

## LONDON BOROUGH OF BARKING & DAGENHAM PLANNING COMMITTEE

**14<sup>th</sup> March 2022**

Application for **Planning Permission**

<b>Case Officer:</b>	Grace Liu	<b>Valid Date:</b>	7 <sup>th</sup> December 2021
<b>Applicant:</b>	Dagenham New Homes Ltd	<b>Expiry Date:</b>	8 <sup>th</sup> March 2021
<b>Application Number:</b>	21/02200/FUL	<b>Ward:</b>	River
<b>Address:</b>	Transport House, 50-52 New Road and Part of Premier Inn Car Park, 2 New Road, Dagenham, RM9 6YS		

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

### Proposal:

Erection of part 9 storey and 5 storey building to comprise residential 149 units, pedestrian walkway, undercroft car park (replacement for hotel), cycle parking, amenity space and ancillary works

### Officer Recommendations:

1. Agree the reasons for approval as set out in this report; and
2. Delegate authority to the London Borough of Barking and Dagenham's Director of Inclusive Growth (or authorised Officer), in consultation with the Director of Law and Governance, to grant planning permission subject to the completion of a legal agreement under Section 106 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 14<sup>th</sup> August 2022 the legal agreement has not been completed, the London Borough of Barking & Dagenham's Director of Inclusive Growth (or other authorised Officer), in consultation with the Director of Law and Governance, be delegated authority to refuse planning permission, extend this timeframe to grant approval or refer the application back to the Planning Committee for determination.

### Conditions Summary:

#### Mandatory Conditions

1. Statutory Time Limit - Planning Permission
2. Development in Accordance with Approved Plans

#### Prior to Commencement Conditions

3. Site Contamination
4. Construction Management
5. Construction Logistics Plan and Delivery and Servicing Plan
6. Archaeology

**Prior to Above Ground Works Conditions**

7. Green Roof Systems
8. External Materials and Balcony details
9. Electric Vehicle Charging Point Details
10. Fire Strategy
11. SUD maintenance details
12. A Landscape and Ecological Management Plan (LEMP)

**Prior to First Occupation / Use Conditions**

13. Acoustic Protection
14. Pedestrian Link
15. Car Parking Design and Management Plan
16. Overheating Mitigation Strategy
17. Refuse and Waste Strategy
18. Sustainable Drainage Implementation
19. Crime Prevention
20. Communal Television and Satellite System
21. Cycle Parking
22. External Lighting
23. Renewable Energy
24. Bat and Bird Boxes
25. Wayfinding

**Monitoring and Management**

26. Accessible Housing
27. Water Efficiency
28. Noise from Plant and Structure Borne Noise Emissions
29. Carbon Reduction
30. Air quality
31. Disabled Car parking
32. Hard and Soft Landscaping Implementation
33. Child Playspace Implementation

**Legal Agreement s106 – Summary of Heads of Terms:****Administrative**

1. Pay the Council's professional and legal costs, whether or not the deed completes.
2. Pay the Council's reasonable fees of £16,500.00 for monitoring and implementing the Section 106, payable on completion of the deed.
3. Indexing – all payments are to be index linked from the date of the decision to grant planning permission to the date on which payment is made, using BCIS index

**Affordable Housing**

4. Secure 53% affordable housing on a habitable room basis as shown on drawing 21195\_SK47 Rev - comprising:

47 no. units provided at Discounted Market Rent: Unit numbers:

A4.1, A4.2, A4.3, A4.4, A4.5, A4.6, A4.7, A4.8, A4.9, A4.10, A4.11, A5.1, A5.2, A5.3, A5.4, A5.5, A5.6, A5.7, A5.8, A5.9, A6.1, A6.2, A6.3, A6.4, A6.5, A6.6, A6.7, A6.8, A6.9, A7.1, A7.2, A7.3, A7.4, A7.5, A7.6, A7.7, A7.8, A7.9, A8.1, A8.2, A8.3, A8.4, A8.5, A8.6, A8.7, A8.8, A8.9.

31 no. units provided at London Affordable Rent Unit numbers:

D6, A1.1, A1.2, A1.3, A1.4, A1.5, A1.6, A1.7, A1.8, A2.1, A2.2, A2.3, A2.4, A2.5, A2.6, A2.7, A2.8, A2.9, A2.10, A2.11, A3.1, A3.2, A3.3, A3.4, A3.5, A3.6, A3.7, A3.8, A3.9, A3.10, A3.11.

5. The scheme will be subject to an Early-Stage Viability Review if substantial implementation is not achieved within 2 years of the grant of this permission.

### **Rights of Way**

6. The applicant will enter into an obligation not to stop up or prevent unfettered pedestrian access across the application site from New Road to the south and vice versa (unless required in an emergency/for H&S – e.g. closed for maintenance) as indicatively shown on drawing 21195\_SK44 dated January 2022.

### **Delivery of Improvements to Dagenham Dock Station**

7. The applicant will make a financial contribution of £100,000.00 for improvements to Dagenham Dock Station

### **Child Playspace**

8. The applicant will pay £23,750.00 to offset the shortfall in 11- to 18-year-old play space. The contribution is for improvements to King George Playing Field or any other public play area in the locality to be agreed by the Council.

### **Transport-**

9. Secure restrictions preventing future residents from obtaining parking permits for any controlled parking zone.

10. Offsite Highway works-The applicant will a) agree a scheme of highway works and b) implement all off-site highway works to an agreed schedule prior to construction. The scope of the highway work and improvements have been agreed in principle and shown on the submitted drawing titled Section 278 works dated Feb 2022.

11. The applicant must enter into a section 278 agreement (Highways Act 1980) for the proposed alterations to the public highway prior to construction taking place and will require consent separate to any planning permission granted. This is in the interest of highway safety.

12. The applicant will make a contribution of up to £5000.00 to cover highway works associated with the marking out of a car club bay if a location can be found and agreed.

13 Six months prior to first occupation of the development, the developer must commit to providing car club use for two calendar years on application to the nearest car club operating in the Borough and is to be provided to each future household so that they can have access to a car for infrequent journeys. The location of the nearest car club space and provider is to be agreed with the Council before occupation. Once the car club provider has been identified and confirmed to the Council, details of the precise car club costs and arrangements for the car club use shall be agreed with the Council before occupation of the development.

14. Six months prior to the first occupation of the residential use, the applicant shall secure the submission of a Travel Plan for the occupiers/tenants to demonstrate how sustainable modes of transport will be promoted and car parking managed. Once approved the Travel Plan must be implemented on the first occupation of the residential units.

15. On the 2nd anniversary of the commencement of the operation of the residential use, 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.

The Travel Plan monitoring report will:

- Provide a breakdown of all occupier/tenants to the site and how they have aimed to mitigate and reduce impact from the proposed development on the transport network through their travel plans.
- Provide recommendations to how the applicant or successive owner in title) could help tenants and occupiers to continue and improve the engagement and encouragement of active, inclusive, and carbon-free sustainable travel to and from the site.

## **Education**

16. The applicant will make a financial contribution of £500,000.00 on commencement of development to facilitate school places resulting from this development.

## **Employment and Skills**

### 17. Local employment, training and supply chain plans

Plans must be submitted 6 months prior to the commencement of development, providing a forecast of the estimated FTE workforce, the number of vacancies, paid work placements and short courses that will be created over the lifetime of the development. This must be accompanied by a method statement setting out how this will be delivered, including who in the organisation will be responsible for managing recruitment and training, how they will ensure compliance by trade contractors and how this will be managed, how health and safety issues will be managed, and how they will engage with the local community and contribute to educational engagement with local schools.

The Construction Team in the council's job brokerage service offers support for developers to understand their commitments and build an effective plan where desired.

Trigger: the plans must be submitted at least three months prior to commencement of development.

### 18. Employment during Construction

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 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.

### 19. 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.

## 20. 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.

## 21. 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.

## **Sustainability**

22. The development shall achieve a minimum 49% reduction in carbon dioxide emissions over Part L of the Building Regulations 2013 (when applying updated SAP 10 emission factors) through on-site provision, and a monetary contribution indicatively of £220,370.00, or any amount as calculated within the requirements of the legal obligation following assessment at practical completion, shall be made to the Local Authority's carbon offset fund to offset the remaining carbon emissions to net zero-carbon and paid prior to first occupation.

23. Air Quality off-setting contribution payable prior to first occupation. A payment at the off-setting contribution rate of £29,000.00 per tonne of NOx over the benchmark (or the equivalent rate at the time of reassessment) will be applied if the scheme does not meet air quality neutral standards when assessed at practical completion.

## OFFICER REPORT

### Planning Designations:

- London Riverside Opportunity Area
- Key Regeneration Area South Dagenham West and Chequers Corner
- Site-Specific Allocation: South Dagenham West
- Archaeological Priority Zone 2
- Flood Zone 1 (low risk), immediately adjacent to Flood Zone 3 (high risk)

### Emerging Local Plan

- Strategic transformation area- Dagenham Dock and Freeport.

### Site, Situation and relevant background information:

The application site is a circa 0.4 hectare site and sits within a designated Key Regeneration Area with New Road to the north. The site comprises Transport House, a four storey redundant office building and part of a car park associated with the adjacent Premier Inn Hotel.

The existing building is in a redundant condition and has been vacant since previous owner occupiers, Unite the Union, left the site in December 2020.

The site is in an actively changing local context and in the emerging local plan, the site forms part of the strategic transformation area of Dagenham Dock and Freeport of Policy SPP3. It sits immediately to the north of the strategic Former Ford Stamping Plant where an application is currently in for determination under ref 21/01808/OUT for a residential led scheme of 3502 new homes. Construction has also begun (and close to completion) on neighbouring development sites including the Former Department of Employment site, Chequers Lane (90 residential units) and at Merriellands Crescent (325 residential units).

The site is adjacent to New Road with easy links to Dagenham Dock Station to the south and Dagenham Heathway tube station to the north. Regular bus links operate along New Road.

To the east of the site is a proposed SEND school which is also in for determination ref 21/01959/FUL.

The development site comprises two distinct parts. The majority of the site is currently a car park for the adjacent Premier Inn. The minority of the site comprises a 4 storey office building called Transport House. The strip of land to the east of the site will form part of the proposed strategic north south pedestrian link is currently in the ownership of the GLA however the applicant is currently in the process of purchasing this piece of land.

The proposal seeks to provide 149 units on part of the hotel car park and the existing site of Transport House. The existing hotel car park will be reprovided within the scheme within an undercroft car park.

#### Other relevant applications

To facilitate the delivery of the proposal during construction the applicant will be temporarily using land to the south to provide a temporary car park for the Premier Inn and a construction compound. This application is currently in for determination under reference 21/02274/FUL.

The applicant has also separately sought prior notification of the proposed demolition of 4 vacant storeys concrete office building of Transport House under reference 21/02271/PRIDEM. This was determined on the 12th January 2022 that prior approval was not required.

**Key issues:**

1. Principle of Development
2. Dwelling Mix and Quality of Accommodation
3. Design and Quality of Materials
4. Impacts to Neighbouring Amenity
5. Sustainable Transport
6. Meeting the needs of local residents
7. Waste Management and Refuse Collection
8. Delivering Sustainable Development (Energy / CO2 Reduction / Air Quality)
9. Biodiversity and Sustainable Drainage
10. Archaeology

**Planning Assessment:****1.0 Principle of the development:**

<i>Existing use(s) of the site</i>	Part office use and part hotel car park
<i>Proposed use(s) of the site</i>	Part hotel car park and residential
<i>Net increase of units</i>	149 units

**Loss of Office Use**

- 1.1 The site is currently located within the London Riverside Opportunity Area, Key Regeneration Area South Dagenham West and Chequers Corner and Site-Specific Allocation: Outside Barking Town Centre – South Dagenham West. The area comprises a regeneration area where mixed use schemes including residential, commercial, community, retail and leisure uses are encouraged. The site is part redundant office building and part car park for the adjacent Premier Inn.
- 1.2 In the emerging local plan, the site forms part of the strategic transformation area of Dagenham Dock and Freeport SPP3. The application site forms part of a main modification to the Reg 19 to form part of the Ford Stamping Plant site allocation XJ E011. The objectives of this site allocation include “*provides a comprehensive residential-led mixed-use development including flexible community and commercial floor space*”.
- 1.3 Policy SPP5 which promotes inclusive economic growth 7 (c) states the Council will support “*the provision of flexible, affordable, modern employment spaces in suitable locations; ensuring the design of employment space is flexible and adaptable to the changing needs of different types of potential user*”.
- 1.4 Policy SPG 1 seeks to concentrate office use in Barking Town Centre where it would maximise on the central transport links and support the viability of the town centre. Officers therefore conclude that the focus of office use should be concentrated in Barking town Centre where viability is likely to be more successful.
- 1.5 The existing building on site provides 1294sqm of office space but is in poor condition and has been redundant for over 2 years. The building is reflective of a typical 1970s construction typology and is not able to meet the demands of the modern office market.
- 1.6 The impact of this is demonstrated by former owners, Unite the Union who sold the building to find more appropriate office accommodation. The applicant has submitted a letter from the previous occupiers who have detailed their reasons for selling the site and include the following:

- lack of accessibility for disabled building users,
- water ingress, dampness
- rising heating costs due to poor insulation

- 1.7 The application site is proposed to form part of site allocation XJ and forms part of the Ford Stamping Plan. This site is to be provide “*a comprehensive residential-led mixed-use development including flexible community and commercial floor space*”.
- 1.8 The outline application for the Ford Stamping Plant is currently being determined and as part of the residential led development proposes 4400 sqm of flexible commercial space which could include office use. An employment plot is also proposed for up to 5000sqm. Whilst the premise of this floorspace is targeted for industrial uses, 25% of the floorspace could accommodate office use. The amount and type of non-residential floorspace proposed within this site has been market tested and the quantum proposed seeks to meet a demand for the surrounding area. On this basis it is considered by officers that whilst there is a loss of office size from the application site there is sufficient reprovision within the strategic site to the south.
- 1.9 In summary, it has been demonstrated that the former office space is no longer viable in terms of both land use and the physical condition of the building at this location. However adequate and flexible provision for future demand has been met in the site to the south of which this application site will form part once the emerging local plan is adopted.
- 1.10 Officers conclude that the loss of office/employment use at this location is supported and accords with strategic objectives of the Emerging Local Plan. In addition, the proposed development will provide substantial regeneration benefits which, on balance, outweigh the loss of the vacant, unviable, and poor-quality former office building.

### **New Housing**

- 1.11 The National Planning Policy Framework (NPPF) speaks of the need for delivering a wide choice of quality homes which meet identified local needs, in accordance with the evidence base, and to create sustainable, inclusive, and mixed communities. Paragraph 17 specifically states that it is a core planning principle to efficiently reuse land which has previously been developed.
- 1.12 The London Plan Policies GG4, D2, D4, H1, H10 and H12 outlines that there is a pressing need for more homes in London and that a genuine choice of new homes should be supported which are of the highest quality and of varying sizes and tenures, in accordance with Local Development Frameworks. Residential development should enhance the quality of local places and take account of the physical context, character, density, tenure and mix of the neighbouring environment and as a minimum incorporate the space standards and more detailed requirements, as outlined in the Housing SPG.
- 1.13 The Core Strategy outlines through Policy CM1 that development should meet the needs of new and existing communities and deliver a sustainable balance between housing, jobs, and social infrastructure, with Policy CM2 further emphasising the specific housing growth targets of the Borough. Policies SPDG1 and SP3 of the emerging LP (at Reg 19 stage) outline similar objectives.
- 1.14 The site is specifically designated for residential-led redevelopment as part of the following wider site designations in adopted policy:
- ‘Key Regeneration Area’ (South Dagenham West and Chequers Corner).
  - ‘Site Specific Allocation’ (South Dagenham West)
- 1.15 The application site is proposed to be part of a main modification to the emerging local plan to form part of the Ford Stamping Site strategic allocation site XJ. This site allocation for site XJ proposes circa 3000 units. The pending scheme for the Ford Stamping Plant proposes up to 3502 new homes. However noting the “*presumption in the favour of sustainable development*” of new dwellings as noted in the NPPF the proposed figure of this application scheme of 149 new homes is considered to be acceptable due to a holistic and complimentary design that works in conjunction with the strategic site to the south.

