<table>
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<tr>
<th>Barking and Dagenham Council Planning Committee</th>
<th>Date: 11 June 2018</th>
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<tbody>
<tr>
<td>Application No: 17/01633/FUL</td>
<td>Ward: Eastbrook</td>
</tr>
<tr>
<td>Reason for Referral to Planning Committee as set out in Part 2, Chapter 9 of the Council Constitution:</td>
<td>At the request of a local ward councillor and as agreed by the Chair.</td>
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<tr>
<td>Address: Land Between 487 - 535A Rainham Road South, Dagenham</td>
<td>Development: Demolition of single storey car sales building and clearance of associated yard and erection of two storey building (including second floor accommodation within roof space) incorporating 5 two bedroom flats and 5 two bedroom maisonettes and associated amenity space.</td>
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<tr>
<td>Applicant: Dream Point Homes</td>
<td>Summary: The application site is a rectangular plot comprising two car sales businesses. The applicant seeks planning permission for the demolition of a single storey car sales building and clearance of the associated yard and the erection of a two storey building (including second floor accommodation within roof space) incorporating 5 two bedroom flats and 5 two bedroom maisonettes and associated amenity space. Any impacts on the amenity of adjacent properties would be minimal. The external design of the development would be consistent with the character of the local area. The proposed internal design is consistent with Policy 3.5 (quality and design) of the London Plan (March 2016) and each flat would comply with the applicable minimum gross internal area standards. The proposed outdoor amenity spaces for each flat are sufficiently sized to meet the needs of future occupants. The outdoor spaces of the ground floor flats (units 1 – 5) meet the minimum standard under Policy BP5 of the Borough Wide Development Policies DPD and the outdoor spaces of the upper floor flats (units 6-10) meet the private open space standard of the Mayor of London’s Housing Supplementary Planning Guidance (March 2016). The provision of cycle storage and the site’s public transport accessibility mean that residents would not be unduly dependent on private motor vehicles for transport. The development would not significantly reduce on-street parking availability in the local area because residents of the proposed flats would be ineligible for Controlled Parking Zone parking permits. The development will incorporate sustainable design in accordance with the Policy 5.2</td>
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The proposed development is considered to comply with the relevant policies set out in the London Plan and the Local Plan.

**Recommendation:**

That Planning Committee grant planning permission subject to:

1) A Section 106 legal agreement to secure the matters set out in section 6.10 of this report; and

2) The following conditions (with any amendments that might be necessary up to the issue of the decision).

**Conditions:**

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

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

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

   - 3403_PL01 REV. A
   - 3403_PL 19
   - 3403_PL08 REV. B
   - 3403_PL16 REV. B
   - 3403_PL14 REV. E
   - 3403_PL18 REV. B
   - 3403_PL15.2 REV. E
   - 3403_PL17 REV. A
   - 3403_PL20
   - 3403_PL21

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

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

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

4) All proposed first floor level windows in the west elevation of the proposed flats must be fitted with obscure glazed windows which are not be capable of opening to an angle of more than 20 degrees. The windows must thereafter permanently be maintained as such.
5) The winter gardens indicated on drawing 3403_PL20 shall be constructed in accordance with the approved plans prior to the occupation of the development hereby approved and thereafter permanently retained.

Reason: To secure the provision and retention of external amenity space for units 6 – 10 in accordance with policy 3.5 of the London Plan and standards 26 and 27 of the Mayor of London’s Housing SPG.

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

Reason: To ensure proposed occupiers are not exposed to unacceptable levels of noise pollution in accordance with policy BP8 of the Borough Wide Development Policies Development Plan Document and policy 7.15 of the London Plan.

7) Before occupation units 2 – 10 shall comply with Building Regulations Optional Requirement Approved Document M4 (2): accessible and adaptable dwellings, and unit 1 shall comply with Building Regulations Optional Requirement Approved Document M4 (3): wheelchair user dwellings. Evidence of compliance shall be notified to the building control body appointed for the development in the appropriate Full Plans Application, or Building Notice, or Initial Notice to enable the building control body to check compliance.

