


LONDON BOROUGH OF BARKING & DAGENHAM
PLANNING COMMITTEE
14 March 2022
Application for Planning Permission

Case Officer:	Lewis Goodley	Valid Date:	12 November 2021
Applicant:	Be First Regeneration Ltd	Expiry Date:	07 January 2022
Application Number:	21/02059/FULL	Ward:	Whalebone
Address:	Former Muller Factory Site, Selinas Lane, Dagenham, Chadwell Heath RM8 1QH		

The purpose of this report is to set out the Officer recommendations to Planning Committee regarding an application for planning permission relating to the proposal below at the former Muller Factory Site, Selinas Lane, Chadwell Heath, Barking And Dagenham, RM8 1QH.

Proposal:

Retrospective temporary change of use to B8 (open storage) and Sui Generis (Car Dealership) at the former Muller Site, Selinas Lane, Chadwell Heath, RM8 1QH.

Officer Recommendations:

Planning Committee is asked to resolve to:

1. agree the reasons for approval as set out in this report; and
2. delegate authority to the Head of Planning & Assurance to grant planning permission based on the Conditions & Informatives listed in Appendix 5 to the report.

Conditions Summary:
1. Permitted Temporary Uses

Restriction of uses to B8 open air storage and sui generis car dealership for the duration of the temporary 5-year planning permission.

2. Time limit

Limits consent and operations to a period of 5 years, with a requirement to remove all temporary structure, fittings etc after this period.

3. Approved drawings and documents

Restricts development to approved plans and documents.

4. Waste and recycling

Requires waste and servicing shown within the submitted plans to be in place 1 month after planning consent.

5. Operating Hours

Restricts all operation to 7am – 11pm, 7 days a week.

6. Car Parking

All car parking to be provided in accordance with approved plans within 3-months after the grant of planning permission.

7. Cycle Parking

All cycle parking to be provided in accordance with approved plans within 3-months after the grant of planning permission.

8. Soft Landscaping

All Landscaping to be provided in accordance with approved plans within 3-months after the grant of planning permission, with a requirement for the replacement of dead, diseased or damaged plants within 2 years from the grant of planning permission.

OFFICER REPORT

Planning Constraints:

- Air Quality Management Area (AQMA)
- Chadwell Heath Local Significant Industrial Site (LSIS)
- Flood Zone 1 (low risk)

Emerging Local Plan (Regulation 19, Submission Version – December 2021)

- Chadwell Heath Transformation Area

Site, situation and relevant background information:

The Site comprises 4 hectares of land and is known as the 'Muller site', owing to the former occupation of the Muller dairy factory (Use Class B2), and is located to the south of Selina's Lane, Chadwell Heath.

The Muller factory was vacated in early 2019 and the former buildings on site largely demolished, leaving a cleared and vacant site. Building 1 and Building 5 (noted on the Site Plan) were kept though the demolition. All other temporary buildings have been installed since. The site is entirely covered by hardstanding.

The surrounding area is characterised by various commercial and industrial uses which are commensurate to the designation of the land as a Locally Significant Industrial Site (LSIS).

The site is bound directly to the east by a car dealership and repair shop and to the west by a wholesaler unit. The site is also bound to the south by residential development which is separated from the site by a row of trees and landscaping.

The Site has a PTAL rating ranging between 1-3 and has two existing vehicle access points from Selinas Lane. Despite the low PTAL level, the site is 0.6 miles (approximately a 12-minute walk) from Chadwell Heath Train Station.

Planning History

The original Muller factory was vacated in early 2019. The site is the subject of various historic planning permissions dating back to the 1970's, which are all associated with the site's use for the processing and distribution of milk and dairy products.

Since the clearance of the site, there have been no planning applications registered.

