


LONDON BOROUGH OF BARKING & DAGENHAM
PLANNING COMMITTEE
25 April 2022
Application for Planning Permission

Case Officer:	James Coulstock	Valid Date:	20/12/2021
Applicant:	B&D Energy	Expiry Date:	21/03/2022
Application Number:	21/02125/FULL	Ward:	Abbey
Address:	Land off the A124, Barking, IG11 8JH		

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 **Land off the A124, Barking, IG11 8JH**.

Proposal:

Construction of a new above ground decentralised energy centre and visitor centre and associated buried heat network piping within the site, landscaping, parking, new site access, boundary treatments and illuminated external display. The Energy Centre building and site compound shall house mechanical and electrical services equipment for the production of heat and power.

Officer Recommendations:

Planning Committee is asked to resolve to:

1. agree the reasons for approval as set out in this report; and
2. delegate authority to the London Borough of Barking & Dagenham's Head of Planning and Assurance in consultation with the Head of Legal Services to grant planning permission subject to the completion of a legal agreement under s106 of the Town and Country Planning Act 1990 (as amended) based on the Heads of Terms identified at Appendix 6 of this report and the Conditions listed in Appendix 5 of this report; and
3. that, if by 23 October 2022 the legal agreement has not been completed, the London Borough of Barking & Dagenham's Head of Planning and Assurance is delegated authority to refuse planning permission or extend this timeframe to grant approval.

Conditions Summary:
Mandatory conditions

- Time limit
- Approved Drawings & Documents

Prior to all works/commencement Conditions

- Construction Environmental Management and Site Waste Management
- Construction Logistics Plan
- Contamination: Remediation Strategy
- Contamination: Monitoring and Maintenance

- Boreholes
- Piling
- Drainage Strategy
- Visitor Centre

Prior to above ground works Conditions

- External Materials
- Fire Safety Scheme
- Car Parking Design and Management Plan
- Visitor Centre Access Strategy

Prior to first occupation and/or use Conditions

- Contamination: Verification Report
- Contamination: not previously identified
- Noise
- External Lighting
- Bat and Bird Boxes
- Refuse Strategy
- Delivery and Servicing Plan

6 Months after first occupation/use

- Carbon reduction
- BREEAM

Monitoring & Management Conditions

- CHP and boilers
- Emissions from non-road mobile machinery
- Surface water infiltration
- Cycle Parking
- Site Clearance
- Hard/Soft landscaping

S106 – Summary of Heads of Terms:

Administrative:

1. Payment of the Council's professional and legal costs, whether or not the deed completes;
2. Payment of the Council's reasonable fees of £6,000 in monitoring and implementing the Section 106 and payable on completion of the deed; and,
3. Indexing – all payments are to be index linked from the date of the decision to grant planning permission to the date on which payment is made, using BCIS index.

4. Feasibility Options Study

Feasibility Options Study for decarbonisation

5. Further Decarbonisation Assessment

Further Decarbonisation Assessment

Sustainability:

6. Carbon Reduction

A minimum 35% reduction in carbon dioxide emissions over Part L of the Building Regulations 2013 through on-site provision, and a monetary contribution (at £95 per tonne in accordance with The GLA's

Carbon Offset Fund Guidance)

Transport:

7. Section 278 Agreement – Energy Centre

A Section 278 Agreement for carrying out works to the access and works to the A124

Employment:

8. Construction jobs commitment

A payment of £5,000 per full time role for 25% of the overall FTE positions secured.

OFFICER REPORT

Planning Constraints:

Barking Town Centre Area Action Plan area
Flood Zone 1
Epping Forest Special Area of Conservation (SAC) Zone of Influence (3-6.2km Zone)
Air Quality Focus Area and Air Quality Management Area
Riverside Opportunity Area

Site, Situation and relevant background information:

The application site relates to a greenfield parcel of land adjacent to the A124 (Gurdwara Way), stretching down to the verge of the A124/A123 roundabout. The site is bound to the north by a three-storey block of flats at Cowbridge Lane, which site to the east of a row of two-storey houses to the north west corner of the application site. A row of trees acts as a barrier between the residential dwellings at Cowbridge Lane and the application site. To the east / southeast of the site is the Northern Relief Road/Gurdwara Way (A124), which as a cycle lane and pedestrian footway alongside it. To the other side of the A124 is the Pocket Homes development at 1 Harbard Close, a four to six-storey block of flats accessed via Whiting Avenue. The A123/A124 roundabout is located to the south of the site, on a junction that also provides access to the Shell petrol station and the Thames Water site which are immediately south west / west of the application site. Within the Thames Water site is a locally listed Pumping Station and a locally listed house which is understood to be in residential occupation. Within the adjacent Thames Water site there are a number of trees subject to a Tree Protection Order (TPO). A number of trees are contained within the application site, which are not subject to TPO.

Proposal

The proposed development is for an Energy Centre, which comprises two adjoining buildings set at a right angle, alongside two external thermal storage vessels. The north building will accommodate three gas fired boilers and the south building will accommodate two Combined Heat and Power plants. The CHP plant provides a total electrical output of up to 4MWth and the gas fired boilers each provide 8MW, with the Energy Centre designed to deliver a maximum heating output capacity of up to 30MW, which is estimated to supply low carbon energy to over 10,000 new homes across Barking town centre. The proposed development would work in conjunction with the existing energy centre at Gascoigne East, with both facilities providing heat to the same primary heat network.

The north building will be between approximately 6m-6.3m in height, with external flues running externally above the roof at an additional 1.5m. The height of the south building would be approximately 11m in height. The two external thermal storage vessels would be approximately 15.5m tall and the exposed exhaust flue would be approximately 20.5m in height.

It is understood that, if approved, the proposed development would commence later this year, with a view to delivering energy to customers in 2023.

In addition to the Energy Centre, a Visitor Centre is also proposed, which would be used to inform and educate visitors about low carbon technologies, sustainability and the work B&D Energy and LBBDD are doing to work towards a zero-carbon future. The Visitor Centre would accommodate up to 20 people and would be clad in the same materials as the Energy Centre, which would primarily be anodized aluminium with perforated panels. The Visitor Centre would be 3.2m to the eaves and 6.7m to the ridge.

The gross internal area of the combined Energy Centre and Visitor Centre is 1,181.3sqm.

The ground levels of the site will be raised circa 1m in height as part of the proposals.

Background

The Council's ambitions to become the 'Green Capital of the Capital' were announced in January 2020 when a motion was passed to recognise the climate emergency, and set out aims to become a carbon

neutral Council by 2030. The applicant, B&D Energy is a Council owned company set up as part of this drive, to deliver low carbon energy, and implement projects that work towards the zero carbon aims.

B&D Energy currently operate two District Energy Schemes at Becontree Heath and Weavers Quarter, providing decentralise energy, which enables the energy to be generated closer to where the energy is consumed and therefore offering the opportunity for waste heat to be captured and distributed to buildings.

Plans were initially to incorporate an energy centre of up to 550sqm as part of Gascoigne West Outline consent 17/00977/OUT, approved 2018 which included a ground floor area of a wider development block with residential above, identified as a location for the energy centre. However the proposals for both Gascoigne West and the District Heat Energy Centre have since both evolved, and the capacity/massing needs of the Energy Centre outgrew the space available at the Gascoigne site.

The B&D Energy Business Plan 2019/20, approved at Cabinet 2019 sets out the plan to create a new low carbon energy network in Barking, connecting new developments in Barking onto one local energy network thus decarbonising Barking Town Centre by transitioning over time from the initial low carbon heat sources to large scale and fully renewable energy sources. This would align with the GLA's target of a Zero Carbon London by 2050. The scheme is also identified to deliver fairly priced heat to residential customers, underpinned by market leading Guaranteed Standards of Service from B&D Energy Ltd.

Key issues:

- Principle of the proposed development
- Design and quality of materials
- Impacts to neighbouring amenity
- Sustainable Transport
- 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 use(s) of the site</i>	Amenity grassland
<i>Proposed use(s) of the site</i>	Energy Centre (Sui Generis) and Visitor Centre

- 1.1 The National Planning Policy Framework 2021 places emphasis on achieving sustainable development, highlighting that there are three overarching objectives – an economic objective, a social objective and an environmental objective, which re interdependent and need to be pursued in mutually supportive ways (paragraph 8). Paragraph 11 introduces a presumption in favour of sustainable development at the heat of the NPPF, which includes approving development proposals that accord with an up-to-date development plan without delay, or where the policies which are most important for determining the application are out of date, granting permission unless any adverse impacts of doing so would significantly and demonstrably outweigh the benefits.
- 1.2 The NPPF advises at paragraph 152 that “the planning system should support the transition to a low carbon future in a changing climate, taking full account of flood risk and coastal change. It should help to: shape places in ways that contribute to radical reductions in greenhouse gas emissions, minimise vulnerability and improve resilience; encourage the reuse of existing resources, including the conversion of existing building; and support renewable and low carbon energy and associated infrastructure”.
- 1.3 Paragraph 156 encourages Local Planning Authorities to support community-led initiatives for renewable and low carbon energy, including developments outside areas identified in local plans.

1.4 Paragraph 158 follows:

“When determining planning applications for renewable and low carbon development, local planning authorities should:

a) not require applicants to demonstrate the overall need for renewable or low carbon energy, and recognise that even small-scale projects provide a valuable contribution to cutting greenhouse gas emissions; and

b) approve the application if its impacts are (or can be made) acceptable⁵⁴. Once suitable areas for renewable and low carbon energy have been identified in plans, local planning authorities should expect subsequent applications for commercial scale projects outside these areas to demonstrate that the proposed location meets the criteria used in identifying suitable areas.”

- 1.5 The London Plan places emphasis on the transition towards zero-carbon for all new major developments, setting an energy hierarchy from which developments should seek to reduce greenhouse gas emissions (policy SI2).
- 1.6 Policy SI3 ‘Energy Infrastructure’ sets out that boroughs and developers should engage at an early stage with relevant energy companies and bodies to establish future energy and infrastructure requirements arising from large-scale development proposals. The policy encourages the development of energy masterplans and directs that development plans should identify the need for necessary energy infrastructure requirements including energy centres.
- 1.7 Supporting paragraph 9.3.2 highlights that London is part of a national energy system and to meet the Mayor’s zero-carbon target by 2050 requires changes to the use and supply of energy so that power and heat for buildings and transport is generated from local clean, low-carbon and renewable sources. The text recognises that there needs to be a shift from the reliance on using natural gas as its main energy source, and that decentralised energy and local secondary heat sources will become an increasingly important element of London’s energy supply, helping London to become more self-sufficient and resilient in relation to its energy needs.
- 1.8 With regards to combined heat and power (CHP) paragraph 9.3.3 acknowledges that London’s existing heat networks have grown around CHPs, but that carbon savings from gas engine CHP are now declining as a result of the national grid electricity decarbonising and increasing evidence of adverse air quality impacts. However, the paragraph sets out that heat networks are still an effective and low-carbon means of supplying heat, offering opportunities to transition to zero-carbon faster than individual building approaches and that low-emission CHP should be assessed case-by-case where there remains a strategic case for low-emissions CHP systems to support area-wide heat networks.
- 1.9 LBBD Core Strategy policy CR1 requires proposals to contribute towards global, regional and local sustainability and seeks to encourage low and zero carbon developments.
- 1.10 Borough Wide Development Policies DPD policy BR2 requires developers to achieve significant carbon reduction targets. The policy states that the Council is working with partners to maximise the opportunity to provide new networks supplied by decentralised energy, requiring all major and strategic developments within Barking Town Centre to be capable of linking into the district heating system.
- 1.11 Barking Town Centre Area Action Plan policy BTC22 states “The Council will support, and, as necessary, facilitate the provision of the underground pipework and other related infrastructure to implement the district heating network as part of the London Thames Gateway Heat Network.”
- 1.12 The Draft Local Plan (Regulation 19 submission version, December 2021) sets out a commitment to reducing carbon emissions through a number of measures supported by the borough’s growing District Energy Networks.
- 1.13 Draft strategic policy SP7 expects major development to be net carbon zero and employ low carbon technologies and where appropriate supports and connects to the borough’s strategic District Energy Networks and associated infrastructure. This requirement to connect to district heat networks is reiterated through policy DMSI2.
- 1.14 The Infrastructure Delivery Plan 2021 identifies the Barking Town Centre proposals for a district heat network connecting to 8000 homes and 60,000sqm of commercial floor area, involving the

installation of approx. 2km of buried pipework, dependent on £5million grant funding awarded from Department for Business, Energy and Industrial Strategic Heat Networks Investment Project.

- 1.15 LBBD declared a climate emergency in January 2020, outlining plans to become carbon neutral by 2030, and committed the Council “to do everything within their power” to take the steps to become a greener borough. A Climate Action Plan was published 2021 identifying three key areas of activity:
- a. A decarbonised local energy system,
 - b. Energy efficient homes and buildings
 - c. A green local environment
- 1.16 With regards to the decarbonised local energy system, the Action Plan places a particular focus on ensuring that B&D Energy delivers the Barking Town Centre heat network, to supply approx. 8000 new homes.

