

LONDON BOROUGH OF BARKING AND DAGENHAM

PLANNING COMMITTEE

19th December 2022

Application for Planning Permission

Case Officer:	Alex Tayler	Valid Date:	17 August 2022
Applicant:	Bridge UK Properties 6, LP	Expiry Date:	Extension of Time Agreed until 9 th January 2023
Application Number:	22/01424/FULL	Ward:	Whalebone
Address:	Dairy Crest, Chadwell House, Selinas Lane, Dagenham, Barking and Dagenham, RM8 1QH		
Proposal:	Full planning application for the following: Demolition of existing structures and construction of 3no. industrial buildings (Class B2/B8/E(g)(iii)), with ancillary offices and associated external yards; accesses from Selinas Lane; pedestrian and cycle access route; hard and soft landscaping; hardstanding and circulation areas; cycle, car and HGV parking; boundary treatment; external lighting; infrastructure and all associated works.		
<i>The purpose of this report is to set out the Officer recommendations to the Planning Committee regarding the above application.</i>			

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 and Dagenham's Director of Inclusive Growth (or authorised Officer), in consultation with the Director of Law and Governance, to grant planning permission subject to the completion of a legal agreement under Section 106 of the Town and Country Planning Act 1990 (as amended) based on the Heads of Terms identified at Appendix 6 of this report and the Conditions listed in Appendix 5 of this report; and
3. If the legal agreement has not been completed by the 19 June 2023, delegate authority to the London Borough of Barking and Dagenham's Director of Inclusive Growth (or authorised Officer), in consultation with the Director of Law and Governance, to refuse planning permission, extend this timeframe to grant approval or refer the application back to the Planning Committee for determination.

Conditions Summary

Mandatory Conditions

1. Time
2. Approved Plans
3. Permitted Use and Quantum of Development
4. Permitted Use
5. Permitted Use
6. Permitted Use

Prior to Commencement

7. Archaeology
8. Details of Plant and Machinery
9. Air Quality and Dust Emissions
10. Construction Environmental Management Plan
11. Site Waste Management Plan
12. Contaminated Land

Prior to Piling

13. Piling

Prior to Above Ground Works

14. Fire Safety
15. Digital Connectivity

Prior to Development Above Ground Floor Slab

16. Landscaping

Prior to First Occupation and/or Use

17. CCTV and Lighting
18. Noise and Vibration
19. Drainage
20. Cycle and Bin Storage
21. Visibility Splays
22. Whole Life Carbon Assessment
23. Delivery and Servicing
24. Odour
25. Ecological Enhancements
26. BREEAM
27. Secure by Design
28. Car Parking Design and Management Plan

Monitoring and Management

29. Circular Economy
30. Energy Use

Other

- 31. Fire Evacuation Lift
- 32. Car Parking
- 33. Electric Vehicle Charging
- 34. Open Storage
- 35. Trees
- 36. Generator

S106 – Summary of Heads of Terms

Administrative:

1. Payment of the Council's professional and legal costs, whether or not the agreement completes and payable on completion of the deed,
2. Payment of £7,000 Council's reasonable legal fees in monitoring and implementing the Section 106 and payable on completion of the deed; and,
3. Indexing – all payments are to be index linked from the date of the decision to grant planning permission to the date on which payment is made, using BCIS index.

Transport:

4. Traffic Management Order - to pay for a TMO for double yellow lines, and the subsequent implementation of additional double yellow lines in the vicinity of the site.
5. Highway improvement works – to enter into a Section 278/Section 38 agreement for works to the public highway and cover all necessary costs. To include widening pavements along Selinas Lane and provision of dropped kerbs.
6. Transport Feasibility Design contribution - £30,000 be paid to LBBD to carry out a walking and cycling improvements study along Selinas Lane and Freshwater Road, to support the emerging Chadwell Heath Masterplan.
7. Travel plan – to agree and finalise a travel plan in accordance with the recommendations set out in the Framework Travel Plan prepared by Mode (August 2022) and implement the monitoring and review as recommended within it.
8. Road junction and bus improvement works contribution - £400,000 to be paid as a contribution towards a review of local traffic signal timings and towards the potential capital cost of further mitigations, the provision of pedestrian cancel and pedestrian countdown timers at the Tollgate Junction, bus priority works for routes serving Whalebone Lane North and Whalebone Lane South, and any further modelling that is required through the TfL MAP to support these items.

Air Quality:

9. Air-quality off-setting contribution – The developer shall undertake an assessment at practical completion. In the event that air quality neutral is not achieved, the

applicant shall make a payment towards air quality off-setting payable on practical completion. A payment at the off-setting rate of £29,000 per tonne of NOx over the benchmark (or the equivalent rate at the time of reassessment) and £45.510 per tonne over the established benchmark figure for particulate matter will be applied if the scheme does not meet air quality neutral standards.

Landscape Phasing

10. Phasing Plan and New Pedestrian/Cycle Links:
 - a) The applicant shall provide landscaping for phases 1 and 2 by time of first occupation, in accordance with drawing number 8561_103_P1.
 - b) The Phase 3 'interim' planting shall be provided at first occupation and shall consist of the provision of rainwater gardens, 15no. new semi-mature trees along the site's southern boundary, the provision of species-rich grassland planting across the entirety of the remainder of the Phase 3 area.
 - c) The full phase 3 planting will be provided as shown on drawing number 8561_103_P1 (or as otherwise agreed with the LPA) within 10 years post occupation or at such time as neighbouring sites to the west are delivered and reach first occupation.
 - d) If at the time of implementation of phase 3, the trees shown in the landscaping plans for this phase are not required due to an agreed amendment to the configuration of the footpaths, these trees shall be planted elsewhere on the site or off-site by agreement with the Local Planning Authority.

Employment:

11. In relation to the site clearance/demolition/piling phase - £10,000 off-set for the site clearance/demolition phase. This is in lieu of 2x LBBB jobs, based on 8 FTE jobs for this phase. The justification for this off-set that has been accepted is that these are highly skilled jobs and there is no one within LBBB available to fill these positions.
12. In relation to above ground works - Submission of employment and skills plan for all other phases of work. This shall be submitted and agreed prior to the commencement of piling works.

Affordable Workspace

13. Off-site Affordable Workspace Contribution - £120,000 towards commercial / cultural workspace provision as part of LBBB's Affordable Workspace Fund. This shall be paid prior to occupation of the development hereby approved. In the event that the contribution remains unspent after five years then it shall be payable to LBBB's Employment and Skills Team ringfenced for the provision of employment and skills training with the Brough.

Energy and Sustainability

14. The development shall achieve a minimum 100% reduction in carbon dioxide emissions over Part L of the Building Regulations 2013 (when applying updated SAP 10 emissions factors) through on-site provision. An assessment will be made at practical completion of each block, 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 prior to 1st occupation of each unit.

15. Passive provisions shall be made as part of the development to allow for the development to connect to a future decentralised energy network.

16. Measures shall be agreed with regards to the 'Be-Seen' provisions of energy reduction and monitoring. These shall accord with the relevant GLA and London Plan guidance.