It would positively contribute to the Borough’s housing stock, noting the demand for increased housing, and the principle of the new housing at this location is therefore supported.

- 1.16 The delivery of additional housing will contribute towards meeting local housing supply and towards LBBD’s ten-year housing target of 19,440 net completions and net affordable housing need of 1,581 homes per annum (SHMA 2019). The proposals, therefore, accord with Intend to Publish London Plan policies GG2, GG4 and H1 and local planning policies CM1, BTC 13 and CM2 and the principle of new housing on this site is supported by officers.

**Reduction of Hotel Car Park**

- 1.17 To facilitate the scheme the application utilises part of the existing Premier Inn car park. The existing hotel has 166 spaces and the final net reduction of 33 of car park spaces as part of this proposal would be 133 spaces.
- 1.18 The Transport Assessment (TA) states the spaces that will be retained are critical to the viable operation of the Premier Inn and Brewers Fayre restaurant. Negotiation between the applicant and Premier Inn decided the number of spaces could be reduced to facilitate the development coming forward, with the hotel to retain 133 spaces to ensure its continued operations remain viable. Officers have considered that the reduction in number to 133 is acceptable.
- 1.19 Whilst the development is being constructed on part of the car park, a temporary car park is proposed on part of the adjacent site of the Former Ford Stamping Plant. This will ensure that there are no impacts on local amenity or the traffic network until such time as the replacement car parking spaces are returned to the site when the proposed development is completed.

<b>2.0 Dwelling Mix and Quality of accommodation:</b>	
<i>Overall % of Affordable Housing:</i>	53% (hab room basis)
<i>Acceptable Density</i>	Yes
<i>Appropriate Dwelling Mix?</i>	Yes

**Density**

- 2.1 The NPPF emphasises the importance of delivering a wide choice of high-quality homes and, as part of significantly boosting the supply of housing, advises that Local Planning Authorities should set their own approach to housing density to reflect local circumstances.
- 2.2 Policy D6 of the London Plan seeks to ensure that development proposals make the most efficient use of land and states that sites must be developed at the optimum density, with a design-led approach to optimising density.
- 2.3 Core Strategy and Borough Wide Policies CM2 and BP10 seek to ensure that housing densities are considerate to local context and accessibility, design, sustainability, and infrastructure requirements, whilst ensuring optimum use of all suitable sites in the Borough in light of the high levels of identified housing need. Additionally, Policy SP2 of the emerging local plan (at Reg 19 stage) advocates a design-led approach to optimise density and site potential.

**Housing Size Mix and Tenure**

- 2.4 Policy H4 of the London Plan requires 50% of the strategic number of homes built over the plan period to be affordable. Policy H5 part b (3) states that sites that were previous non designated industrial land has a 50% threshold for affordable housing. The application was subject to a viability assessment.
- 2.5 Policy H7 of the London Plan, also reflecting the targets previously set out in the SPG, further details the Mayor’s preferred affordable tenure split, which consists of a minimum of 30% low-cost rented homes (including Social Rent and London Affordable Rent), a minimum of 30% intermediate products (including London Living Rent and London Shared Ownership) and the remaining 40% to be determined by the Local Authority based on identified need, provided they

are consistent with the definition of affordable housing. The policy also indicates that this preferred split, established on a habitable room basis, should not be applied so strictly where the overall affordable housing provision exceeds 75%.

- 2.6 Similar affordable housing requirements, as well as the preferred tenure split set out in draft London Plan policy, are echoed by emerging Local Plan (Reg 19 stage) Policy DM1.
- 2.7 The proposed development comprises 53% affordable housing on a habitable room basis. The housing size, mix and tenure shown below:

	Private		London Affordable Rent		Discount Market Rent		TOTAL	
	Units	Hab rooms	Units	Hab rooms	Units	Hab rooms	Units	Hab rooms
1-bed	31	62	8	16	15	30	54 (36%)	108 (26%)
2-bed	32	101	19	57	27	81	78 (53%)	239 (57%)
3-bed	7	28	3	12	5	20	15 (10%)	60 (14%)
4-bed	1	6	1	6	0	0	2 (1%)	12 (3%)
<b>TOTAL</b>	<b>71</b> (48%)	<b>197</b> (47%)	<b>31</b> (21%)	<b>91</b> (22%)	<b>47</b> (31%)	<b>131</b> (31%)	<b>149</b>	<b>419</b>

- 2.8 Policy H12 of the London Plan states that residential development should offer genuine housing choice with regard to the range of housing size and type.
- 2.9 Similarly, Policy CC1 of the Core Strategy seeks to secure the delivery of a mix and balance of housing types, including a significant increase in family housing. The policy requires major housing developments (10 units or more) to provide a minimum of 40% family accommodation (3-bedroom units or larger), whilst acknowledging that not all sites are suitable for family-sized accommodation. In terms of tenure and mix, emerging local policy DMH2 which is based on recent evidence dated March 2020 sets out the housing mix for both private and affordable housing tenures to meet a recognised need.
- 2.10 The site falls between public sector land ownership (30% of site area) and private land ownership (70% of site area). In line with London Plan policy H5, the threshold for affordable housing has been combined and calculated to present a total threshold of 40% affordable housing across the site. The scheme proposes 53% affordable housing which is above the 40% threshold for schemes on this part public part private owned site. Schemes meeting this threshold would qualify for the fast track route assessment route.
- 2.11 In terms of the affordable housing mix, 22% is proposed to be London Affordable Rent (social) and the remaining 32% will be Discounted Market Rent (intermediate). This tenure mix is acceptable to officers due to the provision of affordable housing being maximised to well above the target for this site.
- 2.12 The scheme delivers a total of 222 affordable habitable rooms, 54 more than expected by London Plan Policy H6. The split of affordable homes is balanced and meets minimum thresholds and preferences of London Plan Policy H6.
- 2.13 The scheme also provides a total of 17 family sized bed units of which all will be dedicated for London Affordable Rent. Overall, the scheme provides 17% family housing across all the tenures which is welcomed on this site. Officers therefore highly support this provision as there is a

recognised need for larger homes in the Social Rent tenure and addresses the housing need overall in the borough in accordance with emerging policy DMH2.

- 2.14 The scheme will be subject to an Early-Stage Viability Review if substantial implementation is not achieved within 2 years of the grant of this permission.
- 2.15 The scheme therefore meets policy as noted above and the delivery of affordable housing in accordance with the proposed mix set out above will be secured by S106 Agreement.

### **Quality of Accommodation**

- 2.16 At national level, the 'Technical Housing Standards – Nationally Described Space Standard' deals with internal space within new dwellings and is suitable for application across all tenures. It sets out requirements for the gross internal area of new dwellings at a defined level of occupancy, as well as floor areas and dimensions for key parts of the home, notably bedrooms, storage and floor-to-ceiling heights. London Plan Policy D4 seeks for new housing to achieve the space standards in line with those set at national level. The Core Strategy and Borough Wide Policy Document and emerging local plan (Reg 19 stage) also reiterate the need for housing developments to conform to these requirements.
- 2.17 Policy D4 of the London Plan also sets out the importance for homes across London to be designed to a high quality – 'New homes should have adequately-sized rooms and convenient and efficient room layouts which are functional, fit for purpose and meet the changing needs of Londoners over their lifetimes. Particular account should be taken of the needs of children, disabled and older people'.
- 2.18 Policy D5 of the London Plan also outlines that 90% of new build homes should meet requirement M4(2) (accessible and adaptable dwellings) of Building Regulations Approved Document M and that 10% should meet requirement M4(3) (wheelchair user dwellings). This target is reflected at local level by Policy BC2 of the Borough Wide Policies and Policy SP2 of the emerging Local Plan (Reg 19 stage).
- 2.19 All proposed dwellings would meet the minimum required internal space standards as set out in the nationally described space standard and generally ensure that all future occupants benefit from good standards of daylight/sunlight provision. Fifteen (10%) have been designed to comply with M4(3) requirements. Permanent retention of these units located on different levels of the development will be secured by condition.
- 2.20 The proposed dwellings are also provided with the private amenity space required by the London Plan and Housing SPG in the form of balconies and meet London Plan policy D4.

### **Playspace, openspace and public realm**

- 2.21 With respect to playspace and open space the scheme proposes significant improvements to public realm, open and play space benefits. The site currently provides very little in the way of any public benefit in the local area.
- 2.22 Utilising the GLA's Play and Information Recreation SPG (2012), the proposal generates a need for 593.8sqm of dedicated children's play space. The scheme provides a total of 516sqm of play for children ages 0-11 (a minor shortfall against the target of 77.8 sqm, equivalent to 8%). Whilst it is disappointing that the site is not considered suitable for the provision of dedicated play for 11-18 year olds, due to the smaller size of open spaces; instead, it is proposed that upgrades are made to existing facilities in the local area notably King George's play area to the north or any other public play area in the locality.
- 2.23 Officers have requested a financial contribution towards the upgrade of play equipment within the local area in lieu of this shortfall. Officers consider that the contribution would better enhance the play experience of 11 to 18 years at a local park due to the independency of this age category. It

is considered that this contribution will not only support the acceptability of the scheme but would also benefit the locality to ensure that the scheme provides play space in accordance with London Plan policy S4.

- 2.24 In terms of the contribution the Council does not have a dedicated SPD to offset shortfalls in play space. However, officers have concluded that a £23,750 contribution towards play space improvements in the locality would be acceptable. This figure has been calculated based on a figure of £50 per sqm of shortfall area. The scheme has a shortfall of 475 sqm x £50 and therefore equates to a total of £23,750. The £50 figure per sqm is based on the same figure used in other schemes (Jervis Court app reference 20/01352/FULL and Gascoigne West Phase 2 20/01675/FULL) where there was also a shortfall of playspace. £50 is the average play space build cost per sqm.
- 2.25 Notwithstanding the above, all units will benefit from access to private external amenity space through either a balcony or terrace. All of these spaces meet London Plan policy D6 requirements for 5 sqm of private external amenity space, plus an additional 1 sqm to be provided for each additional occupant.
- 2.26 On balance, the site proposes significant improvements in terms of play space, open space and public realm that is not currently provided on the existing site. To secure delivery, conditions will be added for an overall landscape strategy and maintenance plan. A condition will also secure the amount and quality of child play equipment is secured, implemented and permanently retained thereafter.
- 2.27 Initially the scheme proposed artificial grass which officers have found to be unacceptable as the already compromised space should be high quality if the full amount of play and amenity cannot be provided on site. The applicant has since updated their drawings to show the artificial grass removed (7679.LP.1.0 Rev C and 7679.PLP.2.0 Rev C).
- 2.28 Overall, officers welcome the initiatives the applicant have agreed to mitigate the shortfall in play space in accordance with policies.
- 2.29 In terms of general communal amenity area this totals 1,105 sqm (791 sqm at ground floor level and 314 sqm at podium level). Officers consider this to be acceptable taking into consideration existing and emerging facilities in the locality which includes a large public park area proposed at of the Ford Stamping Plant site. Officers will secure a landscaping management plan to be submitted and approved.
- 2.30 In terms of the public realm the scheme will be providing a north south route from New Road through to the Ford Stamping Plant and then onto the main transport hub of Dagenham Dock.
- 2.31 The emerging local plan states in Policy SPP3 that the transformation area should be *“strengthening links to Dagenham Dock Station with a clear hierarchy of movement routes through the site up to New Road. There will be a strong focus on improved visual connections, including new bus cycle walking links incorporating enhanced green infrastructure”*.
- 2.32 The policy continues to state for the Ford Stamping Site XJ, to which this site is proposed to be part of (through a formal modification to the emerging plan) states that the site should seek to create *“an improved walking environment to allow access to employment sites, retail hubs and the proposed secondary school”*.
- 2.33 The landscaped pedestrian and cyclist route that is proposed to run along the eastern elevation of this site will connect those wishing to access the Ford Stamping Plant, Dagenham Dock and beyond from New Road. It will provide a more pedestrian and cyclist friendly link to the south without navigating the more vehicle dominated route of Chequers Lane. Officers have pushed the applicant to make improvements to this link in terms of landscaping and design consideration with the adjacent neighbouring sites.

- 2.34 The applicant has confirmed that they have liaised with the adjacent neighbours throughout the design process. The site to the east is the Ekos Pathways School and they are providing a 3m high solid fence, designed to protect their vulnerable pupils from visual and acoustic disturbance. Working with this circumstance, the proposal for Transport House seeks to soften the boundary by provision of large shrub planting. Species have been selected in consultation with the Designing out Crime Officer. A landscaping strategy is approved as part of this application.
- 2.35 A temporary fence to the south will be in place whilst the strategic Former Ford Stamping Plant comes forward for development. This will be removed and opened at the earliest opportunity to facilitate the pedestrian link. Along the remainder of the southern boundary, a shorter 1m fence will be provided to safely manage the change in levels between sites. The boundary treatment has been approved as part of this application.
- 2.36 A clause in the legal agreement will allow unfettered public access along this route and is noted in the heads of terms.
- 2.37 Any concerns with regards to the pedestrian link and how it navigates from the application site to the Former Stamping Plant and beyond will be considered at the appropriate reserved matters application stage at the neighbouring site.
- 2.38 The new north to south will form part of a cohesive network of new links that will unlock this transformation area and is therefore considered in improving sustainable connections and meeting objectives of the emerging local plan and is welcomed.
- 2.39 The site is within the designated transformation area of Dagenham Dock and Freeport as noted within policy SPP3 of the emerging local plan. All emerging sites coming forward in the area benefit from the connectivity and value of assessing Dagenham Dock Station. It is the main transport link offering direct links to Central London and is a valuable asset especially supporting all new residential schemes. C2C the rail operator at Dagenham Dock station have estimated that an additional 2.5million of funding is required to support and upgrade the station to meet future demand as a result of new homes coming forward in the locality.
- 2.40 Officers consider that due to the application site's proximity to Dagenham Dock Station and the size of the development that a sum of £100k is considered appropriate, proportionate and necessary to support the future needs of the station. This sum will be secured by legal agreement.

### 3.0 Design and quality of materials:

<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

- 3.1 The NPPF, London Plan Policies D1, D2, D3, D4 and D7 expect all development to be of high-quality design. This is echoed at local level through Policy BP11 of the Borough Wide policies and Policy SP4 of the emerging local plan (Reg 19 stage).
- 3.2 Specifically, Policy D1 of the London Plan requires development to have regard to the form, function and structure of the local context and scale, mass and orientation of surrounding buildings. It is also required that in areas of poor or ill-defined character, that new development should build on the positive elements that can contribute to establishing an enhanced character for future function of the area.

## **Scale and Massing**

- 3.3 The proposed scheme comprises of building heights of 9 and 5 storeys. The design is comprised of three connected blocks. The block fronting New Road is 5 storeys and extends across most the width of the site. Off this front facing block to the rear are two flank blocks of 9 storeys located to the west and east.
- 3.4 The lower massing to the front responds to the existing massing to the north which comprises of 2 storey lower density homes. To the north is a small amenity area with the houses flanked around this space. The proposed lower massing minimises the impact on these homes in terms of overshadowing, perceived sense of enclosure and general loss of amenity. It should be noted that no neighbour representations have been received highlighting any concerns in this respect.
- 3.5 Whilst the simplified layout and massing is broadly supported by officers there have been concerns with the massing and scale the applicant has responded that the scheme acts as a physical and visual link between the large-scale regeneration of the emerging Dagenham Green and the lower rise 1930's Becontree Estate located to the North of New Road. The proposal has looked to respond to all these aspects in its design.
- 3.6 Officers do acknowledge the changing context of the immediate area especially south of New Road. The height of the two wings are capped at 9 storeys for two reasons:
- It links through with the proposed heights of the Dagenham Green proposal to the south, being 9 and 10 storeys; and,
  - When seen from the Chequers Corner the proposed height matches the development of the Chequers Lane Development on the former Job Centre.
- 3.7 In conclusion, the proposed layout and scale of the massing is considered to be appropriate as it presents a design-led response to the site's opportunities and the existing/emerging local context.
- 3.8 Overall the applicant has worked with officers to deliver a design led proposal that will create a new and exciting landscape which will mark this gateway scheme for the transformation area but whilst also providing the density to create much needed homes in the borough and accords with planning policy.