Energy Centre

- 1.17 There is evidently an established need for a local/district heat network to deliver low carbon energy to homes and businesses in the centre of Barking to contribute towards the Council’s aims in the Climate Action Plan and enable approximately 10,000 of the committed, planned and proposed new homes in Barking Town Centre and the River Roding Area to connect to a district heat network to de-centralise energy.
- 1.18 Officers highlight that a number objections have been raised on the basis of the type of energy production not being renewable and the proposed development falls short of producing a meaningful reduction in emissions significant enough to meet the Borough’s zero carbon targets.
- 1.19 Officers acknowledge that the application offers some reduction in carbon emissions from the existing energy provision from the national grid. Whilst it is recognised that the proposed development is still a carbon producing energy source and would therefore not realise the full scope of decarbonised local energy, it is a low carbon and local energy source that would be an improvement from the current rate of carbon emissions. The proposed development presents an opportunity to distribute low carbon heating to new developments in the town centre that is not yet available to the vast amount of new developments in the area and supports the transition to a low carbon future, in line with the NPPF.
- 1.20 The Planning Statement submitted, includes a “decarbonisation pathway”, which details the heat sources/carbon content of heat that are being pursued in parallel to the submission of this planning application to seek to achieve decarbonisation. The Gas fired CHP proposed is the primary intention, and as the Statement notes, is submitted as a technology approved through the Cabinet approved Business Plan (2019). Whilst this is the technology that is being pursued through the submission of this application, B&D Energy are also working towards a potential interim hybrid solution, where initial high-level assessments have begun to review future options for a water source heat pump, which if found viable and feasible, would partially decarbonise the Heat Network. Alternative longer term full decarbonisation options are also already being assessed.
- 1.21 Through the Section 106 Head of Terms, the applicant has also committed to further feasibility studies that would explore ways in which the district heat network and/or the site could incorporate decarbonisation. The study will consider both the incremental and full decarbonisation of heat supplies being generated by B&D Energy for this location. The key output of this study will be a clear pathway, subject to financial viability, to decarbonise the scheme through incremental and wholesale decarbonisation. The intended goal being to ensure that heat supplies made to consumers connecting following the introduction of the future home standards will be compliant with these requirements.
- 1.22 The application site is not allocated in the adopted or Draft Local Plan and whilst the Draft Local Plan supports the introduction of District Energy Networks, there is no specific Site Allocation for a District Heat Network of this capacity identified in the Barking and River Roding area.
- 1.23 At the request of planning officers, the applicant has submitted a Site Selection process for the Energy Centre. The key requirements for the Energy Centre site are:

- Ability to generate circa 27 megawatts (MW) of energy;
 - Development sites connecting to the DHN must be within 500m of the proposed pipe network, due to the cost of laying the pipework;
 - The site needs to be a minimum of 1,800sqm to accommodate the plant equipment required, with sufficient space needed to remove the equipment when it is replaced;
 - Enough height to clear a 20m chimney and two thermal storage vessels of 15m;
 - A service yard of at least 650sqm to provide space for 10m long delivery vehicles; and
 - Buildings of a suitable scale to accommodate the internal equipment and preferably not mixed with other development above, to allow for ventilation.
- 1.24 A key consideration of the Energy Centre is location, as the greater distance from the buildings that will connect to the Energy Centre, the greater the pipelines/infrastructure requirements and the greater heat loss will be experienced. Physical boundaries such as the river and major road/rail infrastructure also present deliverability and viability constraints thereby limiting the area in which such a facility could be located. The Site Selection process includes an assessment of availability, suitability and viability and seeks to demonstrate that there are no preferred options in the area, and potential sites have been discounted due to size, lack of vacancy/availability, access and committed construction sites.
- 1.25 The conclusion of the Site Selection process is that there are no alternative sites in the relevant parameter that can deliver an energy centre within the timeframes required and in a viable way. It is acknowledged that whilst the Visitors Centre is included within the application, the need for this has not been included in the Site Selection process in order to make the process as robust as possible.
- 1.26 Officers consider that whilst the site is constrained and not ideal for an Energy Centre, the Site Selection process shows that there is evidently a lack of available, suitable and viable sites in which the proposed development can be delivered within the timeframes to assist new developments in transitioning to a low carbon local energy source.
- 1.27 Further, it is recognised that the proposal does not comprise a renewable energy source, and it remains a carbon emitting energy source; however it is the only option proposed at this site now, which would begin the transition, and would immediately reduce carbon output from appropriately 10,000 new homes in Barking town centre. In addition to this, S106 obligations have been secured to encourage the partial and/or total decarbonisation of the site/district heat network through the submission of a Feasibility Study and a Further Assessment.
- 1.28 There is a demonstrable need to transition heat and energy supplies to ensure that the Council can realise its aim to become zero carbon by 2030. Whilst the proposed development is not zero carbon, it will contribute towards the Council's objectives, and would accord with London Plan policies SI2, SI3, Core Strategy policy CR1, Borough Wide Development Plan Policies DPD BR2, Barking Town Centre Area Action Plan policy BTC22 and Draft Local Plan policies SP7 and DMSI2, as well as the aforementioned paragraphs of the NPPF, including the presumption in favour of sustainable development.

Visitor Centre

- 1.29 The Visitor Centre is proposed alongside the Energy Centre, and as above, officers consider there is a clear need for an Energy Centre, resulting in the principle of the development being considered acceptable.
- 1.30 Officers support the initiatives to educate visitors and local people on the advancement in sustainable and low carbon energy; however officers do have concerns in relation to the location of the Visitor Centre being on a busy roundabout junction, which could potentially bring an increase in footfall to this area (although it is noted no predicted footfall figures are included within the submission). Further, the introduction of a Visitor Centre to this site, would result in a further loss of open green space and added bulk and mass to this already constrained site.
- 1.31 In this instance, however, as the Visitor Centre is proposed alongside the Energy Centre, it is considered that the overriding need for the Energy Centre outweighs officer concerns with regards to the principle of the Visitor Centre.

- 1.32 It is also noted that across the River Roding to the west, there are a number of emerging site allocations in the Draft Local Plan (Regulation 19, submission version 2021) including a residential led allocation HA which would introduce circa 700 new homes to the area with the potential for a new pedestrian bridge to create a safe access to the new homes. Whilst there are no set or agreed plans at this stage, officers have concerns that in approving a Visitor Centre at a certain location on this site could potentially prejudice future development plans and impinge housing delivery in the Plan Period.
- 1.33 In this instance, as B&D Energy are a Council owned company, and the Visitor Centre is located on land within the wider Council's ownership, officers do not consider it necessary to safeguard a connection route. Moreover, whilst there are site constraints, officers consider it is possible for both a suitable route and the Visitor Centre to be secured together in such a way that both developments can come forwards, however officers do consider that some flexibility is required with regards to the exact siting of the Visitor Centre in particular.
- 1.34 In order to ensure the location of the Visitor Centre would not prevent draft allocations from coming forward, officers recommend that the details and exact location of the Visitor Centre on this site is secured by submission of conditions, although the principle of the Visitor Centre within the red line would be agreed.
- 1.35 On the basis that the exact siting would not be fixed until a later date (to be secured by condition), and that the Visitor Centre has been submitted as intrinsically linked and ancillary to the Energy Centre, it is considered that the presence of the Visitors Centre as part of this application would not result in a reason for refusal of the development.

Design and quality of materials:

<i>Does the proposed development respect and accord to the established local character?</i>	No
<i>Is the proposed development acceptable within the street scene or when viewed from public vantage points?</i>	No
<i>Is the proposed development acceptable and policy compliant?</i>	No

- 2.1 Paragraph 126 of the NPPF states that "good design is a key aspect of sustainable development, creates better places in which to live and work and helps make development acceptable to communities".
- 2.2 Paragraph 130 details that planning policies and decisions should aim to ensure that developments:
- will function well and add to the overall quality of the area, not just for the short term but over the lifetime of the development;
 - are visually attractive as a result of good architecture, layout and appropriate and effective landscaping;
 - are sympathetic to local character and history, including the surrounding built environment and landscape setting, while not preventing or discouraging appropriate innovation or change (such as increased densities);
 - establish or maintain a strong sense of place, using the arrangement of streets, spaces, building types and materials to create attractive, welcoming and distinctive places to live, work and visit;
 - optimise the potential of the site to accommodate and sustain an appropriate amount and mix of development (including green and other public space) and support local facilities and transport networks; and
 - create places that are safe, inclusive and accessible and which promote health and wellbeing, with a high standard of amenity for existing and future users; and where crime and disorder, and the fear of crime, do not undermine the quality of life or community cohesion and resilience.
- 2.3 Paragraph 134 states: "Permission should be refused for development of poor design that fails to take the opportunities available for improving the character and quality of an area and the way it functions, taking into account any local design standards or style guides in plans or

supplementary planning documents. Conversely, weight should be given to development which reflects local design policies and government guidance and/or outstanding or innovative designs which promote high levels of sustainability or help raise the standard of design more generally in an area.

- 2.4 Policy D1 of the London Plan states that development design should respond to local context by delivering buildings and spaces that are positioned and of a scale, appearance and be of high quality, with architecture that pays attention to detail, and gives thorough consideration to the practicality of use, flexibility, safety and building lifespan, through appropriate construction methods and the use of attractive, robust materials which weather and mature well. This is also reiterated in Policy D2 of the London Plan which seeks good design.
- 2.5 Policy D3 outlines the need for development to take a design led approach that optimises the capacity of sites. This accordingly requires consideration of design options to determine the most appropriate forms of development that responds to the site's context and capacity for growth. Proposals should enhance the local context delivering buildings and spaces that positively respond to local distinctiveness through their layout, orientation, scale, appearance and shape with due regard to existing and emerging street hierarchy, building types, forms and proportions.
- 2.6 Policy D4 has regard to securing sufficient level of detail at application stage to ensure clarity over what design has been approved and to avoid future amendments and value engineering resulting in changes that would be detrimental to the design quality.
- 2.7 Policy D5 of the London Plan seeks to deliver an inclusive environment and meet the needs of all Londoners. Development proposals are required to achieve the highest standards of accessible and inclusive design. Policy D6 considers the importance of achieving and maintaining a high quality of design through the planning process and into delivery stage.
- 2.8 Tall and large buildings should always be of the highest architectural quality, (especially prominent features such as roof tops for tall buildings) and should not have a negative impact on the amenity of surrounding uses. Additionally the London Plan policy D9 and states that tall buildings should not be less than 6 storeys or 18 metres measured from ground to the floor level of the uppermost storey.
- 2.9 Policy D8 of the London Plan states that development proposals should ensure the public realm is safe, accessible inclusive, attractive, well connected, easy to understand and maintain, and that it relates to the local and historic context. Public realm should be engaging for people of all ages, with opportunities for play and social activities during the daytime, evening and at night as well as maximising the contribution that the public realm makes to encourage active travel. This should include identifying opportunities for the meanwhile use of sites in early phases of development to create temporary public realm.
- 2.10 London Plan Policy D9 seeks to ensure tall buildings are sustainably developed in appropriate locations and are of the required design quality having regard to local context as specified in Development Plans. Policy D12 of the London Plan states to development proposals must achieve the highest standards of fire safety. Policy D14 of the London Plan seeks to reduce, manage and mitigate noise to improve health and quality of life.
- 2.11 This is further supported by policy BP11 of the Borough Wide DPD, policy CP3 of the Core Strategy DPD and policy SP2 of the Draft Local Plan Regulation 19 which ensures that development is designed in a sensitive and appropriate manner which minimises impact on surrounding neighbours and respects the character of the area. Barking Area Action Plan policy BTC18 states that public realm improvements undertaken by the Council and developers as part of their schemes, should use the materials and methods in the Barking Code, including artists within design teams, to seek to raise the profile of historic street and spaces. Policy BTC16 highlights that the Council will expect all new developments in the AAP to be of a high standard that reflect the principles of good architecture and urban design, thereby contributing towards a dramatic improvement in the physical environment.
- 2.12 Draft Local Plan (Regulation 19) Strategic Policy SPP1 identifies the development potential in Barking Town Centre and the River Roding, stating that development in Barking Town Centre should contribute to creating a thriving 21st century town centre with an intensified range of

activities and uses to support existing and new communities. Development should be informed by its rich history and heritage; revealing, restoring and telling Barking's story.

2.13 Chapter 4 of the Draft Local Plan (regulation 19) sets out the borough's design policies. Strategic Policy SP2 promotes high quality design that recognises and celebrates local character and heritage, adopting a design-led approach to optimising density and site potential by responding positively to local distinctiveness and site context. The policy encourages the use of local context to inform detail and seeks to protect identified views and vistas. Policy DMD3 specifically addresses development in town centres, stating that developments should co-ordinate and consolidate elements of street furniture to streamline the public realm where relevant and appropriate. DMD4 addresses heritage and archaeology and Policy DMD5 requires development to seek to positively contribute to the characteristics and composition of identified local views.

2.14 The application site is located in an area of mixed character, on a grass verge that acts as a natural buffer to the Northern Relief Road/A124. To the west of the site are industrial uses (Shell petrol station and Thames Water) and within the Thames Water site are two locally listed buildings – the Pumping Station and the house. To the north and east of the site, are residential properties of mixed character – including flatted development between three-six storeys in height as well as two-storey dwellinghouses.

Height, Scale and Massing – Energy Centre

2.15 The proposed height scale and massing is of a substantial size when considering the size and location of the plot. However, officers recognise that the proposed energy centre has requirements to be a certain size in order to be able to accommodate the capacity required to generate the energy required for the 10,000 new dwellings and businesses. The site requirements are set out in the Principle of Development section above.

2.16 Officers worked with the applicant through the pre-application process to press the importance of ensuring the scale and massing of the proposed development was reduced as much as possible, whilst recognising the size requirements for the production of energy output required.

2.17 The northern building will be 6.2m in height with exposed flues running horizontally externally above the northern building connecting vertically to the 20.5m flue. The western building will be 10.5m-11m in height. The two thermal vessels will be 15m in height. The proposed flue/stack is required to be a certain height to achieve safe discharge, and as such officers accept that the proposed height of this to be necessary to facilitate the development. It is noted that this element of the building meets the London Plan guidance for "tall buildings". Barking Town Centre is identified in the Draft Local Plan as suitable for tall buildings.

2.18 The north building has been minimised in terms of height through maintaining a single storey, and externalising the flues, which enables the roof height to be lowered. The control room and additional facilities are located to the first floor of the south building, which is located further from residential neighbours, and the main road.

2.19 The tallest part of the scheme is the 20.5m flue, followed by the thermal storage tanks, which sit centrally within the scheme, away from the site boundaries. Consideration has been given to ensuring the tallest elements are located away from the site boundaries and officers note that these elements of the proposal are required to be of a certain height and size in order to operate effectively.

2.20 Officers note that objections have been raised on the basis of the unattractive appearance and heavily industrialised nature of the development, blocking views (including to the listed building). Whilst "loss of view" is not a material consideration, due consideration is given to the design, appearance, scale and massing of the development in the streetscene, and heritage considerations are assessed in section 3 below.

2.21 Officers consider that the development would introduce a discordant and substantial industrial style building into the streetscene, and would become a prominent feature at this key borough gateway location, and mixed character streetscene setting. In this respect, the scale and massing proposed would compromise the local character of this area, which currently offers a green area of relief from the A124 and offers a visual green amenity area. Officers do therefore find harm in the height, scale and massing.

- 2.22 Further, the height and massing of the proposed development is exacerbated by the increase in ground levels. As a result of the increase in the ground levels, a retaining wall is required which would necessitate the removal of the trees to the northern boundary. The trees sit outside the red line boundary but within the applicant's control/ownership. The replacement of the trees, and an appropriate landscaping strategy would therefore be crucial to the acceptability of the scale and massing, it is therefore recommended that a condition is imposed to secure the replacement of semi-mature trees, in accordance with the intention of the Design and Access Statement and associated design documents.

Height Scale and Massing - Visitor centre

- 2.23 The Visitor Centre is of a much smaller scale and design to the Energy Centre, and is located to the very south of the site, on the grass verge of the A123/A124 roundabout, acting as a green buffer between the petrol station and the A124.
- 2.24 As set out in the Principle of Development section above, officers have concerns with regards to the Visitor Centre element of the development, as this would add additional bulk and mass to an already constrained site, and would result in a further loss of open green space. However the overriding need for the Energy Centre is considered to outweigh these concerns and as such officers do not object to the proposed Visitor Centre on the basis of the scale and massing or loss of open green space.
- 2.25 No detailed landscaping has been submitted for the Visitor Centre. It is recommended that a condition is imposed requiring the submission of a detailed landscaping scheme, to soften the appearance of this building, with an abundance of soft landscaping to improve and enhance the public realm and balance the overall loss of open space.

Layout - Energy Centre

- 2.26 The layout of the proposed energy centre considers the site constraints and key requirements, locating two main buildings at right-angles to each other, with the south building containing a second storey, whilst the north building is a single storey, and is set back from the A124.
- 2.27 Officers note that the applicant understands that passers by may be interested in the use of the building, and has sought to activate the frontage through the introduction of information boards to the perimeter fence to create interest and educate pedestrians, whilst also opening up part of the frontage. Officers consider that these elements of the scheme work well. Overall officers consider the layout is well thought out, in accordance with the design policies outlined above.