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

8) The development hereby permitted shall be carried out in accordance with the submitted Energy Statement prepared by Hodkinson Consultancy and dated October 2017. Details of the location and quantum of photovoltaic panels shall be submitted to and approved in writing by the Local Planning Authority and the photovoltaic panels shall be implemented in accordance with the approved details and thereafter maintained to the satisfaction of the Local Planning Authority.

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

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

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

10) No development shall commence, including any works of demolition, until a detailed remediation scheme which builds on the findings of a site investigation report, “489-533 Rainham Road South, Dagenham, Essex”, reference C14165, dated July 2017 to bring the site to a condition suitable for the intended use by removing unacceptable risks to human health, buildings and other property and the natural and historical environment must be prepared, and is subject to the approval in writing of the Local Planning Authority. The scheme must include all works to be undertaken, proposed remediation objectives and remediation criteria, timetable of works and site management procedures. The scheme must ensure that the site will not qualify as contaminated land under Part 2A of the Environmental Protection Act 1990 in relation to the intended use of the land after remediation.

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

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

12) 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 current good practice and where remediation is necessary a remediation scheme must be prepared in accordance with the requirements of condition 10), which is subject to the approval in writing of the Local Planning Authority.

Reason for conditions 10) to 12): Contamination must be identified prior to commencement of development to ensure that risks from land contamination to the future users of the land and neighbouring land are minimised, together with those to controlled waters, property and ecological systems, and to ensure that the development can be carried out safely without unacceptable risks to workers, neighbours and other off-site receptors in accordance with policy BR5 of the Borough Wide Development Policies Development Plan Document and policy 5.21 of the London Plan.
13) Demolition and construction work and associated activities, other than internal works not audible outside the site boundary, are only to be carried out between the hours of 08:00 and 18:00 Monday to Friday and 08:00-13:00 Saturday with no work on Sundays or public holidays. Driven piling or ground improvement work which will generate perceptible off-site ground borne vibration is only to be carried out between the hours of 08:00 and 18:00 Monday to Friday.

14) 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.

15) If piling or other ground improvement work is undertaken pursuant to this permission then the 5% level of vibration attributable these activities shall not exceed a peak particle velocity of 1.5mm/sec when measured at the point of entry to any adjoining residential development. In the event of reasonable complaint of vibration nuisance and at the request of the Local Planning Authority monitoring to evaluate compliance with this condition is to be carried out and the results submitted to the Local Planning Authority.

Reason for conditions 13) to 15): To ensure that the proposed construction work does not cause undue nuisance and disturbance to neighbouring properties at unreasonable hours and in accordance with policy BP8 of the Borough Wide Development Policies Development Plan Document.

16) The development hereby permitted shall not be occupied until all redundant footway crossings serving the site have been removed and the kerbs reinstated to the satisfaction of the Local Planning Authority.

Reason: To ensure that the approved development does not prejudice the free flow of the traffic or conditions of general safety along the neighbouring highway, or the safety of future occupiers, and in accordance with policy BR10 of the Borough Wide Development Policies DPD.

17) Prior to the commencement of the development a Construction Logistics Plan shall be submitted to and approved in writing by the Local Planning Authority in consultation with Transport for London. The Plan shall be designed to avoid disruption of Transport for London infrastructure and bus operations. The plan should include, but not be limited to, the following matters:

Mention of vehicle booking systems, the use of re-timed or consolidated construction vehicle trips, site access arrangements, vehicle tracking of construction vehicles entering/ exiting the site, protection of vulnerable road users and details around any hoarding or scaffolding likely to be required in the vicinity of the bus stop.

The Plan shall be implemented in accordance with the approved details and thereafter maintained.

Reason: The Construction Logistics Plan is required prior to commencement of development in order to minimise the impact of construction on the free flow of traffic on the local highway network and in the interests of highway safety, and in accordance with policy BR10 of the Borough Wide Development Policies.
18) The cycle parking indicated on drawings 3403_PL14 (Rev. E) and 3403_PL21 shall be provided prior to the occupation of the development, and shall be retained thereafter, and used for no other purpose.