## **Layout**

- 3.9 The site layout has been designed with regards to its location adjacent north of the busy New Road and the emerging and established uses of its neighbours.
- 3.10 The general arrangement comprises of three distinct building connected blocks set around a courtyard podium amenity area. There is also landscaping outside of the podium area. At ground floor level is an undercroft car park to accommodate the displaced (but reduced in numbers) commercial car parking spaces associated with the Premier Inn to the west. There is also the strategic link for pedestrians and cyclists located to the east (further details of this in section 5.23 of this report).
- 3.11 There are buffer zones along all the boundaries to allow a sense of separation from the adjacent sites and their specific uses. The layout has also taken into consideration emerging development whilst developed separately must work together cohesively as is the expectation of the site being allocated as one site in the emerging local plan. The applicant has liaised with all neighbouring parties in this respect to work holistically together.
- 3.12 The proposed elevations have been carefully considered so as not to cause any unacceptable over-looking between neighbouring sites; however, it is important to note that this is an urban site, benefitting from a site allocation for high-density residential uses, where a degree of mutual overlooking should be expected. It is acknowledged that Ekos Pathways School is a sensitive neighbour and care has been taken to ensure that overlooking is minimised as much as possible. The proposed east elevation predominately looks onto the roof of the proposed school building, and balconies have been moved to avoid overlooking the proposed school playground.
- 3.13 The layout of the scheme is broadly supported in considering the existing and emerging context of the site whilst providing high density residential development of which 53% will be affordable homes.

## Appearance

- 3.14 London Plan Policy D3 also requires developments to “*respond to the existing character of a place by identifying the special and valued features and characteristics that are unique to the locality and respect, enhance and utilise the heritage assets and architectural features that contribute towards the local character*”. This is echoed in emerging Local Plan Strategic Policy SP 2 (Delivering a well-designed, high quality and resilient built environment) which requires developments to recognise and celebrate local character and respond positively to local distinctiveness and site context.
- 3.15 The applicant has taken the approach to embrace the opportunity to celebrate the industrial heritage of South Dagenham and seeks to reimagine a robust identity, character and feel of this area within the design.
- 3.16 The application site was on the edge of the previous Ford site, so subtle references have been included in the design. This will also link the scheme with the aesthetics of the Former Ford Stamping Plant site which has also taken a similar approach. The application scheme has chosen three key elements from analysing the 1930's Industrial heritage of the Ford Dagenham site to inspire the design of the building these are;
- The breakdown of the facade and its rhythm
  - The industrial aesthetic of the window design
  - The metal riveting and holding tanks providing inspiration for metalwork panels
- 3.17 The design team has also researched modern examples of apartment buildings built within previous industrial locations that have used their context/former uses to inspire the architectural design and detailing.
- 3.18 Officers have worked with the applicant to ensure that high quality materials are used to support the design approach as noted above. A condition will be placed on the permission for the submission of such details and samples of materials.

## Internal Design

- 3.19 The scheme proposes that 50% of all units are dual aspect which is acknowledged by officers as relatively low. The applicant has responded and has stated that in line with the London Plan and Housing SPG, the scheme has looked to optimise the housing delivery on the site, including the delivery of affordable homes. The design led strategy for the site has responded to site constraints and has led the design team to prioritise the following points when designing the scheme:
- All family units are dual aspect and located to the south of the building with a south façade as well as either an East or West facing elevation, maximising day light and natural/cross ventilation for these units.
  - All units situated along the New Road façade are dual aspect to remove any North Facing Single aspect units. The majority of these units have a south facing living space and a bedroom with the remainder prioritising the living space facing either West or East.
  - The scheme has looked to maximise the width of the communal amenity space to be 23.3meters wide to increase the amount of day light and sun light reaching this space and the units.
  - The dual aspect units also have direct views onto landscaped amenity spaces, in addition to 100% of units having access to private amenity spaces, in the form of balconies or enclosed balconies.
- 3.20 The applicant has continued to state that to introduce more dual aspect units would compromise other aspects of the design such as the width of the communal amenity space, the pedestrian link and setting of the building.
- 3.21 To ensure the highest standards of residential design quality are achieved, the applicant has committed to adhering to the principles of the London Housing Design Guide (2010). All buildings are provided with vertical cores containing a fire escape stair well and 2 lifts. The number of units per core has been limited wherever possible, with averages for each block falling below the

desired eight units per core, in accordance with the requirements of the London Housing Design Guide (2010). All lifts will meet or exceed the ADM 4(2) standards inclusive of lift landing circulation spaces. The design of the stair wells will meet the requirements under Part M, Part K and Part B, as they serve as a means of escape in the event of a fire. Officers will include a condition to secure Fire safety measures are met.

- 3.22 Officers therefore consider, that whilst acknowledging the shortfall of dual aspect units that on balance the high provision of affordable housing and high quality family housing are catered for in terms of dual aspect that the shortfall is acceptable in this case and is in accordance with the principles of London Plan Policy D6. All proposed units meet Nationally Described Space Standards (NDSS), in accordance with London Plan Policy D6 (Housing quality and standards) and has regard to the other internal space standards listed within the policy.

### **Noise**

- 3.23 A detailed appraisal has been undertaken to determine noise exposure due to the sources affecting the proposed development site. The assessment considers the potential impacts and effects of external sources upon the proposed development and, where necessary, its mitigation, in order to demonstrate the suitability of the site development in the context of National and Local Planning Policy and Guidance, specifically Policy D14 of the 2021 London Plan.
- 3.24 Where there is potential for adverse effects of noise, appropriate outline mitigation measures have been identified in the form of the building envelope sound insulation performance, ventilation requirements and acoustic screening.
- 3.25 The adoption of such principles is considered to conform to the requirements of National Planning Policy in avoiding or reducing to a minimum, any adverse effects on any sensitive internal or external spaces, within the context of sustainable development and accords with the principles of good design. It is considered that sufficient information has been presented to address any acoustic queries that the Local Planning Authority may have.
- 3.26 Recommendations contained within the Environmental Noise Assessment (prepared by Paragon) have been fully included in the proposals, including mechanical ventilation on the northern façade
- 3.27 Notwithstanding this, conditions will be added to permission to ensure that internal and external levels of noise mitigation are met and include:
- Submission of a Scheme of Acoustic Protection
  - Submission of Noise Insulation details of Party Construction
  - Submission of scheme to protect Noise from Non-Residential Uses and Plant and Structure Borne Noise Emissions (including the electric substation).
  - Hours of operations for servicing and deliveries

### **Overheating**

- 3.28 Officers have noted the potential for overheating of the single aspect units and that the glazing ratios and balcony alignment will be key to providing adequate shading. Current LETI targets suggest that glazing on North facades should not exceed 10-20% of the total area, East facades 10-15%, South facades 20-25%, and West 10-15%.
- 3.29 In response the applicant has stated that while designing the building the placement of windows and balconies were carefully considered to ensure that maximum levels of daylight and sunlight would enter each unit, while also making sure that the units would not overheat.
- 3.30 The overheating assessment for the scheme demonstrates acceptable result in terms of risk of heating. The assessment recommends that the units facing New Road are provided with purge ventilation due to the level of noise that would occur if the resident was to open a window at night; this has been accounted for by the M&E consultant.
- 3.31 The proposed scheme looks to maximise the amount of daylight and sunlight into each of the units. The ratio of glazing to solid façade on the building is:
- North – 16.8%
  - South – 19.5%

- East – 23%
- West – 22%

- 3.32 The figures for the East and West elevations are slightly higher than the recommended LETI targets, due to the higher proportion of single aspect units on the development. This could increase the space heating demand for each apartment; however, the scheme has been designed to be as efficient as possible. Apartment buildings are the most efficient form of housing as the ratio of external wall to internal floor area is significantly reduced.
- 3.33 A condition is to be added to ensure a full overheating mitigation strategy is required to be submitted prior to above ground works. Once approved the mitigation initiatives shall be installed prior to occupation and permanently retained thereafter.

### **Sunlight and Daylight**

- 3.34 The applicant has submitted a sunlight and daylight report and it assessed the impact of the proposed development on the daylight and sunlight to surrounding residential properties, amenity spaces, and internally to the scheme itself. The analysis has been carried out in accordance with the methodologies contained in the BRE Guidelines, which is used by the local authority to determine the acceptability of a proposal in terms of its effect on neighbouring daylight and sunlight amenity.
- 3.35 The analysis shows that the impacts of the proposed development to the daylight and sunlight available to all habitable residential rooms within the neighbouring properties are within the levels recommended within the BRE Guidelines. The analysis also shows that the impacts of the proposed development on the sunlight available to neighbouring amenity spaces will meet the levels recommended within the BRE Guidelines.
- 3.36 Of the 419 rooms in the proposal 405 (97%) achieve the levels of daylight in terms of ADF recommended for their room use. Of the 84 living rooms that have windows that face within 90 degrees of due south 48 meet for APSH with 62 meeting target values for winter sunlight hours. A lot of the living rooms have east or west facing main windows, this allows a larger number to access some sunlight but levels below the recommended values are to be expected when windows are not south facing. In our opinion, the levels of daylight and sunlight achieved are reasonable given the increase in density of the area and should be considered acceptable. In addition, the sunlight available to shared amenity spaces within the proposed development will meet the minimum levels recommended within the BRE Guidelines.
- 3.37 As a consequence, there are some technical deviations from the guidelines. However, the results do not realistically reflect the future amenity and feel within the space, as the main living space would most likely meet the suggested daylight criteria. Furthermore, each apartment has been designed with access to a private amenity space for further daylight availability.
- 3.38 On balance, officers accept these figures as the scheme delivers benefits overall including providing large amounts of open and play space that meet the BRE guidelines.

### **Accessible Housing**

- 3.39 In accordance with London Plan Policy D7 (Accessible housing), 10% of dwellings meet Building Regulations requirement M4(3) 'wheelchair user dwellings'. 15x M4(3) units will be provided, equating to 10% of the total development. These units will be a mix of 1-bedroom and 2-bedroom units. The remainder of units within the scheme meet Building Regulations requirement M4(2) 'accessible and adaptable dwellings'. This approach also accords with emerging Local Plan Policy DMH 3 (Specialist housing).
- 3.40 It should be noted that it is likely that Barking and Dagenham Reside will be taking all of the units and the approach that they are taking is that they will liaise with individual tenants closer to their occupation and fit out in accordance with needs (in all tenures). This is a bespoke service and will be more cost effective in the long term. Officers welcome this approach and the disabled units will be secured by condition.

#### **4.0 Impacts to neighbouring amenity:**

- 4.1 Paragraph 17 of the NPPF details within its core planning principles that new development should seek to enhance and improve the health and wellbeing of the places in which people live their lives. Paragraph 180 outlines that development proposals should mitigate and further reduce potential adverse impacts resulting from noise from new development and to avoid noise giving rise to significant adverse impacts on health and quality of life.
- 4.2 Policies D13 and D6 of the London Plan states that development should not cause unacceptable harm to neighbouring residential buildings in relation to loss of privacy and overlooking. Policy BP8 of the Borough Wide Policies and Policy DMD1 of the emerging Local Plan (Reg 19 stage) specifically relate to ensuring neighbourly development, specifying various potential impacts that development proposals shall take into account and avoid or minimise. The policy also emphasises adequate access to daylight and sunlight.
- 4.3 The site is bounded by no significant existing residential development. The closest residential properties would be the emerging residential led development to the south (Ford Stamping Plant) however it is estimated any physical development will not be forthcoming in the immediate future.
- 4.4 Notwithstanding this Peabody have made a representation and their comments are noted in para 4.15 onwards of this report.
- 4.5 The neighbour to the east is the emerging SEND school which is currently being considered under ref: 21/01959/FUL. Officers do not anticipate any loss of amenity from this neighbour or vice versa. There will be significant boundary treatment between both neighbours which is a requirement due to the nature of the pupils who attend a school to support them in their special needs. The proposed north south link route will also provide a significant buffer between the two sites.
- 4.6 The neighbour to the west is the car park of the Premier Inn. The main hotel property is further away to the west beyond the car park. The proposed design also includes a strip of landscaping will act as a buffer to the operation of the car park and provide a buffer to future residents. Officers have had regard to these neighbours to ensure a level of continuity and cohesiveness in this transformation area so as to create a well-considered community and neighbourhood.
- 4.7 In terms of commercial neighbours, the applicant has liaised with c2c who manages the Dagenham Dock Station so as to ensure that there is capacity on the network to accommodate this development and others coming forward.

#### **Community Engagement**

- 4.8 Despite the challenges presented by the Covid-19 Pandemic and associated restrictions on public meetings, the applicant has conducted a community engagement exercise. The strategy comprised key consultation activities taking place virtually, complemented by traditional forms of one-to-one and group engagement via the telephone, email and, if required, socially-distanced small meetings (offered).
- 4.9 The applicant has submitted a Statement of Community Involvement. It summarises how the applicant engaged with the local community to gain the views of the local community. Due to the ongoing COVID 19 pandemic, it was determined that a virtual public consultation was most appropriate. A dedicated website was created, and the website site included full details of the proposal and the ability for the local community to complete feedback forms to inform the proposals.
- 4.10 To notify the local community of the development proposals, letters were delivered to over 1,700 addresses during the W/C 15th November. The applicant has provided a map of the distribution within the Statement of Community Involvement. The letter included contact details for the local community to contact the applicant directly via a dedicated email address
- 4.11 A summary of the response is detailed below:
- A total of 3 responses were received in the form of one feedback form and two emails.
  - The feedback form received supported redevelopment of the site but did not agree that the proposal should be for housing. The additional comments related to increased traffic pressure on the local highway network.

- The two emails received from the local community were not in support of the proposals due to the amount of new housing proposed in the area and concerns over the impact on the local roads due to increased traffic.

4.12 Officers support the robust and thorough public consultation that the applicant has taken and are satisfied that they have reached out to a large number of the local community in the process.

4.13 The response received from the local community was low and to date no representations have been received from local residents out of 1123 letters that were consulted. To clarify one representation was received from the developer of the site to the south.

4.14 Whilst the responses from the public consultation were not high and that there was a lack of any response from existing residents in the area, officers can only assume that the scheme is generally supported.

### **Neighbour Representations**

4.15 One representation was received from neighbouring site of the Ford Stamping Plant as part of the Council's public consultation process.

4.16 The representation wishes to detail observations of the scheme. They include the following:

- Overshadowing- Peabody wish to seek clarification regarding the location of sensitive receptors for overshadowing from the proposals at Dagenham Green within the technical reports. This is particularly with regard to the ground level amenity space along the southern boundary of the site.

The applicant has responded and confirmed that ground floor amenity space is proposed to the south of the proposed building, adjoining the Dagenham Green site. The applicant states that this space is envisaged as a secondary space to the main podium, where the large majority of play and amenity is located. The daylight and sunlight assessment prepared by Waldrums (using the Peabody illustrative scheme as part of the assessment) concludes that the proposal is acceptable in terms of sunlight received to amenity spaces.

- Overlooking and sunlight and daylight- Peabody wish to In reviewing the plans submitted for Transport House, we note a discrepancy in the presentation of the podium at Block S of Dagenham Green. For example, Section A-A shows the podium, however it is omitted from the 2 East Elevation drawing. We therefore seek confirmation that the podium has been considered with regards to overlooking and daylight/sunlight towards the Transport House site, as well as confirmation it has been judged acceptable. We also note that blocks proposed are in close proximity to the southern boundary and seek comfort from Be First that this will not create unacceptable amenity impacts once the Dagenham Green proposals are built out.