Layout - Visitor Centre

- 2.28 As noted in the Principle of Development section above, officers have concerns that the location of the Visitor Centre may prejudice development coming forward at sites along Hertford Road, subject to a draft allocation. Hertford Road has a draft allocation which includes a number of residential uses, but the site currently has limited/no appropriate pedestrian access, and is likely to require a pedestrian bridge over the River Roding to facilitate safe passage to future development at Hertford Road. As such, officers consider it necessary to require the Visitor Centre location to be determined through a discharge of condition, so as to ensure the location of the Visitor Centre would not inhibit future planned and sustainable development from coming forwards.

Architecture and Materiality

- 2.29 As an Energy Centre, the application proposal is somewhat industrial in nature, however the site is not set within an industrial setting and as such it is important that the architecture and materiality is reflective of this mixed use, and highly prominent area, and is in close proximity to residential uses, listed and locally listed buildings and visible from the nearby conservation area.
- 2.30 The proposal would introduce a robust materiality palette that is reflective of the industrial. Functional nature of the development, whilst also acknowledging the highly prominent and visible location of the development in this mixed character area, adjacent to a number of residential uses.
- 2.31 The proposed development seeks to expose and celebrate the functional aspects of the scheme, as a bold and proud statement of the borough's commitment to tackling climate change.

- 2.32 Officers welcome the attention to detail through the architectural approach, especially the exposure and public interaction of the Energy Centre through the viewing window and public access information area.
- 2.33 The design and materiality have been informed by precedents including energy centres which successfully sit within an urban and/or mixed-use built-up setting.
- 2.34 It is recommended that a Fire Statement is prepared and submitted to the Local Planning Authority prior to the above ground development to ensure suitable materials and evacuation measures are put in place in the interests of fire safety, in accordance with policies D5 and D12 of the London Plan.
- 2.35 The proposed materials would include high quality materiality including primarily an aluminium silver finish with a brushed surface and a perforated cladding to break up and add detail to the façades. It is recommended that a condition is imposed requiring the submission of the materials for review, to ensure the high-quality finish is realised, and the perforated panels are brought forwards, and to ensure the proposal accords with the aforementioned design policies.

Sustainable design

- 2.36 Sustainable design concepts have been integrated into the proposed development, including the use of solar voltaic panels on the roof and wind turbines and recyclable materials.

Landscape and Public Realm

- 2.37 The proposed development includes replacement planting to the trees removed to the north of the boundary. The Energy Centre also seeks to open up the public realm through public access viewing area and public access information area. The boundary treatment is also predominantly 'transparent' fencing (white steel railing) to ensure the proposal would not result in a complete visual closure of the site and allow views into the site. Whilst the exact siting of the Visitor Centre is yet to be determined, this would be set within open space, rather than enclosed. As above, it is recommended that further details on the landscaping are secured by way of condition for the Visitor Centre. Officers consider the landscaping and public realm elements of the Energy Centre to be acceptable, in accordance with local, regional and national policies.

Summary

- 2.38 Officers do have concerns with regards the loss of open amenity greenspace and the replacement with this substantially sized industrial style building, which would become a prominent and discordant feature in the streetscene. Officers welcome the interactive features of the proposal and the attention paid to the detailed design and materiality, which would contribute towards the development becoming high-quality and well considered. Further, given the height, scale and massing of the building, the soft landscaping, and in particular the replacement trees would be important to soften the proposal in this mixed character landscape.
- 2.39 Whilst officers do have concerns with the design of the proposal – resulting from the form of the proposed development and constraints of the site, when weighing this against the evident need to deliver energy in the area, lack of available and suitable alternative sites and public benefits derived from the proposed development (as assessed in the principle of development section above), officers do not consider that design, height, scale and massing and the resultant impact on the character of the area would result in a reason for refusal of the scheme.

Heritage:

- 3.1 Section 66(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 (as amended) places a general duty on the Council in respect of listed buildings in exercising its planning functions. In considering whether to grant planning permission for development which affects a listed building or its setting, the LPA shall have special regard to the desirability of preserving the building or its setting or any features of special architectural or historic interest which it possesses.
- 3.2 In accordance with Section 72 Planning (Listed Buildings and Conservation Areas) Act 1990, in the assessment of the proposal the Council has paid special attention to the desirability of preserving or enhancing the character or appearance of that area.

- 3.3 Chapter 16 of the NPPF (Conserving and enhancing the historic environment) advises Local Planning Authorities to recognise heritage assets as an “irreplaceable resource” and to “conserve them in a manner appropriate to their significance” (para.189). Paragraphs 194-196 require the significance of any affected heritage assets to be described, identified and assessed. Paragraph 199 of the National Planning Policy Framework (NPPF) states that when considering the impact of a proposed development on the significance of a designated heritage asset, great weight should be given to the asset’s conservation (and the more important the asset, the greater the weight should be). This is irrespective of whether any potential harm amounts to substantial harm, total loss or less than substantial harm to its significance. Paragraph 200 requires any harm to a designated heritage asset to be clearly and convincingly justified. Paragraph 202 states that ‘less than substantial harm’ to designated heritage assets should be weighed against the public benefits of the proposal. Paragraph 203 highlights that the effect of an application on the significance of a non-designated heritage asset should be taken into account when determining applications and that a balanced judgement will be required having regard to the scale of any harm or loss and the significance of the asset.
- 3.4 London Plan Policy HC1 states that “development proposals affecting heritage assets, and their settings, should conserve their significance, by being sympathetic to the assets’ significance and appreciation within their surroundings.”
- 3.5 The above policies are reiterated at a local scale within, Policies BP2 and CP2 of the Local Plan, policy DMD4 of the Draft Local Plan which seek to conserve heritage assets and avoid harm. Barking Town Centre Area Action Plan policy BTC19 sets out that recognition should be given to the historical and archaeological importance of Barking.
- 3.6 The site does not contain any designated heritage assets and is not located within a conservation area. However there are a number of heritage assets within close proximity to the application site, including Barking Abbey Scheduled Monument and the Grade II listed Remains of Barking Abbey and Old Churchyard Walls, Grade II listed Parish Church of St Margaret, Fire Bell Gate Barking Abbey, Tomb of Captain John Bennett, the Grade II listed bridge over the River Roding, and the Abbey and Barking Town Centre Conservation Area, as well as the non-designated heritage assets at the Pumping Station and the house in the grounds of Thames Water pumping station.
- 3.7 A Heritage Assessment has been prepared and submitted by WSP. A review of the historic maps within the Heritage Statement identifies that the site was built upon in 1946 having previously been undeveloped, and that by 1966 the built form abutted the pumping station and adjacent house, with a boundary comparable to the boundary today. The maps indicate that the grass verge was created when the relief road was constructed.
- 3.8 The Heritage Assessment provides an analysis of the significance and setting of the heritage assets, concluding that the application site does not contribute to the significance of Barking Abbey and its remains and is considered to have no impact on its setting, similarly, the assessment considers that the site does not contribute to the character and appearance of the conservation area and has not impact on its setting.
- 3.9 With regards to the non-designated heritage assets within the grounds of the Thames Water sit, the assessment notes that their significance derives from them being fine examples of their typologies and their demonstration of local industry, and that the buildings have been subsumed into the current Thames Water facility; the setting has evolved over time. The Assessment considers the “appreciation of the buildings is fortuitous resulting from the layout of the Northern Relief Road and the open views, across the soft landscaping, from the south, north and east. Whilst this openness is fortuitous it does contribute to their setting. The openness positively contributes to their setting.
- 3.10 On considering impact, the Assessment concludes that as a result of the location of the development, the Energy Centre would not have an impact on the setting of the Abbey remains / grounds and the Visitor Centre is of limited scale and form and at a detached distance from the Abbey Grounds and conservation area.
- 3.11 The Assessment acknowledges that the setting of the Pumping Station and house in the grounds of Thames Water site will change as a result of the application. The openness and views to the Pumping Station and house will be reduced, but the placement of the buildings is such that visibility will be comparable to the existing context and when coupled with the soft landscaping,

there would be no harmful impact on the significance and setting of the non-designated heritage assets. The Assessment argues that as the proposed buildings are industrial, this will contribute to the industrial character of the site.

- 3.12 A Townscape and Visual Appraisal has also been submitted alongside the application, which assesses the development from a number of viewpoints including Abbey Green and the listed bridge across the River Roding.
- 3.13 Officers have considered the Heritage Assessment, and Townscape and Visual Appraisal and concludes that there would be no harm to the Abbey Grounds listed buildings and scheduled monument, or conservation area as a result of the proposed development, due to the distance and physical separation of the site from these heritage assets.
- 3.14 It is also considered that there would be no harm to the listed bridge, as whilst the proposal would be visible from this location, the bridge is already enclosed by a number of commercial and industrial buildings as well as being an arterial route into Barking. There is sufficient distance between the bridge and the proposed development site to ensure that there would be no harm to this heritage asset.
- 3.15 With regards to the Pumping Station and house, these non-designated heritage assets are in much closer proximity to the proposed development, and the existing site provides an incidental green setting to these non-designated heritage assets. The assets do however already sit in a mixed/industrial setting, including harsh fencing and the Thames Water infrastructure. The site acts as a soft barrier between these buildings and the A124, and the proposed development would undoubtedly change this setting. However, views to these buildings would not be completely eroded, and the quality of the materiality would ensure the proposed buildings would introduce high quality industrial buildings to this area. Considering the buildings already sit in an industrial setting, location, scale and design of the proposed development, it is not considered that the proposed development would lead to harm to these non-designated heritage assets.
- 3.16 In terms of archaeology, an Archaeological Desk Based Assessment has been submitted, which concludes that the proposed scheme would have no significant impacts on any potential Paleoenvironmental, Prehistoric and Roman remains, it is therefore considered this complies with Policy BP3, BTC19 and the relevant sections of the NPPF.
- 3.17 Further, when considering potential harm, there are clear public benefits to the proposals to be considered in favour of the proposed development – namely the carbon savings of 12,000 tonnes per annum, delivery of low carbon heating and energy to Barking residents in line with B&D Energy's fair pricing policy, and the potential educational benefits.

Impacts to neighbouring amenity:

- 4.1 NPPF paragraph 174 states that the planning system should contribute to and enhance the natural and local environment by preventing both new and existing development from contributing to or being put at unacceptable risk from, or being adversely affected by unacceptable levels of pollution, including noise, water and air.
- 4.2 London Plan Policy D3 sets out that developments should deliver appropriate outlook, privacy and amenity and help prevent or mitigate the impacts of noise and poor air quality. Policy D6 part D states “the design of development should provide sufficient daylight and sunlight to new and surrounding housing that is appropriate for its context, whilst avoiding overheating, minimising overshadowing and maximising the usability of outside amenity space.”
- 4.3 Adopted Policies BP8 and BP11 of the Borough Wide Development Management Policies DPD seeks to protect residential amenity, and Draft Local Plan Policy DMD1 ‘Securing high quality design’ (Regulation 19 version) sets out that among other things, all development proposals should consider the impact on the amenity of neighbouring properties with regard to significant overlooking, privacy and immediate outlook, and should mitigate the impact of air, noise and environmental pollution. Draft policy SP7 seeks to secure a clean, green and sustainable borough, and ensure that all development manages nuisances during both construction and operation, through appropriate mitigation. Draft policy DMSI3 requires all major development applications to reduce any adverse impacts to an acceptable level using the most appropriate layout, orientation, design and use of buildings.

- 4.4 In respect of daylight and sunlight, the NPPF states that authorities should take a flexible approach in applying policies or guidance relating to daylight and sunlight, where they would otherwise inhibit making efficient use of a site (as long as the resulting scheme would provide acceptable living standards) (Paragraph 125c). London Plan Housing SPG states that “An appropriate degree of flexibility needs to be applied when using BRE guidelines to assess the daylight and sunlight impacts of new development on surrounding properties”.
- 4.5 Officers highlight that a number of objections have been received from neighbouring residents, as summarised at Appendix 4. These comments have been taken into consideration as part of the below assessment (and elsewhere in this report where relevant). Officers have also considered the applicant’s letter of response, dated 16/03/2022.

Privacy and Overlooking

- 4.6 The proposed development is of a commercial/industrial nature and would therefore not result in the introduction of residential properties. The Energy Centre would only have one window, on the eastern elevation facing the streetscene, which has been introduced as a feature for passers by to be able to view the mechanical plant space. With the exception of the house in the grounds of the Thames Water site, the Visitors Centre would be further from residential neighbours. There would be some windows within the Visitors Centre. Both the Energy Centre and the Visitor Centre are separated from Whiting Avenue and Harbard Close by the A124.
- 4.7 In assessing the location, layout and proposed use of the development, officers do not consider there would be any adverse impacts in terms of loss of privacy or overlooking to any neighbouring properties as a result of the proposed development, in line with London Plan policy D3, or local adopted and draft policies BP8 and DMD1.

Overbearing Impact, Outlook

- 4.8 The proposed development would evidently transform the application site. In terms of assessing whether the application would result in adverse impacts in terms of overbearing impact and outlook, officers note that 1 Harbard Close is separated by the A124, and is therefore at a sufficient distance that there would be no overbearing impact on the occupiers of these properties. With regards to outlook, coupled with the distance, the proposed development is not directly opposite this neighbouring development and as such officers do not consider that there would be an undue impact in this respect to the occupiers of 1 Harbard Close.
- 4.9 The properties at Cowbridge Lane are located to the north of the site, and the south facing windows within the southern elevation facing the site would be almost 25m from the most northern elevation of the Energy Centre, and sat behind the replacement trees which would reduce intervisibility between the sites. The closest part of the flats to the site has no windows on the gable end. It is therefore not considered that there would be any significant loss of outlook or overbearing impact to these properties.
- 4.10 With regards to the two storey dwellinghouses along Cowbridge Lane, these are located to the north-east of the site, and windows are on the east elevation, therefore not directly overlooking the site. Officers consider the orientation of these properties would ensure that there would be no harm in terms of overbearing impact or outlook.
- 4.11 The locally listed house to the west of the site is set within the Thames Water boundary, and would be at a sufficient distance to ensure that this property would not be detrimentally affected in terms of overbearing impact or outlook.
- 4.12 Officers therefore consider there would be no detrimental impact to neighbouring properties in terms of outlook or overbearing impact as a result of the proposed development, in accordance with the above policies.

Daylight / Sunlight

- 4.13 A number of objections have been raised on the basis of loss of daylight and sunlight.
- 4.14 A Daylight/Sunlight Report has been prepared by Daylight Sunlight Consulting, which concludes that the properties at Whiting Avenue and the Pocket Homes development (1 Harbard Close) are too far away from the development to be affected and therefore the occupants will maintain high levels of daylight and sunlight. In assessing 1-18 Cowbridge Lane, the assessment finds all

windows tested adhere to Vertical Sky Component (VSC) levels of 27% or higher or obtaining ratio reductions of 0.8 or higher. Similarly, the windows all meet daylight distribution results and Annual Probable Sunlight Hours (APSH).

- 4.15 19 Cowbridge Lane to the north-west is assessed as the closest property to the energy centre. All rooms tested meet the VSC and daylight distribution levels; the APSH assessments were not required as the windows face 90 degrees of due north.
- 4.16 The locally listed house within the grounds of the Thames Water site was not assessed, however officers note the Energy Centre is located a suitable distance north east of this property to not result in a loss of daylight sunlight.
- 4.17 Officers consider that the proposed development would not have a detrimental impact to neighbouring properties in terms of daylight and sunlight, in accordance with the NPPF, BRE Guidelines, and the relevant local and regional policies highlighted above.

