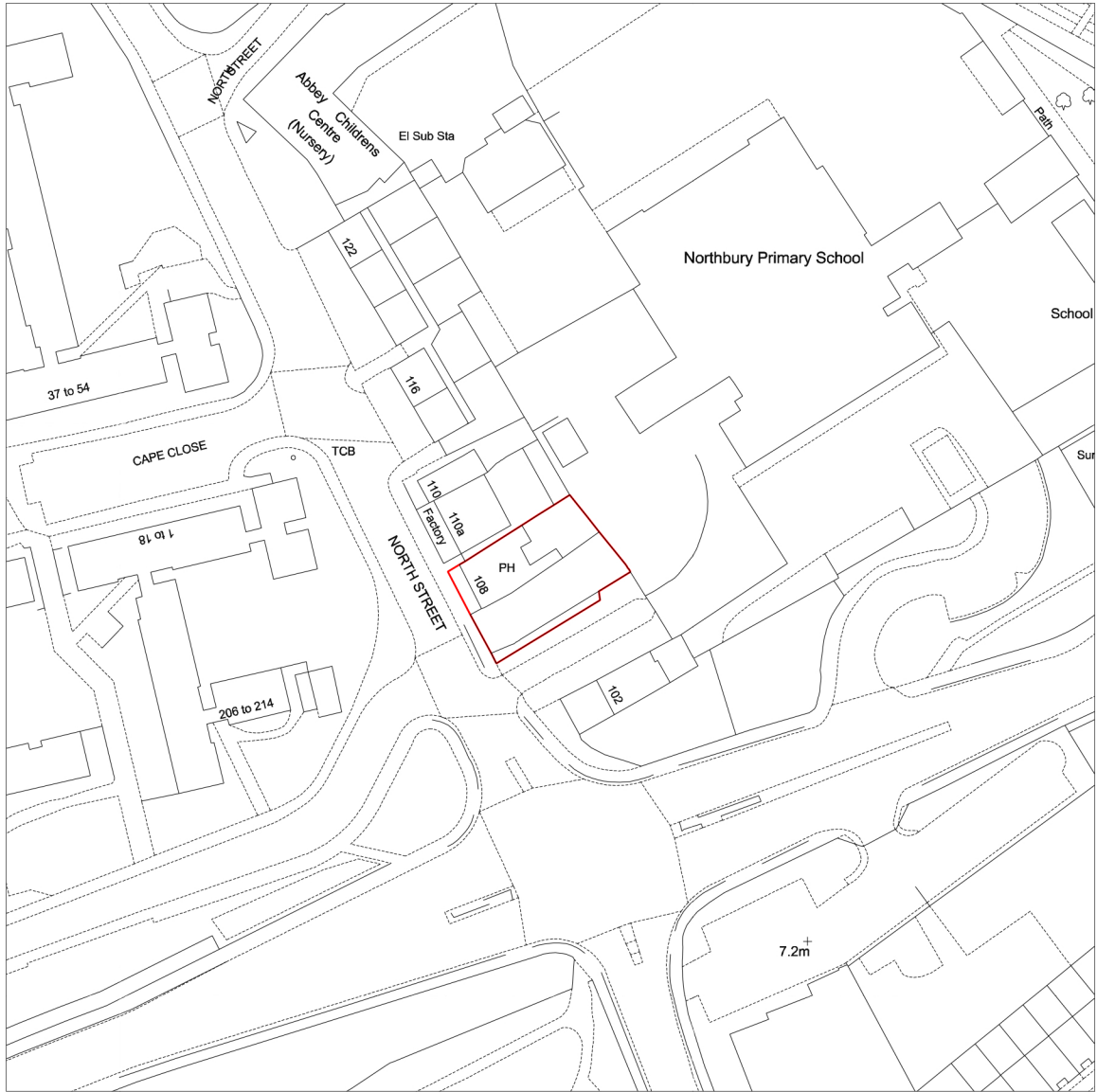
Schedule One – Administrative


1. Payment of the Council's professional and legal costs, whether the Section 106 Agreement completes or not the agreement completes and payable on completion of the deed.
2. Payment of £1,500 on signing to monitor the agreement.
3. Indexing – all payments are to be index linked from the date of the decision to grant of the planning permission to the date on which payment is made, using BCIS index.