The applicant has responded and stated that the application assumes that the Dagenham Green 'Plot S' will have a podium and that this position has been assessed in technical documents submitted. The daylight and sunlight report submitted by Waldrums concludes that, on balance, the proposal is acceptable in daylight and sunlight terms. Officers consider that the podium will not be guaranteed as the Peabody scheme is only submitted for an outline consent with no precise details of the design of this block or phase. However officers consider that once a reserved matters application is submitted for the neighbouring site that a pragmatic and balance is required by officers at such time to ensure that strategic new homes are delivered.

- Perception of the north south pedestrian link- The representation notes that alongside the proposed north to south pedestrian link from New Road to the Ford Stamping Plant disabled car parking to facilitate the schemes residential development is proposed. Officers consider that once this is not ideal in terms of wayfinding and ensuring the proposed link is pedestrian friendly the 5 disabled spaces are envisaged to be frequently to detrimental levels of the use of the link. However officers will add a condition for the applicant to submit a hard landscaping scheme and wayfinding scheme to ensure the link is clearly marked as a pedestrian route from New Road to sites to the south.

- Boundary Treatment/Green Link It is noted that a Green Link is proposed along the site boundary with Dagenham Green (as demonstrated on pg.19 of the Design and Access Statement). We would highlight that this is likely to be difficult to achieve given the difference in levels, proposed podium and security / Secured by Design considerations between the two sites. We would welcome the introduction of a permanent boundary treatment between the sites to prevent these issues arising, and to also provide an element of screening to the proposed car park. There is an agreed north-south link on the east side of the Transport House site which is safeguarded by the Dagenham Green masterplan to facilitate connectivity.

The Applicant has responded and stated that they would welcome a condition securing the submission of detailed boundary treatment plans to be approved by the local planning authority. Boundary treatment would be designed to be safe, secure, and appropriate in the context of wider development and neighbouring sites. The Applicant will liaise with neighbours when this is designed to ensure that boundary treatment is fit for purpose. To clarify the applicant has clarified that the 'green link' indicated on page 19 of the DAS was not intended to indicate free flow of pedestrians; instead, it serves to show how planting might be used in this location to create a biodiverse link between the sites. The Applicant would welcome a soft planting condition securing the submission of planting plans to be submitted and approved by the local planning authority. Officers welcome the applicant proactiveness and welcome the conditions.

- Illustrative v maximum parameter plans- It is noted that all assessments for the Transport House site have been carried out using the Illustrative Masterplan for Dagenham Green, rather than the maximum parameters. Whilst this has been discussed with the applicant, we seek confirmation from Be First that this will not constrain the development potential of the Dagenham Green proposals beyond the maximum parameters.

As noted above the Council will consider that all reserved matters application once submitted for the neighbouring site that a pragmatic and balanced approach is taken is to ensure that strategic new homes are delivered.

4.17 The Council's Environmental Health department has no objection to the development and has recommended the following conditions which will reduce the impact and protect potential occupiers and the surrounding neighbouring amenity during and after construction:

- Submission of Contaminated Land assessment
- Submission of a Construction Environmental Management plan and Site Waste Management Plan
- Submission of a Scheme of Acoustic Protection
- Submission of scheme of External Lighting
- Submission of scheme to protect Noise from Non-Residential Uses and Plant and Structure Borne Noise Emissions
- Hours of operations for servicing and deliveries

### **Health and Safety**

- 4.18 Officers consider that the new development will improve the sense of security in the area. Currently, the site and the surrounding area is an uninviting and harsh environment especially for those accessing the Station. The proposed development seeks to maximise the site to create a welcoming new community and associated uses and facilities. This would result in outward and inward facing natural surveillance.
- 4.19 Notwithstanding this, a Crime Prevention Scheme is to be secured by condition for the proposed development which would secure a good standard of security to future occupants and visitors to the site and to reduce the risk of crime. A condition to secure an external lighting strategy is also proposed to improve security for occupiers and visitors.
- 4.20 In terms of fire safety, no additional hydrants are required and no further action is required by the London Fire Brigade in this respect. The existing hydrant will satisfy the needs of this development.

4.21 The Health and Safety Executive have commented and stated that there is still outstanding information required by the applicant to resolve from the details submitted as part of this application. This has been noted to the applicant and officers will be adding a condition that a fire strategy is required to be submitted prior to the LPA and agreed in writing prior to above ground works.

**Daylight, Sunlight and Overshadowing**

- 4.22 The Mayor’s ‘Housing’ SPG states that an appropriate degree of flexibility needs to be applied when using Building Research Establishment (BRE) guidelines to assess the daylight and sunlight impacts of new development on surrounding properties, as well as within new developments themselves. Guidelines should be applied sensitively to higher density development, especially in accessible locations, and should consider local circumstances, the need to optimise housing capacity, and the scope for the character and form of an area to change over time.
- 4.23 The applicant has submitted a report which has considered the daylight and overshadowing effects to the surrounding residential properties as a result of the implementation of the proposed development.
- 4.24 The assessment has been undertaken in accordance with the Building Research Establishment report entitled ‘Site layout planning for daylight and sunlight: A guide to good practice’, more commonly known as “the BRE Guidelines”.
- 4.25 This is a report concludes that the analysis shows that the impacts of the proposed development to the daylight and sunlight available to all habitable residential rooms within the neighbouring properties are within the levels recommended within the BRE Guidelines. The analysis also shows that the impacts of the proposed development on the sunlight available to neighbouring amenity spaces will meet the levels recommended within the BRE Guidelines.
- 4.26 Of the 419 rooms in the proposal 405 (97%) achieve the levels of daylight in terms of ADF recommended for their room use. Of the 84 living rooms that have windows that face within 90 degrees of due south 48 meet for APSH with 62 meeting target values for winter sunlight hours. The majority of the living rooms have east or west facing main windows, this allows a larger number to access some sunlight but levels below the recommended values are to be expected when windows are not south facing.
- 4.27 On balance the levels of daylight and sunlight achieved are reasonable given the increase in density of the area and is supported by officers. In addition, the sunlight available to shared amenity spaces within the proposed development will meet the minimum levels recommended within the BRE.
- 4.28 In summary, the Proposed Development will relate well to the neighbouring sites and provide acceptable levels of sunlight to the internal amenity spaces.
- 4.29 Overall, the proposed development meets the BRE Guidelines and is acceptable in daylight, sunlight and overshadowing terms. It is therefore considered on balance that the proposed development would have an overall acceptable impact on daylight and sunlight received by neighbouring and future occupiers and generally achieves a satisfactory level of compliance.

<b>5.0 Sustainable Transport:</b>			
<i>Net gain/loss in car parking spaces:</i>	Loss of 33 spaces for the hotel car park.  5 disabled spaces for the residential units.	<i>PTAL Rating</i>	3
<i>Proposed number of cycle parking spaces:</i>	272	<i>Closest train Station / Distance in metres</i>	804

5.1 The NPPF recognises that sustainable transport has an important role to play in facilitating sustainable development but also contributing to wider health objectives. It is expected that new development will not give rise to conflicts between vehicular traffic and pedestrians.

- 5.2 London Plan Policies T1 and T6 seek to ensure that impacts on transport capacity and the transport network, at both a corridor and local level, are fully assessed. Furthermore, development should not adversely affect safety on the transport network.
- 5.3 This is also echoed by Policies BR9, BR10 and BR11 of the Borough Wide policies and Policy DMT1 of the emerging local plan (Reg 19 stage), which require proposals to have consideration to the local environment and accessibility of the site, on-street parking availability, access and amenity impacts and road network capacity constraints while supporting the Council's commitment to reduce the need to travel and encourage modal shift away from the private car towards healthy and sustainable transport initiatives and choices, notably walking and cycling.
- 5.4 Due to the physical boundary constraints the proposed site layout is the form of a cul-de-sac with a single access road. The entrance will be constructed with a raised table "Copenhagen style" with an internal road designed to encourage low vehicle speeds through a shared surface for pedestrians, cyclists and vehicles with some defensible 'footway' areas for pedestrians.
- 5.5 The proposed development provides a Public Transport Accessibility Level (PTAL) rating across the site is 3 moderate level of access to public transport services determined using the standard methodology issued by TfL. Services that can be easily accessed are Dagenham Dock Railway Station and the frequent local bus service to Dagenham Dock station, route number 145 travelling between the Asda by Merriellands Crescent, Dagenham and Leyton. Although, not located in the nearby vicinity to the north of the site the London Underground can be accessed via Dagenham Heathway station.
- 5.6 Council policy in terms of parking states that parking standards are to coincide with the London Plan for new developments with reduced vehicle dominance and car dependency in places that are (or are planned to be) well-connected by public transport. To encourage more trips to be made by foot, cycle, or public transport with the aim to increase active, efficient, and sustainable travel.

#### **Car Parking.**

- 5.7 The proposed car parking should be restricted in line with levels of existing and future public transport accessibility and connectivity. The car parking provision associated with the development proposal is **car-free** but does provide five spaces for disabled persons parking and all these spaces shall be provided with active Electric Vehicle Charging Points and will be conditioned for further details to be submitted. It has also been recommended by officers and TFL, in line with policy that further EVCP's should be provided in the retained undercroft parking area which also forms part of this proposal.
- 5.8 Whitbread, the owners, of Premier Inn have indicated that they are rolling out a nationwide strategy of the delivery of EVCP within their portfolio of hotels. This will involve the provision of electric charging points closer to the hotel building which will ensure sufficient security and optimal locations for users are maintained. The red line of this application outlines only a small portion of the existing car parking and the furthest point away from the main hotel building.
- 5.9 Officers have health and safety concerns of the provision of EVCP points within an undercroft. Officers are therefore of the opinion in this case that on balance and considering the hotel's national rollout that the provision of ECVP for the hotel at this location is not appropriate and will not be sought as part of this permission.
- 5.10 Residential development proposals delivering 149 units must ensure that for three per cent of dwellings, at least one designated disabled persons parking bay per dwelling is available from the outset and the proposal does comply with policy. However, T6.1 residential parking policy also requires a parking design to show how an additional seven per cent of dwellings could be provided in the future upon request as soon as existing provision is insufficient.
- 5.11 The proposal doesn't allow for an additional seven per cent disabled spaces required by the policy. The justification given, is the site footprint is constrained, and it is not considered it would not be required given the sites high level of accessibility. The site footprint does have challenges but accessibility to the site is only rated as moderate. It is considered these alone are not valid

reasons however, to mitigate against the shortfall a financial contribution should be secured to improve access and capacity of the nearby bus stop (R Chequers Lane) infrastructure to improve accessibility. The applicant has agreed to upgrade the public pavement to the nearest bus stop and will be incorporated into the scope of off-site highway work that will be needed to enable this development.

- 5.12 The applicant has also proposed a £100k financial contribution to make improvements to Dagenham Dock Station. This could include aiding public transport links to the station. This financial contribution is discussed further in para 5.27 of this report and will be secured by legal agreement.
- 5.13 The adjoining Premier Inn car park, would result in a reduction to facilitate the development. The Transport Assessment (TA) states the spaces that will be retained are critical to the viable operation of the Premier Inn and Brewers Fayre restaurant. Negotiation between the applicant and the owner of the car park Whitbread decided the number of spaces could be reduced to facilitate the development coming forward, with the hotel to retain 134 spaces to ensure its continued operations remain viable.
- 5.14 A Parking Design and Management Plan has been submitted alongside the application, but it does not include the hotel car parking provision, located within the under-croft element. An amended PDMP indicating how the car parking spaces in this area will be allocated and managed including the type of security to be provided either by the applicant or by agreement with Whitbread. This needs to be in accordance with Transport for London guidance on parking management and parking design and will be secured by condition.
- 5.15 TFL have also commented on this plan and confirmed a revision is required in terms of improved access for disabled users. The applicant provided a technical note in response to these comments and have stated that the footway is very wide and subsequently, there is sufficient space for a car wishing to turn into the site to get clear of New Road and wait a few seconds for the barrier to lower with generous visibility in both directions to prevent conflict with pedestrians. Furthermore, the applicant has noted that TfL acknowledge within their response that vehicular movements to/from the disabled bays would be low, therefore the likelihood of these interactions would also be very low.
- 5.16 Officers have concerns with unlawful use of these spaces and the knock-on impact this would have which would go beyond users taking time to access these spaces as opposed to having to deal with having no space and nowhere to park due to unauthorised parking. Officers are therefore satisfied with the applicant's justification in this regard.
- 5.17 The local highway network has on-street parking controls which consist of double yellow line waiting restrictions (no loading restrictions) and a bus lane immediately outside of the site, along A1306 New Road. There is a local Resident Permit Zone (residential permit holders only) that operates Monday to Saturday, 08:30am to 5:30pm.
- 5.18 The A1306 will need further loading restrictions, and any resident at this address should not qualify to apply for a CPZ/RPZ on-street parking permit from the Council. A permit free requirement should be included in the legal agreement and in future occupiers / tenants' lease agreements to ensure that if the development was approved no overspill parking does not prejudice the free flow of the traffic or conditions of general safety along the highway, or the safety of existing and future occupiers within the surrounding streets. This is again supported by TFL.

#### **Car Club.**

- 5.19 Officers seek as part of the mitigation measures to support the objectives of sustainable travel, prior to occupation the applicant provides free car club use for two calendar years on application to the nearest car club operating in the Borough and is to be provided to each future household so that they can have access to a car for infrequent journeys. This will be secured in the s106 legal agreement. TFL have commented and are aligned with officers' view.

- 5.20 The obligation will take account of the precise details of the free car club use for two years depending on the car club provider. Details shall be submitted and agreed with officers to the level of provision as different car club providers have different mechanisms in how they operate the use of the hire cars. However, could comprise either two years of subscription or free driving credit. 12. The applicant will also make a contribution of up to £5000.00 to cover highway works associated with the marking out of a car club bay if a location can be found and agreed.

### **Walking and Cycling**

- 5.21 To encourage more trips to be made by foot or cycle with the aim to increase active, efficient, and sustainable travel relies on having a high standard of infrastructure. The existing pedestrian footway immediately outside the site is very poor and not as stated in the TA "a very good standard". This footway is used to access the closest bus stop to the site and this area should be improved between the bus stop and along the entire site frontage and should be secured in a legal agreement. The applicant has agreed to this the works will form part of the associated s278 highway works which forms part of this application.
- 5.22 The proposed public pedestrian link within the site along the eastern edge connecting directly to the site known as Dagenham Green could create a conflict between cyclists / pedestrian with vehicles because of the blue badge parking. If the space is not managed effectively there is a risk of this layout being compromised through inconsiderate driving and parked vehicles. For this to be considered acceptable we recommend the access into this area should be formed to give priority to pedestrians over vehicles with a table or Copenhagen style entrance rather than using the existing bell mouth arrangement that suggest it's a general car access. This will form part of the s278 works which will be secured by legal agreement. A hard landscaping and highway condition to focus on how materials can be used to highlight pedestrian priority and deter other cars from turning into this area is to be secured. The applicant has submitted a detailed landscape proposals to demonstrate the quality which have been accepted by officers.
- 5.23 TFL have comments on requiring 24/7/365 access of the public access and have queried the impact of the disabled parking at the head of the route to the north may be acceptable due to the perceived low usage of these spaces.
- 5.24 The applicant has agreed to secure 24/7/365 public access through the future public pedestrian link by a right of way agreement for both pedestrians and cyclists. This should be secured in the legal agreement. Whilst the applicant is currently in the process of purchasing this land to which the pedestrian link sits the ultimate owner will be responsible for the long-term management of this strategic route. Officers will condition the provision of a maintenance and parking enforcement plan for this link and its implementation will be secured by condition.
- 5.25 TFL have commented and seek to secure funding for walking and cycling improvements commensurate with the nature and scale of this development, in line with London Plan Policy T2 part D and T9 part C. They have stated that it would appear that the development itself, including through provision of the link to the Ford Stamping Plant side to the south, will lead to an increased demand for crossing New Road here. They have also proposed that provision of an eastbound bus stop to match the westbound stop ("Chequers Lane Stop R" on New Road just east of the site) would be reasonable. This bus stop would further increase demand for crossing and focus movement at this point, with existing alternative crossings requiring a considerable diversion. They conclude that it would therefore be appropriate for contributions from this development, along with those from the Ford Stamping Plant development, to be put toward a pedestrian (and cyclist) crossing here.
- 5.26 Whilst TFL's comments are noted, the Council will be seeking financial contributions of £100k for improvements to Dagenham Dock Station. The applicant is also going to make improvements to the public highway so that access to the nearest bus stop is improved. Officers consider that these obligations are proportionate and reasonable considering the size of the scheme.