Noise

- 4.18 The NPPF outlines that planning policies and decisions should ensure that new development is appropriate for its location taking into account the likely effects (including cumulative effects) of pollution on health and living conditions, and should mitigate and reduce to a minimum potential adverse impacts resulting from noise, and avoid giving rise to significant adverse impacts on health and quality of life (paragraph 185). The NPPG (Paragraph: 005 Reference ID: 30-005-20190722) clarifies that adverse noise impacts are considered to occur when noise levels result in a change in behaviour, for example turning up the volume to hear the television.
- 4.19 London Plan policy D13 (noise) sets out ways to manage noise within new developments. The policy ties into policy D12 (agent of change) which places responsibility for mitigating impacts from existing noise and other nuisance-generating activities or uses on the proposed new noise sensitive development.
- 4.20 Draft Local Plan Policy DMSI 3 'Nuisance' (Regulation 19 version), requires development proposals to have regard to the Agent of Change principle, and requires development proposals to submit a noise assessment. The policy states that development proposals which generate an unacceptable level of nuisance will generally be resisted.
- 4.21 Objections have been received in relation to operational noise, with requests for additional noise mitigation measures to be put in place for the wellbeing of residents.
- 4.22 An Acoustic Report has been prepared and submitted in support of the application, and a survey of noise levels was carried out to establish prevailing noise levels at the site. The assessment considers noise emissions from mechanical plant equipment, and cumulative noise levels in order to determine mitigation measures required to ensure acceptable levels of noise are achieved. The report sets out that the following noise control measures will be required:

- Ensure 2 x layers of 12.5mm Fermacell board are incorporated into the building envelope construction on the northern and western facades to control noise breakout from the Energy Centre.
- A double-glazing system with a performance of $R_w + C_{tr} 35$ dB to control noise break-out from the viewing picture window to the closest noise sensitive receptors.
- Install attenuators to the Boiler Flues, CHP Flues, Office AHU Air Intake, WC/Shower Extract Fans, CHP Discharge Air Termination, CHP Intake Air Termination. Attenuators must achieve the maximum sound pressure levels at 1 metre.
- Install acoustic louvres to the northern and southern facades of the Boiler Room, to the western façade of the HV Switchroom and Transformer Room, to the eastern and western facades of the CHP Room. Acoustic louvres must achieve the maximum sound pressure levels at 1 metre.
- Install shrouds on boiler burners and boiler gas boosters. The total reverberant sound pressure level in the boiler room must not exceed 80 dBA.
- Ensure the external boiler flue ductwork is wrapped with acoustic lagging of at least 50mm thick, with a mass barrier of 10 kg/m².

- 4.23 The Council's Environmental Protection Officer (EPO) has reviewed the submitted documentation and notes that whilst the report has some value with regards to the potential mitigation options, the noise survey monitoring position is not suitable for calculating the noise at sensitive receptors 1 and 2 and as such further work is required. Post construction sound testing is also recommended to ensure that the proposed mitigation is appropriately installed. The EPO recommends a noise condition accordingly, and officers consider that this is imposed should planning permission be granted, to ensure the proposed development does not give rise to undue noise, and that the proposal accords with the aforementioned policies and relevant noise guidance.
- 4.24 An Outline Environmental Construction Management Plan has also been submitted to ensure noise, vibration, dust and other potential nuisances are controlled through the construction period. It is recommended a condition is attached requiring the submission of a detailed CEMP and SWMP, in line with EPO comments. Officers highlight that neighbouring objections have been raised on the basis of construction phase. Along with the Construction Logistics Plan (considered in section 5 below), these construction phase plans will assist in ensuring that the construction phase of development will not give rise to undue nuisance or significant disruption to neighbours.

Lighting

- 4.25 Plans have been submitted showing the location of external lighting on the proposed Energy Centre, but not the Visitor Centre. The drawings do not identify the levels of output from the lighting, and as such it is recommended that a condition is attached requiring the submission of a full lighting scheme to be submitted to ensure that there would be no detrimental impact to safeguard neighbouring amenity and to avoid light pollution, in line with policy BP11.

Air Quality

- 4.26 Paragraph 170 of the NPPF states that: "Planning policies and decisions should contribute to and enhance the natural and local environment by: ... e) preventing new and existing development from contributing to, being put at unacceptable risk from, or being adversely affected by, unacceptable levels of soil, air, water or noise pollution or land instability. Development should, wherever possible, help to improve local environmental conditions such as air and water quality"
- 4.27 Good Growth Objective 3 of the London Plan seeks to inter alia improve London's air quality, reduce public exposure to poor air quality and minimise inequalities in levels of exposure to air pollution. Policy D3(9) seeks to ensure design helps prevent or mitigate the impacts of noise and poor air quality.
- 4.28 The 2014 update to the Mayor of London's Sustainable Design and Construction – SPG guides developers and local authorities on what measures can be included in their designs and operations to achieve sustainable development and the objectives set out in the London Plan. Section 4.3 of the SPG concerns air quality, and sets out the Mayor's Priorities:
- "Developers are to design their scheme so that they are at least 'air quality neutral'.
 - Developments should be designed to minimise the generation of air pollution;
 - Developments should be designed to minimise and mitigate against increased exposure to poor air quality"
- 4.29 It is also noted developers and contractors should follow the guidance set out in the Control of Dust and Emissions during Construction and Demolition SPG when constructing their development. The Control of Dust and Emissions During Construction and Demolition SPG guides councils, developers, and consultants on the implementation of relevant policies contained in the London Plan and the Mayor's Air Quality Strategy to reduce emissions of dust and nitrogen oxides (NOx) from demolition and construction activities in London.
- 4.30 Policy SI2 requires proposals to be air quality neutral, this requirement is also reflected locally in policies SP7 and DMSI4 of the Draft Local Plan (Regulation 19, 2021). Local policy states that where proposals would not achieve the 'air quality neutral' benchmark, applicants will be expected to make a financial contribution in agreement with the Council, either through the carbon offset fund, or agree sufficient alternative offsetting arrangements in the borough via planning obligations. The local Air Quality Action Plan was updated in 2020 and provides a framework for reducing emissions and improving air quality.

- 4.31 A number of concerns have been raised from neighbouring properties in relation to the increased pollution from road and operational emissions, and the impacts on the health and wellbeing of neighbouring properties.
- 4.32 An Air Quality Assessment has been submitted to consider the impacts of the Energy Centre on local air quality in terms of dust and particulate matter emissions during construction as well as the operational emissions. The assessment criteria notes that since the Energy Centre includes gas-fired plants, only NO₂ needs to be considered in the air quality assessment, as although the plant will also emit carbon monoxide (CO) and trace amounts of Volatile Organic Compounds (VOCs) there is no realistic risk of exceedance of the standards for these pollutants and they are therefore not explicitly modelled. The Assessment is based on relevant and up to date legislation, policy and guidance regarding air quality and pollution control. The assessment maps selected sensitive receptors surrounding the site in order to determine potential significant impacts.
- 4.33 The results of the assessment indicates that there would be low-medium risk of dust soiling from the proposed construction phase, a negligible-low risk to human health from construction and negligible ecological risk from construction. Mitigation measures are recommended for the construction phase; it is recommended that such mitigation measures are secured through a Construction Environmental Management Plan.
- 4.34 Assessments have also been undertaken for the operational phase, which indicates that for human health there would be a slight adverse impact, although notes that the overall severity of impacts is largely determined by the background concentration rather than the impact of the Energy Centre which is imperceptible to small in all cases. At property facades, the Assessment notes the severity of impacts is negligible to slight adverse.
- 4.35 At ground level, the maximum impact on property facades is small in magnitude and classed as slight adverse, receptors at height have greater impacts than at ground level due to the closer proximity to the release height of the pollutants (stack exit). The maximum impact occurs on the second floor residential properties of Whiting Avenue, with a small impact that is classed slight adverse. However, when balanced against the existing pollution levels largely determined by road transport, which decrease with height, the actual impacts are in reality likely to be negligible. At two receptors south of the Energy Centre, existing NO₂ concentration exceeds objective levels, however at these points the impact from the proposed development is imperceptible on all levels. The maximum hourly impact from the Energy Centre is negligible.
- 4.36 There are no moderate or substantial adverse impacts modelled for the operation of the Energy Centre, and where there are slight adverse impacts there is no exceedance of the objective level at property facades. Where likely exceedance already exists without the Energy Centre, this is not worsened by the impact of the Energy Centre output (imperceptible). The Assessment concludes that there would be no significant effects arising as a result of the operation of the Energy Centre.
- 4.37 Officers therefore consider that the policy objectives for Air Quality are met with regards to the proposed development and consider the application would have an acceptable impact in terms of air quality.

Contaminated land, groundwater and ground conditions

- 4.38 A planning condition is recommended by the Council's Environmental Protection Officer ensure there would be no adverse impacts in terms of land contamination, involving the submission of an investigation and risk assessment, detailed remediation scheme as necessary and a verification report. Further conditions have also been recommended by the Environment Agency – comments received are summarised in Appendix 3. It is recommended that the conditions are imposed so as to ensure the ground conditions of the site are appropriately dealt with.

Summary

- 4.39 Officers and consultees have carefully assessed the development proposal in relation to the residential amenity matters outlined above. Officers have also paid due consideration to the objections received from neighbours, raising concerns in relation to various aspects of residential amenity. Whilst we acknowledge that the proposed development is located in an area of mixed character, which includes a number of residential uses, subject to the recommended conditions identified above, it is not considered that the proposed development would give rise to significant

concerns with respect to neighbouring amenity that would justify a reason for refusal of the scheme.

Sustainable Transport:			
<i>Net gain/loss in car parking spaces:</i>	5	<i>PTAL Rating</i>	5-6a
<i>Proposed number of cycle parking spaces:</i>	18	<i>Closest Rail Station / Distance (m)</i>	Barking Station, 800m
<i>Restricted Parking Zone:</i>	Yes	<i>Parking stress survey submitted?</i>	No

- 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. In particular it offers encouragement to developments which support reductions in greenhouse gas emissions and those which reduce congestion. The NPPF also outlines that developments which generate significant vehicle movements should be located where the need to travel will be minimised and the use of sustainable transport options can be maximised. It is also expected that new development will not give rise to the creation conflicts between vehicular traffic and pedestrians.
- 5.2 London Plan Policies T1- T6, seek to promote sustainable modes of transport, encourage the effective use of land, reduce car dominance and be integrated with current and planned transport access, capacity and connectivity. The policies encourage car-free development in areas well-connected by public transport and that provision should be made for infrastructure for electric or other ultra-low emission vehicles. T6.2 sets out parking standards for commercial and industrial developments, and acknowledges that a degree of flexibility may be applied to reflect different trip-generating characteristics, and that operational parking requirements should be considered on a case-by-case basis, with all operational parking providing infrastructure for electric or other Ultra-Low Emission vehicles.
- 5.3 Core Strategy policy CR1 promotes the use of sustainable transport to assist in addressing the causes and potential impacts of climate change. Policies BR9, BR10 and BR11 of the Borough Wide Policies DPD set out the Council's approach to parking, sustainable transport and walking and cycling. Emerging Policy DMT1 'Making better connected neighbourhoods' of the Draft Local Plan (Regulation 19) sets out that development proposals should reduce the dominance of vehicles on London's streets. Emerging policy DMT2 'Car parking' states that development will be resisted where anticipated car parking and vehicle use will increase congestion and parking stress. Emerging policy DMM1 confirms that the Council may use planning obligations to address a development's impacts and to ensure it aligns with the development plan for the borough, including highways works or payments towards addressing any impacts as a result of the development and other transport requirements arising from transport assessments and travel plans.

Site Access

- 5.4 Vehicular access is proposed off the A124, approximately 120m from the A124/A123 roundabout. The access/egress will consist of a secured gate, which will be locked shut when the facility is not staffed. Access is recessed to accommodate a single vehicle length to allow waiting clear of live traffic – however vehicle waiting will result in the footway and cycle lane being temporarily blocked. It is anticipated that the gates will be controlled by a fob type device by staff. Staff will also control the gates for scheduled appointments for maintenance and visitors.
- 5.5 The location of the access along the curvature of the A124, and the constrained nature of the site show that there are limitations in respect to vehicular access, and the car park for the Energy Centre cannot be used in an efficient manner. However, the Transport Statement shows that there will be very few and infrequent trips and if managed by the operator through Delivery Servicing Plan could be regarded adequate in these circumstances. The Council, as the highway authority, will require a further detailed design of the proposed vehicle entrance, incorporating advance signage with an independent highway stage 2 and 3 safety audit and this should be secured with the applicant separately in a section 278 agreement (Highways Act 1980). It is recommended that a S278 agreement is secured by way of Section 106 agreement to ensure that access matters can be appropriately dealt with and alterations made to the public highway at the expense of the applicant, as necessary to enable safe access and egress to the site.

- 5.6 With regards to construction access, an outline Construction Logistics Plan (CLP) has been submitted, but it is noted that timescales for completion and the site access arrangements cannot be confirmed until a contractor is appointed. Be First transport officers have raised concerns with the proposed construction access and advised that this will need to be discussed further prior to any construction activities. It is therefore recommended that a pre-commencement condition is imposed requiring the submission of a CLP, so that all site access arrangements can be confirmed.
- 5.7 With regards to access to the Visitor Centre, it is understood that visitors are likely to comprise scheduled school visits that would arrive in a mini-van, which would park at the Energy Centre and walk down to the Visitor Centre site. There may however be local school visits walking to the site, in which case it would be important to ensure that safe access to the site can be achieved. It is recommended that a Visitor Centre Access Strategy is conditioned which would detail how all visitors can safely access the site, noting its location on this busy junction that does not have a signalised crossing.

Trip Generation

- 5.8 Letters of objection have been received in relation to the increase in traffic from the development, not only on the A124 but on smaller domestic roads in the area, and the associated noise and pollution from the additional movements.
- 5.9 The Transport Statement suitably confirms that the trip generation to the proposed development would not have any adverse impact on the existing highway network as the level of trips generated would consist of maintenance visits and a small amount of permanent staff. It is expected that there will be a maximum of 8 people (including visiting engineers) but typically 4 people in the Visitors Centre across 5 days per week. Office space will accommodate up to 6 people.
- 5.10 The Visitor Centre will consist of a static board and allow for circa one visit per week. The main visits will be a small group of approximately 5-10 visitors plus individual drop-ins during pre-arranged hours by residents. The visits will be scheduled in advance.
- 5.11 No concerns are raised from officers in relation to trip generation for the Energy Centre or Visitor Centre, as officers consider the proposal would have an acceptable impact on roads in terms of trip generation.