Lead Be First Officer: Alex Tayler

Position: Senior Development Management Officer - Be First

OFFICER REPORT

Planning Constraints

Adopted Development Plan:

- Locally Significant Industrial Site (Freshwater Road)
- Air Quality Management Area

Emerging Local Plan:

- Air Quality Management Area
- Whalebone Ward Housing Trajectory Site
- Chadwell Heath Intelligent Locally Significant Industrial Site (LSIS)
- Chadwell Heath Transformation Area Masterplan SPD

Other Designations

- Flood Zone 1
- PTAL 1b-3

Site, Situation and Relevant Background Information

The Site

The application site covers approximately 5.27 hectares. It was formerly occupied by the Muller dairy factory (Use Class B2), until operations ceased in 2018. The site was vacated in 2019 and the former buildings were almost entirely demolished. Today, it comprises predominantly vacant hardstanding, with the exception of a series of portacabins and a prefabricated single storey kiosk, associated with current temporary uses, including a car dealership and open storage. These uses were granted for a period of five years from the 15 March 2022, under planning permission 21/02059/FULL.

The site benefits from a row of large poplar trees and a landscaped buffer on its southern boundary.

Surrounding Area

The surrounding area, along Selinas Lane and Freshwater Road is largely industrial and commercial in character, comprising a mix of warehousing and open air storage. The site is situated within the Chadwell Heath Locally Significant Industrial Site (LSIS). Within the Regulation 19 draft Local Plan, the site is also the subject of a wider housing allocation. The site, and the wider Chadwell Heath Industrial Estate, is identified in the Regulation 19 draft Local Plan as a transformation area, suitable for managed intensification of industrial and residential development. Within the emerging Chadwell Heath Transformation Area Masterplan SPD, the site is considered most suitable for intensified industrial development.

There is residential development situated to the south of the site. This was specifically designed to mitigate against disturbance from the former Muller factory, and other proximate industrial uses. A small section of the site, to the south-east borders an Asda supermarket.

Public Transport Accessibility Level (PTAL)

The application site has a varying PTAL level across the site of 1b (low) - 3 (moderate). Officers note that part of main site entrance point, along Selinas Lane, has a PTAL of 3 (moderate).

The site is approximately a 10 minute (0.5 mile) walk from Chadwell Heath station, on the Elizabeth Line. The site is further served by buses along Whalebone Lane, Valence Avenue and the High Road, including the following: 62, 86, 368, 362 173, 499, 673 and N86. These provide frequent connections across the borough and into Central London and Essex.

Flood Risk and Drainage

The site is situated within Flood Zone 1 on the Environment Agency's Flood Risk Map for Planning, thereby denoting a 'low probability of flooding'.

The site is not within a groundwater Source Protection Zone.

Other

The site is not within an Area of Outstanding Natural Beauty, National Park, or an Area of High Landscape Value. There are no public rights of way through the site.

There are no internationally designated sites on or within close proximity to the site. The closest statutory designation is the Romford Line Railsides Site of Importance for Nature Conservation (SINC) which is located 90m to the north, within the railway corridor.

The site is located within the borough wide Air Quality Management Area (AQMA), which has been declared for exceedances of the pollutants Nitrogen dioxide (NO₂) (annual mean objective and 1-hour mean objective) and Particulate Matter (PM₁₀) (24-hour mean objective). A small portion of the south-eastern corner of the site is located within the Whalebone Lane North Air Quality Focus Areas where the EU annual mean limit value for NO₂ has been exceeded.

There are a limited number of Grade II Listed structures within 500m of the site. There are no Conservation Areas or Scheduled Monuments within 500m of the site.

Key Issues

1. Environmental Impact Assessment
2. Principle of the Development and Economic Benefits
3. Design, Layout and Quality of Materials
4. Public Realm, Landscape and Biodiversity
5. Impacts to Neighbouring Amenity
6. Transport, Servicing and Waste
7. Local Skills, Employment and Affordable Workspace
8. Archaeology
9. Delivering Sustainable Development (Energy / CO2 reduction / Water Efficiency)
10. Air Quality
11. Contamination
12. Flooding and Sustainable Drainage

PLANNING ASSESSMENT

1. Environmental Impact Assessment

- 1.1. The proposed development falls within Category 10 of Schedule 2 'Infrastructure projects' sub-section (a) 'Industrial Estate Development Projects' of the Town and Country Planning (Environmental Impact Assessment) Regulations 2017.
- 1.2. An EIA screening request was therefore submitted to the LPA (ref: 22/01147/SCREEN). This determined that the proposed development would unlikely result in significant environmental effect and that an EIA was not required.
- 1.3. It is considered that no new environmental factors have come to light since this screening opinion was provided and that an Environmental Statement is not required as part of this application.

2. Principle of the Development and Economic Benefits

Existing use(s) of the site:

Temporary car dealership and open storage (permitted use until 15/032027) - B8 and Sui Generis. Previously vacant

	land with a historic General Industrial (B2 Use Class).
<i>Proposed use(s) of the site:</i>	Flexible industrial, storage and distribution, (use classes E(g)(iii), B2 and B8.
<i>Net gain/loss in number of jobs:</i>	<p>Site currently supports approximately 10-15 jobs.</p> <p>167 on-site construction jobs would be provided over the construction period of one year.</p> <p>Circa 370-599 on-site operational jobs would be provided.</p>

- 2.1. The proposed development seeks permission for the demolition of existing structures and construction of 3 no. industrial buildings (Class B2/B8/E(g)(iii)), with ancillary offices and associated external yards; accesses from Selinas Lane; pedestrian and cycle access route; hard and soft landscaping; hardstanding and circulation areas; cycle, car and HGV parking; boundary treatment; external lighting; infrastructure and all associated works. As set out above, it should be noted that the vast majority of the site is currently vacant and unused, with only a temporary permission in place. In total the 3 buildings would accommodate 10 individual units set in a campus style arrangement.
- 2.2. Paragraph 11 of the NPPF sets out a presumption in favour of sustainable development. For decision-taking, this means approving development proposals that accord with an up-to-date development plan without delay. Paragraph 81 sets out that planning decisions should help create the conditions in which businesses can invest, expand and adapt. Significant weight should be placed on the need to support economic growth and productivity, taking into account both local business needs and wider opportunities for development.
- 2.3. The site sits within the Chadwell Heath Locally Significant Industrial Site (LSIS). London Plan Policy E6 sets out that boroughs should make clear in their development plans that a range of industrial and related uses are acceptable in LSIS including B1c/B2/B8 uses. Consequently, Policy DME 1 of the Draft Local Plan (Regulation 19 Submission Version) sets out that Class B2/B8 and E(g) (i), (ii), (iii) uses will be supported. Likewise, adopted Policy DE4 of the Core Strategy sets out that the borough's employment areas should comprise an appropriate mix of employment uses, including B1 (light industry), B2 (General Industry) and in certain locations B8 (Storage and Distribution). Policy E7 of the London Plan and Policy DME 1 of the Draft Local Plan further set out that development proposals should be proactive and encourage the intensification of business uses in Use Classes B1c, B2, and B8 occupying all categories of industrial land.