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

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

Reason: To safeguard and improve the appearance of the area in accordance with policy BP11 of the Borough Wide Development Policies Development Plan Document.

<table>
<thead>
<tr>
<th>Contact Officer:</th>
<th>Title:</th>
<th>Contact Details:</th>
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<tr>
<td>Jonathan Ryan</td>
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1. **Introduction and Description of Development**

1.1. The application site is a rectangular plot measuring 0.0768 hectares comprising two car sale businesses.

1.2. The applicant seeks planning permission for the demolition of a single storey car sales building and clearance of the associated yards and the erection of a two storey building (including second floor accommodation within roof space) incorporating 5 two bedroom flats and 5 two bedroom maisonettes and associated amenity space.

2. **Background**

2.1. 16/00938/FUL, permission refused for demolition of single storey building and erection of three storey building comprising 10 dwellings.

16/00168/FUL, permission refused for demolition of existing building and erection of 3 storey building comprising 5 two bedroom maisonettes, 2 one bedroom flats, 1 two bedroom flat and 1 three bedroom flat.

14/01418/FUL, permission granted for demolition of single storey building and erection of two storey building comprising 3 one-bedroom flats and 5 two-bedroom flats.
13/00374/FUL, permission refused for demolition of single storey building and erection of two storey building comprising 3 one-bedroom flats and 5 two-bedroom flats.

12/00214/FUL, permission refused for demolition of existing building and erection of three storey building comprising ground floor commercial units (flexible use for Class A1 shops/A2 financial and professional services and B1(a) offices) and 9 two-bedroom flats on upper floors.

10/00022/FUL, permission refused for erection of canopy and acoustic fence in connection with use of part of former car sales site as hand car wash.

08/00739/FUL, permission refused for use of part of former car sales site as hand car wash.

3. Consultations

3.1. Neighbour consultation letters were sent to the occupants of 43 adjacent properties. A press notice was published in the Barking and Dagenham Post on 22 November 2017. Objection comments were received from the occupants of 17 Durham Road for the following reasons:

- Overcrowding and density.
- Noise pollution, privacy and security issues.

Officer Note: As mentioned in paragraph 6.2.2 below, the proposed development is in keeping with the London Plan density guidance. Effects in relation to the amenity of adjacent properties are addressed in section 6.4 below.

3.2. Transport Development Management

Transport Officer stated that the provision of no off-street car parking spaces would mean that there is potential for a minimal increase in on-street car parking demand. However, the adjacent streets including Rainham Road South have parking restrictions.

3.3. Environmental Health

Issues identified by the Environmental Health Officer include possible site contamination, road traffic noise and construction noise and dust impacts. The Officer concurred with the proposed contamination remediation, did not object on traffic noise grounds, and recommended controls for noise and dust during building works. Conditions associated with the above issues are recommended.

3.4. Refuse Services

Refuse Services recommended a minimum of 2 bins per dwelling, each requiring a space of 613 mm (depth) X 555 mm (width) X 1063 mm (height). Based on the site plan, the proposed refuse storage in front of the terrace will meet the recommended minimums.

3.5. Access Team
Council’s Access Officer reviewed the design and does not object to the proposal.

3.6. Transport for London (TfL)

TfL does not object to the proposal subject to the following conditions. A rate of 2 cycle spaces per dwelling should be secured by condition. The Applicant should submit Construction Logistics / Construction Management Plans (CLP/CMPs) to be approved by both LBBD and TfL prior to the commencement of construction works to avoid disruption to TfL infrastructure and bus operations. TfL also welcomed the car-free nature of the development and supported the replacement of redundant vehicular crossovers with footway.

Officer comment: the conditions recommended by TfL are included in the above recommendation.

3.7. London Fire and Emergency Planning Authority

3.8. The authority is satisfied with the proposal.

3.9. London Fire Brigade – Water Team

The brigade does not require additional hydrants, and is happy for works to go ahead.