Schedule Two – Travel Plan

1. The Travel Plan submitted as part of the application, and prepared by Markside Associate (reference TP01, revision A, dated 13/12/2024) must be implemented from the first use of the hereby approved use. The Owner/Developer must comply with the Travel Plan for at least the Travel Plan Monitoring Period of five (5) years.
2. At least three (3) months prior to the First Occupation of the Development the Owner or Developer must appoint and fund a suitable qualified Travel Plan Coordinator and notify the Council in writing of the name, address, telephone number and email address of the person appointed.
3. On the 1st, 3rd, and 5th anniversary of the Travel Plan / commencement of the use, the Owner or Developer must undertake and submit a Travel Plan Monitoring Report to the Council for approval.
4. Payment of £4,500 on first occupation of development for review of the Travel Plan Monitoring Report (£1,500 per review x 3 reviews).

This page is intentionally left blank



Key	
	SITE BOUNDARY

SURVEY

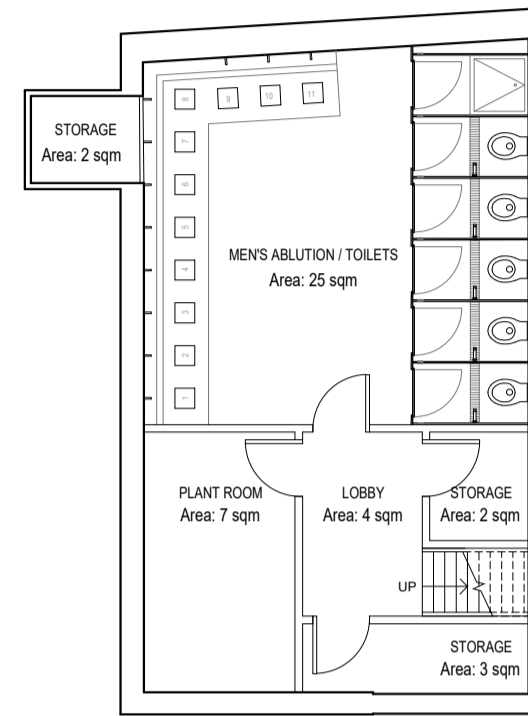
Author: UWA
 Chartered Architects
 for: Ahlul Ishaqiyah Trust UK

job: The Jolly Fisherman 108 North Street London, IG11 8LA	scale: 1:1250@A4 date: 20.02.2023 drawn by: ZA	REV:
drawing file:	drawing No: 786 / JBZ / SU - 010	