- 2.4. Within the Draft Local Plan (Regulation 19 Submission Version), the site is also allocated as part of the Chadwell Heath Transformation Area. Area Policy SPP4 'Chadwell Heath and Marks Gate' sets out that Chadwell Heath is one of the biggest remaining regeneration opportunities at a Crossrail station (Elizabeth Line). The industrial estate will be comprehensively redeveloped to create new homes as well as improved and intensified industrial space. Within the Draft Local Plan, the site also forms part of the wider 'Chadwell Heath Industrial Estate' site allocation, which effectively covers the entirety of the LSIS area. Within this allocation, there is aspiration for a comprehensive mixed-use redevelopment, with the potential to deliver c. 3,685 new homes and up to 136,732 sq. m industrial floorspace to support digital/cultural creative industries, and flexible commercial/community floorspace and supporting infrastructure.
- 2.5. Area Policy SPP4 of the Draft Local Plan also sets out that Masterplan SPDs will be delivered for the Chadwell Heath Transformation Area. The relevant SPD is currently emerging. It sets out that development proposals will be expected to demonstrate how they deliver comprehensive and co-ordinated redevelopment in accordance with its principles. Proposals for piecemeal development which may undermine the delivery or viability of the comprehensive and co-ordinated redevelopment of the area in accordance with the relevant Masterplan SPD will not be supported. The masterplan shows that some parts of the Chadwell Heath Area will feature predominantly residential development, whilst others will feature predominantly industrial, and employment led development. The proposed development sits within the side which is expected to facilitate predominantly employment/industrial led development.
- 2.6. Policy SPDG1 of the Draft Local Plan sets out that the Council will support the provision of 20,000 new jobs in the borough over the course of the plan period to 2037, which will be focussed on the intensification of existing employment sites such as Chadwell Heath.
- 2.7. The proposed development will involve the redevelopment and intensification of brownfield land for industrial uses within a Locally Significant Industrial Site (LSIS). This is strongly supported within national, regional and local planning policy.
- 2.8. The proposal is for speculative development which would allow for flexibility under the following mix of uses:
- E (g) (iii) (any industrial process, which can be carried out in any residential area without causing detriment to the amenity of the area)
 - B2 (general industrial)
 - B8 (storage and distribution)
- 2.9. The proposed mix of uses would allow for a range of general industrial, storage and distribution uses, as well as the use of the site to support the borough's emerging media, film and gaming industries. These uses are considered appropriate in an LSIS when assessed against planning policy. The potential use by the film industry is particularly noted, being a key growth area for employment in LBBD.
- 2.10. The three buildings would be split into ten individual units, which would provide a range of different sized units, with the potential to support a wide range of business types, including SMEs.

- 2.11. The proposed development would result in the significant intensification of the site against its current use, given that the majority of the site is currently unused. Even when assessed against the use of the site as a dairy products factory, it would still result in a significant increase in floorspace.
- 2.12. Valuation Office Agency records indicate that the Muller factory comprised 25,898 sqm GEA of industrial floorspace. The proposals would result in the provision of 30,534sqm GIA (31,540sqm GEA) of new high-quality industrial floorspace, resulting in an uplift of industrial capacity of approximately 4,636sqm across the site based upon the previous GEA floorspace figure. The applicant has noted that the intensification would likely be higher at around 5,642sqm given the GEA-GIA conversion. This accords with the requirements of the London Plan and emerging local plan policy for the intensification of designated industrial areas and is strongly supported.
- 2.13. It is noted that the applicant considered opportunities for the 'stacking' of industrial units on the site. However, due to the shape and size requirements for the ramps, this would not have resulted in a significant increase in floorspace but would have resulted in a far more costly development, with less efficient units. There would also have been issues, such as the reduction of natural daylight and a reduction in space for racking, as well as the increased potential for sound transmission from raised service yards to the detriment of neighbouring residential dwellings. Given that the proposed scheme would deliver a significant intensification of the site without the use of stacked units, the proposal is still considered to accord with the relevant planning policy requirements.
- 2.14. In accordance with draft Policy DME 1 of the Draft Local Plan, a range of unit sizes would be provided which would be able to support a wide range of businesses with different floorspace and size needs. Each unit has its own provision for servicing and deliveries. The proposal is also therefore considered acceptable in this regard.

Economic Benefits

- 2.15. The application is supported by an Economics and Social Value Assessment and an Economic Benefits Infographic, both of which have been prepared by Savills.
- 2.16. This sets out that the proposed development would provide 167 on-site construction jobs over the construction period of one year. It is estimated that this would result in a Gross Value Added (GVA) figure of £11.1 million. In terms of permanent net additional operation jobs and depending on the final mix of uses on the site, it is estimated that between 370-599 on-site jobs would be provided. When the figures for on-site and off-site operational jobs are combined, it is estimated that between 390 and 789 jobs would be provided. This would result in an estimated net additional Gross Value Added (GVA) figure of £30,818,000. Against a target of 20,000 new jobs by 2037, this represents a very significant contribution to the creation of new jobs in the borough and is strongly supported.
- 2.17. With regards to additional economic benefits, it is estimated that the proposals would result in a cumulative net income to the public sector of £5.2 million over 20 years and a cumulative social gains value of £3.9 million. The social value element will be delivered through a range of measures including (but not limited to) skills and employment training; local career events; local procurement; and potential indirect savings to the NHS through the reduction of unemployment and the associated likelihood of ill-health. The applicant has provided details of an estimated CIL liability

of approximately £1.1 million, which will be used to deliver priority infrastructure projects within LBBB.

- 2.18. The applicant is committed to the delivery of training and employment for local people. This has been agreed in conjunction with LBBB's Employment and Skills Team, and is captured within the Heads of Terms, which will form the basis of the s.106 agreement. Local employment and skills is further assessed in the section on employment and affordable workspace.

Community Infrastructure Levy (CIL)

- 2.19. Be First's CIL and S106 Team have calculated an estimated CIL liability, as follows:

Description	Rate including indexation 2020 (£ per sq.m.)	Chargeable Area (sqm)	Liabe Amount	Relief (Social Housing/ Charitable/ Self Build)	Total
MCIL 2 (2019)	£25.15	30534.00	£767,930.10	£0.00	£767,930.10
CIL liability for Mayor of London					£767,930.10
LBBB Business (B1b, B1c B2, B8)	£6.51	30534.00	£198,776.34	£0.00	£198,776.34
CIL liability for London Borough of Barking and Dagenham					£198,776.34
Total CIL liability					£966,706.44

- 2.20. Financial contributions would also be delivered through the s.106 agreement, as set out in the Heads of Terms. However, the total CIL contribution is also considered to be a significant benefit of the scheme.

Summary

- 2.21. Overall, it is considered that the proposed development will deliver significant economic and employment benefits to LBBB. The proposed use mix is considered appropriate within an LSIS and, subject to appropriate conformity with the emerging site allocation and transformation area masterplan principles, the principle of development is considered acceptable.

3. Design, Layout and Quality of Materials

- 3.1. Paragraph 124 of the NPPF stresses the importance of good design and states that the creation of high quality, beautiful and sustainable buildings and places is fundamental to what the planning and development process should achieve.
- 3.2. Chapter 3 (Design) of the London Plan sets out key urban design principles to guide development in London. Design policies in this chapter seek to ensure that development optimises site capacity; is of an appropriate form and scale; responds to local character; achieves the highest standards of architecture, sustainability, and

inclusive design; enhances the public realm; provides for green infrastructure; and respects the historic environment.

- 3.3. Policy CP3 (High quality built environment) of the Core Strategy states that all development proposals will be expected to achieve high quality standards in relation to the design and layout of new building and spaces. Policy BP11 (Urban design) sets design principles that new development should follow.
- 3.4. The draft Masterplan SPD requires that new development in Chadwell Heath should provide enhanced permeability for pedestrians and cyclists.