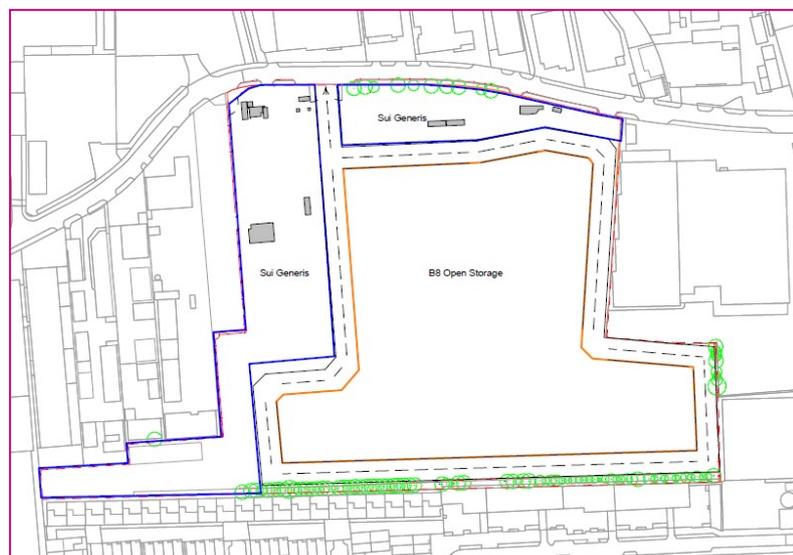
Key issues:

- Principle of the proposed development
- Design, layout and appearance
- Impacts to neighbouring amenity
- Transport
- Meeting the needs of local residents
- Employment
- Accessibility and Inclusion
- Waste management
- Delivering Sustainable Development (Energy / CO₂ reduction / Water efficiency)
- Biodiversity & Sustainable drainage

Planning Assessment:

Principle of the development:	
<i>Existing (lawful) use of the site</i>	B2 Use
<i>Proposed use(s) of the site</i>	B8 and Sui Generis
<i>Net gain/loss in number of jobs</i>	10-15 full time jobs.

- 1.1 The proposed development seeks retrospective permission for temporary use of the land at the site for a maximum of five years, for uses within Class B8 (Open storage and distribution) and a car dealership (Sui Generis), with associated temporary building structures, car parking and cycle parking.
- 1.2 The plan below shows the indicative location of use classes, showing car dealership use to the south of the site (areas edged in blue) and the remainder for open storage (areas edged in orange):



- 1.3 It is proposed for the site to be used flexibly within Use Class B8 and car dealership use. This will encourage sustained and full operation of the site and use by Small and Medium sized Enterprises (SME's).
- 1.4 The proposals are for temporary use (for a period of up to 5 years) and will allow the site to be utilised for meanwhile use whilst proposals for its redevelopment are explored.
- 1.5 The site is situated within the Chadwell Heath Locally Significant Industrial Site (LSIS) and Policy SPP4 of the Regulation 19 submission version Local Plan seeks to allocate the immediate area as Chadwell Heath Transformation Area.
- 1.6 The proposals seek to regularise the change of use of the site from B2, to B8 and Sui Generis to allow the site to be utilised for open storage, distribution and car dealership uses for a temporary period of 5 years.
- 1.7 Paragraph 81 of the National Planning Policy Framework 2021 (NPPF) states that planning policies and decisions should help create the conditions in which businesses can invest, expand and adapt. Significant weight should be placed on the need to support economic growth and productivity, taking into account both local business needs and wider opportunities for development.
- 1.8 London Plan (2021) Policy E6 (2) states that hybrid or flexible uses, including B8 uses are acceptable uses within LSIS.

- 1.9 Policy CE4 of the adopted Core Strategy that the most appropriate location for additional B8 uses is on designated employment land south of the A13 due to local advantages associated with transport infrastructure and proximity to the River Thames.
- 1.10 Policy DME1 of the submission version of the Local Plan seeks to comply with the London Plan noting that Class B2 and B8 are supported.