4. Local Finance Considerations

4.1. The application is subject to both the Mayor of London and Council’s Community Infrastructure Levy and would generate a Mayoral CIL contribution of £21,727.53 and an LBBD contribution of £786.22. The net additional gross internal floorspace following development (774m²) equals the total proposed internal floorspace (860m²) minus the combined internal floorspace of the existing buildings (86m²). CIL calculations: 774m² x £20 x 313 / 223 = £21,727.53; 774m² x £10 x 313 / 255 = £9,500.47.

5. Equalities Considerations

5.1. The Equality Act 2010 requires the Council to advance equality of opportunity in the exercise of its functions. In this respect, nine accessible and adaptable dwellings and one wheelchair user dwelling will be provided in the development (refer paragraph 6.5.4 below for further detail).

6. Analysis

6.1. Principle of Development

6.1.1. The principle of replacing the existing car sales plots at the site with a residential development was established as a result of planning permission 14/01418/FUL.

6.2. Housing

Housing Mix
6.2.1. Policy CC1 of the Core Strategy states that major housing developments will generally be expected to provide a minimum of 40% family accommodation (3 bedrooms or larger). The policy also states, however, that site suitability should be taken into account. Due to the shallow depth of the application site, space for sufficiently sized private external amenity space which would meet the needs of a family is limited. For this reason the site is considered less suitable for family housing and the departure from Policy CC1 is acceptable.

Density

6.2.2. The density matrix in the London Plan identifies that, in an urban setting, development providing 2.7-3.0 habitable rooms per unit on a site with a PTAL of 3 should provide 70-170 units per hectare (u/ha). The proposed development of 10 flats gives a density of 130 u/ha which is in keeping with the London Plan density guidance.

Affordable Housing

6.2.3. Under the planning obligations guidance in the Planning Practice Guidance, Paragraph 031 states that there are specific circumstances where contributions for affordable housing should not be sought from developments of 10 units or less, and which have a combined gross floor space of no more than 1,000m². This follows the order of the Court of Appeal dated 13 May 2016 which gives legal effect to the policy set out in the written ministerial statement of 28 November 2014. Accordingly, the proposal is exempt from the affordable housing requirement under Policy 3.13 of the London Plan because the scheme is for 10 units comprising less than 1,000m² gross floor space.

6.3. Design

6.3.1. Policies BP8 and BP11 of the Borough Wide Development Policies DPD sets out the principles which should be applied to the design and layout of new development in order to avoid harm to the character of the local area.

6.3.2. The scale, roof design and architectural detailing of the proposed terrace would be sympathetic the surrounding environment. In particular, the external design of the proposed would be consistent with the adjoining terrace at 535 – 541 Rainham Road South. External material of brickwork and render finish is proposed.

6.4. Amenity of Adjacent Properties

6.4.1. Policies BP8 and BP11 of the Borough Wide Development Policies DPD seek to protect the residential amenity of adjacent properties.

Privacy

6.4.2. The proposed flats have been designed to avoid any significant overlooking into adjacent properties. The first floor windows in the west (rear) elevation will be designed to avoid overlooking of the properties at Durham Road. The windows will be obscurely glazed and will not be capable of opening to an angle of more than 20 degrees. No windows would directly face the adjacent houses to the north, or the flats to the south.

Outlook and Light Admission
6.4.3. The proposed flats have been designed to maintain an appropriate level of outlook and light admission in the adjacent properties.

6.4.4. The siting and scale of the proposed flats is considered appropriate in the local context. The proposed flats will be located in a similar position to the existing terrace at 535 – 541 Rainham Road South. The first floor rear wall of the proposed flats would be approximately flush with the first floor rear wall of the adjacent building at Number 535. The first floor rear extensions at numbers 537 and 539 would project further towards Durham Road than the first floor of the proposed flats.

6.4.5. The scale and positioning of the proposed flats are similar to that of the previously approved terrace building (refer application 14/01418/FUL). In relation to the Durham Road properties to the west, the minor differences between the proposed flats and approved terrace are shown on drawing 3403_PL17A. The proposed ground floor and roof sit slightly closer to Durham Road and the proposed first floor sits slightly further away compared to the main centrally located rear wall of the approved terrace.