Layout

- 3.5. The proposed development seeks to provide 3no. warehouse buildings across the site, which will be subdivided into 10 units of varying sizes with a campus style arrangement. Access would be provided from two vehicle entrance points onto Selinas Lane and east-west and north-south pedestrian routes would be provided for future connection as development comes forward in line with the wider Chadwell Heath site allocation and Chadwell Heath SPD. The proposed site layout is provided in the below plan:



- 3.6. The principal large warehouse is proposed to front Selinas Lane and will be split to provide two industrial units ('Units 100 and 200'). A lower east-west unit to the southwestern area of the site will provide a further four units ('Units 300-340'), and a further building will provide a further four units on a north-south orientation to the south-eastern corner of the site.

- 3.7. Each of the buildings are supported by ancillary office and mezzanine spaces to support the main industrial floorspace. Toilet, kitchen, and shower facilities are provided in each unit. However, the main floorspace areas in each building have been designed to allow flexibility based on the requirements of the end users, who are currently unknown.
- 3.8. A new north-south pedestrian/cycle connection will be provided along the western edge of the site. This will adjoin with a new east-west pedestrian/cycle connection along the southern edge of the site. These will provide enhanced permeability across this large site, in a location where there are currently no through routes. Both paths have been designed to be at least 3m in width, so that they can function as shared spaces, where pedestrians and cyclists can comfortably pass each other.
- 3.9. Under a phasing plan to be agreed as part of the legal agreement, these routes would only become available as through routes to members of the public at such time as adjacent sites come forward for development. In the interim, these routes would largely be made available for on-site workers to access the landscaped mini-park area to the southwestern corner of the proposed development. Further details will be set out in the section of this report on matters relating to landscaping. Officers queried whether further connections could be provided across the centre and eastern edges of the site. From a permeability point of view, this would have been preferable. However, it was accepted that there would be significant safety and operational challenges in allowing members of the public to traverse the middle of the site, given concerns over security and the potentially high number of HGV movements. Nonetheless, it is considered that the applicant has responded well to the requirement in the emerging Chadwell Heath Masterplan SPD that enhanced permeability be created across the wider area, to provide improved connections for pedestrians and cyclists.
- 3.10. Overall, it is considered that the proposed layout has been designed well to allow for optimum industrial use of the site and the provision of new pedestrian/cycle routes through the site is also supported. This will aid wider connections through the Chadwell Heath industrial estate, as future development sites come forward in line with the wider Chadwell Heath site allocation and the Chadwell Heath SPD.

Appearance, Scale and Mass

- 3.11. The elevation design of the buildings has sought to enhance the design standard locally on Selinas Lane and activate this key central area of the Chadwell Heath Master Plan SPD area. The proposed configuration and use of materials has been carefully developed to reduce the perceived mass through the provision of various cladding types and cladding colours. The massing and appearance of each of these is detailed further below.

Units 100 and 200

- 3.12. The Unit 100-200 building would be approx. 18m in height and is sited as one large block fronting onto Selinas Lane. It would provide 2no. industrial units, with the access yard for Unit 100 facing east and Unit 200 facing west. The western unit would be accessed via Selinas Lane, and the eastern unit would be accessed via an eastern access road. The building, with all ancillary office areas located to its northern elevation, will serve to create an active frontage to Selinas Lane.
- 3.13. The elevational design to the Selinas Lane frontage takes design references from the former Homerton office and laboratory building of Berger Paints, who operated in the Chadwell Heath from the 1930s through the 1980s. In particular, the building

would utilise projecting elements to create depth and interest in the façade, with modular ribbon vertical windows, topped by a horizontal ribbon to accord with ancillary offices within the building. Importantly the buildings would help provide activation and natural surveillance onto the proposed landscaped area and Selinas Lane.

- 3.14. The building would utilise a series of different cladding types to ensure a modern, high-end and visually interesting aesthetic, to break up the visual building massing. Whilst the height and massing of this building is considered acceptable the proposed approach would include feature frame and concept colours to key office locations, and elevational gradation to the long elevations with lighter tones to the top, to break down building mass and reduce perceived height.

Units 310-340

- 3.15. The second building would be located to the southwestern area of the site. This building would provide 4no. medium size industrial units. The building would be orientated so that the yards are to the north of the buildings away from residential properties to the south of the site. The units would be accessed via the eastern access road. This building is proposed to be up to approx. 15m above ground.
- 3.16. The building would utilise a number of cladding colours and a feature frame to create architectural interest. Glazing would also be used along the long elevation and to the western end of the building to add transparency to the façade and offer natural surveillance of the surrounding area, including the north-south route.

Units 410-440

- 3.17. A third building would be located to the south-eastern corner of the site. This unit would provide 4no. small industrial units. The building and its yard would be orientated to face west and would be accessed via the eastern access road from Selinas Lane. As with Unit 310-340, the building would utilise colour and a feature frame, along with glazing, to animate the façade and provide opportunities for natural surveillance.

Overall Appearance of Buildings

- 3.18. It is considered that the proposals have evolved with a design-led approach to have consideration of the site context (in accordance with London Plan policies D1, D2 and D3, policies CP3 and BP11 and draft Policy DMD1) and promote architectural interest through a 'campus' style approach to building design, with variations between individual buildings. There is also a focus on reducing the perception of massing and height to the large warehouse building fronting Selinas Lane. The proposals will provide a high-quality modern addition to the heart of this important economic area, activating Selinas Lane and raising the standard of design locally.

Sub-stations

- 3.19. Several sub-stations are provided around the site. The locations of these have been amended following officer comments, to reduce visual impact from key vantage points. Two sub-stations remain on the Selinas Lane frontage. It is accepted that their placement in the proposed locations is acceptable given operational constraints. The applicant has amended the design of these so that they will be grey to blend in well with the main buildings forming part of the proposed development. They will be clad in grey GRP to match the main buildings. They will also benefit

from substantive landscaping in the vicinity, which will help soften their appearance on the street scene.

Materials

- 3.20. Officers have been provided with materials details for the proposed buildings on the site. Micro Rib Cladding will be used as the office elevational treatment. The cladding distinguishes the offices from the main mass. An appropriate colour palette has been selected to tie in with the wider building design. Trapezoidal metal cladding will be used as the elevational treatment to the main warehouse. Elevational gradation with varied grey tones divides the facade, breaks up the visual building massing and reduces the perceived height. External wall systems include a profiled, coloured outer sheet. This profiled sheet creates interest through depth and texture, contrasting with the flat, micro-rib cladding panels used on the office. Details are also provided for all other external materials, including doors and small sections of concrete well. These details are also considered acceptable.

Summary

- 3.21. The site is currently occupied by temporary uses or vacant semi derelict state. Particularly given the proposals are for appropriate flexible industrial and commercial development, it is considered that the proposed development represents high-quality design, which will result in a significant improvement to visual amenity along a large section of Selinas Lane. The proposals are therefore supported in this regard.

Accessibility

- 3.22. The proposals are appropriately designed to achieve accessibility for all. All disabled car-parking bays are located as close to the main office entrance as possible, with cycle shelters providing security and protection for adapted bicycles.
- 3.23. All levels within the car parking areas will have a gradient of less than 1:25, enabling wheelchair access and ambulant disabled to ensure inclusive accessibility.
- 3.24. The main entrance into the units will be 'wheelchair friendly' level entry, with automatic or manual opening doors. The doors will meet all current Building Regulations Part M requirements, with full height tubular steel handles for ease of opening. The force required to operate the doors will be below the maximum force recommended in the Building Regulations, and the effective opening width of each leaf will be designed to be more than 800mm.
- 3.25. All reception and circulation areas are also appropriately sized to allow safe passage of disabled users. Further wheelchair accessible toilets and showers are provided within each unit.
- 3.26. It is therefore considered that the design is inclusive and achieves high standards of accessible and inclusive design, in accordance with Policy D5 of the London Plan and draft Local Plan Policy SP2.