- 5.27 We recommend that the applicant makes the necessary provisions for cycle parking provision in accordance with the London Plan to determine an appropriate levels of cycle parking which should be to the minimum standards set out, secure and well-located. The cycle parking should be designed and laid out in accordance with the guidance contained in the London Cycling Design Standards. This will be secured with a condition.

### **Public Transport.**

- 5.28 In terms of planned local public transport enhancements, various schemes are proposed in the surrounding area, and these will provide a positive benefit to this development.
- 5.29 It is predicted that the primary mode of transport accountable for most trips identified in the TA will be via public transport (buses) both arriving and dispersing. As an integral mode of transport to offer access to local and regional transport connections, employment areas and other amenities across the Borough. We understand the applicant is committed to contributing a financial contribution towards public transport improvements and this should be a reasonable and proportionate financial sum that can be justified.
- 5.30 TFL have stated that impact of development of this scheme on the public transport capacity would warrant a financial contribution from the applicant. It should be noted that the larger surrounding schemes of the Ford Stamping Plant and Beam Park have and will be undertaking traffic modelling which would include the impacts of this site. Any mitigation required for the wider area is currently being assessed as part of the larger strategic sites.
- 5.31 The applicant has proposed therefore to make a financial contribution of £100k to improvements to Dagenham Dock Station to mitigate any impacts arising from emerging development coming forward. This figure could be used to contribute to improving the connectivity of public transport to Dagenham Dock Station from the site.
- 5.32 Officers consider that the contribution is proportionate and reasonable to the size of the scheme and the impact created.

### **Access.**

- 5.33 To deliver this proposal as submitted it will require alterations to the A1306 to support the access, refuse, delivery, and servicing arrangements. It is proposed that the location of the site's existing access point, from A1306 New Road would be used to provide vehicular access to the disabled parking bays within the curtilage of the site a private area.
- 5.34 To avoid any uncertainty of what is expected a detailed scope and highway extent plan has been submitted "in principle" and will be secured within the s106 legal agreement. This obligation should also be that prior to above ground works of the development the developer shall submit to the council a detailed highway design and enter a s278 agreement to undertake highway alterations and improvements seeking to ensure a detailed design to accord with the relevant road safety audits and cover new Traffic Management Orders, kerb alignment and adjustment, footway resurfacing / recon, Carriageway, bus stop improvements and loading and service bay. arrangements. The detailed design works to be in accordance with the Design Manual for Roads and Bridges and Manual Contract for Highway Works specifications.

### **Delivery and Servicing Plan.**

- 5.35 A new off-street servicing bay will be designed to the specifications for a 'forward in' layby as prescribed within TfL Kerbside Loading Guidance (January 2017) on the highway which is acceptable. It's suggested in the submitted DSP the number of service deliveries would be low and restricted to twice-weekly collection of refuse plus occasional supermarket home delivery services. There is no specific data to support this anticipated level of servicing activity or the intended operational hours to demonstrate adequate provision for efficient deliveries and servicing. The lay-by will need to be TSRGD compliant both in term of the accompanying signage

and carriageway marking, restrictions and bus lane to operate safely. The DSP should be amended to provide additional information and resubmitted in accordance with Transport for London DSP guidance December 2020. A condition will be added for the submission of a revised Delivery and Servicing Plan.

- 5.36 In an attempt to reduce bin pull distances from the layby to residential refuse storage the applicant has proposed to lengthen the layout to improve efficiency of refuse collection but also provide flexible for the general servicing of the building. The revised layout length is included in the indicative s278 plan of works.

### **Construction and Logistics Plan and Travel Plan**

- 5.37 A framework Construction Logistic Plan – 2021/5940/FCLP01 and Travel Plan – 2021/5940/TP01 have been submitted. We would recommend minimising the impact of construction on the free flow of traffic on the local highway network and in the interests of highway safety submission and implementation of a detailed Construction Logistics Plan in accordance with TfL guidance prior to any construction on site and this should be and secured by condition.
- 5.38 Travel Plans for the proposed residential use across the site in its entirety will be required and implemented to promote sustainable travel; a site-wide Framework Travel Plan has been submitted. It is considered that the implementation of the Travel Plan measures will help reduce dependence upon the private vehicle and therefore, should be managed and audited as required, for this type of development in accordance with TfL's guidance. Officers seek the submission and implementation of Travel Plans prior to occupation of both the residential and community uses and this will be secured by legal agreement. The Travel Plans will also be monitored in the 2nd year.
- 5.39 Having taken into consideration the information that has been provided it seems that there are no apparent adverse highway implications to suggest the development will give rise to any substantial safety reasons that this should not be approved because of issues relating to the transport and highway network.

### **Cycle Provision**

- 5.40 The scheme proposes 272 cycle spaces and exceeds the London Plan requirements for this site which would be 210 long stay residential spaces and 5 short stay spaces. The spaces are also at the appropriate level fit for purpose and laid out in accordance with the guidance contained in the London Cycling Design Standards.
- 5.41 A condition has been added to ensure that the cycle provision is provided in accordance with the approved plans and once implemented will be permanently retained thereafter.
- 5.42 TFL have comments and stated that the London Borough of Havering is progressing a scheme for New Road which will provide a cycle lane. Given the significant increase in residential development in the area TFL are encouraging the Council to consider an improvement to cycle infrastructure provision along New Road, and a shared pedestrian/cycle route or segregated lanes along this wide footway would appear to be a good option. The proposed servicing layby could compromise the ability of the Council to deliver such infrastructure, and so we would encourage the applicant and Council to explore alternative servicing options. Further, the servicing analysis is very poor and does not demonstrate that the proposed layby would have sufficient capacity for the servicing demand for this site. The Delivery and Servicing Management Plan is of particularly poor quality, with large sections that appear to be copied from TfL's advice and/or another scheme with no specific measures proposed to address the impact of servicing.
- 5.43 In response to these comments the borough does not have plans to progress a scheme to provide a cycle lane across New Road within their borough at this moment. Therefore, we cannot safeguard land where there are no plans confirmed where this proposal could prejudice. Further to discussion with officers the applicant is going to relook at the proposed layout and increase its length to make serving of this site more efficient. This will be agreed as part of the legal agreement. Officers have also conditioned that a revised Delivery and servicing management plan is resubmitted.

- 5.44 TFL have commented that:
- No visitor cycle parking is shown.
  - The spacing and security of cycle racks are to LCDS specifications
- 5.45 The applicant has responded with revised proposals to satisfy the concerns of TFL. It should be noted however that the London Cycle Design Standards are guidance and whilst desirable are not policy. Officers are therefore on balance are satisfied with the revision the applicant has made to meet these standards.
- 5.46 Officers are overall satisfied that the proposed development adopts a sustainable approach to transport, to promote walking and cycling, whilst minimising its impact on local road infrastructure and parking amenity, in accordance with relevant policy subject to the legal agreement and conditions.

## **6.0 Meeting the needs of local residents**

### **Employment and Skills**

- 6.1 The proposed development will contribute to employment for residents within the borough. Officers will secure an Employment, Skills and Suppliers Plan ensuring that a minimum of 25% of labour and suppliers required for the construction of the development are drawn from within the Borough, to maximise opportunities for local residents and businesses. This will be secured by legal agreement.
- 6.2 An end user commitment is not being sought as there are no commercial uses proposed.
- 6.3 It is therefore considered by officers that on balance that the proposal will provide far reaching benefits beyond the description of development and that the proposal accords with London Plan Policies GG1, GG4, H4 and Emerging Local Plan Policies SPDG1 and Policy SP4 with regards to affordable housing and building inclusive communities.

### **Education**

- 6.4 Policy S3 Education and childcare facilities of the current London Plan states development should ensure “proposals for housing and commercial facilities should incorporate suitable childcare provision and encourage nursery provision within primary schools, where there is a need”. Emerging local plan policy SP 4: Delivering social and cultural infrastructure facilities in the right locations states b) states “securing the delivery of, or contributions towards enhanced or new social and cultural infrastructure facilities to meet the needs arising from development”.
- 6.5 The regeneration area is evolving rapidly and there is currently a recognised deficiency in school places to meet the demand for emerging development coming forward. This is notwithstanding a primary school approved as part of Beam Park and a secondary school forming part of the strategic delivery within the Ford Stamping Plant site to the south.
- 6.6 The Council has calculated that the scheme will generate a further 30 primary and 17 secondary places. The education department have indicated that these numbers will be added to the forecast impact of demand in the locality where there is difficulty in providing places once new developments have matured.
- 6.7 The applicant has offered to make a financial contribution of £500k towards the provision of school places in the locality. The Council are currently in the process of obtaining land nearby to build new school facilities for the area. Whilst details are confidential and commercially sensitive at this stage this contribution is proportionate and considerable reasonable and will go towards delivering the school provision need in this area. This has been accepted by the Council’s education department.

## **7.0 Waste Management and Refuse Collection**

- 7.1 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 (Reg 19 stage) through Strategic Policy SP7 and Policy DMSI9. Policy SI7 of the London Plan seeks a wider goal for all development proposals in London.

- 7.2 The applicant has submitted a waste management plan which is acceptable in principle apart from bin pull distances are more than the Council's desired expectations which are 10m.
- 7.3 The applicant has responded to these comments by stating Building Regulations, Part H6, para 1.6, states that containers should be within 25m of the waste collection point. The proposed design already adheres to this statutory requirement. They have noted that the 10m distance between refuse store and refuse vehicle referred to by LBBDD's Refuse Team is desired for collection efficiency.
- 7.4 The applicant has highlighted that the submitted Transport Statement shows the refuse vehicle being parked an equal distance from each refuse store. If the refuse vehicle was parked at the rear and front of the service bay the travel distances would be reduced to:
- Core A 18.5m (reduced by 7.5m)
  - Core B 15.8m (reduced by 8.2m)
- 7.5 Officers have accepted that the proposed servicing layby could be further lengthen in principle to not only make servicing of the bin stores more efficient and in line with the Council's refuse criteria but improve the overall servicing of the building.
- 7.6 Officers will therefore secure the lengthening of the proposed layby by legal agreement as part of the s278 highway works. A condition to secure the refuse and recycling areas (and servicing/delivery plan) will be placed on the permission to ensure that the site can be adequately serviced in light of the above change to the satisfaction of the Council's refuse officers.
- 7.7 On balance, officers consider that the site can be adequately serviced subject to the submission of further details.

<b>8.0 Delivering Sustainable Development (Energy / CO2 reduction / Water efficiency):</b>	
<i>Renewable Energy Source %</i>	<b>49%</b>
<i>Proposed CO<sub>2</sub> Reduction</i>	<b>49%</b>

### **Energy and CO2 Reduction**

- 8.1 Chapter 5 (London's response to climate change) of the London Plan and Chapter 9 (Sustainable infrastructure) of the Draft London Plan require development to contribute to mitigation and adaptation to climate change. Specifically, Policy SI2 of the Draft London Plan sets out the energy hierarchy development should follow – '1. Be Lean; 2. Be Clean; 3. Be Green'. The policies require major residential development to be zero-carbon, with a specific requirement for at least 35% on-site reduction beyond Building Regulations. Where it is clearly demonstrated that the zero-carbon target cannot be fully achieved on site, any shortfall should be provided through a cash in-lieu contribution to the borough's carbon offset fund and / or off-site, provided that an alternative proposal is identified, and delivery is certain. These objectives and targets are also outlined in Policy DMSI of the emerging local plan (Reg 19 stage).
- 8.2 The London Plan requires development proposals to demonstrate that sustainable design standards are integral to the proposal, including its construction and operation and ensure that they are considered at the beginning of the design process. London Plan policy continues to state that development proposals should evaluate the feasibility of Combined Heat and Power (CHP) systems. Major development proposals should select energy systems in accordance with the following hierarchy – '1. Connection to existing heating or cooling networks; 2. Site wide CHP network; 3. Communal heating and cooling'. Policy 5.7 seeks an increase in the proportion of energy generated from renewable sources and states that major development proposals should provide a reduction in expected carbon dioxide emissions through the use of on-site renewable energy generation, where feasible.
- 8.3 London Plain policy also states that major development proposals should reduce potential overheating and reliance on air conditioning systems and demonstrate this in accordance with the following cooling hierarchy – '1. Minimise internal heat generation through energy efficient design; 2. Reduce the amount of heat entering a building in summer through orientation, shading, albedo, fenestration, insulation and green roofs and walls; 3. Manage heat within the building

through exposed internal thermal mass and high ceilings; 4. Passive ventilation; 5. Mechanical ventilation; 6. Active cooling systems (ensuring they are the lowest carbon options)'.

- 8.4 The Energy Statement confirms how the proposed development implements the sequential energy hierarchy set out in the London Plan: sustainable design principles and optimum design of the building fabric and form ('Be Lean') and provision of air source heat pumps ('Be Green'). A condition is recommended to ensure the renewable energy infrastructure (Air Source Heat Pumps and PVs), delivering a minimum 49% reduction in CO2 emissions over Part L of the Building Regulations 2013 is implemented prior to first occupation of the dwellings. This will be secured by legal agreement and condition.
- 8.5 Conditions will be added for the submission of an overheating mitigation strategy and the outstanding points to be clarified in a further submission.
- 8.6 Collectively, these measures achieve a total 49% reduction in carbon emissions site-wide which significantly exceeds the 35% on-site requirement set out in London Plan policy. To achieve zero-carbon on the residential element, 70.3 tonnes per annum of regulated CO2 must be offset through a cash-in-lieu contribution, which is used to secure CO2 savings elsewhere. The carbon offset fund payment for the development of £200,370.00 will be secured as part of the S106 Agreement.

### **Air Quality**

- 8.7 London Plan SI1 emphasises the importance of tackling air pollution and improving air quality and states that development proposals should minimise increased exposure to existing poor air quality and make provision to address local problems of air quality (particularly within Air Quality Management Areas).
- 8.8 The applicant has submitted an Air Quality Report. This report presents the findings of an air quality assessment undertaken to assess road traffic emissions and construction dust impacts in support of a planning application for the construction of a new residential development at the application site.
- 8.9 During the construction phase the potential effects during the demolition and construction phases include fugitive dust emissions from site activities, such as demolition, earthworks, construction and trackout have been assessed. Site specific mitigation measures detailed within the report will be implemented and secured by condition. With these mitigation measures in place, the effects from the construction phase are not predicted to be significant.
- 8.10 During the operational phase Detailed dispersion modelling of traffic pollutants has been undertaken for the scheme. An operational year assessment for 2022 traffic emissions has been applied to assess the effects of the Proposed Development. The impacts during the operational phase take into account exhaust emissions from additional road traffic generated due to the proposed development. The long-term (annual) assessment of the effects associated with the proposed development with respect to Nitrogen Dioxide (NO2) is determined to be 'negligible'. With respect to PM10 and PM2.5 exposure, the effect is determined to be 'negligible' at all identified existing sensitive receptor locations. All proposed receptor locations are expected to be exposed to air quality below the Air Quality Objectives for NO2, PM10 and PM2.5. The report found that no further mitigation is required to protect future occupants.
- 8.11 The report concludes that the proposed development will not include installation of CHP or other heat source emissions and will be installed with Exhaust Air Heat Pumps. Therefore, the proposed development can be considered air quality neutral. Both transport NOx emissions and transport PM10 emissions are below the transport emission benchmark and the development can be considered Air Quality Neutral.
- 8.12 A condition will be required to ensure that if the proposed development is not expected to meet the Air Quality Neutral Standards as noted in the submitted air quality report, a marginal abatement cost of £29,000 per tonne of NOx over the established benchmark figure shall be paid to the Local Planning Authority. This payment shall be used for air quality improvement projects in the area and will be secured by the legal agreement.