Car Parking

- 5.12 The proposed development would accommodate 5 car parking spaces in addition to a van parking space, which would comprise 1 commuting (office staff) space, 1 on-site management (office staff) space, 2 car sized and 1 van sized operational (monitoring and maintenance staff), and 1 operational disabled/blue badge (staff or visitor) space. The parking facilities would be shared between the Energy Centre and Visitor Centre sites, and it is expected that visitors would use the Energy Centre yard for mini-bus drop off/pick up, which would need to be booked in advance of the visit.
- 5.13 London Plan policy T6 sets out that car-free development should be the starting point for all development proposals in places that are well-connected by public transport, but still provide disabled persons parking. The London Plan sets out that maximum parking provision would be 1 car parking space per 600sqm (GIA), policy T6.2 sets out that car parking provision at B2 and B8 employment uses should take account of the low employment density in such development and that a degree of flexibility may also be applied to reflect difference trip-generating characteristics. The Transport Statement submitted provides limited information/justification for the proposed level of car parking spaces exceeding the maximum standards in the London Plan. The applicant's response note to the neighbour comments sets out that whilst frequent and regular access will be required to the site, this will be a relatively low level in the context of the surrounding network, and it is expected that trip generation at the Energy Centre will consist of maintenance visits and a small number (circa 4) of permanent staff. The Visitor Centre will typically accommodate up to 4 employees in attendance across 5 days per week, with office space accommodating up to 6 people.
- 5.14 Objections have been raised from neighbouring properties in relation to the development generating ad-hoc parking on neighbouring streets.

- 5.15 The site has a PTAL 6a, which means it has excellent public transport accessibility. Concerns have been raised by Be First Transport Officers and TfL in relation to the proposed amount of car parking, and as no robust justification has been provided, TfL comments are retained. Further discussion has been had with Be First Transport Officers however, who consider that whilst the amount of car parking provided would not assist in promoting sustainable travel, the amount of car parking proposed is not such that there would be a severe impact on the highway network. Trip generation at this level is also considered to be acceptable. In taking a pragmatic approach, officers consider that it would be appropriate to secure 100% active car parking spaces, so that the sustainable credentials of the development are further enhanced and air quality impacts are limited. Given the proposed development exceeds the recommended levels of car parking set out in the London Plan, and considering the PTAL of the site, and access to bus and train travel, as well as the town centre car parks, officers do not consider the application would give rise to ad-hoc or illegal parking on neighbouring roads.

Cycle Parking

- 5.16 There is provision for 5 Sheffield stands at the Energy Centre and 4 at the Visitors Centre. Each stand can accommodate 2 bikes therefore there is provision for a total of 18 spaces (as compliant with the London Plan). There will also be shower/ changing facilities at the Energy Centre for staff and space for lockers to be fitted out. It is recommended that a condition is attached to secure the implementation of the cycle parking spaces prior to the occupation of the development.

Summary

- 5.17 Overall, whilst there have been some concerns raised in relation to parking and site access, the trips generated to the site are low, and it is considered that suitable conditions can be imposed to ensure the development would facilitate safe access, and as such, no objections are raised on transport and highways grounds, as there would be no severe impact on the highway as a result of the proposals, in line with the provisions of the NPPF. Cycle provision and EV charging will also assist in ensuring the development encourages greener travel, in accordance with the adopted and emerging local planning policies, and the adopted London Plan policies.

Employment:

- 6.1 London Plan Policy E11 promotes inclusive access to training, skills and employment opportunities for all Londoners. Policy SD1 Opportunity Areas of the London Plan states boroughs should support development which *inter alia* creates employment opportunities, support wider regeneration and ensure that development proposals integrate into the surrounding areas.
- 6.2 Policy CC3 of the adopted Core Strategy, seeks to ensure community benefits through developer contributions. Core Strategy Policy CM1 states that development should meet the needs of new and existing communities and that a sustainable balance should be sought between housing, jobs and social infrastructure. Strategic Policy SP5 of the Draft Local Plan (Regulation 19) sets out that the Council will support businesses who seek to evolve, diversify and contribute to a more thriving and more inclusive local economy, including through the provision of employment and training opportunities for local people. Emerging policy DMM1 notes that the Council may request planning obligations to achieve construction-phase and occupation-stage employment and procurement targets.
- 6.3 The Energy Centre is a specialist building that will be pre-fabricated offsite and the building will be fitted out by specialist engineers which therefore presents challenges to meet a 25% local employment commitment, which is usually sought for the construction phase of the development. Furthermore, should planning permission be granted, the applicant would be looking to commence development within a short time frame, in order to meet winter 2023 heat requirements.
- 6.4 Therefore in this instance officers are not seeking a full Employment, Skills and Training Plan, but will instead seek to secure £5,000 per full time role up to 25% of the construction phase jobs created as a result of the proposed development. This will ensure that the development would contribute towards improving local skills, employment and training, albeit not on site.

- 6.5 Further, in terms of end user jobs, it is noted that the site has limited capacity for on site jobs and as B&D Energy are a Council owned company, the applicant would be required to meet local employment quotas without the need for a further obligation to secure end user jobs.
- 6.6 Overall, officers consider that, subject to the above monetary commitment, the development would contribute towards a more inclusive economy, improving access to opportunities for local people.

Accessibility and Inclusion:

- 7.1 London Plan policy D5 encourages development proposals to achieve the highest standards of accessible and inclusive design, including creating a convenient and welcoming development with no disabling barriers, providing independent access without undue effort, separation or special treatment.
- 7.2 The Council's Access Officer has reviewed the application, and comments are appended to this report. The Visitors Centre has good accessibility as whilst the office space is located on the first floor, this is accessed via a lift; the main WC is on the ground floor.
- 7.3 The Energy Centre has a disabled WC on the ground floor, along with a number of swithrooms, store/workshop and plant space. The Access Officer has noted that the control room/office within the Energy Centre is on the first floor and is only accessible by stairs which may discriminate against some disabled people working for the company.
- 7.4 If an additional lift were added to the Energy Centre, this would increase the bulk and massing of the building, which as assessed above, is already at a significant size/scale for the site. Given that there are ground floor facilities and areas from which to work in the Energy Centre, and the Visitors Centre – which houses the main office space - is entirely accessible, officers find this to be acceptable on balance.

Waste management:

- 8.1 London Plan Policies D6 and S18 seek to ensure high standards of construction and design are achieved and seeks to ensure minimisation of generation of waste and maximisation of reuse and recycling. Policies CR3 and BR15 of the Core Strategy and Borough Wide policy document outline the need for development in the Borough to minimise waste and work towards a more sustainable approach for waste management. These objectives are further emphasised in the emerging Local plan (Regulation 19) through Strategic Policy SP7 and Policy DMSI9.
- 8.2 An Outline Site Waste Management Plan has been submitted with the application, which acknowledges that a full SWMP will be confirmed when more information becomes available. It is recommended that the Site Waste Management Plan is conditioned to minimise site waste, in accordance with the policies above.
- 8.3 The proposal includes a refuse enclosure within the main Energy Centre site. The Transport Statement and swept path analysis indicates that refuse collection for the Visitor Centre would utilise the Shell petrol station site for refuse vehicle manoeuvres. Officers have concerns that this would therefore be reliant on third party land for refuse collection, and consider that written agreement from the third party would give assurances to officers that the proposed arrangement could be realised. It is recommended that a Refuse Strategy is submitted for both the Energy Centre and Visitor Centre, to be secured by planning condition.
- 8.4 Subject to the above, it is considered that the proposed development would accord with the relevant refuse/waste based policies.

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

<i>BREEAM Rating</i>	Very Good
<i>Renewable Energy Source</i>	Vertical axis wind turbines, and roof mounted PV panels
<i>Proposed CO₂ Reduction</i>	35%

- 9.1 The NPPF emphasises at paragraph 152 that the planning system should support the transition to a low carbon future in a changing climate and should help to shape places that contribute to

radical reductions in greenhouse gas emissions, and encourage the reuse of existing resources, including the conversion of existing buildings.

- 9.2 The Mayor of London has set ambitious targets for London to be net zero-carbon. London Plan Policy SI2 'minimising greenhouse gas emissions' directs that major development should be net zero-carbon, through reducing greenhouse gas emissions in accordance with the be lean, be clean, be green, be seen hierarchy. The policy requires a minimum on-site reduction of at least 35% beyond Building Regulations for major development. Policy SI states that major development proposals within Heat Network Priority Areas should have a low-temperature heating system. Policy SI4 sets policies to minimise adverse impacts on the urban heat island and requires major development proposals to demonstrate through an energy strategic how they will reduce potential for internal overheating, following a cooling hierarchy.
- 9.3 Policy CR1 of the Core Strategy sets out measures to address the causes and potential impacts of climate change, requiring all new development to meet high environmental buildings standards and encourage low and zero carbon developments. Policy BR2 'Energy and on-site renewables' of the Borough Wide Development Policies DPD outlines the expectations for significant carbon reduction targets to be achieved. Draft Local Plan Policy DMS2 'Energy, heat and carbon emissions' sets out the Council's expectations for major development to contribute and where possible exceed the borough's target of becoming carbon neutral by 2050 by maximising potential carbon reduction on-site and demonstrating the achievement of net zero carbon buildings. The policy also prioritises decentralised energy and sets an expectation for development proposals to connect to any existing or planned low carbon district energy networks.
- 9.4 Borough Wide Development Policies DPD policy BR1 sets a requirement for non-residential major developments to achieve BREEAM Very Good-Excellent. The Draft Local Plan (Regulation 19) seeks to go further, requiring all new non-residential development over 500sqm floorspace to be designed and built to meet or exceed a BREEAM Excellent rating.
- 9.5 The application submission does not include a BREEAM pre-assessment. It is recommended that a condition is attached should planning permission be granted, requiring a minimum of BREEAM Very Good for each building.
- 9.6 An Energy and Sustainability Statement has been prepared by WSP and submitted for the application, which sets out the measures taken to maximise the reduction of carbon through the construction of the development, including utilising an efficient building fabric and building services, 100% low energy lighting and use of LEDs, vertical axis wind turbines, and roof mounted PV panels.
- 9.7 The proposed development will achieve the 35% carbon reduction target beyond Part L Building Regulations for the buildings, and it is recommended that this is secured by way of Section 106 Agreement, and any shortfall sought in offsetting contributions in accordance with GLA £95/tonne tariff.

Biodiversity & Sustainable drainage:

- 10.1 The NPPF states that planning systems should minimise impacts on and provide net gains for biodiversity, including by establishing coherent ecological networks that are more resilient to current and future pressures.
- 10.2 Policy G6 of the London Plan requires new developments to make a positive contribution to the protection, enhancement, creation and management of biodiversity wherever possible. Policy D8 encourages the incorporation of green infrastructure to the public realm to support rainwater management. Policies CR2 and BR3 of the Core Strategy and Borough Wide policies echo the London Plan in its strategic approach to protect and enhance biodiversity and to provide a net gain in the quality and quantity of the Borough's natural environment. This approach is also set out in Policy SP6 of the emerging Local Plan (Regulation 19 stage). Emerging policy DMNE2 supports developments that maximise opportunities for urban greening; DMNE3.

Biodiversity

- 10.3 The proposed development includes the removal of a row of trees to the northern boundary, in addition to a number of trees dispersed across the site. None of the trees are subject to a TPO

(although there are trees subject to a TPO outside the site, which remain unaffected by the proposed works).

- 10.4 To mitigate the loss of trees the proposed development seeks to include ecological enhancements including replacement tree buffering to the northern boundary treeline which will include planting of a mix of Shade Tolerant Shrub, Ornamental Semi Shade Trees and Low Broadleaf Mix. Further planting will include species-rich planting to the frontage adjacent to the A123.
- 10.5 A Preliminary Ecological Appraisal (PEA) has been undertaken which considers that the majority of the existing site comprises amenity grassland which in ecological terms is of negligible ecological importance. Ecological enhancements to the site include bird nesting boxes, and the planting of wildflower rich grassland. No figures have been provided relative to biodiversity net gain, but the applicant considers the development would achieve a net gain, and the development would accord with the aforementioned policies. The PEA considers that the River Roding SINC is not at risk from the proposed development as it is located at a distance from the site and separated by urban development, which would act as a barrier to potentially significant adverse effects. The PEA concludes that there would be no adverse impact to any statutory or non-statutory designated site, and no habitats qualifying as HPI (Habitats of Principal Importance) were recorded within the site.
- 10.6 Officers consider that there would be a degree of harm resulting from the proposed loss of trees and open grassland at this site, from the ecological and visual value of the established trees. However regard is given to the weight attached to the established need and limited site availability in which to bring forward an Energy Centre, and the benefits of this is considered to outweigh this harm. Further, the proposed mitigation measures and ecological enhancements would enable renewed and biodiverse planting to be achieved at the site, with bat/bird boxes installed at the site to encourage ecological enhancements. Therefore, on balance it is considered that the application is acceptable in terms of biodiversity. It is recommended that conditions are imposed to secure ecological enhancements and landscaping/tree planting. A condition is also recommended to avoid site clearance during the main bird nesting season (March to August inclusive) and if this is not possible, then a suitably qualified ecologist must be employed to inspect the area for nests within 24 hours prior to clearance. Should any active nests be identified, it will be necessary for a suitable sized buffer zone in which no works occur to be put in place around the nest until the young have fledged.
- 10.7 London Plan policy G5 sets out that major development proposals should contribute to the greening of London by including urban greening measures including green roofs, green walls and nature based sustainable drainage. It is noted that predominantly commercial development should target a UGF score of 0.3, although B2 and B8 development (industrial) is exempt.
- 10.8 Whilst the proposed Energy Centre is considered by officers to be Sui Generis, the production of energy is akin to an industrial use, and therefore officers consider the exemption to apply UGF to the proposed development is appropriate in this instance. The building requirements for the Energy Centre leave limited scope for urban greening of the site, although it is noted that the biodiverse planting including wildflower rich grassland proposed has a higher value than the existing amenity grassland. The roof of the proposed energy centre would accommodate PV panels, further limiting the scope for greening.
- 10.9 Subject to the proposed conditions, officers considered the application is acceptable in terms of biodiversity and urban greening, in accordance with the aims of the aforementioned policies.

Sustainable Drainage

- 10.10 The NPPF (Paragraph 155) seeks to direct development to areas with the lowest risk of flooding, and Core Strategy Policy CR4 seeks to ensure that development does not put people and property at risk of flooding. London Plan Policy SI12 states that development proposals should ensure that flood risk is minimised and mitigated, and that residual risk is addressed.
- 10.11 London Plan policy SI13 states that development proposals should aim to achieve greenfield runoff rates and ensure that surface water run-off is managed as close to the source as possible. Drainage should be designed and implemented to promote benefits including urban greening, improved water quality and water efficiency. Part B of the policy sets out a drainage hierarchy for

development proposals to follow. Policies CR4 and BR4 of the Core Strategy and Borough Wide Policies and Policy DMS16 of the emerging Local plan (Regulation 19 stage), set out the local policy position.

- 10.12 A Flood Risk Assessment and Outline Drainage Strategy has been submitted for the proposed energy centre, although no drainage proposals appear to be submitted for the Visitor Centre. The LLFA / LBBD's Flood Risk Manager has reviewed the submitted documentation and has raised concerns that the drainage strategy does not appear to have been adequately addressed, and sustainable urban drainage has not been maximised for the scheme. Officers consider it is therefore appropriate for a more detailed strategy to be submitted prior to above ground works to ensure that sustainable urban drainage is maximised within the scheme and to ensure that the proposed development accords with the relevant local and regional planning policies, as outlined above.