Crime and Safety

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

- 3.28. The Metropolitan Police Design Out Crime Officer (DOCO) has been consulted on the application. They have raised no objections to the application, but it was recommended that a planning condition is added requiring each part of the building to achieve the secure by design accreditation prior to first occupation of the development. The recommended condition will be added to the list of conditions, thereby ensuring that crime prevention measures are considered fully at implementation stage.
- 3.29. One key concern raised by the DOCO was with regards to the proposed pedestrian walkways to the south and south-western edges of the site. This is because they are relatively lacking in passive surveillance. The GLA noted similar concerns in the phase 1 referral. Mitigations such as CCTV and a high-quality lighting scheme are included within the list of recommended conditions. Further, the paths in this location will only be opened to the public at such time as neighbouring sites come forward for redevelopment. In the meantime, they will only be made available to employees of the proposed development, and it is not anticipated that staff will be the source of anti-social behaviour. Officers will negotiate with developers on adjacent sites to ensure adequate overlooking and activation at ground floor level to ensure the safety of all users when these paths are opened fully.
- 3.30. On this basis, it is considered that the proposals have been well thought out with regards to crime and safety. The applicant would continue to work with the Police post-determination to ensure detailed measures are put in place to protect against undue safety issues. The proposed development is therefore considered acceptable in this regard.

Fire Safety

- 3.31. Policy D12 (Fire Safety) of the London Plan requires all development proposals to achieve the highest standards of fire safety and to requires all major proposals to be supported by a Fire Statement. The Mayor of London has also published pre-consultation draft London Plan Guidance on Fire Safety Policy D12 (A).
- 3.32. Part B (5) in Policy D5 (Inclusive design) of the London Plan states that new development should be designed to incorporate safe and dignified emergency evacuation for all building users. In all developments where lifts are installed, as a minimum at least one lift per core (or more subject to capacity assessment) should be a suitably sized fire evacuation lift suitable to be used to evacuate people who require level access from the building.
- 3.33. The scheme is supported by a Fire Strategy prepared by 3-FE. The strategy details inter alia the proposed evacuation strategy, means of escape and how emergency services would be able to access the proposed buildings. The strategy further sets out that the buildings will be constructed using steel frame methods, with built up twin skin cladding and insulation to the warehouse areas. All materials will be selected to ensure that specifications within Buildings Regulations B1-B5 will be observed. The site access routes into the site are able to accommodate HGVs, so fire service vehicles can also be accommodated.
- 3.34. During the Stage 1 referral, the GLA made a number of queries with regards to the applicant's fire statement. Following this, an updated Fire Statement was prepared, and it was confirmed that fire evacuation lifts will be provided within each unit (secured by condition) and additional reassurances were provided with regards to fire assembly points, the evacuation strategy and fire-safety related drawings. It was confirmed that Green Walls no longer form part of the proposals and therefore do not present a fire risk. Further the applicant has accepted a recommended condition,

which requires the provision of a more detailed Fire Statement at a later design stage.

- 3.35. The national Health and Safety Executive (HSE) was consulted formally as part of the application. They provided no comments objecting to the development.
- 3.36. Subject to this condition, it is considered that the development is acceptable with regards to matters of fire safety.

Digital Connectivity

- 3.37. Policy SI 6 (Digital connectivity infrastructure) of the London Plan states that the provision of digital infrastructure is as important for the proper functioning of development as energy, water, and waste management services. The development must ensure that sufficient ducting space for full fibre connectivity infrastructure is provided to all end users unless an affordable alternative 1GB/s-capable connections is made available to all end users.
- 3.38. Following the GLA's comments at stage 1, a condition is recommended requiring that the building will have sufficient provision of ducting space for full fibre connectivity infrastructure. The development is therefore considered acceptable in this regard.

Design Conclusion

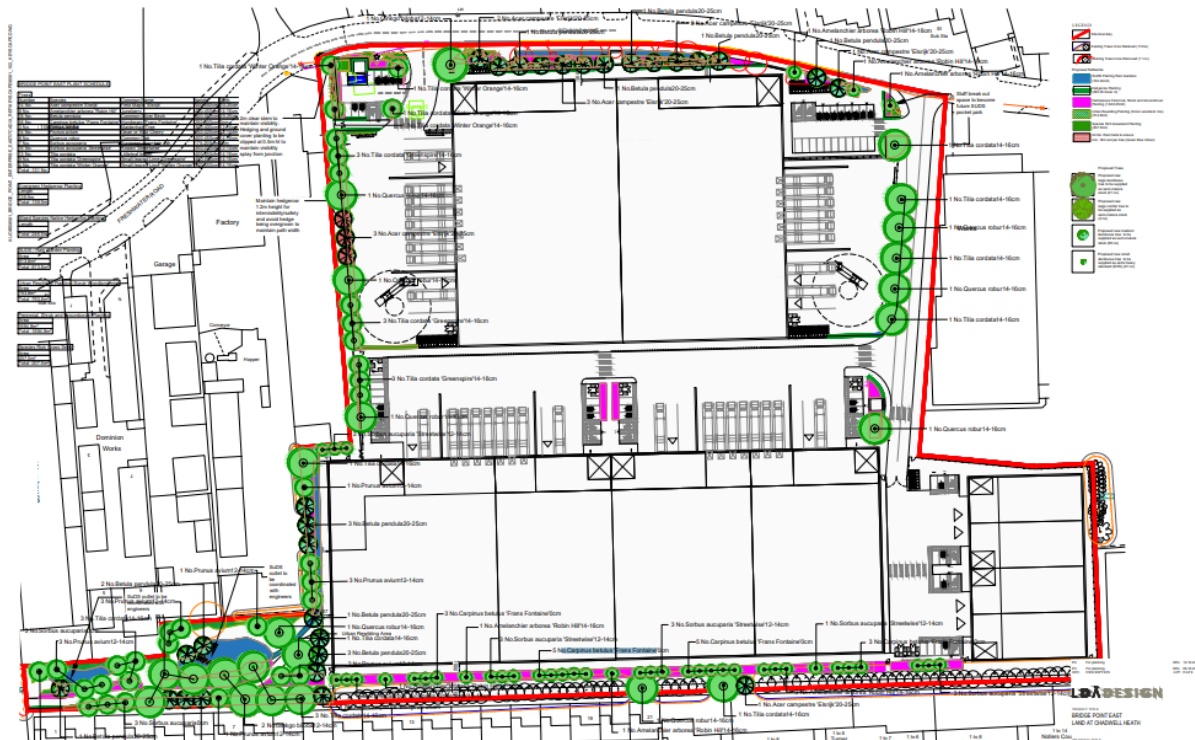
- 3.39. The layout, scale, height, and massing of the proposed buildings would comply with the aspirations of the emerging masterplan and planning policy, providing high quality commercial development that helps activate and enliven this important economic area. The development is considered to represent high-quality design, which will result in significant improvement to visual amenity along Selinas Lane. The layout will result in enhanced pedestrian and cyclist permeability compared with the present situation. The development has also been fully assessed in relation to matters of accessibility, crime, and fire safety, as well as the provision of full fibre broadband connectivity. It is therefore considered that the proposed development is acceptable with regards to matters of design and this represents a material public benefit of the scheme.