## **9.0 Biodiversity & Sustainable drainage:**

### **Biodiversity, Arboriculture and Landscaping**

- 9.1 Policy G6 of the London Plan require new developments to make a positive contribution to the protection, enhancement, creation and management of biodiversity wherever possible. 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 (Reg 19 stage).
- 9.2 The applicant has submitted a Phase 1 desktop ecology assessment. This report documents the methods and findings of the baseline ecology surveys and desktop study carried out in order to establish the existing ecological interest of the site, and subsequently provides an appraisal of the likely ecological effects of the proposals. The importance of the habitats and species present has also been evaluated.
- 9.3 The site has no statutory or non-statutory nature conservation designations present within or adjacent to the site, and none of the designations within the surrounding area are likely to be adversely affected by the proposals. The Phase 1 habitat survey has established that the site is dominated by habitats not considered to be of ecological importance.
- 9.4 The habitats within the site have the potential to support nesting birds and common mammal species which could potentially enter the site during construction. Accordingly, a number of mitigation measures have been proposed to minimise the risk of harm to protected species and safeguard surrounding habitats off-site.
- 9.5 The provision of a Construction Environmental Management Plan will be secured by condition to ensure general construction measures and mammal safeguard measures are provided to protect ecology entering the site.
- 9.6 A lighting scheme to ensure sensitive Lighting for Nocturnal Fauna to minimise Light spill onto newly created habitat will also be secured by condition and will be in accordance with good practice guidance
- 9.7 In conclusion, the proposals have sought to minimise impacts and subject to the implementation of appropriate avoidance, mitigation and compensation measures, it is considered unlikely that the proposals will result in significant harm to biodiversity. Officers consider the opportunity exists to provide several biodiversity benefits as part of the proposals.
- 9.8 The National Planning Policy Framework (NPPF) encourages new developments to maximise the opportunities for biodiversity through incorporation of enhancement measures. The proposals present the opportunity to deliver ecological enhancements at the site for the benefit of local biodiversity, thereby making a positive contribution towards the broad objectives of national conservation priorities and the local Biodiversity Action Plan (BAP).
- 9.9 The applicant concludes the following recommendations and enhancements are considered appropriate given the context of the site and the scale and nature of the proposals.
- 9.10 A number of bat boxes are recommended to be incorporated within the proposed development, to be integrated into the new build. By implementation of a sensitive lighting design and planting of hedgerows and trees, it is likely that the site will have more potential for foraging and commuting bats post-development, such that the provision of bat boxes may provide new roosting opportunities for bats in the area, such as Soprano Pipistrelle *Pipistrellus pygmaeus*, a national Priority Species. The precise number and locations of boxes / roost features should be determined by a competent ecologist, post-planning once the relevant final development design details have been approved.

### **Bird Boxes**

- 9.11 A number of bird nesting boxes are recommended to be incorporated within the proposed development, thereby increasing nesting opportunities for birds at the site. Ideally, the bird boxes will have greater potential for use if sited on suitable areas of the buildings within the site, situated as high up as possible. The precise number and locations of boxes should be determined by a

competent ecologist, post-planning once the relevant final development design details have been approved.

- 9.12 Officers therefore conclude that an ecological management strategy is proposed and once approved implemented on the site. It shall include the provision of bird and box boxes.

### **Net Biodiversity Gain**

- 9.13 The applicant has submitted a biodiversity net gain assessment. The report concludes that the proposed development and suggested enhancement measures have been subject to a Biodiversity Impact Assessment (BIA). The enhancement measures are as follows:

- New planting
- Bat boxes
- Bird boxes

- 9.14 In summary, the Biodiversity Impact Assessment Calculator indicates, based on the information and assumptions set out, that the proposed development would result in a calculated net gain of 15.14% Habitat Units and 100.00% Hedgerow Units. Faunal enhancements, to include the provision of bat and bird boxes, are proposed under the scheme and will be secured by condition, which are anticipated to provide additional gains for biodiversity, in addition to that detailed above.

- 9.15 The redevelopment of the site which will result in a considerable improvement to the site and immediate locality. Officers consider that the level of ecology on the site will be improved in terms of amount and variety and result in a significant net gain. A condition for the location of the bat and bird boxes will be added to secure their placement before occupation of the units.

- 9.16 Overall, it is considered that the proposed development will positively contribute to the increase of biodiversity, arboricultural and environmental value of the site and complies with relevant policy.

### **Sustainable Drainage**

- 9.17 Policy SI13 of the London Plan states that development should utilise sustainable urban drainage systems (SuDS) unless there are practical reasons for not doing so and should aim to achieve greenfield run-off rates and ensure that surface water run-off is managed as close to its source as possible in line with the drainage hierarchy set out within this policy. The policy aspirations are also reiterated at local level by Policies CR4 and BR4 of the Core Strategy and Borough Wide Policies and Policy DMSI6 of the emerging Local plan (Reg 19 stage).

- 9.18 The application site is located within Flood Zone 1 and the development is for new residential accommodation, which is classed as being More Vulnerable. The applicant has submitted a Flood risk assessment which recommends appropriate SuDS measures should be incorporated in the development to minimise surface water discharges.

- 9.19 Despite the very low risk, mitigation measures inherent in the development are outlined as follows in the report:

“As London is quite well prepared to mitigate the risk from a flood event, the Dagenham council has prepared a flood risk management strategy which is updated constantly. This includes measures that can be used to decrease flood damage. Refer to “London Borough of Barking and Dagenham Action Plan 2017 – 2023” and “London Borough of Barking and Dagenham, Local Flood Risk Management Strategy” for further information which can be found online. Several steps have been taken to mitigate the flood risk from surface water for the proposed development, and to leave the existing flood storage unaffected.

- 9.20 The following points summarise the approach:

- The ground floor level of the proposed development is to be set at least 250mm above the predicted flood level at 4.0mOD or higher.
- Non-return valves shall be located on both foul and surface water outfall pipes to prevent surcharging the internal system in a flood event.

- 9.21 The main design principals and proposals of the drainage strategy as set out in this document have been accepted and will be secured by condition. An additional condition to secure that the surface water drainage works shall be carried out and the sustainable urban drainage system shall thereafter be managed and maintained in accordance with the agreed management and maintenance plan shall be added.
- 9.22 In terms of how this Sustainable Drainage Scheme for the site will be maintained and type of maintenance vehicles needed in terms of impact on the highway. Therefore, a highway management and maintenance plan for the Sustainable Drainage Scheme is submitted and approved in writing by the LPA detailing how the SUDS shall be managed and maintained.
- 9.23 Officers therefore consider that the proposed development can be successfully accommodated on the site without impacting on existing residential amenity.

## **10.0 Archaeology**

- 10.1 NPPF Section 16 and the London Plan (2017 Policy HC1) recognise the positive contribution of heritage assets of all kinds and make the conservation of archaeological interest a material planning consideration. NPPF paragraph 189 says applicants should provide an archaeological assessment if their development could affect a heritage asset of archaeological interest. NPPF paragraphs 185 and 192 and London Plan Policy HC1 emphasise the positive contributions heritage assets can make to sustainable communities and places. Where appropriate, applicants should therefore also expect to identify enhancement opportunities. Paragraph 199 of the NPPF says that applicants should record the significance of any heritage assets that the development harms. Applicants should also improve knowledge of assets and make this public.
- 10.2 London Plan policy HC1 recognise that heritage assets including archaeological remains and memorials should be identified, so that the desirability of sustaining and enhancing their significance and of utilising their positive role in place shaping can be taken into account.
- 10.3 Adopted Local Plan policies CP2 and BP3 and emerging local plan policy DMD 4 seek to conserve or enhance archaeological remains and their settings will be secured by requiring an appropriate assessment and evaluation to be submitted as part of the planning application for any developments in areas of known or potential archaeological interest.
- 10.4 The planning application lies in a Tier 2 Archaeological Priority Area and the applicant has submitted an Archaeological Desktop Assessment. The report concludes that the site has a low to nil archaeological potential for all periods of human activity.
- 10.5 However, if any archaeological remains are present at the site, although extremely unlikely, they will be of purely local significance. Due to severe modern truncation, depth of made ground and negative results seen in the trial trench evaluation undertaken within the site and in its immediate vicinity, no further archaeological work is recommended in advance of the proposed development.
- 10.6 Historic England were consulted and concluded that the development could cause harm to archaeological remains and field evaluation is needed to determine appropriate mitigation and recommends a two-stage archaeological condition could provide an acceptable safeguard. This would comprise firstly, evaluation to clarify the nature and extent of surviving remains, followed, if necessary, by a full investigation. The appropriate condition has been added to the proposed consent as advised.

### **Conclusions:**

The redevelopment of the site to provide a residential led development is acceptable in principle and would contribute to the Borough's housing stock through the provision of 149 high quality units compliant with relevant standards. The proposal would comprise 53% affordable units on a habitable room basis which is considered to meet an identified need in the Borough.

The scale, siting and design of the development is considered appropriate to the site's context and will result in a high-quality finish, whilst respecting the amenity of existing and future neighbouring occupiers. The proposed landscaping strategy will positively contribute to the appearance and public realm in the area and enhance the biodiversity and environmental value of the site.

There is a “presumption in the favour of sustainable development” of new dwellings as noted in the NPPF and the proposed 149 new homes is considered to be acceptable due to a complimentary design that works in conjunction with the main Ford Stamping Plant. It would positively contribute to the Borough’s housing stock, noting the demand for increased housing, and the principle of the new housing at this location is therefore supported.

The scheme delivers a valuable and strategic pedestrian north south link from New Road, through the site to the regeneration areas and Dagenham Dock Station to the south. Officers consider that it shows the applicant’s commitment to bringing forward and creating a neighbourhood and community that accords with the objectives of this transformation area.

The development adopts a sustainable approach to transport whilst ensuring an acceptable impact on local highways and infrastructure. The proposal is also considered acceptable in terms of sustainability and impact on air quality, with a financial contribution secured to mitigate any shortfall in carbon reduction.

It is therefore recommended that planning permission be granted subject to the conditions and Heads of Terms of the legal agreement, as listed in Appendix 5 and Appendix 6.

### **Additional Reference**

#### *Human Rights Act*

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.

#### *Equalities*

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).

For the purposes of this application there are no adverse equalities issues.

Be First is the Council’s urban regeneration vehicle and undertakes planning statutory services on its behalf, including development management. LBBB remains the decision-maker. For major schemes Members determine planning applications at Planning Committee, and for smaller schemes, typically householder, decision-making powers are delegated to LBBB’s Head of Planning Assurance. Appropriate governance procedures are followed to ensure there are no conflicts of interest.

## Appendix 1:

<b>Development Plan Context:</b>	
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) (MHCLG, Feb 2019)</i>	
<i>The London Plan – March 2021</i>	Policy GG1 - Building strong and inclusive communities Policy GG2 - Making the best use of land Policy GG3 - Creating a healthy city Policy GG4 - Delivering the homes Londoners need Policy D1 - London's form, character and capacity for growth Policy D2 – Infrastructure requirements for sustainable densities Policy D3 – Optimising site capacity through the design-led approach Policy D4 – Delivering good design Policy D5 – Inclusive design Policy D6 – Housing Quality Standards Policy D7 – Accessible Housing Policy D8 – Public Realm Policy D11 – Safety, security and resilience to emergency Policy D12 – Fire Safety Policy D14 – Noise Policy H1 - Increasing housing supply Policy H4 – Delivering affordable housing Policy H5 – Threshold approach to applications Policy H6 – Affordable housing tenure Policy H7 – Monitoring of affordable housing Policy H10 – Redevelopment of existing housing and estate regeneration Policy H12 - Housing size mix Policy G1 - Green infrastructure Policy G5 - Urban greening Policy G6 - Biodiversity and access to nature Policy SI7 - Reducing waste and supporting the circular economy Policy SI8 - Waste capacity and net waste self-sufficiency Policy T1 - Strategic approach to transport Policy T2 - Healthy Streets Policy T3 - Transport capacity, connectivity and safeguarding Policy T4 - Assessing and mitigating transport impacts Policy T5 - Cycling Policy T6 - Car parking
<i>Local Development Framework (LDF) Core Strategy (July 2010)</i>	Policy CM1 - General Principles for Development Policy CR2 - Preserving and Enhancing the Natural Environment Policy CR3 - Sustainable Waste Management Policy CP3 - High Quality Built Environment Needs
<i>Local Development Framework (LDF) Borough Wide Development Plan Document (DPD) (March 2011)</i>	Policy BR1 - Environmental Building Standards Policy BR3 - Greening the Urban Environment Policy BR4 - Water Resource Management Policy BR9 - Parking

	<p>Policy BR10 - Sustainable Transport  Policy BR11 - Walking and Cycling  Policy BR15 - Sustainable Waste Management  Policy BP8 - Protecting Residential Amenity  Policy BP11 - Urban Design</p>
<p><i>The London Borough of Barking and Dagenham's Draft Local Plan: (Regulation 19 Consultation Version, October 2020) is at a "mid" stage of preparation. Having regard to NPPF paragraph 216 the emerging document is now a material consideration and considerable weight will be given to the emerging document in decision-making, unless other material considerations indicate that it would not be reasonable to do so.</i></p>	
<p><i>The London Borough of Barking and Dagenham's Draft Local Plan: (Regulation 19 Consultation Version, Autumn 2021).</i></p>	<p>Policy SPDG1 - Delivering Growth  Policy SP4 - Delivering Homes that Meet People's Needs  Policy SP2 - Delivering High Quality Design in the Borough  Policy SP6 – Green and Blue Infrastructure  Policy SP7 - Securing a Sustainable and Clean Borough  Policy SP4- Delivering social infrastructure in the right locations  Policy DMH1 - Affordable Housing  Policy DM2 - Housing Size and Mix  Policy DMD1 - Responding to Place  Policy DMNE1 - Protecting and Improving Parks and Open Spaces  Policy DMNE2 Urban greening  Policy DMNE3- Nature Conservation and Biodiversity  Policy DMNE5 - Trees  Policy DMSI 2 - Energy, Heat and Carbon Emissions  Policy DMSI4 - Improving Air Quality  Policy DMSI6 - Managing Flood Risk, including Surface Water Management  Policy DMSI9 - Managing our Waste  Policy DMT1 - Making Better Connected Neighbourhoods  Policy SPP3- transformation area Dagenham Dock</p>
<p><i>Supplementary Planning Documents</i></p>	<p>DCLG Technical Housing Standards (nationally described space standard) (DCLG, March 2015) (as amended)  London Borough of Barking and Dagenham Archaeological Priority Area Appraisal dated July 2016 by Historic England.  Adopted Site Allocations Document 2010  Mayor of London Housing Supplementary Planning Guidance (March 2016)  Mayor's Affordable Housing and Viability SPG  The Mayor's Shaping Neighbourhoods: Children and Young People's Play and Informal Recreation SPG  The BRE Report, Site layout planning for daylight and sunlight: a guide to good practice (2nd Edition 2011)</p>

## Appendix 2:

Relevant Planning History:			
<i>Application Number:</i>	21/02271/PRIDEM	<i>Status:</i>	Prior approval not required
<i>Description:</i>	Application for prior notification of the proposed demolition of 4 vacant storeys concrete office building of Transport House.		
<i>Application Number</i>	21/02274/FUL	<i>Status:</i>	Under determination
<i>Description:</i>	Construction of a temporary car park for the adjacent hotel and use of part of the site for a construction compound.		