6.4.6. The impact of the proposed flats would also be comparable to the proposal for 10 flats determined under application 16/00938/FUL. At the first floor level, the proposed building in the previous application was slightly closer to the Durham Road properties than the currently proposed flats. The application, which was refused by Council, was considered by the Planning Inspectorate in an appeal. The inspector decided that, in terms of outlook, the proposed building would not cause harm to the living conditions of the occupiers of the Durham Road properties and stated:

“The degree of setback of the rear elevation when viewed from the properties would not be oppressive in any views from the rear windows or rear gardens of the properties. It would appear as a continuation of the 2 storey terrace and in combination with an acceptable expanse of roof slope, whilst there would be a change in the view from the properties along Durham Road it would not provide any overwhelming sense of enclosure from the rear or be visually intrusive.”

6.4.7. Compared to the approved terrace, the proposed flats will be located 1.5 metres closer to the dwelling at 487 Rainham Road to the north. The light admission and outlook in the property at No. 487 will, nonetheless, be maintained. An open space of 4.2 metres will separate the adjacent buildings. The main living room window of No. 4871, which faces the street, will be set at least 7.5 metres away from proposed terrace. The proposed flats will cause some overshadowing of the flank window of No. 487. Any harm would be limited because the affected room benefits from a west-facing window.

6.5. Internal Design

6.5.1. Policy 3.5 of the London Plan (March 2016) seeks to ensure that internal design is high quality through the internal space minimum standards of Table 3.3. The minimum gross internal area (GIA) standard for a 2 bedroom, 4 person, 1 storey dwelling is 70m² is applicable to proposed units 1 – 5. The GIA of units 1 – 5 will be 84m². The minimum gross internal area (GIA) standard for a 2 bedroom, 4 person, 2

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1 Based on submitted drawings in application 02/00219/FUL.
storey dwelling is 79m² is applicable to proposed units 6 – 10. The GIA of units 6 – 10 will be 81m². The proposed built-in storage for all units will comply with the 2.0m² minimum for 2 bedroom dwellings. The ceiling heights of the proposed dwellings will be at least 2.5 metres for more than 75% of the GIA. Overall, the proposed development complies with the internal space minimum standards.

6.5.2. The ground floor windows in the west elevation will provide sufficient light admission and outlook for units 1 – 5. The first floor windows in the west elevation will provide sufficient light admission and outlook for units 6 – 10.

6.5.3. Noise pollution caused by traffic on Rainham Road South could harm the amenity of habitable rooms with east elevation openings in the proposed flats. A condition stipulating a scheme of noise mitigation to these rooms is recommended as requested by the Environmental Health Officer.

6.5.4. Policy 3.8 of the London Plan (March 2016) states that 90 percent of new housing should meet Building Regulation requirement M4 (2) ‘accessible and adaptable dwellings’ and 10 per cent of new housing should meet Building Regulation requirement M4 (3) ‘wheelchair user dwellings’. The proposal accords with this policy because units 2 – 10 will meet requirement M4 (2), and Unit 1 will meet requirement M4 (3). This will be secured by a condition.

6.6. External Amenity Space

6.6.1. Policy BP5 of the Borough Wide Development Policies DPD seeks to ensure that appropriate external private amenity space is provided to meet the needs of future occupants through minimum area standards.

6.6.2. The minimum area standard for a 2 bedroom flat is 40m². The proposed rear gardens for Units 1 – 5 would exceed the minimum. Mayor of London’s Housing SPG (March 2016) private open space standard should be applied to Units 6 – 10 due to the units’ upper floor location. A minimum of 5m² of private open space should be provided for 1 – 2 person dwellings and an extra 1m² for each additional occupant. Units 6 – 10 are treated as 4 person dwellings and their associated 7m² front facing winter gardens are compliant with the SPG standard.