4. Public Realm, Landscape and Biodiversity

- 4.1. Policy D8 (Public realm) of the London Plan requires development proposals to, amongst other things, ensure the public realm is well-designed, safe, accessible, inclusive, attractive, well-connected, related to the local and historic context, and easy to understand, service and maintain. Policy G1 (Green infrastructure) expects development proposals to incorporate appropriate elements of green infrastructure that are integrated into London's wider green infrastructure network. Policy G5 (Urban greening) states that major development proposals should contribute to the greening of London by including urban greening as a fundamental element of site and building design, and by incorporating measures such as high-quality landscaping (including trees), green roofs, green walls, and nature based sustainable drainage. The policy encourages the borough to develop an Urban Greening Factor (UGF) to identify appropriate amount of urban greening required in new developments. Policy G6 (Biodiversity and access to nature) states that development proposals should manage impacts on biodiversity.

- 4.2. At local level, Policy CR2 (Preserving and enhancing the natural environment) of the Core Strategy states that the Council will seek to preserve and enhance the borough's natural environment. Policy BR3 (Greening the Urban Environment) of the Borough Wide Development Policies DPD states that all development proposals need to demonstrate that the sequential approach set out below to preserving and enhancing the natural environment has been taken.
- 4.3. Draft Local Plan Policy DMNE1 states that all major development should contribute to the delivery of sufficient new publicly accessible open space on-site, which should be of high-quality and accessible to all. It should provide multiple benefits, including recreation, food growing, SuDS, improvements to biodiversity and links to green infrastructure, as well as any blue infrastructure, on and adjacent to the development site. Draft Policy DMNE2 sets out that development proposals will be supported where they maximise opportunities for urban greening, including landscaping and street trees. Developments for B2 and B8 uses must demonstrate measures to achieve urban greening on site.
- 4.4. Draft Policy DMNE3 sets out that all development proposals are required to demonstrate a minimum of 10% biodiversity net gain using the DEFRA metric. Major development proposals are required to contribute to the strategic network of green and blue spaces. They must also submit ecology assessments to demonstrate biodiversity enhancements. Sites should use native plants of local provenance across at least 75% of the area of the soft landscaping scheme. Draft Policy DMNE 5 sets out that all major development is expected to incorporate new trees, shrubs and vegetation over and above any existing provision.
- 4.5. A full landscaping strategy has been prepared by LDA Design. The key principles of the proposed landscaping strategy are:
- Connectivity and permeability – improving connectivity of this large site, to better connect the site to both neighbouring industrial and residential areas, and permeability for both pedestrians and cyclists.
 - Urban rewilding – creating a different landscape experience to the typical formal and manicured business park environment; reintroducing spaces for ecosystems and less-managed informal landscapes, capturing the concept of urban rewilding.
 - Site specific distinctiveness – drawing design reference from the industrial heritage of the area, particularly the former Berger paint factory, reflected in the planting and wayfinding strategy for the site.
- 4.6. The landscaping strategy seeks to deliver several different character areas, thereby ensuring variety in the proposed scheme. A plan of the proposed soft landscaping scheme is provided below:

Soft and Hard Landscaping



- 4.7. The plan shows how soft landscaping will be deployed primarily around the edges of the site, particularly along the boundaries with residential development and along the Selinas Lane Frontage. Opportunities for landscaping within the service yard areas have also been taken.
- 4.8. The Selinas Lane frontage will provide an attractive gateway to the scheme, featuring a mix of blue-green spaces, which would include a number of seated areas to encourage dwell time and raingardens, as a distinctive feature, which also serve to provide a form of sustainable drainage. The landscaping in this location is also used to help reduce the prominence of the two remaining sub stations on the Selinas Lane frontage.
- 4.9. The north-south and east-west footpath areas will be surrounded by extensive tree planting. The north-south route in particular will be surrounded by dense multi-layered planting, which will serve to create the feeling of a 'green corridor', thereby providing an attractive route to pass through.
- 4.10. The southwestern area of the site would provide a pocket park, which would function as an informal green space at the intersection of the green corridors. It would consist of a mix of scrub and woodland but would also incorporate SuDS features in the form of a swale and surface water basin. It is considered that this would provide a high-quality amenity space for workers on the site, as well as those visiting or passing through the area.
- 4.11. Landscape screening would also be provided around a number of the service yard boundaries, thereby serving to create a sense of enhanced greening around the site and resulting in an improved visual appearance from publicly accessible areas.
- 4.12. Across the site, but most prominently around the edges, the proposed landscaping strategy provides a large number of trees. These will have significant benefits for greening and biodiversity. They will also help to soften the appearance of the development and provide additional screening for the benefit of nearby residential dwellings. The proposed tree planting is strongly supported. Likewise, the provision of scrub woodland mix, herbaceous perennials, shrubs and groundcover SuDS planting and grasslands is supported. Combined, this provision will have significant

biodiversity benefit and provide a multi-layered landscape scheme with strong visual interest.

- 4.13. The scheme will be further supported by high-quality hard paving materials and street furniture, which have been secured by condition.

Native Species

- 4.14. The proposals will provide 70% of new plants as native species. Whilst, slightly below the emerging policy target of 75%, this is considered acceptable.

Biodiversity Net Gain

- 4.15. The proposed development achieves a BNG score of 62.40%, achieved through the provision of new planting and habitat creation. This accords with, and significantly exceeds the minimum 10% requirements of Draft Local Plan policy DMNE2 and accords with the principles of London Plan policy G6. The proposals are acceptable in this regard.

Urban Greening Factor

- 4.16. The proposed development achieves an Urban Greening Factor score of 0.16, achieved through the provision of semi-natural vegetation, tree planting and rain gardens. Planning policy sets out that commercial development should achieve a target score of 0.3. There is no minimum requirement for B2/B8 development. However, measures to demonstrate urban greening should be provided. The proposal is for a mixture of a commercial 'E' use and B2/B8. Given that the permission will limit the development to E(g)(iii) (light industrial) uses within the 'E' category, the proposed 'E' use is considered close to B2/B8 in character. Given this, and in the context of a significant biodiversity net gain and other benefit, the proposed development is considered acceptable in this regard.

Arboricultural Impacts

- 4.17. The site currently accommodates 12 individual trees and 5 groups of trees. An arboricultural impact assessment has been prepared by Ligna Consultancy to assess the quality of these trees and measure the impacts of the proposal and provide proposed mitigation to protect trees being within the submitted Arboricultural Method Statement.
- 4.18. The site benefits from a line of established poplars along its southern aspect. These will be retained in full, pruned and managed in accordance with best practise by the applicant. Of the existing on-site trees, only two trees and two groups of trees are considered to be category B, whilst the remaining trees fall into category C. Both of the category B trees and one group of category C trees, which require removal due to their poor quality, size and poor rooting environment, are to be removed to facilitate the proposed development. Whilst the existing trees provide some amenity value to Selinas Lane, no single tree possesses notable value in its own right. It is considered that the proposed replacement planting strategy will provide significant long-term improvements to Selinas Lane.

- 4.19. The trees to be retained will all be pruned for good arboricultural care. During the construction process, all retained trees will be protected with barriers and ground protection. Details will be provided within the relevant construction management plans, which have been secured by condition.
- 4.20. As outlined in the landscaping section above, the proposals would also bring forward a full replacement planting strategy, including new trees, as well as scrub and ornamental planting.
- 4.21. The proposal is in compliance with Draft Local Plan policy DMNE 5 as it retains trees of value and replacement planting has been proposed to mitigate the small loss in existing trees and planting. With regards to arboricultural impact, the proposals are considered acceptable on this basis.