Assessment

- 1.11 London Plan (2021) Policy E6 (2) states that hybrid or flexible uses, including B8 uses are acceptable uses within LSIS. The proposed temporary use would be compatible with the existing context of the Chadwell Heath LSIS which already has existing storage and distribution business operating in the vicinity. It would facilitate the operation of SME local businesses on land that comprises hardstanding, with little economic function.
- 1.12 Policy CE4 of the adopted Core Strategy that the most appropriate location for additional B8 uses is on designated employment land south of the A13. This policy is acknowledged; however it is noted that the application site is advantaged by being in close proximity to the A12. Furthermore, this policy has not been carried forward within the Regulation 19 Local Plan which is supported by more recent evidence of industrial need and market trends. Instead, the Submission Version of the Local Plan Policy DME1 seeks to comply with the London Plan noting that Class B2 and B8 are supported.
- 1.13 The proposed sui generis uses are not referenced within relevant policy, including the LSIS designation or under London Plan Policy E6. Officers however consider that the proposed car dealership use is compatible with the existing context of the Chadwell Heath LSIS. As this application seeks a temporary change of use, ultimately there would be no long-term loss of existing lawful LSIS uses at the site. The temporary change of use would facilitate a SME local business on land that comprises hardstanding, with little economic function. A condition restricting the use to a car dealership should be imposed, preventing other potential sui generis uses operating from the site.
- 1.14 The Greater London Authority (GLA) confirmed in pre-application discussions that the proposals would, given the proposed temporary nature, not represent a strategic impact on industrial floorspace or capacity within the Borough or London.

Summary

- 1.15 The proposed retrospective temporary change of use would utilise a site whilst long-term options for redevelopment are explored. The proposed storage and sui generis uses would be compatible with the function of the immediate LSIS and facilitate local economic activity on an otherwise underutilised site. The principle of development therefore accords with the Development Plan.

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

- 1.16 Paragraphs 126 and 130 of the NPPF seek that planning decisions ensure development is sympathetic to local character and history including the surrounding built environmental and create visually attractive places that are of good architecture, layout, and effective landscaping.
- 1.17 London Plan (2021) Policy D4 (Delivering good design) expect all development to be of high-quality design. This is echoed at local level through Core Strategy (June 2010) Policy CP3 (High Quality Built Environment), Borough Wide Development Policies DPD (March 2011) Policy BP11 (Urban Design), and Draft Local Plan (Autumn 2021) Policy SP2 (Delivering a high-quality and resilient built environment).

- 1.18 The proposals would utilise the existing hardstanding on site and there will be no other physical or construction works as part of the proposals. There are a number of temporary portacabin buildings on site, which are currently used as site offices and welfare facilities for staff on site. These would remain in situ for the proposed temporary five-year period.
- 1.19 The structures and use of the site for vehicle parking and open storage would not detract from the industrial appearance of the site and immediate surroundings. The proposed uses would be temporary in their nature, with all uses ceasing after the proposed five-year period. This helps ensure that any limited impacts would not be long-term. A condition requiring the end of operations including the removal of all structures, associated materials and stored items of the use after five years is proposed.
- 1.20 Despite the constraints of a temporary development, the proposal has sought to adopt temporary urban greening in the form of planter boxes as indicated on the plans.
- 1.21 Planting would be located along the frontage of the site to improve the existing landscape and provide urban greening enhancements, as well as to provide an aesthetic improvement to the site (and therefore to the wider area) for the duration of the temporary uses.

Summary

- 1.22 The proposals would be commensurate to the existing character and appearance of the site and immediate industrial area. The temporary nature of the proposals and measures to enhance the site with planting all further the acceptability of the proposals. Officers consider that, subject to conditions, the proposals accord with the Development Plan.

Impacts to neighbouring amenity:

- 1.23 The NPPF paragraph 130(f) required development to provide a high standard of amenity for existing and future users.
- 1.24 London Plan (March 2021) Policy D6 (Housing quality and standards) Part D, Borough Wide Development Policies DPD (March 2011) Policy BP8 (Protecting Residential Amenity), Draft Local Plan (Autumn 2021) Policy DMD 1 (Securing high-quality), Part 2 (f) all seek that new development does not negatively affect the amenity of neighbouring properties and occupiers.
- 1.25 The nearest residential properties are located to the south of the site. The residential development is known as 'Lymington Fields' and was granted outline permission in 2008 (reference 07/01289/OUT). The site and the wider Chadwell Heath Industrial Area were in operation at the time planning permission was granted. As a result the residential development was specifically designed with acoustic mitigation to allow the residential properties to be located to noise-generating industrial and commercial uses.
- 1.26 The Lymington Fields residential development included the installation of acoustic fencing along the boundary of the Site as well as providing specialist glazing and a landscaped buffer between the residential development and adjacent industrial area boundary.
- 1.27 Officers therefore consider that the residential properties are already protected against adverse noise creation. Furthermore, it is considered the proposed uses of open storage and car dealerships are unlikely to create any greater noise impact than the previous dairy or adjacent industrial uses.
- 1.28 A condition is recommended which would limit the operation of all functions on site between the hours of 7am – 11pm. This will help ensure that any commercial activities do not take place during hours when the background noise is lower. This will ensure further protection for the nearest noise sensitive properties.
- 1.29 The proposals would not result in any additional creation of permanent buildings near to any boundary of the site so there will not be any adverse impact upon daylight/sunlight or privacy experienced by residential properties. The temporary buildings which this application seeks to regularise are one storey and located to the front of the site creating a significant distance from residential properties.