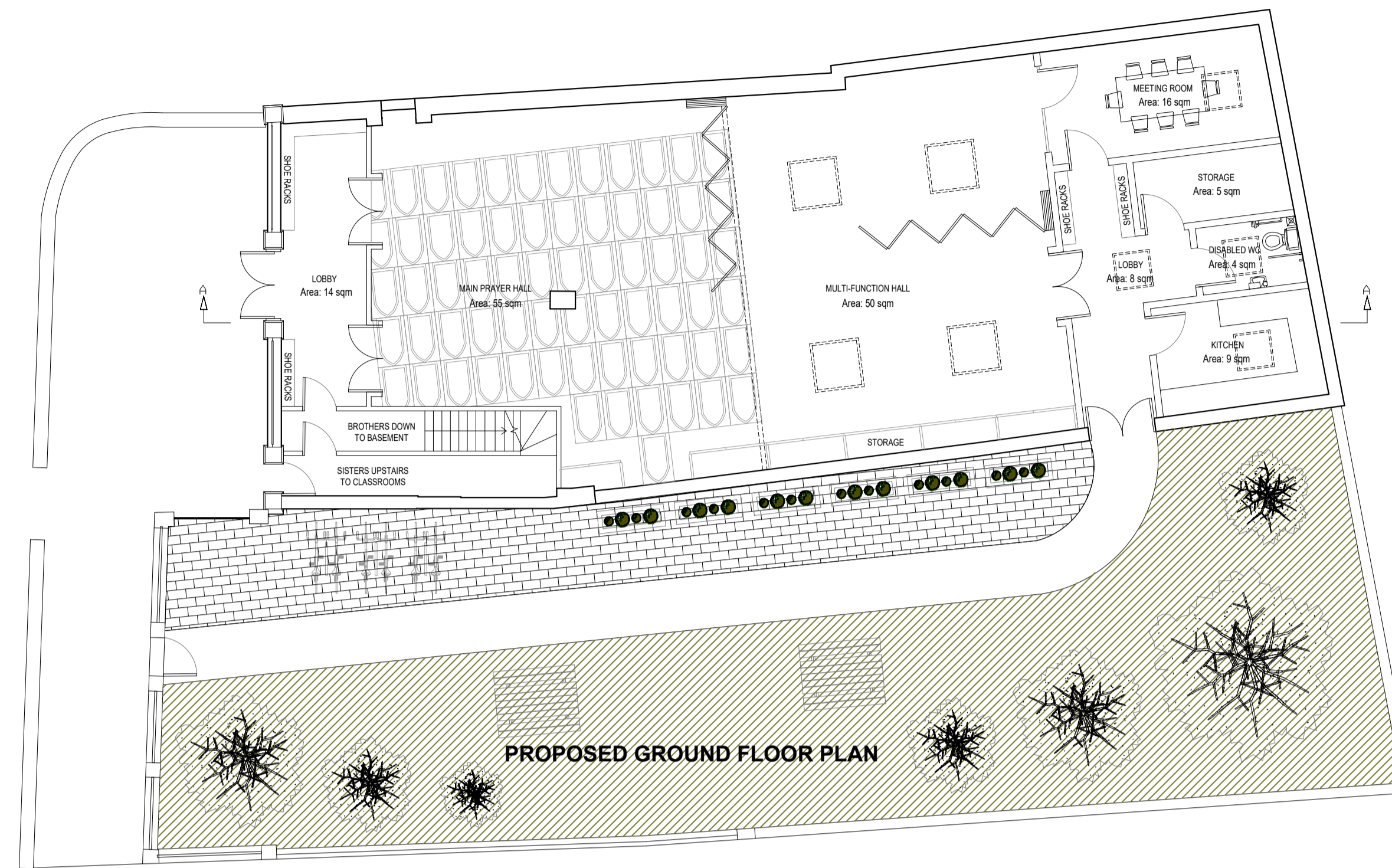
SITE LAYOUT PLAN

Office 3 679-691 High Road Leyton, London E10 6RA Tel. 020 8558 4272