Ecology

- 4.22. A Preliminary Ecology Appraisal has been prepared by MKA Ecology to accompany this application and to assess the baseline ecological status of the site. As noted in the appraisal, the site does not fall within any statutory or non-statutory conservation site and that, generally, the existing context (hard-standing and scattered trees on the edges of the site) is considered to provide low potential to support notable species.
- 4.23. No evidence of roosting bats was identified during the primary roost assessment. The applicant welcomes a condition securing the soft felling of the singular poplar tree that was identified as have a low bat roost potential in the presence of a qualified ecologist.
- 4.24. The applicant has also submitted a CEMP outlining how the construction will protect the integrity of the Romford Line Railside SINC. The control measures set out can be summarised as follows:
- Any activities involving potential pollutants, such as concrete or fuel, should be carried out in dedicated areas which are designed so that spills, leaks, drips and contaminated run-off can be captured and properly disposed of;
 - Stockpiles (for example soil, sand or hardcore) should be protected so that materials are not blown or washed away;
 - General demolition dust will be controlled by a continuous fine water spray from onsite supplies or done whilst it is raining. Further protection will be achieved through the erection of temporary Harris fencing equipped with a dust and debris net to protect the SINC from any airborne dust or debris;
 - Odour control is to be kept to a minimum. Plant will only be in operation during working hours; and; Generators will only be operated as and when required.
- 4.25. In terms of the proposed ecological enhancements, the proposed development would give rise to an additional 1.93 biodiversity units and 2.73 hedgerow units.

- 4.26. A number of mitigations were recommended in the Preliminary Ecology Appraisal. Consequently, bird and bat boxes/bricks have been secured by condition. Details of habitat mitigations are detailed below.
- 4.27. Natural England have provided no comments objecting to the proposed development.

Habitat Management

- 4.28. MKA have prepared a Landscape and Ecology Management Plan. This sets out how the protected species identified in the Preliminary Ecological Appraisal will be protected during site clearance, construction and post-construction stages. It also sets out how new ecological features will be established. This includes the planting of specific plant species, as well as the provision of bat and bird boxes, as well as log piles. The relevant timings that each measure should be carried out are also set out in the report.
- 4.29. A condition has been recommended to ensure that all measures set out in this report are implemented at the relevant time period. Subject to this condition, the proposed development is considered acceptable in its approach to habitat management.

Landscape Phasing

- 4.30. In accordance with the requirement to increase pedestrian and cyclist permeability set out in the draft Chadwell Heath Masterplan SPD, the proposed development includes a new footpath along the western and southern site edge. This will provide new potential access routes around the site.
- 4.31. In order to ensure that no anti-social behaviour occurs, and given that neighbouring sites have yet to come forward for re-development, it is proposed that the footpaths will only become fully opened once adjoining development to the west occurs.
- 4.32. In the meantime, the landscaping has been split into phases 1, 2 and interim phase 3. Planting in phases 1 and 2 will be in accordance with the approved landscaping phases. The interim phase 3 landscaping is to be secured under the s.106 agreement, and will include substantive tree planting and a range of grassland species, amongst other things. This will ensure that trees can establish and that there is significant biodiversity/ecology benefit from the outset. Staff will be permitted access into the park area to the south-west of the site, but it will be gated to ensure no public access, until such time as the footpaths can be opened. This approach is supported by the Metropolitan Police Designing Out Crime Officer.
- 4.33. At such time as neighbouring sites come forward, the full landscaping scheme (phase 3) shall be implemented, to include formally paved surfaces, and amenity planting. It is important that this comes forward at a later date, so that it can

incorporate consideration of the layout of adjacent sites and provide the best quality footpaths and landscaping scheme possible. The landscaping condition is split into phases to allow for re-submission of details, once final layouts are known. This approach is supported as the best way of achieving the vision of the Chadwell Heath Masterplan.

Landscaping Summary

- 4.34. It is considered that the proposals would deliver a mix of high-quality landscaping areas across the site in accordance with London Plan policies D1, D2 and D3, and local policies CP3 and BP11 and draft Policy DMD1. The proposals have been well considered in terms of landscape phasing, ecology, urban greening and biodiversity. It is therefore considered that the proposed development is acceptable with regards to these matters, offering significant improvements beyond the current arrangement and safeguarding future pedestrian and cycle movements across the Chadwell Heath Master Plan area.

5. Impacts to Neighbouring Amenity

- 5.1. Paragraph 125 of the NPPF states local planning 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). The 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.” Paragraph 130 (f) of the NPPF states that development should “*create places that are safe, inclusive, and accessible and which promote health and well-being, with a high standard of amenity for existing and future users...*”.
- 5.2. Policy D1 (London’s form, character and capacity for growth) of the London Plan states that development design should deliver appropriate outlook, privacy, and amenity. Policy D14 (Noise) of the London Plan seeks to reduce, manage, and mitigate noise to improve health and quality of life.
- 5.3. Policy BP8 (Protecting Residential Amenity) of the Borough Wide DPD seeks to protect residential amenity, by ensuring new developments including conversions, do not expose existing and proposed occupiers to unacceptable levels of pollution that may arise. This includes noise, smoke, fumes, refuse, comings and goings, and/ or lighting during construction and occupation.
- 5.4. Strategic Policy SP7 (Securing a clean, green and sustainable borough) of the draft Local Plan seeks to ensure that all developments manage nuisance (such as noise, vibration, artificial light, odour, fumes and dust pollution) during construction and operation, ensuring that these are acceptable or mitigated. Policy DMD1 (Securing high-quality design) 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. Policy DMSI 3 (Nuisance) states

that all major development must submit a noise and vibration assessment to reduce any adverse impacts to an acceptable level using the most appropriate layouts, orientation, design, and use of the building.

- 5.5. A development of the size and scale proposed could have potential significant impacts on the amenities and quality of life of occupiers of properties both adjoining and in the vicinity of the site. These potential impacts have been robustly assessed against the development plan and are considered in turn below.
- 5.6. The proposals have been subject to full public consultation. No residents of adjacent residential dwellings have raised an objection to the proposed development following the distribution of neighbour letters and the erection of site notices.
- 5.7. One objection was received from a neighbouring business (Abbey Concrete), with regards to the potential for the applicant to make a noise complaint. Following dialogue between the applicant and Abbey Concrete, this objection has been fully considered and a rebuttal provided by the Applicant. The relevant material considerations are considered in the noise section of the report below.