Summary

- 1.30 Overall, the proposal will not have any adverse impact on neighbouring residential amenity and is therefore in accordance with the Development Plan.

Sustainable Transport:			
<i>Proposed parking spaces:</i>	60 (10% accessible)	<i>PTAL Rating</i>	1-3
<i>Proposed number of cycle parking spaces:</i>	120 long-term	<i>Closest Rail Station / Distance (m)</i>	0.6m
<i>Restricted Parking Zone:</i>	No	<i>Parking stress survey submitted?</i>	No

- 1.31 The NPPF seeks to promote sustainable transport and recognises the important role transport plays in facilitating sustainable development, highlighting that priority should be given to pedestrian and cycle movements. Paragraph 111 directs that development should only be prevented or refused on highways grounds if there would be an unacceptable impact on highway safety, or the residual cumulative impacts on the road network would be severe.
- 1.32 The application site is in a location of established employment use, and as such there are many existing opportunities for future employees and visitors to use sustainable travel modes to access the site. Although, the PTAL rating of 2/ 3 is considered low, the submitted Transport Statement concludes that PTAL does not take account of the wider sustainability including range of local amenities or availability of rail services. Officers agree with this statement.
- 1.33 The submitted Transport Assessment concludes that the trip generation potential of the proposed land- uses would result in a reduction in vehicular travel demand when compared to the former factory on site. Officers consider that this approach is simplistic given that the diary factory ceased a number of years ago with all associated structures demolished. Officers do however acknowledge that the proposals would not result in a harmful increase of vehicle movements. The intensity of vehicle trips would be low in comparison to some surrounding uses within the immediate LSIS. Furthermore, the proposals are for a temporary period and would be accessible by sustainable and active modes of transport.
- 1.34 The proposals retain the two existing access points from Selinas Lane and will utilise the existing vehicle route within the site, allowing larger vehicles access to the rear of the site. In terms of servicing, the proposals include a 12m wide circular road which is geometrically sufficient to accommodate up to two-way HGV traffic along its entire extent. The proposals would therefore have no adverse harm on transport capacity or the safety of the highway.

Car Parking

- 1.35 Policy T6 of the local plan notes that car parking should be restricted in line with levels of existing and future public transport accessibility and connectivity. The development seeks to utilise existing on-site car parking to provide a total of 60 car/van spaces including 6 (10%) blue-badge spaces provided. Car parking is secured at the entrance of the site as well as the south-eastern corner. The car parking quantum represents an optimal commercial provision to ensure there would be no off-site car parking required.

Cycle Parking

- 1.36 Policy T5 of the London Plan recommends a minimum of 1 Long-stay space per 500sqm GEA and 1 short-terms space 1000 sqm GEA for visitors. The proposals seek to provide a total of 150 cycle parking spaces, which exceeds the minimum policy requirements in order to encourage cycling as an alternative mode of travel to the site.
- 1.37 120 Long term cycle storage spaces will be provided in the form of Bikehanger shelters. A full specification of the proposed shelters accompanies this application and locations are marked on the proposed site plan. The provision of these spaces within 3 months of the grant of planning permission would be secured via planning condition.

Summary

- 1.38 In summary, the transport impacts of this proposal are considered 'negligible' and the proposal complies with London Plan policy T4 and emerging Local Plan policy DMT1. The proposed cycle parking provision is in compliance with London Plan Policy T5 and seeks and seeks to encourage cycling as an alternative mode of travel to the site, in line with London Plan's wider sustainability objectives.