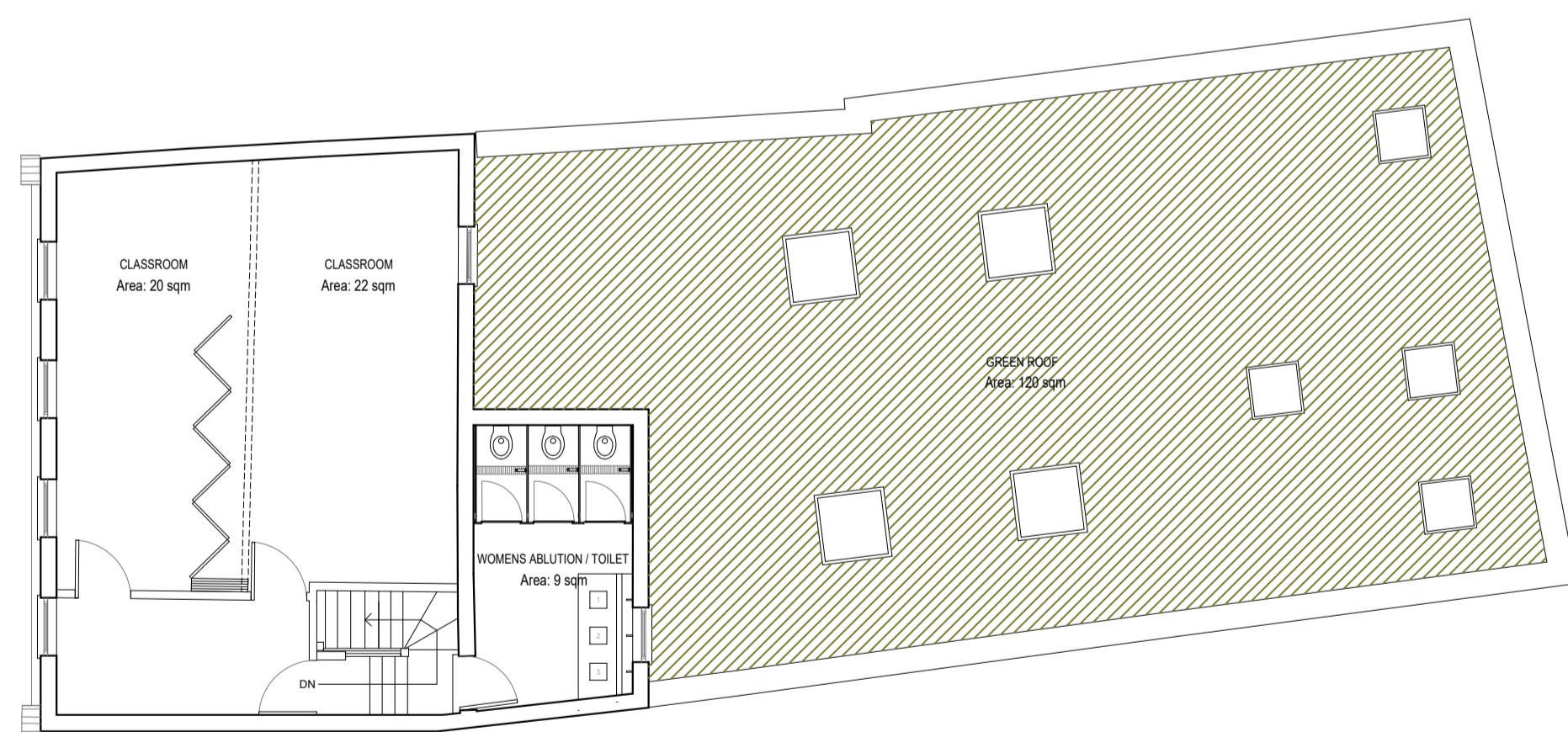
This page is intentionally left blank



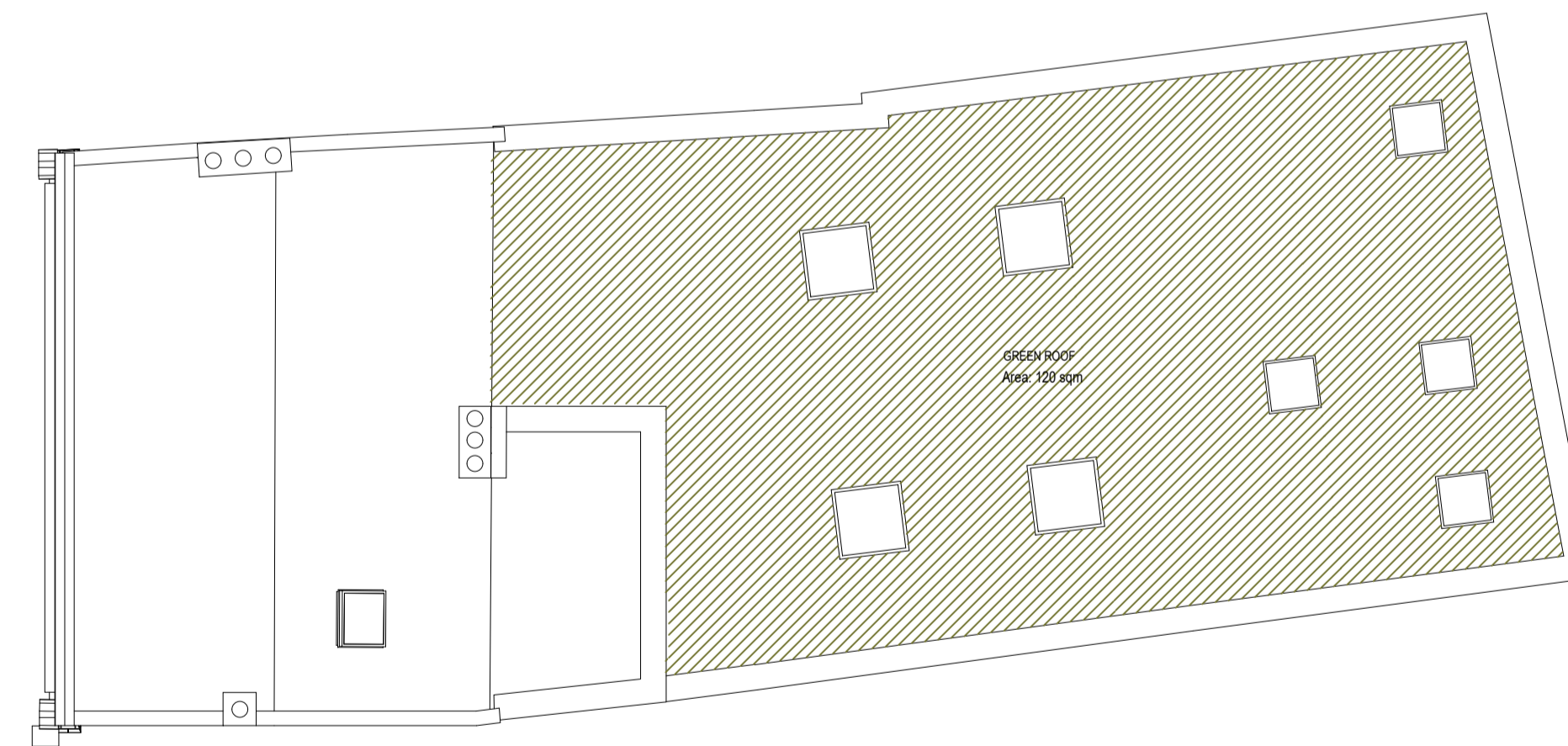
PROPOSED BASEMENT FLOOR PLAN



PROPOSED GROUND FLOOR PLAN

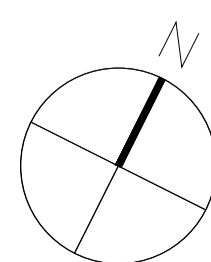


PROPOSED FIRST FLOOR PLAN



PROPOSED ROOF PLAN

SCALE BAR (METRES)