Conclusions:

The proposed application seeks planning permission for a decentralised low carbon Energy Centre and associated Visitor Centre, to deliver low carbon and affordable energy to approximately 10,000 new homes in Barking Town Centre, a number of which have already identified / secured connection to a District Heat Network through Section 106 Agreement.

There is an evident need for alternative / local energy in the borough and within Barking town centre, that is not currently being met, and the principle of development is considered acceptable, in line with the presumption in favour of sustainable development, and the local and regional policies. As assessed above, considerable weight is apportioned to the local need.

Officers recognise that the low carbon energy produced would contribute towards helping the Council meet its carbon neutral goals, albeit not as effectively as a renewable energy source. To assist the Council in meeting this goal, planning obligations have been secured for studies to be undertaken for the partial or complete decarbonisation of the site/ energy network.

Officers have noted concerns with regards to the addition of the Visitor Centre as part of the application, however the overriding need of the Energy Centre and its public benefits are considered to outweigh these concerns, and as such the presence of a Visitor Centre at this location would not result in officers recommending refusal of the application, subject to the exact siting of the Visitor Centre being determined by way of condition at a later date.

Officers have raised concerns in relation to harm to the local character of the area resulting from the loss of the greenspace which provides visual relief to the A124 and surrounding built up areas, to be replaced with an industrial style development of a substantial height, size and massing. However, it is recognised that whilst industrial in form/use, the proposed development by its nature is required to be accessible to the residential development it serves, which in this case requires the proposed development to be located in reach of Barking Town Centre's new residential developments. The Site Selection process undertaken by the applicant identifies that there are no suitable and available sites to accommodate the needs of the development. On balance, the public benefits and need for a local energy centre to connect a heat network to 10,000 homes in Barking therefore outweighs the harm identified in terms of the appearance of the development and impact on local character. Securing the high-quality architecture and materiality of the scheme is considered critical in ensuring acceptability of the scheme, alongside the importance of a robust soft and replacement landscaping.

Consideration has been given throughout the report to the objections received from a number of neighbouring properties. Officers acknowledge that the proposed site is constrained and in close proximity to residential properties that would not benefit from the energy output, however in terms of impact on the amenity of neighbouring residents, as assessed above, this is considered to be acceptable on balance particularly given the overriding need to meet climate change commitments.

Overall, and considering the wide reaching public benefits of the development, officers find the application to, on balance, accord with the NPPF, London Plan and draft and adopted local policies. It is therefore recommended that the planning application is approved, subject to the planning obligations and conditions appended to this report.

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:

National Planning Policy Framework (NPPF) (July 2021)

GG1 Building strong and inclusive communities
 GG2 Making the best use of land
 GG5 Growing a good economy
 GG6 Increasing efficiency and resilience
 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 D8 Public realm
 Policy D9 Tall buildings
 Policy D11 Safety, security and resilience to emergency
 Policy D12 Fire safety
 Policy D13 Agent of Change
 Policy D14 Noise
 Policy E11 Skills and opportunities for all
 Policy HC1 Heritage conservation and growth
 Policy HC3 Strategic and Local Views
 Policy G1 Green infrastructure
 Policy G5 Urban greening
 Policy G6 Biodiversity and access to nature
 Policy G7 Trees and woodlands
 Policy SI 1 Improving air quality
 Policy SI 2 Minimising greenhouse gas emissions
 Policy SI 3 Energy infrastructure
 Policy SI 8 Waste capacity and net waste self-sufficiency
 Policy SI 12 Flood risk management
 Policy SI 13 Sustainable drainage
 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
 Policy T6.1 Residential parking
 Policy T6.2 Office Parking
 Policy T6.3 Retail parking
 Policy T6.4 Hotel and leisure uses parking
 Policy T6.5 Non-residential disabled persons parking
 Policy T7 Deliveries, servicing and construction
 Policy DF1 Delivery of the Plan and Planning Obligations

London Plan, March 2021

Local Development Framework (LDF) Core Strategy (July 2010)

Policy CM1: General Principles for Development
 Policy CM3: Green Belt and Public Open Space
 Policy CR1: Climate Change and Environmental Management

	<p>Policy CR2: Preserving and Enhancing the Natural Environment Policy CR3: Sustainable Waste Management Policy CR4: Flood Management Policy CC3: Achieving Community Benefits through Developer Contributions Policy CP1: Vibrant Culture and Tourism Policy CP2: Protecting and Promoting our Historic Environment Policy CP3: High Quality Built Environment</p>
<p><i>Local Development Framework (LDF) Borough Wide Development Plan Document (DPD) (March 2011)</i></p>	<p>Policy BR1: Environmental Building Standards Policy BR2: Energy and On-Site Renewables Policy BR3: Greening the Urban Environment Policy BR4: Water Resource Management Policy BR5: Contaminated Land Policy BR7: Open Space (Quality and Quantity) Policy BR9: Parking Policy BR10: Sustainable Transport Policy BR11: Walking and Cycling Policy BR13: Noise Mitigation Policy BR14: Air Quality Policy BR15: Sustainable Waste Management Policy BC7: Crime Prevention Policy BC10: The Health Impacts of Development Policy BP1: Culture and Tourism Policy BP2: Conservation Areas and Listed Buildings Policy BP3: Archaeology Policy BP4: Tall Buildings Policy BP8: Protecting Residential Amenity Policy BP11: Urban Design</p>
<p><i>Local Development Framework (LDF) Barking Town Centre Area Action Plan (February 2011)</i></p>	<p>BTC7 Improving Public Transport BTC10 Pedestrian Movement BTC16 Urban Design BTC17 Tall Buildings BTC18 Public Realm BTC19 Heritage and the Historic Environment BTC20 Parks, Open Spaces, Play Areas and Tree Planting BTC22 Sustainable Energy</p>
<p><i>The London Borough of Barking and Dagenham's Draft Local Plan: (Regulation 19 Consultation Version, December 2021) is at an "advanced" stage of preparation. Having regard to NPPF paragraph 216 the emerging document is now a material consideration and substantial 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 Submission Version, December 2021)</i></p>	<p>AREA POLICY SPP1: Barking and the River Roding Area STRATEGIC POLICY SP 2: Delivering a high-quality and resilient built environment 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 DMD 5: Local views POLICY DMNE 1: Parks, open spaces and play space POLICY DMNE 2: Urban greening POLICY DMNE 3: Nature conservation and biodiversity POLICY DMNE 5: Trees</p>

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 8: Demolition, construction and operational waste
 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
 STRATEGIC POLICY SP 9: Managing development
 POLICY DMM 1: Planning obligations (Section 106)

Supplementary Planning Documents

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 2:

Relevant Planning History:

None relevant.

Appendix 3:

The following consultations have been undertaken:

- Be First Transport Officers
- LBBB Access Officer
- LLFA / LBBB Flood Risk Manager
- National Grid
- UK Power Networks
- London Fire Brigade
- TfL Underground
- TfL Planning
- National Highways
- Environment Agency
- LBBB Parks
- LBBB Environmental Protection
- LBBB Refuse and Recycling Team
- LBBB Employment and Skills Team

Summary of Consultation responses:		
Consultee and date received	Summary of Comments	Officer Comments
LBBB Access Officer 06/01/2022	<ul style="list-style-type: none"> • Only concern is that the only office for the Energy Centre is on the first floor and there is no lift. This may discriminate against some disabled people wanting to work for the company. • The visitors centre looks good 	Officer comments in Accessibility and Inclusion section above.
Environment Agency 18/01/2022	<p>The previous use of the proposed development site presents a risk of contamination that could be mobilised during construction to pollute controlled waters. Controlled waters are particularly sensitive in this location because the proposed development site is:</p> <ul style="list-style-type: none"> • within source protection zone 1 • located upon a secondary aquifer <p>The application demonstrates that it will be possible to manage the risks posed to controlled waters by this development. Further detailed information will however be required before built development is undertaken. EA therefore have no objections subject to the 7 planning conditions being included in any decision notice that is granted.</p> <p>Without these conditions the EA would object to the proposal in line with</p>	It is recommended that the planning conditions are imposed as recommended.

	<p>paragraph 174 of the National Planning Policy Framework because it cannot be guaranteed that the development will not be put at unacceptable risk from, or be adversely affected by, unacceptable levels of water pollution.</p>	
<p>Environmental Protection Officer</p> <p>31/01/2022</p>	<p>Recommendation of conditions for:</p> <ul style="list-style-type: none"> • Construction Environmental Management Plan (CEMP) and a Site Waste Management Plan (SWMP) • Prevention of non-road mobile machinery • Piling • Contaminated land • Air Quality • Lighting • Noise <p>With regards to noise, the EPO notes that the submitted report has some value with regards to potential mitigation options, but the noise survey monitoring positions is not suitable for calculating the noise at sensitive receptors 1 and 2, which will need further work, and in addition, post construction sound testing will be required to ensure that the proposed mitigation is appropriately installed.</p>	<p>Conditions are recommended to be imposed, as advised.</p>
<p>TfL</p> <p>17/01/2022</p>	<p>The site of the proposed development is on the A124 Northern Relief Road, which forms part of the Strategic Road Network (SRN). TfL has a duty under the Traffic Management Act 2004 to ensure that any development does not have an adverse impact on the SRN.</p> <p>Access</p> <p>Vehicle access is sought from A124. TfL expect access to be controlled, giving priority to vehicles entering the car park to minimise waiting on the public highway. It should be ensured that there is space between the access and public highway which ensures that a vehicle accessing the car park is clear of the public highway. It is not acceptable for a vehicle to block walking and cycling movements while waiting for the gates to be opened.</p> <p>A Road Safety Audit is being undertaken for the proposed access and therefore the access design is subject to change. TfL should be made aware of any</p>	<p>Transport issues are assessed above, and conditions and obligations recommended where necessary. Subject to the conditions/obligation, officers do not find the concerns raised by TfL would justify a reason for refusal of the scheme.</p>

changes made to the proposals.

Car Parking

Policy T6 of the London Plan states that car-free development should be the starting point for all development proposals in places that are well-connected by public transport, with developments elsewhere designed to provide the minimum necessary parking ('car-lite').

Given the town centre location with a PTAL of 6a, and the Council's stated support of the London Plan parking principles and draft Local Plan objective of reducing traffic by ten per cent, we consider that parking should be limited strictly to operational purposes only. Application of the London Plan maximum standards in Policy T6.2 and Table 10.4 would, in any case, lead to less than one parking space, while the proposals show five parking spaces when the Transport Assessment indicates that there will be a requirement for frequent access by only 2-4 people.

Robust evidence should be set out to justify the amount of operational parking required. The assumption is that one van space is sufficient, given that this is shown in the design, while the claimed additional requirement for two car spaces for operational staff in paragraph 4.3.1 could be removed by assuming those staff can reasonably cycle or take advantage of Barking's excellent public transport services.

Reduced car parking helps to promote sustainable travel, helping toward the Mayor's targets for active travel, together with supporting Healthy Streets objectives including reduced traffic impact and maintaining good air quality in the area, and Vision Zero objectives around road safety.

recommend that all spaces have active Electric Vehicle Charging Points (ECVP) from the outset in line with Policy T6.2(F).

If the Council was minded to approve any commuter or visitor parking spaces, a Parking Design and Management Plan (PDMP) should be submitted.

Cycle Parking

	<p>Cycle Parking is proposed in line with Policy T5 of the London Plan. It appears cycle parking provision will take the form of Sheffield stands which is welcomed. A minimum of 1m should be provided between stands with at least one stand with 1.8m spacing.</p> <p>Cycle parking for staff should be covered to protect from elements. Access to cycle parking must also be convenient. It is therefore advised that the cycle parking at the energy centre should be relocated to a more suitable location.</p> <p>The provision of shower/changing facilities is welcomed.</p> <p>A delivery and servicing plan and construction logistics plan should be conditioned.</p> <p>Further engagement with TfL is required to address the matters above.</p>	
<p>Be First Transport</p> <p>12/01/2022</p> <p>25/02/2022</p> <p>09/03/2022</p> <p>30/03/2022</p>	<p><i>Summary of responses</i></p> <p>Site Access The plot is currently not served by a vehicular access and is boarded from the A124 by a pedestrian footway, with a safety railing. The A124 is a singular carriageway road with cycle lanes on either side. The proposed Vehicular access will be off the A124 Northern Relief Road approximately 120m from the A124/A123 roundabout. The site access/egress will consist of a secured gate that will be locked shut when the facility is not staffed to comply with Safe by Design recommendations. The proposal includes a small recess where the gates are provided that can accommodate a single vehicle length that will allow a vehicle to wait clear of the live traffic lane. The access has been located making the best use of the available space which is constrained by the requirements of the Energy Centre and Gas Enclosure layout. Applicant mentions that – “The vehicles requiring access will not be permitted to stop on the live carriageway under any circumstances and will be able to drive into the access once the gates are open. This could be possible where the gates are controlled at distance with a fob, mobile application, GSM or via web that</p>	<p>These matters are assessed in further detail in the report above, and conditions / section 106 HoTs recommended in line with these comments where necessary.</p>

would allow authorised personnel to open the gate as vehicles approach the access.”

Concerned with this arrangement, it is recommended to provide a solution where vehicles have enough clearance to wait without holding up carriageway or pedestrians. The current plans does not show there is adequate space for a vehicle to wait without holding up the traffic.

Pedestrian access to the site will be off the A124 Northern Relief Road at the northern edge and will be securely gated. The public access will be at the southern edge of the A124 Northern Relief Road and will be accessed via secured front doors.

The proposal will also include ‘no stopping’ and ‘right turn approaching’ signage along the A124 to be defined at detail design stage. Alternatively, there is the potential to introduce a left turn only movement at the new access/egress.

The RSA Stage 1 report identifies some problems and makes a number of recommendation that will need to be resolved. The location of the access for onsite car park is not ideally located and the swept path analysis show the space set aside for a car park cannot be used in an efficient manner. However, it has been confirmed there will be very few and infrequent trips and if managed by the operator through DSP could be regarded adequate in these circumstances. The Council, as the highway authority, will require a further detailed design of the proposed vehicle entrance, incorporating advance signage with an independent highway stage 2 and 3 safety audit and this should be secured with the applicant separately in a section 278 agreement (Highways Act 1980). Officers recommend that in the interest of highway safety, a section 278 is entered into by the applicant prior to construction taking place on site and this should be secured by the LPA.

Car Parking

The site is situated in PTAL 6a with excellent public transport accessibility, therefore the quantum of car parking spaces is not supported by Local and London Plan policies, and is not justified in the Transport Statement. Car parking

spaces should be discouraged for staff while providing disabled and EV parking spaces. Operational parking spaces for pick up and drop offs are acceptable.

Overall presence of car parking is not ideal but would not justify a refusal of the scheme on highways grounds.

Cycle Parking

There is provision for 5 Sheffield stands at the Energy Centre and 4 at the Visitors Centre. Each stand can accommodate 2 bikes therefore there is provision for a total of 18 spaces (as compliant with the London Plan). There will also be shower/ changing facilities at the Energy Centre for staff and space for lockers to be fitted out.

This must be conditioned so that the cycle parking spaces must be implemented prior to the occupation of the development.