## Appendix 3:

The following consultations have been undertaken:

Summary of Consultation responses:		
Consultee and date received	Summary of Comments	Officer Comments
Met Police Dated 14 <sup>th</sup> December 2022	<p>No objection advisory comments with regards to the following:</p> <ul style="list-style-type: none"> <li>• Public Realm</li> <li>• External lighting and CCTV</li> <li>• Bin and cycle storage</li> <li>• Communal ground floor entrances</li> <li>• CCTV standards and preferred locations.</li> <li>• Door and window specifications</li> <li>• Roof terraces and podiums</li> <li>• Rear child playspace</li> </ul>	Condition will secure the submission of proposed crime prevention measures, and the delivery of a safe and secure scheme
Drainage Dated 18/01/22	<p>No objection subject to conditions relating to:</p> <ul style="list-style-type: none"> <li>• Prior to the occupation of the buildings hereby approved the surface water drainage works shall be carried out and the sustainable urban drainage system shall thereafter be managed and maintained in accordance with the agreed management and maintenance plan.</li> </ul>	The relevant condition have been added
LBBB Environmental Health Dated 07/01/22	<p>No objection subject to conditions relating to:</p> <ul style="list-style-type: none"> <li>• Contaminated Land</li> <li>• Construction Management</li> <li>• Scheme of Acoustic Protection</li> <li>• Noise mitigation from Electric substation</li> <li>• External lighting</li> </ul>	The relevant conditions have been added.
BeFirst Highways Dated 21/1/22	No objection subject to the following conditions:	The relevant conditions and legal obligations have been applied.

- Car free acceptable
- Provision of active Electric Vehicle Charging Points.
- Financial contribution towards better access to public transport in lieu of provision of 7% disabled additional car parking spaces on site.
- An amended PDMP to be submitted.
- Restriction to CPZ parking
- Provision of Car Club.
- Improvements to the predestrain link for health and safety measures.
- A hard landscaping and highway condition to focus on how materials can be used to highlight pedestrian priority and deter other cars from turning into this area should be secured.
- Secure 24/7/365 access for the public access route.
- The cycle parking should be designed and laid out in accordance with the guidance contained in the London Cycling Design Standards. To be secured with a condition.
- financial contribution towards public transport improvements and this should be a reasonable and proportionate financial sum that can be justified.
- enter a s278 agreement to undertake highway alterations and improvements seeking to ensure a detailed design to accord with the relevant road safety audits and cover new Traffic Management Orders, kerb alignment and adjustment, footway resurfacing / recon, Carriageway, bus stop improvements and loading and service bay. arrangements. The detailed design works to be in accordance with the Design Manuel for Roads and Bridges and Manual Contract for Highway Works specifications.
- Submission of a delivery servicing plan.
- Construction and Logistics Plan and Travel Plan to be secured by condition

	<ul style="list-style-type: none"> <li>• Submission and implementation of a Travel Plan prior to occupation to be in accordance with TfL guidance with a financial contribution to the Council of £1,500 for monitoring of the Travel Plan to ensure its objectives and targets are achieved and this should be secured by condition.</li> </ul>	
<p>LBBD Access 17/12/22</p>	<p>No objection but advisory general comments on:</p> <ul style="list-style-type: none"> <li>•Entrance door should ideally be automatic, if not the door pressure should not exceed 30 newtons</li> <li>•Will a fire evacuation lift be provided</li> <li>•Video door entry system should be provided which is colour contrasted for partially sighted people</li> <li>•Play area does not include any play equipment for disabled children. Play area will need to be inclusive.</li> <li>•There's a high demand for affordable accessible accommodation within the borough. Therefore, it will be reasonable to request that some of these units are within the affordable tenure and were fitted with wetrooms to make them fully accessible.</li> </ul>	<p>The applicant has been made aware of the comments and are aware of the relevant regulations to deliver these.</p> <p>A condition for the submission of child play space equipment has been added.</p>
<p>Befirst Design</p>	<ul style="list-style-type: none"> <li>• Clarification of the layout and design of the strategic pedestrian link</li> <li>• The proportion of and scale of the blocks is inappropriate for the size of the site.</li> <li>• The design team is encouraged to reconsider the provision of good quality family units with adjacent amenity space and appropriate levels of daylight.</li> <li>• Number of units off per core.</li> <li>• Although the removal of single aspect north facing units is welcome, there remains a high proportion (50%) of single aspect units, and the London Plan is discouraging of this unless it is backed by a robust design led strategy which has not been provided as part of the submission.</li> <li>• Clarification on overheating measures.</li> </ul>	<p>The issues have been addressed in this report and mitigation secured where appropriate in the conditions.</p>

	<ul style="list-style-type: none"> <li>• The proposal for the provision of residential entrances accessed solely through a 'pedestrian priority' road without the provision of any solely pedestrian pavement should be reviewed</li> <li>• The simplified layout and massing is broadly supported;</li> <li>• the density of the proposal is not appropriate for the size of the site.</li> <li>• Clarification of the design mitigation in terms of noise.</li> <li>• The landscape strategy does not respond to neighbouring sites</li> <li>• The pedestrian pathway to the South of the building is particularly ungenerous</li> <li>• The inability to provide an appropriate level of play space is disappointing.</li> <li>• The design team is encouraged to provide a sustainability strategy with measurable targets, including mitigating factors for overheating, improved air quality through landscape and planting, targets for reducing embodied carbon, and a comprehensive strategy for wildlife.</li> </ul>	
LBBB Education 15/12/21	No objection but seek education contributions as the scheme will generate a further 30 primary and 17 secondary places. This will, as indicated add to the forecast impact of demand in the locality where we are likely to have difficulty in providing places once new developments have matured. We would be seeking a financial contribution from the developer to support new school places particularly for primary places based on the numbers indicated above.	The applicant has offered a financial contribution of £500k to offset the provision of education spaces as a result of this scheme. Please see para 6.4 onwards of the report for further details.
Historic England GLAAS 21/12/21	No objection but recommends a condition for a Written Scheme of Investigation.	Condition added.
TFL- London Underground/DLR Infrastructure Protection 13/12/22	No comments to make	
TFL Spatial planning 31/12/22	<p>Observations with regards to :</p> <ul style="list-style-type: none"> <li>• Contributions towards public transport</li> <li>• 24/7/365 access of the proposed pedestrian link</li> <li>• Walking and cycling improvements</li> </ul>	- Please see section 5 of this report.

	<ul style="list-style-type: none"> <li>• New initiatives to New Road</li> <li>• Servicing plan is weak</li> <li>• Cycle parking</li> <li>• Car club for 1 year membership not supported</li> <li>• Electric car charging points</li> <li>• No permits for CPZ parking</li> <li>• CLP agreed in principle.</li> </ul>	
LBBB Refuse 19/01/22	Objection to the pull distances of the bins to the highway.	The applicant has shown how the pull distances can be reduced so that they are more aligned to the Council's desired expectations in this regard. The bin pull distances do however accord to building regulations. The applicant has offered to include the length of the servicing layby to further reduce pull distances and will form part of s278 works which will be secured by legal agreement. A condition will also be added for the submission of a refuse management plan.
LBBB Enterprise and Employment 09/12/22	Obligation to secure training and jobs during the construction phase only.	The obligation has been included within the legal agreement.
London Fire Brigade Fire Hydrants 05/1/22	No additional hydrants are required ,and no further action is required by the London Fire Brigade in this respect. The existing hydrant will satisfy the needs of this development.	Noted
Housing and Safety Executive 08/02/22	Not enough information to determine the proposed scheme.	A condition for the submission of a fire safety strategy will be conditioned.

#### Appendix 4:

<b>Neighbour Notification:</b>	
<b>Date of Press Advertisement:</b>	15 <sup>th</sup> December 2021
<b>Number of neighbouring properties consulted:</b>	1322 on 8 <sup>th</sup> December 2021
<b>Number of responses:</b>	1

## Appendix 5:

### Conditions

#### Conditions:

#### **Mandatory Conditions**

1. Statutory Time Limit - Planning Permission

The development hereby permitted shall 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. Development in Accordance with Approved Plans

The development hereby approved shall only be carried out in accordance with the approved plans listed below:

- Location Plan ATP 21195\_PL01 03/12/2021
- Ground Floor Plan ATP 21195\_PL02 B 21/02/2022
- First Floor Plan ATP 21195\_PL03 A 21/02/2021
- Second to Fourth Floor Plan ATP 21195\_PL04 03/12/2021
- Fifth Floor Plan ATP 21195\_PL05 03/12/2021
- Sixth to Eighth Floor Plan ATP 21195\_PL06 03/12/2021
- Roof Plan ATP 21195\_PL07 03/12/2021
- North Elevation (New Road) ATP 21195\_PL09 A 21/02/2022
- East Elevation (Pedestrian Link) ATP 21195\_PL10 A 21/02/2022
- West Elevation (Premier Inn) ATP 21195\_PL11 A 21/02/2021
- South Elevation ATP 21195\_PL12 03/12/2021
- Section AA ATP 21195\_PL13 03/12/2021
- Section BB ATP 21195\_PL14 03/12/2021
- Section CC ATP 21195\_PL15 03/12/2021
- Tenure Stacker ATP 21195\_PL16 03/12/2021
- S106 Tenure Stacker Plan ATP 21195\_SK47 10/02/2022
- Proposed foul and surface water drainage layout BM 21.722 C-1000 PL1 01/12/2021
- Proposed SuDS Strategy Layout BM 21.722 C-1003 PL1 01/12/2021
- Drainage Details BM 21.722 C-1201 PL1 01/12/2021
- SUDS Details Layout BM 21.722 C-1202 PL1 01/12/2021
- Landscape Plan (Ground Floor) Aspect Landscape Planning 7679.LP.1.0 rev D 18/02/22

- Landscape Plan (Podium) Aspect Landscape Planning 7679.PLP.2.0 rev D 18/02/22
- Air Quality Assessment by Tetra Tech 784-B033116 rev 2 26/11/2021
- Accommodation Schedule by ATP 21195\_PL08 03/12/2021
- Archaeological desk-based assessment by RPS JAC27741 rev02 01/12/2021
- Biodiversity Net Gain Assessment by Aspect Ecology 1006409 03/12/2021
- Circular Economy Statement Whitecode by 01/12/2021
- Civil Engineering Infrastructure Report (SUDS) by BM 21.722-IR-01 PL1 01/12/2021
- Construction Environmental Management Plan by Hollybrook 29/11/2021
- Daylight and Sunlight Report by Waldrums 2855 rev 1 03/12/2021
- Delivery and Servicing Management Plan by RGP 2021/5940/DSMP04 2 01/12/2021
- Design and Access Statement by ATP 03/12/2021
- Desk Study Report (Phase 1 Land Contamination Assessment) by GEA J2133801 rev0 01/12/2021
- Ecological Appraisal by Aspect Ecology 1006409 Eco App SC/LB dv2 03/12/2021
- Energy Strategy Report by Stroma 08-21-88819 ES1 03/12/2021
- Environmental Noise Assessment by Paragon Acoustic Consultants 20211129\_4895\_ENA01 rev A 29/11/2021
- Fire Safety Planning Statement by B-First rev02 01/12/2021
- Framework Construction Logistics Plan by RGP 2021/5940/FCLP01 rev2 03/12/2021
- Framework Site Waste Management Plan by RGP 2021/5940/SWMP01 rev2 03/12/2021
- Framework Travel Plan by RGP 2021/5940/TP01 2 01/12/2021
- Health Impact Assessment by Planning Potential 6280 03/12/2021
- Maintenance and Management Plan by Hollybrook 03/12/2021
- Parking Design and Management Plan by RGP 2021/5940/PDMP03 2 01/12/2021
- Planning Statement by Be First Planning Consultancy rev1 03/12/2021
- Residential Overheating Assessment Stroma 03-21-86888 TC2 Dagenham QRP TC2 26/11/2021
- Statement of Community Involvement by Hollybrook 03/12/2021
- Sustainability Statement by Whitecode 11256-WDA-ZZ-ZZ-RP-SS-0-011 1 01/12/2021
- Transport Assessment by RGP 2021/5940/TA01 3 01/12/2021
- Waste and Recycling Management Plan RGP 2021/5940/WRMP01 2 01/12/2021
- Addendum Letter by Be First Planning Consultancy 13/12/2021

- Cycle Store Layouts 21195\_PL19 (prepared by ATP, January 2022).
- Landscape Plan (Podium) (2) Aspect Landscape Planning 7679/PLP.2.0 D 18/02/2022
- Landscape Strategy Plan Aspect Landscape Planning 7679/ASP3 C 18/02/2022
- Amenity Space Areas Plan (Ground Floor) Aspect Landscape Planning 7679.ASAP.1.0 13/12/2021
- Amenity Space Areas Plan (Podium) Aspect Landscape Planning 7679.PASAP.2.0 13/12/2021

No other drawings or documents apply.

*Reason: To ensure that the development is undertaken in accordance with the approved drawing(s) and document(s) to ensure that the finished appearance of the development will enhance the character and visual amenities of the area and to satisfactorily protect the residential amenities of nearby occupiers.*

### **Prior to Commencement Conditions**

#### 3. Site Contamination

No development shall 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 and service lines and pipes; adjoining land; groundwaters and surface waters; ecological systems; archaeological sites and ancient monuments; and
- (iii) an appraisal of remedial options, and proposal of the preferred option(s).

This must be conducted in accordance with DEFRA and the Environment Agency's 'Model Procedures for the Management of Land Contamination, CLR 11'; and

(b) a detailed remediation scheme, 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.*

#### 4. Construction Management

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

- 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 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.

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

5. Construction Logistics Plan and Delivery and Servicing Plan

Prior to commencement of any works and to be in accordance with Transport for London guidance the submission of a Construction Logistics Plan and Delivery and Servicing Plan shall be submitted and approved in writing by the Local Planning Authority. Upon approval the Construction Logistics Plan and Delivery and Servicing Plan shall be implemented before commencement of works.

Reason: In the interests of highway safety.

6. Archaeology

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

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

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

- i. The statement of significance and research objectives, the programme and methodology of site investigation and recording and the nomination of a competent person(s) or organisation to undertake the agreed works; and
- ii. The programme for post-investigation assessment and subsequent analysis, publication and dissemination and deposition of resulting material. This part of the condition shall not be discharged until these elements have been fulfilled in accordance with the programme set out in the stage 2 WSI.

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

Reason: Archaeology must be identified prior to the commencement of development to ensure that archaeological investigation is initiated at an appropriate point in the development process and that any areas of archaeological preservation are identified and appropriately recorded/preserved and the results published in accordance with Policies BP2 and BP3 of the Borough Wide Development Policies Development Plan Document.

### **Prior to Above Ground Works**

#### 7. Green Roof Systems

Prior to commencement of above ground works details and a maintenance plan of the green roof systems shall be submitted and approved by the Local Planning Authority. Once approved the maintenance plan shall be implemented.

Reason: To promote biodiversity on the site and to prevent an increased risk of flooding.

#### 8. Materials and Balcony Details

No above ground new development shall take place until details of balconies and 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 and balcony details.

*Reason: To protect or enhance the character and amenity of the area*

#### 9 Electric Vehicle Charging Points Details

No above ground new development shall take place until details of Electric Vehicle Charging Points have been submitted to and approved in writing by the Local Planning Authority. The scheme shall demonstrate how active electric charging points will be provided for 20% of the residential car parking spaces, with passive provision for the remaining 80% of the residential car parking spaces. The spaces shall be constructed and marked out and the charging points installed prior to the occupation of each phase and thereafter retained permanently for the accommodation of vehicles of occupiers and visitors to the premises and not used for any other purpose.

*Reason: To encourage the use of electric cars in order to reduce carbon emissions.*

#### 10. Fire Safety Scheme

No above ground new development shall commence until a Fire Statement has been submitted to and approved in writing by the Local Planning Authority. The Fire Statement shall be produced by an independent third party suitably qualified assessor which shall detail the building's construction, methods, products and materials used; the means of escape for all building users including those who are disabled or require level access together with the associated management plan; access for fire service personnel and equipment; ongoing maintenance and monitoring and how provision will be made within the site to enable fire appliances to gain access to the building. The Fire Safety Scheme shall be implemented in accordance with the approved detailed prior to first occupation of the development and permanently maintained thereafter.

Reason: In order to provide a safe and secure development.

11. SUDS Maintenance

Prior to above ground works, a highway management and maintenance plan for the Sustainable Drainage Scheme is submitted and approved in writing by the LPA detailing how the SUDS shall be managed and maintained.