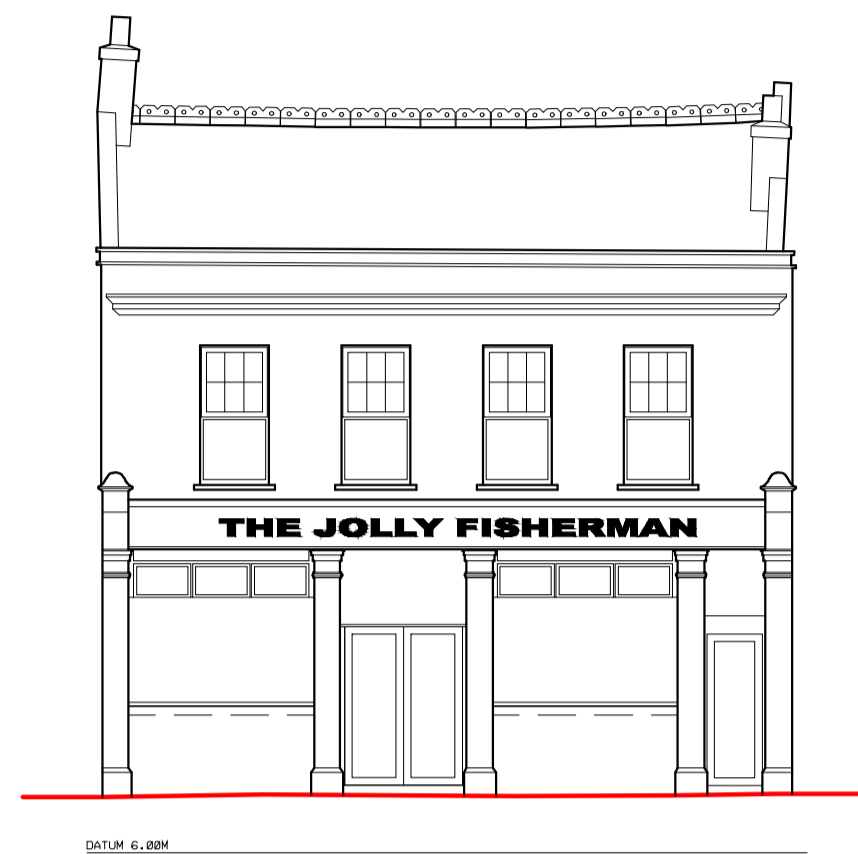
REV. A	REVISED PLANS, SECTIONS AND ELEVATIONS	ZA
	13 - 12 - 2023	

PROPOSED

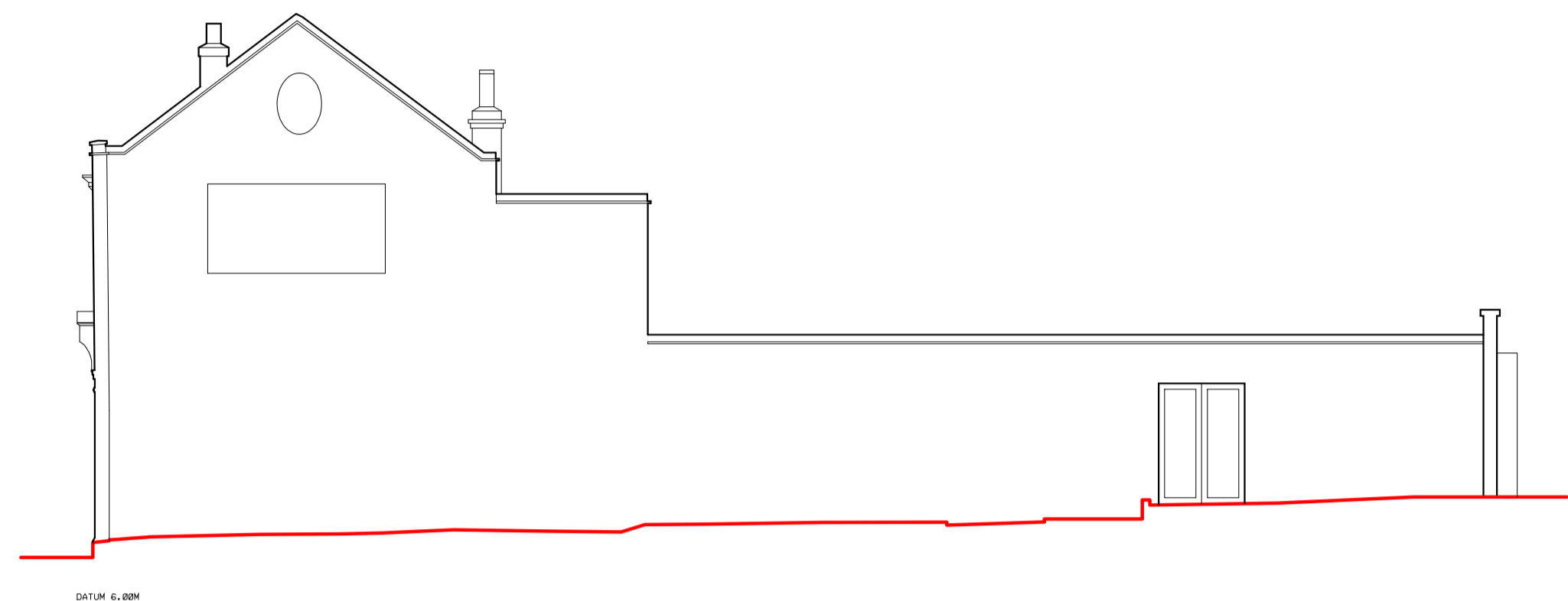
Atelier : U W A
Chartered Architects
 for: Ahlul Istiqamah Trust UK

job:	The Jolly Fisherman 108 North Street London IG11 8LA	scale: 1 / 100 @ A1	date: 02/11/22
drawing title:	PROPOSED FLOOR PLANS	drawn by: ZA	rev:
		drawing No: 786 / JBZ / PP - 101 A	