Employment:

- 1.39 Paragraph 81 of the National Planning Policy Framework 2021 (NPPF) states that planning policies and decisions should help create the conditions in which businesses can invest, expand and adapt. Significant weight should be placed on the need to support economic growth and productivity, taking into account both local business needs and wider opportunities for development.
- 1.40 The proposed temporary use will enable the productive use of an otherwise vacant site. The use of well-located, brownfield, urban land aligns with sustainable land use principles and policy. The proposed use will allow sustained employment and support for SME's, many of which will be local to the area, contributing towards socially and economically sustainable development.

Waste management:

- 1.41 Policies CR3 and BR15 of the Core Strategy and Borough Wide policy document outline the need for development in the Borough to minimise waste and work towards a more sustainable approach for waste management. These objectives are further emphasised in the emerging Local plan (Regulation 19, submission version) through Strategic Policy SP7 and Policy DMSI9.
- 1.42 The proposals would be serviced from within the site. Private commercial waste collection arrangements would be secured by operators of the site. All vehicles could enter the site and waste storage and collection would be accommodated on site. This is considered appropriate.
- 1.43 The proposed plans and supporting documentation have indicated dedicated areas for refuse. Officers consider this to be acceptable. Officers consider it necessary to include a compliance condition requiring all waste and servicing arrangements are in place within one month from the grant of permission and kept in perpetuity thereafter for the duration of the development.

Delivering Sustainable Development:

<i>BREEAM Rating</i>	N/A
<i>Renewable Energy Source / %</i>	N/A
<i>Proposed CO₂ Reduction</i>	N/A

- 1.44 The proposals make best use of the existing hardstanding and therefore do not result in the construction of any new surfaces. The proposals seek to regularise the various temporary portacabins which were installed on site after the demolition of the existing factory. The portacabins are temporary in nature and as a result are moveable and can be reused elsewhere.
- 1.45 A sustainability technical note has been prepared by the applicant which details the sustainability measures associated with the proposals, based on the categories in the Climate Framework. As detailed in the sustainability note, all relevant measures are considered. Officers have reviewed this information and consider that the temporary nature of the proposals and the utilisation of an otherwise vacant site render the requirement for on-site energy saving, in this instance, disproportionate.
- 1.46 Overall, the proposals have appropriately considered sustainability aspirations as set out in Policy BR2 and BR3 and the London Plan in order to ensure the medium-term sustainability of the site whilst comprehensive redevelopment options are considered.

Biodiversity & Sustainable drainage:

- 1.47 London Plan Policy G5 (Urban Greening) sets out that major development should contribute to the greening of London. The London Plan sets target Urban Greening Factor scores for commercial and residential development but acknowledges there is no target score for B2 and B8 uses.
- 1.48 The proposal is for a temporary use to make best use of the site whilst permanent proposals for the site's wider redevelopment, which will include a formalised landscaping and urban greening strategy, is developed.
- 1.49 A mature tree line to the rear of the site and small shrubbery and trees along the front boundary of the site. It is proposed to retain all existing vegetation.
- 1.50 There will be no impact to vegetation on site as the proposal utilises existing hardstanding and will not result in any construction. Furthermore, the site plan includes an exclusion zone surrounding the existing trees to the south of the site to prevent any open storage containers or use taking place in proximity to the existing trees, thereby providing protection accordingly.
- 1.51 Despite the constraints of a temporary development, the proposal has sought to adopt temporary urban greening in the form of planter boxes as indicated on the submitted plans.
- 1.52 As detailed in the Flood Risk Assessment, the proposed temporary change of use would not require an alteration to the drainage; run off would continue to be directed to surface water sewers within Selina's Lane to the north via existing site infrastructure. There would therefore be no increase in flood risk to the site or elsewhere beyond the existing condition. This is considered appropriate given the temporary nature of the proposals.

Habitat Regulation Assessment: Epping Forest Special Area of Conservation (SAC)

- 1.53 Officers have considered the development type and proximity to Epping Forest Special Area of Conservation (SAC) and conclude that the application is outside the scope of the Epping Forest Mitigation Strategy. The application will generate no likely significant effect to Epping Forest Special Area of Conservation in terms of increased recreational pressure.