Highways Works

In the interest of highways safety, prior to above ground works of the development, the developer shall submit to the council a detailed highway design and enter into a s278 agreement to undertake highway improvements seeking to ensure a detailed design to accord with the relevant road safety audit and cover new Traffic Management Orders, kerb alignment and adjustment, footway resurfacing / recon, to ensure parking and loading and service arrangements. The detailed design works to be in accordance with the Design Manual for Roads and Bridges and Manual Contract for Highway Works specifications.

Trip Generation

Applicant has provided adequate information to satisfy that trip generation to the new development will not have any adverse impact on the existing highway network as the trips to energy centre consist of maintenance visits and a small number of permanent staff.

Refuse Strategy

In terms of the refuse strategy for the visitor centre it is indicated the collection will be carried out on third-party land (Shell garage). These kerbside collections can only be achieved if the landowner(s) permit this to take place. It might be sensible, if a condition were

	<p>imposed to provide proof of an agreement in place with the owner(s) of the land or require the submission of a new refuse strategy to be approved.</p> <p>Other matters From a walking perspective there is no formal crossing to the visitor centre and the information on the predicted footfall to this facility in terms of numbers has not been provided. If there is likely to be a significant increase because of the centre, then it may warrant a formal crossing to be installed at a suitable location on this part of the network with any financial costs for a new crossing to be paid by the applicant.</p>	
<p>LBBB Flood Risk Manager / LLFA 03/03/2022</p>	<p>The proposed FRA and Outline Drainage Strategy appears to include some slightly misleading and confusing information.</p> <p>Drainage proposals do not appear to be set out for the Visitor Centre.</p> <p>The Maintenance Strategy requires a statement regarding a suitably qualified personnel undertaking the various operations.</p> <p>Disappointed at the lack of green SuDs infrastructure proposed. On a greenfield site, resolving attenuation storage with a subterranean tank, shows very little consideration towards the protection and provision of habitat and water quality. Do not consider that the four pillars of sustainable drainage have been discussed adequately within the report, nor any reasoning why these should have been dismissed. The proposals only appear to deal with restricting the quantity of water. While the restriction is to greenfield run-off rates, the site wasn't previously positively drained, so this is still a net increase in the sewer network.</p>	<p>It is recommended that a drainage strategy is submitted for both the Energy Centre and Visitor Centre is submitted prior to the above ground works to ensure that Sustainable Urban Drainage can be maximised for the scheme.</p>

Appendix 4:

Neighbour Notification:	
Date of Press Advertisement:	20/12/2021
Number of neighbouring properties consulted:	560
Number of responses:	8
Address:	Summary of response:
Flat 4, 2 Harbard Close	<p><i>Object on the following grounds:</i></p> <p>1. Parking <i>Live in a ground-floor flat immediately opposite the proposed development. Harbard Close was designed to be a 'car free' development. There is a small car park on Harbard Close itself which residents from other local housing areas use, but is not currently patrolled by the council and already suffers from a large amount of illegal parking on double yellow lines and blocking the doors of 1 and 2 Harbard Close. Concerned that a development with 24 hour workers and a visitor centre is that this parking site – which will be the nearest walk from the development – will lead to even more illegal parking and prevent emergency vehicles from being to access the Harbard Close developments.</i></p> <p><i>It is also likely that there would be an increase in off-road parking on Whiting Avenue. This would block access for legitimate road users, emergency vehicle and cause issues with the paths for those who need mobility aids and/or use wheelchairs or pushchairs.</i></p> <p><i>We are aware a small parking provision is included within the proposed development but 5 spaces is not enough.</i></p> <p>2. Increase in traffic <i>Living by a major A-Road, we are of course prepared for regular traffic. However, the proposed development is likely to lead to increased traffic, not only on the A-Road but on the smaller, domestic roads surrounding Harbard Close. Traffic is already challenging in the local area.</i> <i>Whilst there is good public transport to the local area, this is not 24 hours and a power plant would require 24 hour staffing, so traffic would have to increase accordingly.</i></p> <p>3. Appearance of the proposal and lack of access to light <i>Accept that the positioning of our flat will not directly overlook the proposed development and that efforts have been made to include design features into the proposed development.</i> <i>However, the heavily industrialised nature of the development sitting immediately over the road, blocking the view of the listed brick building immediately behind it, would be saddening. The nature of the proposed building materials is likely to severely alter the light available in our property and reduce our access to daylight.</i></p> <p>4. Concerns about pollution and the environment <i>Barking and Dagenham council is proud to say that it is working hard to be one of Britain's greenest local authorities. Firmly agree with this aim and were also pleased to see that the proposed development includes a small renewable</i></p>

	<p><i>energy element and understand the logic behind the 'last mile' and shortening of delivery lengths of energy. However, the burning of natural gas is in no way renewable, particularly considering the upcoming bans on gas boilers in new developments over the next years. Deeply concerned about emissions from this process, given how near to the proposed development our property is.</i></p> <p><i>At an absolute minimum we require an explanation about why a council committed to green policies is looking to build something that burns non-renewable resources and what the impact on emissions will be for the considerable amount of resident immediately opposite and next to this development, instead of figures taken from recording a non-comparable distance.</i></p> <p><i>Would like to close this letter with the following items of support:</i></p> <ul style="list-style-type: none"> <i>- A visitor centre, if the parking issue can be mitigated, is an excellent idea for the local area and we support measures to improve education for local children;</i> <i>- Using land in an intelligent way in an area that cannot be used for other items is a sensible approach to planning and accept that the land will be developed somehow over the next years;</i> <i>- If there was a greater emphasis on renewable power then this would go some way to mitigating the appearance of the development.</i>
<p><i>Top Floor, 2 Harbard Close</i></p>	<p><i>Reside on the corner top floor of the building, which is directly opposite and closest to the plot where the station is planned to be built.</i></p> <p><i>Concerns about the construction and the operational noise and emissions that the plant will generate and would like to see more mitigation measures fitted to the station the application documents are not satisfactory and concerned about the overall plan.</i></p> <p>EMISSIONS <i>Main concern is the byproduct of the gas burning process that will be released in the vicinity of residential buildings. The pollution assessment of the energy centre application does not give a detailed enough breakdown of pollution. The wind in south east England predominantly blows from west to east so the fumes would go towards Harbard Close. The report states that emissions would be "negligible at ground level". There is no assessment of the emission at the height of the residential building at 3rd floor. Moreover, the report states that " 6.4.8 At height on the facades of buildings, there are greater impacts than at ground level due to the closer proximity to the release height of the pollutants (stack exit)." This is a small impact that is classed as "slight adverse". Worried about the effects of Nitrogen dioxide (NO2) on the human health of the residents, particularly those who might suffer from asthma. Would like to formally request more mitigation measures put in place, possibly air filtration at the exhaust source.</i></p>

	<p>NOISE Concerned about the operational noise that the power station will generate. The station, despite mitigation measures stated in the acoustic report, will still be too audibly noticeable (49db). Would like to formally request that more sound-mitigation measures be put in place for the well-being of the residents.</p> <p>GREEN CREDENTIALS Understand the efficiency of heating communal water in a large unit compared to smaller individual units. However, the main source of energy is burning gas to heat hot water to be redistributed towards Barking city centre. So strictly speaking this power station is not 'green' and definitely not carbon neutral as it is burning fossil fuels.</p>
<p>No address given (A Hutchings)</p>	<p>Concerned that it won't be completely Green energy. There will be an increase in Traffic with blocking emergency services access to the buildings of flats across the Road (Whiting Avenue access) Loss of light due to the size of the proposed building The look of the building</p>
<p>No address given (K Clifford)</p>	<p>Object to the construction of the energy centre so close to residential properties primarily because the energy is not from an entirely renewable source. It will not doubt give off emissions so close to the homes of residents of Barking.</p> <p>Concerned the proposal has been green washed and the centre will be damaging to the natural environment and local residents. Also, the proposed location is in an area of high traffic and congested already, construction and operation of the centre will simply add to it. And further reduce the air quality and noise pollution in the area. Furthermore, contrary to the statement provided in the planning documentation, this will not "strengthen the identity of the town". The proposed appearance of the building is unattractive. Aside from a perhaps of school visits, do not believe that this will attract anyone to the town, especially new businesses or residents.</p> <p>Understand that those living closest to the centre will not have access to consume the energy but will be subjected to all of the downsides. Implore you to reconsider the location, placing it in an unoccupied area. To consider a 100% renewable and environmentally friendly source of the energy.</p>
<p>No address given (G De Martini)</p>	<p>Several concerns since live right in front. Greenwashing, traffic, parking increasing illegally blocking emergency exits to the building, appearance of the proposed development, loss of light, pollution, the safety of the area. In addition, believe the project is very discriminatory since such horrible and dangerous building is near council estates and discounted flat.</p>
<p>No address given (M De Ritter, Harbard Close)</p>	<p>Object to the building of the power plant. Although in general support such power plants, object to it being built in this area.</p> <p>Concerns are: The building spoils the view (unpleasant design) - seen right through our window.</p> <p>Makes the area look depressing.</p>

	<p><i>It takes up the green space that was creating a friendlier atmosphere in the area. Now it's going to feel and look very urban</i></p> <p><i>Increased traffic on the road right in front of window (every other evening there's a loud honking because of the roundabout confusions among drivers - I imagine that would only increase if workers of the plant will be added to the usual traffic) Exhaust from the increased traffic will bring the exhaust levels from barely tolerable to dirty and smelly The fumes from the power station will pollute the air even further and take away the little fresh air we have thanks to green spaces. The fumes from the plant might also affect solar panels on our building, increasing the electricity cost for all tenants. With all this, our flats won't have access to the energy created, so we have to benefit from this building, only losses The energy crated is not green, as it mostly comes from burning gas. The green energy mentioned is a greenwashing measure. Pocket failed to inform us of the plant building plans at the time of purchase of our flat (May 2021), but we cannot take it up with them, so we have to voice our concerns directly with you.</i></p>
<p><i>No address given (W De Ritter, Harbard Close)</i></p>	<p><i>Despite the promotion of the centre as energy efficient, the renewable strategy falls short in producing a meaningful reduction in emissions significant enough to meet the Borough's carbon zero goal; it is primarily a gas burning plant. Mitigations for dust/other emissions are too vague and provide no guarantee.</i></p>
<p><i>P Scott on behalf of The Barking and Dagenham Heritage Conservation Group</i></p>	<p><i>The Barking and Dagenham Heritage Conservation Group object to this planning application for an energy centre here due to various environmental and public health reasons.</i></p> <p><i>For a start these emissions from the new energy centre will potentially cause air pollution that would create a greater level of respiratory diseases amongst our local residents and in the current situation there needs to be a reduction in all forms of pollution as has been recently highlighted by the Greater London Authority Mayor Sadiq Khan.</i></p> <p><i>Also people living nearby would have their natural light blocked by this structure and there is going to be a certain amount of disruption whilst they are constructing the energy centre as well. So therefore it is advisable that B&D Energy Limited are not given any form of planning permission for their building on this open land off the A124 especially at a time when there needs to be more preservation of open land spaces within Barking too.</i></p>

Officer Summary:

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

Appendix 5:

Conditions & Informatives:

Conditions:

Statutory 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 permitted shall be carried out in accordance with the following approved plans and documents:

- PROPOSED SITE LOCATION PLAN (dwg ref. P01 P4), dated 31/03/2022
- EXISTING SITE LOCATION PLAN (dwg ref. P01A P1), dated 22/10/2021
- EXISTING SITE BLOCK PLAN (dwg ref. P02 P3), dated 22/10/2021
- PROPOSED SITE BLOCK PLAN (dwg ref. P03 P4), dated 31/03/2022
- EXISTING SITE LEVELLING PLAN (dwg ref. P04 P3), dated 22/10/2021
- PROPOSED SITE LEVELLING PLAN (dwg ref. P05 P4), dated 31/03/2022
- PROPOSED SITE PLAN (dwg ref. P06 P5), dated 31/03/2022
- PROPOSED GF PLAN (dwg ref. P07 P3), dated 22/10/2021
- PROPOSED 1F PLAN (dwg ref. P08 P3), dated 22/10/2021
- PROPOSED ROOF PLAN (dwf ref. P09 P3), dated 22/10/2021
- PROPOSED EAST ELEVATION (dwg ref. P10 P1), dated 19/08/2021
- PROPOSED SOUTH ELEVATION (dwg ref. P11 P1), dated 19/08/2021
- PROPOSED NORTH ELEVATION (dwg ref. P12 P1), dated 19/08/2021
- PROPOSED WEST ELEVATION (dwg ref. P13 P1), dated 19/08/2021
- PROPOSED SECTION AA (dwg ref. P14 P1), dated 19/08/2021
- PROPOSED VISITOR CENTRE SITE PLAN (dwg ref. P15 P4), dated 31/03/2022
- PROPOSED VISITOR CENTRE PLANS (dwg ref. P16 P4), dated 31/03/2022
- PROPOSED VISITOR CENTRE ELEVATION AND SECTIONS (dwg ref. P17 P4), dated 31/03/2022
- PROPOSED VISITOR CENTER SECTION (dwg ref. P18 P4), dated 31/03/2022
- TREE REMOVAL PLAN (dwg ref. P19 P4), dated 31/03/2022
- SECTION DIAGRAMS (dwg ref. P20 P3); dated 22/10/2021
- PROPOSED ARCHITECTURAL LIGHTING GROUND PLAN (dwg ref. P21 P2), dated 22/10/2021
- PROPOSED ARCHITECTURAL LIGHTING ROOF PLAN (dg ref. P22 P2), dated 22/10/2021
- PROPOSED LANDSCAPE PLAN (dwg ref. P23 P2), dated 22/10/2021
- PROPOSED SOFT LANDSCAPING PLAN (dwg ref. P24 P2), dated 22/10/2021
- REFUSE/SERVICE BUILDING (dwg ref. P25 P3), dated 22/10/2021
- CLADDING PANEL DETAILS (dwg ref. 285_BEC_P26 P2), dated 22/10/2021
- EXTERNAL STAIR (dg ref. P27 P2), dated 22/10/2021

Documents:

- Air Quality Assessment, prepared by WSP, October 2021
- Archaeological DBA, prepared by WSP, October 2021
- Daylight Sunlight Report, prepared by Daylight Sunlight Consulting Ltd, October 2021
- Design and Access Statement, prepared by alma-nac, October 2021

- Energy and Sustainability Statement, prepared by WSP, December 2021
- Fire Statement, prepared by WSP, October 2021
- Flood Risk Assessment and Sustainable Drainage Strategy, prepared by WSP, November 2021
- Heritage Statement, prepared by WSP, September 2021
- Noise Impact Assessment, prepared by WSP, October 2021
- Outline CEMP, prepared by WSP, October 2021
- Outline Construction Logistics Plan, prepared by WSP, October 2021
- Outline SWMP, prepared by WSP, prepared by WSP, October 2021
- Planning Statement, prepared by WSP, October 2021
- Preliminary Ecological Appraisal, prepared by WSP, September 2021
- Preliminary Risk Assessment Report, prepared by WSP, November 2021
- Statement of Community Involvement, prepared by WSP, October 2021
- Townscape and Visual Appraisal, prepared by WSP, October 2021
- Transport Statement, prepared by WSP, October 2021 updated November 2022
- Barking Town Centre Decarbonisation Pathway, prepared by WSP, October 2021 updated March 2022
- Site Selection Table, prepared by WSP, October 2021 updated March 2022.