This page is intentionally left blank



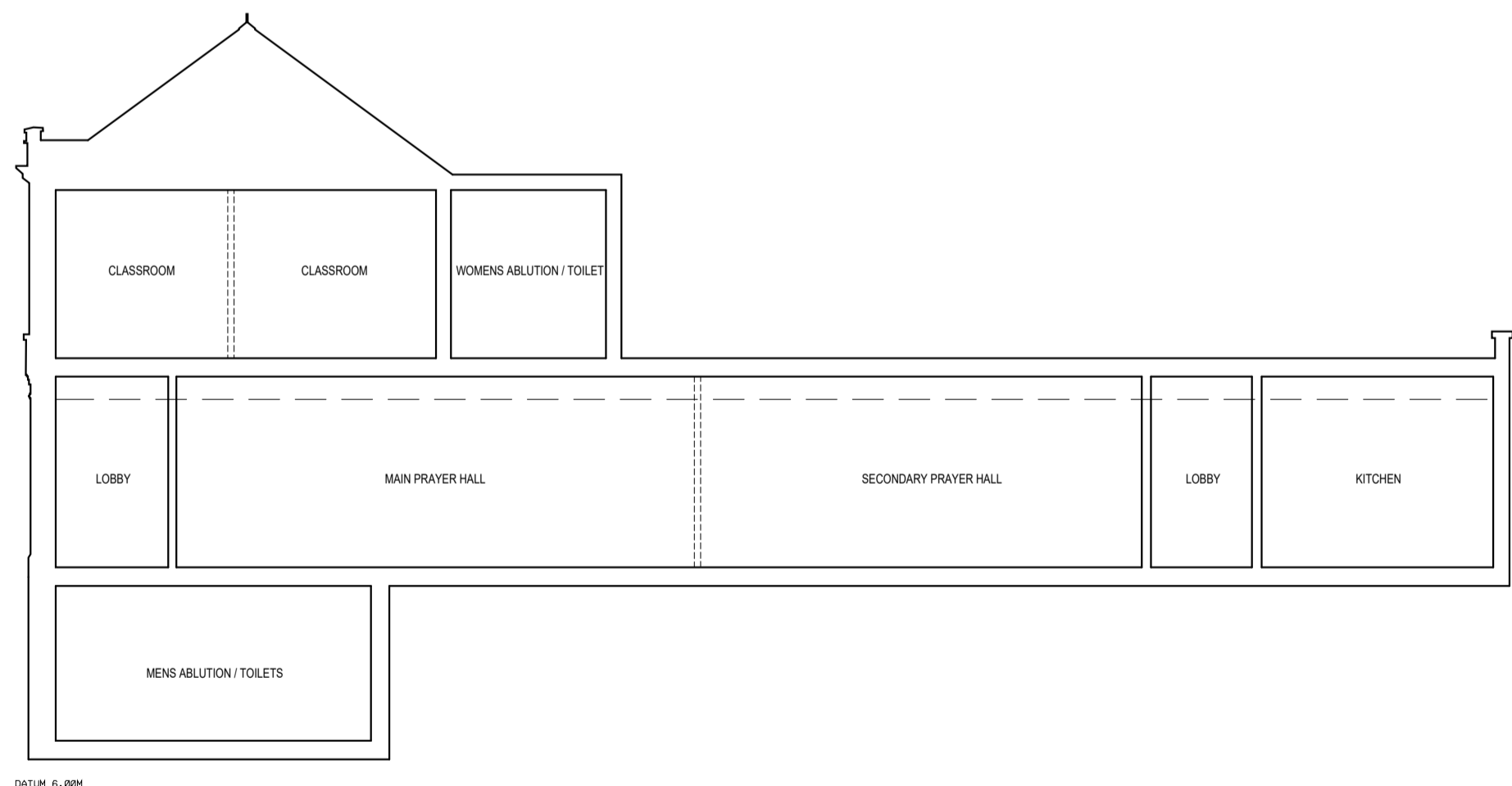
PROPOSED SOUTH WEST ELEVATION



PROPOSED SOUTH EAST ELEVATION



PROPOSED NORTH EAST FLOOR PLAN



PROPOSED SECTION A-A'

SCALE BAR (METRES)



REV. A	REVISED PLANS, SECTIONS AND ELEVATIONS
	13 - 12 - 2023 ZA

PROPOSED

A t e l i e r : U W A

for: **Ahlu Istiqamah Trust UK**

Chartered Architects

job:	The Jolly Fisherman 108 North Street London IG11 8LA	scale:	1 / 100 @ A1
date:	02/11/22	drawn by:	ZA
drawing title:	PROPOSED ELEVATIONS AND SECTIONS	drawing No:	786 / JBZ / PP - 102 A
		rev:	

This page is intentionally left blank