Conclusions:

The proposals by virtue of the temporary nature are considered appropriate within the Chadwell Heath Locally Significant Industrial Location. The proposals would see the utilisation of a vacant site, offering visual improvements and economic benefits. It has been successfully demonstrated that the proposals would have no adverse impacts on the amenity of nearby users and residents. Transport, access and servicing arrangements would be satisfactory.

The proposals are considered acceptable and subject to the imposition of a number of conditions accord with the Development Plan. It is recommended that planning permission is granted.

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. LBBDD 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 LBBDD's Head of Planning Assurance. Appropriate governance procedures are followed to ensure there are no conflicts of interest.

Appendix 1:

Development Plan Context:	
The Council has carefully considered the relevant provisions of the Council's adopted development plan and of all other relevant policies and guidance. Of particular relevance to this decision were the following Framework and Development Plan policies and guidance:	
<i>National Planning Policy Framework (NPPF) (2021)</i>	
<i>The London Plan (2021)</i>	<p>Policy GG1 - Building strong and inclusive communities</p> <p>Policy GG2 - Making the best use of land</p> <p>Policy GG3 - Creating a healthy city</p> <p>Policy D1 - London's form, character and capacity for growth</p> <p>Policy D2 – infrastructure requirements for sustainable densities</p> <p>Policy D3 – Optimising site capacity through the design-led approach</p> <p>Policy D4 – Delivering good design</p> <p>Policy D5 – Inclusive design</p> <p>Policy D6 – Housing Quality Standards</p> <p>Policy D7 – Accessible Housing</p> <p>Policy D8 – Public Realm</p> <p>Policy D11 – Safety, security and resilience to emergency</p> <p>Policy D12 – Fire Safety</p> <p>Policy D14 – Noise</p> <p>Policy E2 – Providing suitable business space</p> <p>Policy E4 – Land for industry, logistics and services to support London's economic function</p> <p>Policy E6 – Locally Significant Industrial Sites</p> <p>Policy G1 - Green infrastructure</p> <p>Policy G5 - Urban greening</p> <p>Policy G6 - Biodiversity and access to nature</p> <p>Policy SI8 - Waste capacity and net waste self-sufficiency</p> <p>Policy T1 - Strategic approach to transport</p> <p>Policy T2 - Healthy Streets</p> <p>Policy T3 - Transport capacity, connectivity and safeguarding</p> <p>Policy T4 - Assessing and mitigating transport impacts</p> <p>Policy T5 – Cycling</p> <p>Policy T6 - Car parking</p>
<i>Local Development Framework (LDF) Core Strategy (July 2010)</i>	<p>Policy CM1 - General Principles for Development</p> <p>Policy CR2 - Preserving and Enhancing the Natural Environment</p> <p>Policy CR3 - Sustainable Waste Management</p> <p>Policy CP2 - Protecting and Promoting our Historic Environment</p> <p>Policy CP3 - High Quality Built Environment</p>
<i>Local Development Framework (LDF) Borough Wide Development Plan Document (DPD) (March 2011)</i>	<p>Policy BR1 - Environmental Building Standards</p> <p>Policy BR3 - Greening the Urban Environment</p> <p>Policy BR4 - Water Resource Management</p> <p>Policy BR9 - Parking</p> <p>Policy BR10 - Sustainable Transport</p> <p>Policy BR11 - Walking and Cycling</p> <p>Policy BR15 - Sustainable Waste Management</p> <p>Policy BP2 - Conservation Areas and Listed Buildings</p> <p>Policy BP8 - Protecting Residential Amenity Policy BP11 - Urban Design</p> <p>Policy BC6- Loss of Community Facilities</p>
<i>The London Borough of Barking and Dagenham's Draft Local Plan: (Regulation 19 Submission Version, December 2021). Having regard to NPPF the emerging document is now a material consideration and limited 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><i>The London Borough of Barking and Dagenham's Draft Local Plan: (Submission version December 2021)</i></p>	<p>Strategic Policy SPDG 1: Delivering growth in Barking and Dagenham Strategic Policy SPP1: Barking and the River Roding Area Strategic Policy SP 2: Delivering a well-designed, high-quality and resilient built environment Policy SPP4 Chadwell Heath and Marks Gate Policy DMD 1: Securing high-quality design Policy DMD 2: Tall buildings Policy DMD 3: Development in town centres Policy DMD 4: Heritage assets and archaeological remains Policy DMH 1: Affordable housing Policy DMH 2: Housing mix Policy SP6: Green and blue infrastructure Policy DMNE 2: Urban greening Policy DMNE 3: Nature conservation and biodiversity Policy DMNE 4: Water Environment Policy DMNE 5: Trees Strategic Policy SP7: Securing a clean, green and sustainable borough Policy DMSI 1: Sustainable design and construction Policy DMSI 2: Energy, heat and carbon emissions Policy DMSI 3: Nuisance Policy DMSI 4: Air quality Policy DMSI 5: Land contamination Policy DMSI 6: Flood risk and defences Policy DMSI 7: Water management Policy DMSI 9: Demolition, construction and operational waste Policy DMSI 10: Smart Utilities Strategic Policy SP8: Planning for integrated and sustainable transport Policy DMT 1: Making better connected neighbourhoods Policy DMT 2: Car parking Policy DMT 3: Cycle parking Policy DMT 4: Deliveries, servicing and construction</p>
<p><i>Supplementary Planning Documents</i></p>	<p>N/A</p>