6.7. Transport

6.7.1. The application site is located a 3 minute walk to the Dagenham East Tube Station, and has a moderate Public Transport Accessibility Level rating of 3. In accordance with Table 6.3 in the Parking Addendum of the London Plan (March 2016), provision is made for 2 cycle storage spaces for each dwelling.

6.7.2. The applicable maximum residential parking standard in Table 6.2 in the Parking Addendum of the London Plan (March 2016) is less than 1 for a 1-2 bedroom unit. Policy BR9 of the Borough Wide Development Policies DPD follows the guidance set out in the London Plan with respect to parking. The proposed development includes no on-site car parking provision which, in combination with the tube station’s close proximity and the provision of cycle storage, is acceptable given that residents would not be unduly dependent on private motor vehicles for transport.
6.7.3. The Transport Development Management Officer considered that there was potential for a limited amount of additional on-street parking but noted that adjoining roads generally had parking controls. The last planning application at the site, which included 10 dwellings and no on-site car parking provision, was not refused on transport grounds. Moreover, the section 106 agreement includes a provision making the proposed dwellings ineligible for a parking permit within any adjoining Controlled Parking Zones (CPZ). For the reasons stated above, the parking provision is considered consistent with Policy 6.13 of the London Plan (March 2016) and Policy BR9 of the Borough Wide Development Policies DPD.

6.8. **Sustainability**

**Energy**

6.8.1. Policy 5.2 of the London Plan sets a zero carbon target for new residential development. The Mayor of London’s ‘Housing’ SPG defines ‘zero carbon’ homes as homes forming part of major development applications where the residential element of the application achieves at least a 35% reduction in regulated carbon dioxide (CO2) emissions (beyond Part L of the Building Regulations 2013) on-site. Developments should minimise carbon dioxide emissions through the implementation of the energy hierarchy of ‘Be Lean’ (use less energy), ‘Be Clean’ (supply energy efficiently) and ‘Be Green’ (use renewable energy). The remaining regulated carbon dioxide emissions, to 100 per cent, are to be off-set through a cash in-lieu contribution to the Council, to be ring-fenced to secure delivery of carbon dioxide savings elsewhere.

6.8.2. Policy CR1 of the Core Strategy requires all major and strategic developments to meet a high standard of sustainable design and construction. Policy BR2 of the Local Plan states that major developments will be encouraged to achieve 20% saving in carbon emissions through the use of on-site renewable generation.

6.8.3. The submitted Energy Strategy is set out in accordance with Policy 5.2. Proposed ‘be lean’ measures, including enhanced insulation, air tightness, natural ventilation, reduced thermal bridging and energy efficient lighting, are expected to result in a reduction of 7.9% regulated CO2. No provision is made for ‘be clean’ measures due to operational costs and the nature of the development. The proposed ‘be green’ measure, 80m² photovoltaic panels, is expected to result in a reduction of 29.5% regulated CO2. The proposed savings through on-site renewable generation also complies with Policy BR2 of the Local Plan.

6.8.4. The total CO2 reduction achieved on-site is expected to be 35.2% (5,700 regulated CO2) below the Part L Baseline. The remaining 64.8% (10.5 tonnes) carbon emissions will be met through a carbon offset payment to be paid to the London Borough of Dagenham’s offsetting fund. Utilising the carbon price of £60 per tonne the proposed development is currently liable for a carbon off-set payment of £18,900 in association with a minimum 35.2% reduction in CO2 emissions on-site. If a greater energy saving beyond 35.2% can be achieved on-site, then the carbon off-set payment would be reduced accordingly. The carbon off-set payment is to be secured in the S106 Agreement and would be payable prior to occupation of the development.
6.8.5. Through a combination of on-site energy measures and a carbon off-set payment, the proposed development is considered to be in keeping with the relevant policies.

**Water Usage**

6.8.6. Policy 5.15B (b) of the London Plan states that residential development should be designed so that mains water consumption would meet a target of 105 litres or less per head per day. A condition stipulating that before occupation the proposed flats shall comply with the water efficiency optional requirement of the Building Regulations Approved Document G is recommended to ensure the proposal accords with this policy.