Reason- To prevent an increased risk of flooding and to prevent pollution of the water environment.

12. A Landscape and Ecological Management Plan (LEMP)

A Landscape and Ecological Management Plan (LEMP) shall be submitted to and be approved in writing by the local planning authority prior to above ground works of development. The approved plan will be implemented in accordance with the approved details. The content of the LEMP shall include the following:

Standard LEMP information, including:

- I. Description and evaluation of features to be managed.
- II. Ecological trends and constraints on site that might influence management.
- III. 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.*

**Prior to First Occupation / Use Conditions**

13. Acoustic Protection

Prior to the occupation of residential units, full details of a scheme of acoustic protection of habitable rooms against noise shall be submitted to and approved in writing by the Local Planning Authority. The scheme of acoustic protection shall be sufficient to secure internal noise levels no greater than:

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

Additionally, consideration should be given to internal noise levels during periods of overheating, and the principles outlined in the Acoustic Ventilation and Overheating Residential Design guide should be considered. The approved scheme shall be fully implemented before the first occupation of the residential unit to which it relates and shall be maintained at all times thereafter.

Reason: To ensure that the proposed residential units are adequately protected from noise

14. Pedestrian Link

Prior to occupation of the residential units, the applicant must submit a maintenance and parking enforcement plan for the pedestrian link. Once approved the plan must be implemented and retained permanently thereafter.

Reason- In the interest of health and safety.

15. Car Parking Design and Management Plan and Implementation

Prior to the first occupation of the development a Car parking Design and Management plan shall be submitted and approved in writing by the Local Planning Authority for the disabled residential space and the undercroft car parking area for commercial use.

Once the car parking design and management plan is approved the car parking areas they shall be constructed and marked out prior to the first occupation of the development and thereafter retained permanently for the accommodation of vehicles of occupiers and visitors to the premises of the separate uses and not used for any other purpose. The disabled parking spaces should be clearly delineated with raised kerbs to avoid encroachment on surrounding footpaths and damage to trees.

Reason: In the interest of sustainable methods of transport.

16. Overheating Mitigation Strategy.

*Prior to occupation an overheating mitigation strategy must be submitted to and agreed in writing by the Local Planning Authority. The mitigation strategy must be in accordance with the submitted Overheating Assessment by Stroma dated 26/11/2021. All mitigation measures must be implemented and permanently retained thereafter.*

*Reason: To protect the amenity of residents.*

17. Refuse and Recycling Management Plan

A refuse and recycling management plan shall be submitted and approved in writing by the Local Planning Authority prior to first occupation of the buildings hereby approved. Once approved the plan must be implemented before the first occupation of each phase and permanently retained thereafter.

*Reason: To provide satisfactory refuse and recycling storage provision in the interests of the appearance of the site and locality.*

18. Sustainable Drainage Implementation

Prior to the occupation of the buildings hereby approved the surface water drainage works shall be carried out and the sustainable urban drainage system shall thereafter be managed and maintained in accordance with the agreed management and maintenance plan. In accordance with:

- Civil Engineering Infrastructure Report (SUDS) by BM 21.722-IR-01 PL1 01/12/2021
- Proposed foul and surface water drainage layout BM 21.722 C-1000 PL101/12/2021
- Proposed SuDS Strategy Layout BM 21.722 C-1003 PL1 01/12/2021
- Drainage Details BM 21.722 C-1201 PL1 01/12/2021
- SUDS Details Layout BM 21.722 C-1202 PL1 01/12/2021

*Reason: To prevent an increased risk of flooding and to prevent pollution of the water environment.*

19. Crime Prevention Scheme

The proposed development shall achieve a Certificate of Compliance in respect of the Secured by Design scheme (silver), or alternatively achieve security standards (based on Secured by Design principles) to the satisfaction of the Metropolitan Police, details of which shall be provided to the Local Planning Authority for its written approval prior to the first occupation of each phase of the approved development. All security measures applied to the approved development shall be permanently retained thereafter.

*Reason: In order to provide a good standard of security to future occupants and visitors to the site and to reduce the risk of crime.*

20. Communal Television and Satellite System

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

*Reason: To safeguard the external appearance of the building.*

21. Cycle Parking Implementation

Prior to the first occupation of each phase the applicant must make the necessary provisions that each phase has the number of cycle spaces as approved and shown on drawing Cycle Store Layouts 21195\_PL19 (prepared by ATP, January 2022) and is in accordance with the London Plan to determine an appropriate levels of cycle parking which should be to the minimum standards set out, secure and well-located. The cycle parking should be designed and laid out in accordance with the guidance contained in the London Cycling Design Standards and permanently retained thereafter.

*Reason: In the interests of promoting cycling as a sustainable and non-polluting mode of transport.*

22. External lighting

The development hereby permitted shall not be occupied until details showing the provisions to be made for external lighting has been submitted to and approved in writing by the Local Planning Authority. The lighting is to be designed, installed and maintained so as to fully comply with The Association of Chief Police Officers - Secured by Design publication "Lighting Against Crime - A Guide for Crime Reduction Professionals", ACPO SPD, January 2011. The design shall satisfy criteria to limit obtrusive light presented in Table 1, page 25 of the guide, relating to Environmental Zone E2 Low district brightness areas-Rural, small village or relatively dark urban locations. The development shall not be occupied until the approved scheme has been implemented. Thereafter the approved measures shall be permanently retained unless otherwise agreed in writing by the Local Planning Authority.

*Reason: In order to provide a good standard of lighting and security to future occupants and visitors to the site and to reduce the risk of crime.*

23. Renewable Energy Infrastructure

The development hereby permitted will ensure the renewable energy infrastructure will be carried out in accordance with document Energy Statement by White Code dated 25.05.21 delivering a minimum of 49% reduction in site wide CO2 emissions, is implemented prior to first occupation of the dwellings.

*Reason: To ensure measures are implemented to reduce carbon emissions.*

24. Bird and Bat Boxes

Prior to the occupation of the development details and locations of the following:

- Bat boxes
- Bird boxes

must be submitted to the Local Planning Authority and agreed in writing. Once approved the boxes and bricks shall be installed within each phase and permanently retained thereafter.

Reason: In the interest of promoting and enhancing biodiversity on the site.

25. Wayfinding Strategy

Prior to occupation of the development details of a wayfinding strategy for the public pedestrian route shall be submitted and approved in writing by the Local Planning Authority. The wayfinding strategy should be in accordance with Legible London and details submitted for approval.

Reason: In the interests of highway safety.

***Monitoring and Management Conditions***

26. Accessible Housing

All new build dwellings shall be constructed to comply with Building Regulations Optional Requirement Approved Document M4(2) Category 2: Accessible and adaptable dwellings (2015 edition) as a minimum.

15 (10%) dwellings, identified as:

- B0.1
- B1.1
- B1.6
- B1.7
- B2.2
- B2.4
- B2.8
- B3.2
- B3.8
- B4.2
- B4.8
- B5.6
- B6.6
- B7.6
- B8.6

shall be constructed to, or capable of easy adaptation to, Building Regulations Optional Requirement Approved Document M4(3) Category 3: Wheelchair user dwellings (2015 edition).

*Reason: To ensure that sufficient accessible housing is provided.*

27. Water Efficiency

The proposed dwellings shall comply with the water efficiency optional requirement in paragraphs 2.8 to 2.12 of the Building Regulations Approved Document G.

*Reason: To minimise the use of mains water.*

28. Noise from Plant and Structure Borne Noise Emissions (including the electric substation).

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

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

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

29. Carbon Reduction

The development hereby permitted shall be carried out in accordance with the submitted Energy Statement prepared by Stroma 08-21-88819 ES1 03/12/2021 a minimum 49% reduction in carbon dioxide emissions over Part L of the Building Regulations (2013) (when applying updated SAP 10 emission factors).

*Reason: To ensure measures are implemented to reduce carbon emissions.*

30. Air Quality

The development shall meet the air quality neutral standards as set out in the approved Air Quality Assessment by Tetra Tech 784-B033116 rev 2 dated 26/11/2021. Certification confirming compliance with the approved document shall be submitted and approved by the Council post completion of the development. Should the completed development not result in not being air quality neutral the development will be subject to the off-setting contribution payment at the rate of £29k per tonne of NOx (or the equivalent figure at the time of reassessment) over the benchmark (or the equivalent figure at the time of reassessment).

Reasons: In the interests of reducing air pollution.

31. Disabled Car Parking

The proposed 5 blue badge car parking spaces shall be constructed and marked out prior to the first occupation of each relevant phase as accessible parking bays (to be clearly marked with a British Standard disabled symbol). The spaces must be retained as disabled car parking spaces and not used for any other use.

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.

32. Hard/Soft Landscaping Details

The development must be constructed in accordance with approved drawings

- Landscape Plan (Podium) (2) Aspect Landscape Planning 7679/PLP.2.0 D  
18/02/2022
- Landscape Strategy Plan Aspect Landscape Planning 7679/ASP3 C  
18/02/2022
- Landscape Plan (Ground Floor) Aspect Landscape Planning 7679.LP.1.0 rev D  
18/02/22
- Landscape Plan (Podium) Aspect Landscape Planning 7679.PLP.2.0 rev D  
18/02/22

Any plants which within a period of 5 years from the completion of the development die, are removed or become seriously damaged or diseased, shall be replaced in the next planting season with others of similar size and species unless the Local Planning Authority gives written consent to any variation.

Reason: To secure the provision and retention of landscaping in the interests of the visual amenity of the area, to preserve and enhance the Borough's natural environment and to ensure a high-quality built environment.

### 33. Children's Playspace Strategy Implementation

The development must be construction in accordance with the playspace strategy as approved in drawing Landscape Plan (Podium) (2) Aspect Landscape Planning 7679/PLP.2.0 D  
18/02/2022

- Landscape Strategy Plan Aspect Landscape Planning 7679/ASP3 C  
18/02/2022 Prior to the occupation of the development the approved the children's play space area shall be delivered. Once delivered the child play areas and equipment shall be permanently retained thereafter.

*Reason: To ensure suitable provision for children's play.*

## Appendix 6:

### Legal Agreement S106 Proposed Heads of Terms:

The proposed heads of terms to be secured through a legal agreement under Section 106 of the Town and Country Planning Act 1990 (as amended) and Section 16 GLC (General Powers) Act 1974 (as amended) (agreed between the Council and the Applicant) are set out below:

#### Administrative

1. Pay the Council's professional and legal costs, whether or not the deed completes.
2. Pay the Council's reasonable fees of £16,500.00 for monitoring and implementing the Section 106, payable on completion of the deed.
3. Indexing – all payments are to be index linked from the date of the decision to grant planning permission to the date on which payment is made, using BCIS index

#### Affordable Housing

4. Secure 53% affordable housing on a habitable room basis as shown on drawing 21195\_SK47 Rev - comprising:

47 no. units provided at Discounted Market Rent: Unit numbers:

A4.1, A4.2, A4.3, A4.4, A4.5, A4.6, A4.7, A4.8, A4.9, A4.10, A4.11, A5.1, A5.2, A5.3, A5.4, A5.5, A5.6, A5.7, A5.8, A5.9, A6.1, A6.2, A6.3, A6.4, A6.5, A6.6, A6.7, A6.8, A6.9, A7.1, A7.2, A7.3, A7.4, A7.5, A7.6, A7.7, A7.8, A7.9, A8.1, A8.2, A8.3, A8.4, A8.5, A8.6, A8.7, A8.8, A8.9.

31 no. units provided at London Affordable Rent Unit numbers:

D6, A1.1, A1.2, A1.3, A1.4, A1.5, A1.6, A1.7, A1.8, A2.1, A2.2, A2.3, A2.4, A2.5, A2.6, A2.7, A2.8, A2.9, A2.10, A2.11, A3.1, A3.2, A3.3, A3.4, A3.5, A3.6, A3.7, A3.8, A3.9, A3.10, A3.11.

5. The scheme will be subject to an Early Stage Viability Review if substantial implementation is not achieved within 2 years of the grant of this permission.

#### Rights of Way

6. The applicant will enter into an obligation not to stop up or prevent unfettered pedestrian access across the application site from New Road to the south and vice versa (unless required in an emergency/for H&S – e.g. closed for maintenance) as indicatively shown on drawing 21195\_SK44 dated January 2022.

#### Delivery of Improvements to Dagenham Dock Station

7. The applicant will make a financial contribution of £100,000.00 for improvements to Dagenham Dock Station

#### Child Playspace

8. The applicant will pay £23,750.00 to off set the shortfall in 11 to 18 year old playspace. The contribution is for improvements to King George Playing Field or any other public play area in the locality to be agreed by the Council.

## **Transport-**

9. Secure restrictions preventing future residents from obtaining parking permits for any controlled parking zone.

10. Offsite Highway works-The applicant will a) agree a scheme of highway works and b) implement all off-site highway works to an agreed schedule prior to construction. The scope of the highway work and improvements have been agreed in principle and shown on the submitted drawing titled Section 278 works dated Feb 2022.

11. The applicant must enter into a section 278 agreement (Highways Act 1980) for the proposed alterations to the public highway prior to construction taking place and will require consent separate to any planning permission granted. This is in the interest of highway safety.

12. The applicant will make a contribution of up to £5000.00 to cover highway works associated with the marking out of a car club bay if a location can be found and agreed.

13 Six months prior to first occupation of the development, the developer must commit to providing car club use for two calendar years on application to the nearest car club operating in the Borough and is to be provided to each future household so that they can have access to a car for infrequent journeys. The location of the nearest car club space and provider is to be agreed with the Council before occupation. Once the car club provider has been identified and confirmed to the Council, details of the precise car club costs and arrangements for the car club use shall be agreed with the Council before occupation of the development.

14. Six months prior to the first occupation of the residential use, the applicant shall secure the submission of a Travel Plan for the occupiers/tenants to demonstrate how sustainable modes of transport will be promoted and car parking managed. Once approved the Travel Plan must be implemented on the first occupation of the residential units.

15. On the 2nd anniversary of the commencement of the operation of the residential use, 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.

The Travel Plan monitoring report will:

- Provide a breakdown of all occupier/tenants to the site and how they have aimed to mitigate and reduce impact from the proposed development on the transport network through their travel plans.
- Provide recommendations to how the applicant or successive owner in title) could help tenants and occupiers to continue and improve the engagement and encouragement of active, inclusive, and carbon-free sustainable travel to and from the site.

## **Education**

16. The applicant will make a financial contribution of £500,000.00 on commencement of development to facilitate school places resulting from this development.

## **Employment and Skills**

17. Local employment, training and supply chain plans

Plans must be submitted 6 months prior to the commencement of development, providing a forecast of the estimated FTE workforce, the number of vacancies, paid work placements and short courses that will be created over the lifetime of the development. This must be accompanied by a method statement setting out how this will be delivered, including who in the organisation will be responsible for managing recruitment and training, how they will ensure compliance by trade contractors and how this will be

managed, how health and safety issues will be managed, and how they will engage with the local community and contribute to educational engagement with local schools.

The Construction Team in the council's job brokerage service offers support for developers to understand their commitments and build an effective plan where desired.

Trigger: the plans must be submitted at least three months prior to commencement of development.

#### 18. Employment during Construction

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 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.

#### 19. 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.

#### 20. 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 goods 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.

#### 21. 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.

## **Sustainability**

22. The development shall achieve a minimum 49% reduction in carbon dioxide emissions over Part L of the Building Regulations 2013 (when applying updated SAP 10 emission factors) through on-site provision, and a monetary contribution indicatively of £220,370.00, or any amount as calculated within the requirements of the legal obligation following assessment at practical completion, shall be made to the Local Authority's carbon offset fund to offset the remaining carbon emissions to net zero-carbon and paid prior to first occupation

23. Air Quality off-setting contribution payable prior to first occupation. A payment at the off-setting contribution rate of £29,000.00 per tonne of NOx over the benchmark (or the equivalent rate at the time of reassessment) will be applied if the scheme does not meet air quality neutral standards when assessed at practical completion.