Appendix 2:

Relevant Planning History:
None of direct relevance found.

Appendix 3:

The following consultations have been undertaken:

Summary of Consultation responses:		
Consultee and date received	Summary of Comments	Officer Comments
Environmental Protection Email November 2021	Confirmed no objection, noting the proposed development would not result in the breaking of the ground. Recommended a lighting plan condition.	Officers consider that a lighting plan is not required, noting that lighting exists already and that this has operate without complaint from nearby residents or occupiers. Statutory protections against light pollution would not be affected.
Waste and Recycling Officer Email December 2021.	Confirmed no access issues into the site for refuse vehicles.	Noted.
Be First Transport Email November 2021	Further information requested relating to car parking, cycle parking, site layout and servicing arrangements.	Noted. The comments were passed to the applicant. New plans showing cycle parking, car parking, site layout and servicing arrangements were provided. These have been reviewed and considered to overcome the concerns from the Be First transport officer.

Appendix 4:

Neighbour Notification:	
Date Site Notice Erected:	09 December 2021 (x3 displayed).
Date of Press Advertisement:	December 2021
Number of neighbouring properties consulted:	228
Number of responses:	None received.
Address:	Summary of response:
N/A	N/A

Appendix 5:

Conditions & Informatives:

Conditions:

1. Permitted Temporary Uses

Notwithstanding the Town and Country Planning (General Permitted Development) Order 2015 (or any Order revoking, re-enacting or modifying that Order), the site shall be used for uses falling within B8 (Open Storage) and Sui Generis (Car Dealership) and for no other purpose of the Schedule to the Town and Country Planning (Use Classes) Order 1987 (or in any provision equivalent to that Class in any statutory instrument revoking and re-enacting that Order).

Reason: In order to protect the proposed employment space and to accord with the National Planning Policy Framework (2021); Policy E4, E5 and E6 of the London Plan (2021); Policies CE3 and CE4 of the Local Development Framework Core Strategy (July 2010); and Policy DME1 of the LBBB Draft Local Plan (Reg 19 Submission Version December 2021).

2. Time Limit

The uses hereby permitted shall be discontinued and the site restored to its former condition and all buildings, fixtures, fittings and equipment removed on or before five years from the grant of temporary planning permission.

Reason: The use of the site for is not considered acceptable on a permanent basis and to accord with the National Planning Policy Framework (2021); Policy E4, E5 and E6 of the London Plan (2021); Policies CE3 and CE4 of the Local Development Framework Core Strategy (July 2010); and Policy DME1 of the LBBB Draft Local Plan (Reg 19 Submission 2).