6.9. **Contamination**

6.9.1. The submitted site investigation report states the presence of contaminants in the made ground indicates that there is a moderate risk of contaminants affecting ground-workers during construction works and a moderate risk affecting future end users of the site if the made ground is exposed in any landscaped areas. The Council’s Environmental Health Officer concurred with the report and recommended conditions requiring a detailed remediation scheme, carrying out of remediation, completion of verification report, and measures if contamination not previously identified is found. It is recommended that these conditions are attached to any planning permission to ensure compliance with Policy BR5 of the Local Plan.

6.10. **S106 Planning Obligations**

A Section 106 Agreement is required to secure the following planning obligations:

**Energy and Carbon Offsetting**

The development shall achieve a minimum 35% reduction in carbon emissions over Part L of the Building Regulations 2013 through on-site provisions and the remaining carbon emissions to zero carbon should be offset through a monetary contribution to the Local Authority’s carbon offset fund calculated on the basis of £60 per tonne over 30 years. Any offsetting payment due shall be calculated upon completion of the building so that any shortfall against the Mayor’s target would be capable of being accurately assessed. Any monies which become due shall only be payable to the Local Planning Authority at that time if it has a legitimate pooling fund set up.

**Local Labour**

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

**Parking Permits**

Ensure that all leases for individual dwellings contain a provision to secure the obligation that the leaseholder shall not apply for a parking permit for any Controlled Parking Zone (CPZ) controlled by the Council which would enable any occupant of any dwelling to park in any parking bay within any CPZ unless the occupant is the holder of a disabled persons badge issued pursuant to Section 21 of the Chronically Sick and Disabled Persons Act 1970.
Pay the Council's professional fees associated with the preparation and completion of the S106 Agreement.

7. Conclusion

7.1. The development will result in the replacement of the car sales premises with 10 good quality two-bedroom flats. The external appearance of the terrace building is sympathetic to the local character, and any adverse effects on the amenity of the adjacent properties will be minimal. The design of the flats will result in good quality internal and external amenity for future occupants which reflect London Plan space standards. The provision of cycle storage and the site’s public transport accessibility would ensure that residents would not be unduly dependent on private motor vehicles for transport. For the reasons set out above, the proposal accords with the relevant Development Plan.

7.2. Recommendation

Background Papers

- Planning Application File:
  Search 17/01633/FUL via [http://paplan.lbbd.gov.uk/online-applications/](http://paplan.lbbd.gov.uk/online-applications/)

- Development Plan Policy

  Core Strategy Development Plan Document (July 2010):
  
  Policy CP3 High Quality Built Environment
  Policy CR1 Climate Change and Environmental Management
  Policy CC1 Family Housing
  Policy CC3 Achieving Community Benefits Through Developer Contributions

  
  Policy BR2 Energy and On-Site Renewables
  Policy BR5 Contaminated Land
  Policy BR9 Parking
  Policy BR10 Sustainable Transport
  Policy BR11 Walking and Cycling
  Policy BR13 Noise Mitigation
  Policy BP5 External Amenity Space
  Policy BP8 Protecting Residential Amenity
  Policy BP10 Housing Density
  Policy BP11 Urban Design

  The London Plan (March 2016):
  
  Policy 3.4 Optimising Housing Potential
Policy 3.5 Quality and Design of Housing Developments
Policy 3.8 Housing Choice
Policy 3.13 Affordable housing thresholds
Policy 5.2 Minimising Carbon Dioxide Emissions
Policy 5.21 Contaminated Land
Policy 5.3 Sustainable Design and Construction
Policy 5.7 Renewable Energy
Policy 5.15 Water Use and Supplies
Policy 6.13 Parking
Policy 7.15 Reducing and Managing Noise, Improving and Enhancing the Acoustic Environment and Promoting Appropriate Soundscapes

• **Supplementary Planning Guidance**
  
  Housing’ Supplementary Planning Guidance (March 2016)

• **National Planning Policy Guidance**

  National Planning Policy Framework (March 2012)
  Planning Practice Guidance
  Technical Housing Standards – nationally described space standard (March 2015)