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.

Pre-commencement conditions

3. Construction Environmental Management and Site Waste Management

A Construction Environmental Management Plan (CEMP) and a Site Waste Management Plan (SWMP) shall be submitted to and approved in writing by the Local Planning Authority, prior to the commencement of the building to which it relates. These Plans shall incorporate details of:

- construction traffic management;
 - the parking of vehicles of site operatives and visitors;
 - loading and unloading of plant and materials;
 - storage of plant and materials used in constructing the development;
 - the erection and maintenance of security hoarding(s) including decorative displays and facilities for public viewing, where appropriate;
 - wheel washing facilities;
 - 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;
 - noise and vibration control;
 - a scheme for recycling/disposing of waste resulting from demolition and construction works;
 - the use of efficient construction materials;
 - methods to minimise waste, to encourage re-use, recovery and recycling, and sourcing of materials;
- and
- a nominated Developer/Resident Liaison Representative with an address and contact telephone number to be circulated to those residents consulted on the application by the developer's representatives. This person will act as first point of contact for residents who have any problems or questions related to the ongoing development.

Demolition and construction work and associated activities, other than internal works not audible outside the site boundary, are only to be carried out between the hours of 08:00 and 18:00 Monday to Friday and 08:00 and 13:00 Saturday, with no work on Sundays or public holidays without the prior written permission of the Local Planning Authority. Any works which are associated with the generation of ground borne vibration are only to be carried out between the hours of 08:00 and 18:00 Monday to Friday.

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

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

Reason: The CEMP and SWMP are required prior to commencement of development in order to reduce the environmental impact of the construction and the impact on the amenities of neighbouring residents, and in accordance with policy BP8 of the Borough Wide Development Policies Development Plan Document.

4. Construction Logistics Plan

A Construction Logistics Plan (CLP) shall be submitted to and approved in writing by the Local Planning Authority prior to the commencement of the building to which it relates. The Plan shall be designed to minimise deliveries of materials and export of any waste materials within the times of peak traffic congestion on the local road network. The Plan shall be implemented in accordance with the approved details and thereafter maintained.

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

5. Contamination: Remediation Strategy (EA condition)

No development approved by this planning permission shall commence until a remediation strategy to deal with the risks associated with contamination of the site in respect of the development hereby permitted, has been submitted to, and approved in writing by, the Local Planning Authority prior to the commencement of the building to which it relates. This strategy will include the following components:

- a) The development hereby approved shall be carried out in accordance with the Preliminary Assessment Report, ref. 70063229-313 Rev 02, dated November 2021, prepared by WSP.
- b) A site investigation scheme, based on (1) to provide information for a detailed assessment of the risk to all receptors that may be affected, including those off-site.
- c) The results of the site investigation and the detailed risk assessment referred to in (2) and, based on these, an options appraisal and remediation strategy giving full details of the remediation measures required and how they are to be undertaken.
- d) A verification plan providing details of the data that will be collected in order to demonstrate that the works set out in the remediation strategy in (3) are complete and identifying any requirements for longer-term monitoring of pollutant linkages, maintenance and arrangements for contingency action.

Reason: To ensure that the development does not contribute to, and is not put at unacceptable risk from or adversely affected by, unacceptable levels of water pollution in line with paragraph 174 of the National Planning Policy Framework.

6. Contamination: Monitoring and Maintenance (EA condition)

The development hereby permitted shall not commence until a monitoring and maintenance plan in respect of contamination, including a timetable of monitoring and submission of reports to the local planning authority, has been submitted to, and approved in writing by, the Local Planning Authority prior to the commencement of the building to which it relates. Reports as specified in the approved plan, including details of any necessary contingency action arising from the monitoring, shall be submitted to, and approved in writing by, the local planning authority.

Reason: To ensure that the site does not pose any further risk to the water environment by managing any ongoing contamination issues and completing all necessary long-term remediation measures. This is in line with paragraph 174 of the National Planning Policy Framework.

7. Boreholes (EA condition)

A scheme for managing any borehole installed for the investigation of soils, groundwater or geotechnical purposes shall be submitted to and approved in writing by the local planning authority, prior to the commencement of the building to which it relates. The scheme shall provide details of how redundant boreholes are to be decommissioned and how any boreholes that need to be retained, post-development, for monitoring purposes will be secured, protected and inspected. The scheme as approved shall be implemented prior to the occupation of any part of the permitted development.

Reason: To ensure that redundant boreholes are safe and secure, and do not cause groundwater pollution or loss of water supplies in line with paragraph 174 of the National Planning Policy Framework

8. Drainage Strategy

A detailed drainage scheme (to include the disposal of surface water by means of sustainable methods of urban drainage systems) shall be submitted to and approved in writing by the Local Planning Authority, prior to the commencement (other than site clearance) of the building to which it relates. The development shall only be implemented in accordance with such approved details.

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

9. Piling (EA condition)

Piling/ other foundation designs using penetrative methods shall not be carried out other than with the written consent of the Local Planning Authority. The development shall be carried out in accordance with the approved details.

Reason: To ensure that the proposed development does not harm groundwater resources in line with paragraph 174 of the National Planning Policy Framework

10. Visitor Centre

No development shall commence in relation to the Visitor Centre building unless and until details of the siting, access, layout, scale, appearance and Visitor Centre landscaping have been submitted to and agreed in writing by the Local Planning Authority. The floorspace of the building shall not be greater than 116sqm and the height shall not exceed 6.7m above slab level.

Reason: To help facilitate future planned development and to ensure the development allows draft Local Plan (Regulation 19 submission version December 2021) site allocations to come forwards

No above ground development conditions

11. External Materials

Details of materials to be used in the construction of the external surfaces (including cycle and refuse stores), their finish and any resulting treatment of the building(s) shall be submitted to and approved in writing by the Local Planning Authority prior to any above ground development for the building to which it relates. Details shall include, samples, specifications, annotated plans and fire safety ratings of all external facing materials. The development shall be carried out in accordance with the approved materials.

Reason: In order to protect or enhance the character and amenity of the area

12. Fire Safety Scheme

A Fire Statement shall be submitted to and approved in writing by the Local Planning Authority, prior to any above ground development for the building to which it relates. 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.

13. Car Parking Design and Management Plan

A Parking Design and Management Plan (PDMP) shall be submitted to and approved in writing by the Local Planning Authority prior to any above ground new development for the building to which it relates. The car parking spaces identified shall all include active Electric Vehicle Charging Points from the outset.

Reason: To ensure that the off-street parking areas are provided to approved standards 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

14. Visitor Centre Access Strategy

Prior to any above ground development of the Visitor Centre, an Access Strategy shall be submitted to and approved in writing by the Local Planning Authority to set out expected visitor numbers and a strategy to provide safe access to the site.

Reason: In the interests of highway safety and facilitating safe access

Pre-occupation/first use conditions

15. Contamination: Verification Report (EA condition)

Prior to any part of the development hereby permitted being brought into use, a verification report demonstrating the completion of works set out in the approved remediation strategy and the effectiveness of the remediation shall be submitted to, and approved in writing, by the local planning authority for the building to which it relates. The report shall include results of sampling and monitoring carried out in accordance with the approved verification plan to demonstrate that the site remediation criteria have been met.

Reason: To ensure that the site does not pose any further risk to the water environment by demonstrating that the requirements of the approved verification plan have been met and that remediation of the site is complete. This is in line with paragraph 174 of the National Planning Policy Framework.

16. Contamination: not previously identified (EA condition)

If, during development, contamination not previously identified is found to be present at the site then no further development (unless otherwise agreed in writing with the local planning authority) shall be carried out until a remediation strategy detailing how this contamination will be dealt with has been submitted to, and approved in writing by, the local planning authority. The remediation strategy shall be implemented as approved.

Reason: To ensure that the development does not contribute to, and is not put at unacceptable risk from or adversely affected by, unacceptable levels of water pollution from previously unidentified contamination sources at the development site. This is in line with paragraph 174 of the National Planning Policy Framework.

17. Noise

Prior to the first use/occupation of development, an assessment shall be submitted to and approved in writing by the Local Planning Authority which demonstrates that the combined rating level of the noise emitted from the development is less than or equal to the existing background sound level. The rating level shall be determined outside the window to any residential noise-sensitive room. Any assessment of compliance with this condition shall be made according to the methodology and procedures presented in BS4142:2014+A1:2019.

Reason: To protect the amenity of neighbouring residents and noise sensitive receptors

18. External Lighting

An External Lighting scheme showing the provisions to be made for external lighting for the building to which it relates shall be submitted to and approved in writing by the Local Planning Authority, prior to the first use of the building to which it relates. 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 the interests of security and safety, to avoid light pollution and safeguard neighbouring amenity

19. Bat and bird boxes

The development hereby permitted shall not be occupied/in first use until bird nesting and bat roosting bricks/boxes have been installed in accordance with details which shall first be submitted to and approved in writing by the Local Planning Authority.

Reason: In order to preserve and enhance the Borough's natural environment

20. Refuse Strategy

A detailed Refuse Strategy shall be submitted to and approved in writing by the Local Planning Authority prior to the first use of the building to which it relates. The approved refuse stores shall be provided before the occupation of the development and thereafter permanently retained.

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

21. Delivery and Servicing Plan

A Delivery and Servicing Plan shall be submitted to and approved in writing by the local planning authority prior to the first use of the building to which it relates. The approved details shall be fully implemented before the first use of the Energy Centre and shall thereafter be permanently retained in an efficient manner.

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

6 months after first occupation/use

22. Carbon Reduction

The development hereby permitted shall be carried out in accordance with the submitted Energy Statement prepared by WSP, dated December 2021 to achieve a minimum 35% reduction in carbon dioxide emissions over Part L of the Building Regulations (2013). (condition linked to Section 106).

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

23. BREEAM

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

Reason: To ensure an energy efficient and sustainable development

Compliance conditions

24. CHP and boilers

Emissions from the CHP will comply with the requirements of the Environmental Permitting (England and Wales) Regulations and Medium Combustion Plant Directive Emissions Limit Values (ELV) and London Air Quality Neutral guidance.

Reason: To ensure that air quality is not detrimentally affected by the development and to protect the amenity neighbouring occupants.

25. Emissions from Non-road mobile machinery (NRMM)

No NRMM shall be used on the site unless it is compliant with the NRMM Low Emission Zone requirements (or any superseding requirements) and until it has been registered for use on the site on the NRMM register (or any superseding register).

Reason: To ensure that air quality is not adversely affected by the development

26. Surface water infiltration (EA condition)

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

Reason: To ensure that the development does not contribute to, and is not put at unacceptable risk from or adversely affected by, unacceptable levels of water pollution caused by mobilised contaminants. This is in line with paragraph 174 of the National Planning Policy Framework.

27. Cycle Parking

Prior to the first operational use of the Energy Centre the applicant will make the necessary provisions for 10 cycle parking spaces. Prior to the first use/occupation of the Visitor Centre the applicant will make the necessary provision for 8 further cycle parking spaces. The cycle parking should be designed and laid out in accordance with the guidance contained in the London Cycling Design Standards, and retained for the duration of the development.

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

28. Site Clearance

Any removal of suitable nesting habitat as identified in the Preliminary Ecological Assessment prepared by WSP, dated September 2021. shall be undertaken outside of the breeding season (March to August

inclusive). If this is not possible, then a suitably qualified ecologist must be employed to inspect the area for nests within 24 hours prior to clearance. Should any active nests be identified, it will be necessary for a suitable sized buffer zone in which no works occur to be put in place around the nest until the young have fledged.

Reason: To protect potential on site habitats.

29. Hard/Soft Landscaping

Prior to the first use of the Energy Centre hereby approved, the landscaping shall be undertaken in accordance with the Proposed Soft Landscaping Plan reference 285-P24 Rev P2, dated 22/10/2021 and the Proposed Landscape Plan reference 285-P23 Rev P2, dated 22/10/2021.

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.

Appendix 6:

s.106 Proposed Heads of Terms:

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

Administrative:

1. Payment of the Council's professional and legal costs, whether or not the deed completes;
2. Payment of the Council's reasonable fees of £6,000 in monitoring and implementing the Section 106 and payable on completion of the deed; and,
3. Indexing – all payments are to be index linked from the date of the decision to grant planning permission to the date on which payment is made, using BCIS index.
4. Feasibility Options Study

The Owner shall submit a Feasibility Study to the Local Planning Authority setting out options to incorporate decarbonisation at the Site or as part of the District Heat Network. The study shall include:

- A review of the options for incremental and full decarbonisation of the heat supplies being generated by B&D Energy from the Site and to the District Heat Network (Barking Town Centre);
- The Study will demonstrate a clear pathway, subject to viability, to decarbonise the scheme through incremental and wholesale decarbonisation;
- The Study will ensure that heat supplies made to consumers connecting to the Heat Network will accord with best practice routes to decarbonisation, to achieve compliance with the Future Home Standards and other relevant legislation at the time of submission, including Building Regulations;
- The Feasibility Study will clearly set out the carbon emission savings for each option presented.

Trigger: The Study will be submitted within 3 months of the completion of the Energy Centre.

5. Further Decarbonisation Assessment

The Owner shall submit a Further Decarbonisation Assessment to the Local Planning Authority. The Assessment shall include:

- An updated and detailed position regarding the decarbonisation of the Site and District Heat Network;
- Detail why options have been discounted;
- Identify key progress and milestones achieved further to the Feasibility Options Study and reasons for any deviation from the Study;
- Explore technologies and solutions that have become available in the interim period since first Occupation;
- Identify a Preferred Decarbonisation Pathway for the decarbonisation of the Site and District Heat Network set out a timeline and Action Plan to achieve the decarbonisation.

Trigger: The Further Decarbonisation Assessment will be submitted within 3 years of the first occupation/use of the Energy Centre.

Sustainability:

6. Carbon Reduction

The development shall achieve a minimum 35% reduction in carbon dioxide emissions over Part L of the Building Regulations 2013 through on-site provision, and a monetary contribution (at £95 per tonne in accordance with The GLA's Carbon Offset Fund Guidance), shall be made to the Local Authority's

carbon offset fund to offset the remaining carbon emissions to net zero-carbon following an assessment at practical completion, and any offset contribution to be made prior to first use/occupation of the Energy Centre.

Trigger: Prior to first operational use/occupation of the Energy Centre

Transport:

7. Section 278 Agreement – Energy Centre

The Owner shall enter into a Section 278 Agreement for carrying out works to the access and works to A124 as appropriate, incorporating advance signage as necessary. The works shall include:

- Preparation of detailed design works pack
- A Stage 2 and 3 Road Safety Audit to be undertaken by a qualified and independent professional.

The detailed works identified shall be undertaken at the applicant's expense.

Trigger: The Owner shall enter into the Section 278 Agreement prior to the construction of the Energy Centre. The works shall be completed prior to first use/occupation of the Energy Centre.

Employment:

8. Construction jobs commitment

Within 1 month of commencement of development, the Owner will submit to the Local Planning Authority a Statement confirming the number of construction phase jobs associated with the construction of the Energy Centre, and agree to a payment of £5,000 per full time role for 25% of the overall FTE positions secured.

Trigger: Payment required within 6 months of commencement of development.