3. Approved Drawings and Documents

The development hereby approved shall only be carried out in accordance with the following approved plans and documents:

Location Plan MDDAG-PWA-00-00-DR-A-0001-P1;
Proposed Landscape Strategy 001 - SK-10;
Proposed Site Plan 001 - SK-11;
Site Plan – Servicing 001-SK-12;
Existing Site Layout MDDAG-PWA-00-00-DR-A-0005-P1;
Building 1 MDDAG-PWA-00-00-DR-A-0030-P1;
Building 2 MDDAG-PWA-00-00-DR-A-0031-P1;
Building 3 MDDAG-PWA-00-00-DR-A-0032-P1;
Building 4 MDDAG-PWA-00-00-DR-A-0033-P1;
Building 5 MDDAG-PWA-00-00-DR-A-0034-P1;
Building 6 MDDAG-PWA-00-00-DR-A-0035-P1;
Building 7 MDDAG-PWA-00-00-DR-A-0036-P1;
Building 8 MDDAG-PWA-00-00-DR-A-0037-P1;
Building 9 MDDAG-PWA-00-00-DR-A-0038-P1;
Building 10 MDDAG-PWA-00-00-DR-A-0039-P1;
Building 11 MDDAG-PWA-00-00-DR-A-0040-P1;
Building 12 MDDAG-PWA-00-00-DR-A-0041-P1;
Building 13 MDDAG-PWA-00-00-DR-A-0042-P1;
Building 14 MDDAG-PWA-00-00-DR-A-0043-P1;

Documents

Landscape Proposal Document (prepared by Be First Design Team);
Workplace Travel Plan (prepared by Calibro, Rev 2 dated 28/10/21);
Transport Statement (prepared by Calibro, Rev 4 dated 20/10/21);
Air Quality Assessment (prepared by Hilson Moran, Rev 2, dated 20 October 2021);

Flood Risk Assessment, (prepared by Calibro, Rev 01 dated 20/10/21);
Sustainability Statement, (prepared by Be First, dated October 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.

4. Waste and Recycling

The approved refuse and recycling stores and servicing plan hereby approved on plan '001-SK-12' shall be implemented within 1 month after the approval and retained thereafter for the duration of the temporary planning permission.

Reason: To provide satisfactory refuse and recycling storage provision in the interests of the appearance of the site and locality in accordance with policies BP8 and BP11 of the Borough Wide Development Policies Development Plan Document.

5. Operating hours

The proposed uses hereby permitted are to be permitted to operate between the hours of 07:00 and 23:00 on any day and at no other time.

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

6. Car Parking

Within three months from the grant of planning permission the car parking spaces and internal access roads shall be marked out and retained thereafter for the duration of the temporary planning permission.

Reason: To ensure sufficient off-street parking and to promote easier access for disabled persons and in accordance with policies BC2, BR9 and BR10 of the Borough Wide Development Policies Development Plan Document and policy T6 of the London Plan.

7. Cycle Parking

Within three months from the grant of temporary planning permission 120 cycle parking spaces as shown on hereby approved Document 'Landscape Proposal- (Revision A)' must be installed for the use of staff and visitors. Thereafter, the cycle parking facilities shall be permanently retained for the duration of the development.

Reason: In the interests of promoting cycling as a safe, efficient and non-polluting mode of transport and in accordance with policy BR11 of the Borough Wide Development Policies Development Plan Document and Policy T5 of the London Plan (2021).

8. Soft Landscaping

(a) Within three months from the grant of temporary planning permission the hard and soft landscaping shown on hereby approved drawing Nos. '001 SK 10 Rev A', '001 SK 11 Rev A' and hereby document 'Landscape Proposal- (Revision A)' shall be carried out and thereafter permanently retained for the duration of the development.

(b) Any plants which within a period of 2 years from the grant of temporary planning permission which 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, in accordance with policy CR2 of the Core Strategy, policies BR3 and BP11 of the Borough Wide Development Policies Development Plan Document, policy G5 of the London Plan (2021).

Informatives:

Working with the applicant:

In dealing with this application, Be First, working in partnership with the London Borough of Barking and Dagenham, has implemented the requirements of the National Planning Policy Framework and of the Town and Country Planning (Development Management Procedure) (England) Order 2015 (as amended) to work with the Applicant in a positive and proactive manner. As with all applicants, Be First has made available detailed advice in the form of statutory policies and all other relevant guidance, as well as offering a full pre-application advice service, so as to ensure the applicant has been given every opportunity to submit an application which is likely to be considered favourably.