Daylight/sunlight

- 5.8. A daylight and sunlight assessment was prepared by Hollis to assess the proposed impact of the proposal on the daylight and sunlight received by existing neighbouring properties. This makes an assessment through the Vertical Sky Component (VSC) and No Skyline (NSL) tests as set by BRE.
- 5.9. The BRE guidelines set out that regard should be paid to site specific circumstances. The site is located within the Chadwell Heath Transformation Area, where development opportunities are expected to be optimised; therefore, changes in daylight and sunlight received by neighbouring properties are to be expected. However, significant adverse impact would not be acceptable.
- 5.10. With respect to daylight, 90 windows within existing properties have been identified as being sensitive receptors due to their proximity to the application site and their residential use. Of these windows 80 (89%) will continue to meet BRE guidelines for daylight (VSC test); while the remaining 10 windows fail to meet BRE guidelines, they each retain a VSC score above 18.49% (against a target of 27%) which is considered reasonable for an urban area. The below table shows the results of the VSC analysis in relation to the relevant windows surveyed:

Building Address	No. of Windows Analysed	Meet BRE		Total Percentage
		Yes	No	
Miller Court	28	28	0	100
Lees Court	28	28	0	100

Nollers Court	2	1	1	50
4 Dowletts Road	2	2	0	100
5 Dowletts Road	2	2	0	100
6 Dowletts Road	2	2	0	100
7 Dowletts Road	2	2	0	100
8 Dowletts Road	2	2	0	100
9 Dowletts Road	2	2	0	100
10 Dowletts Road	2	2	0	100
11 Dowletts Road	2	1	1	50
12 Dowletts Road	2	1	1	50
13 Dowletts Road	2	1	1	50
14 Dowletts Road	2	1	1	50
15 Dowletts Road	2	1	1	50
16 Dowletts Road	2	1	1	50
19 Dowletts Road	2	1	1	50
20 Dowletts Road	2	1	1	50
21 Dowletts Road	2	1	1	50
Total	90	80	10	89

5.11. With respect to daylight distribution, 45 windows within existing properties have been identified as being sensitive receptors due to their proximity to the application site and their residential use. Of these windows, 39 (87%) will continue to meet BRE guidelines for daylight distribution (DD test); while the remaining 6 windows fail to meet BRE guidelines, they each retain a DD score above 60% which is considered reasonable and not material. The below table shows the DD analysis in relation to the relevant rooms surveyed:

Building Address	No. of Rooms Analysed	Meet BRE		Total Percentage
		Yes	No	
Miller Court	14	14	0	100

Lees Court	14	13	1	93
Nollers Court	1	1	0	100
4 Dowletts Road	1	1	0	100
5 Dowletts Road	1	1	0	100
6 Dowletts Road	1	1	0	100
7 Dowletts Road	1	1	0	100
8 Dowletts Road	1	1	0	100
9 Dowletts Road	1	1	0	100
10 Dowletts Road	1	1	0	100
11 Dowletts Road	1	1	0	100
12 Dowletts Road	1	0	1	0
13 Dowletts Road	1	0	1	0
14 Dowletts Road	1	0	1	0
15 Dowletts Road	1	1	0	100
16 Dowletts Road	1	1	0	100
19 Dowletts Road	1	1	0	100
20 Dowletts Road	1	0	1	0
21 Dowletts Road	1	0	1	0
Total	45	39	6	87

- 5.12. With respect to sunlight, there are no sensitive receptors located to the north of the site, meaning that there will be no adverse impacts caused. On this basis, no assessment of Annual Probable Sunlight Hours (APSH) has been carried out.
- 5.13. With respect to overshadowing, there are no sensitive receptors located to the north of the site and no amenity spaces on the northern elevation of the adjacent dwellinghouses to the south of the site, meaning that there will be no adverse impacts caused. The proposed pocket park has also been considered, and given, its east-west orientation and distance from the property boundaries, it is considered

that the pocket park will not be overshadowed to any significant degree and will therefore provide high quality amenity space in daylighting terms.

- 5.14. In summary, the only sensitive receptors located in the proximity of the proposal are located to the south of the application site. Due to the positioning of the site, only daylight to the sensitive receptors can be impacted by the proposals. For the large majority of windows (87%) within sensitive receptors, there will be no material changes to the amount of daylight enjoyed. Further, it should be noted that the site has been assessed on the basis of its current vacant state, with few buildings. Until 2019, the dwellings to the south of the site would have experienced some level of overshadowing and loss of daylight/sunlight from the former Muller factory. When assessed against this scenario, the impacts upon adjoining residences would be even less.
- 5.15. It is important to note that the BRE Good Practice Guide is for guidance only, and should be applied flexibly, particularly in urban locations. It is considered that, on balance, the small number of non-compliant windows are justified against the significant public benefits provided by the scheme detailed in the 'principle of development' section of this report. No significant or wholly unacceptable impacts would occur. It is therefore considered that the proposed development is acceptable with regards to daylight/sunlight impact.

Outlook and Privacy

- 5.16. The residential properties on Dowletts Road to the south benefit from rear gardens and, beyond their boundary (within the site) a treeline comprising large poplar trees. Nollers Court on Royal Anglian Way, which provides flatted residential accommodation, is set back significantly from the site boundary, with exception of its easternmost wing.
- 5.17. It is considered that the proposed building layout, massing and heights of the proposed development have been designed sensitively, stepping down the height of the proposed buildings from approx. 18m (Unit 100 and 200 building) to the northern boundary, down to approx. 15m (Unit 300-340 building) and approx. 13m (Unit 400-440 building) respectively towards the south of the site, as well as orientating the buildings so as to avoid a detrimental impact on the amenity of neighbouring residents by virtue of outlook or privacy.
- 5.18. The proposals would retain the existing tree line, and incorporate further planting, to the southern boundary of the site to create further visual amenity. A new green corridor east-west would be provided which also ensures a separation distance between the southern boundary and the nearest proposed buildings of 11.7m (to Unit 300-340 building) and 8.4m (to Unit 400-440) respectively.
- 5.19. Given the design of the existing dwellings on their northern elevation and the proposed limited fenestration on the southern elevations of the 300-340 building, as well as the southern elevation of the 440 unit, it is not considered that any harmful

overlooking or loss of privacy will arise as a consequence of the proposed development.

Noise and Disturbance

- 5.20. An Acoustic Assessment was prepared by AAC to support the application.
- 5.21. Sound level monitoring was conducted over an 8-day period at the application site to measure background sound levels which form the basis of the BS 4142 assessment. The closest noise sensitive receptors (the Lymington Fields development of residential properties to the south) were constructed when the site was in operation as a dairy factory; therefore, these properties were constructed with mitigation measures in place, including fixed closed windows and secondary and acoustic glazing.
- 5.22. The primary sources of operational sound have been assessed to be HGVs arriving and departing the site and loading and unloading (which will be operational 24/7).
- 5.23. The layout of the proposal has significant benefits in respect of acoustic impact mitigation. The southern boundary has one large building running east-west which serves to screen noise from the majority of the site from the closest noise sensitive residential receptors to the south. As a result of this, and the aforementioned in-built mitigation within the Lymington Fields development, the Assessment concludes that no acoustic mitigation is required.
- 5.24. Based upon a reasonable worst-case scenario, during both daytime and night-time, the noise rating levels at the majority of noise sensitive receptors will be less than 5dB above the background noise levels, which complies with BS 4142:2014 + A1:2019. A condition has been recommended which will require the submission of a noise and vibration assessment prior to the first occupation of each individual unit. This is to ensure that additional mitigations can be implemented if a noisy occupier was interested in one of the units. The noise assessment submitted with the application is also an approved document, which must be complied with. Subject to these conditions, it is considered that the development is acceptable with regards to noise. LBB Environmental Protection Officers have confirmed this to be an acceptable approach.
- 5.25. It is noted that an objection was received from Abbey Concrete on the grounds that users of the proposed development might complain about noise from their site, and therefore jeopardise the capacity of their business. The applicant team have prepared a technical note in response to these concerns. This addressed the comments raised by Abbey Concrete in relation to the potential impact of their operational noise. It acknowledges that some of their operational activities have the potential to cause high noise levels. However, these should be considered in the wider context of the operations, the site and its history and the proposed development.

- 5.26. In terms of the operational activities, while some of the activities have the potential to generate significant noise, this is not a constant activity and only represents a proportion of the total operational period. For significant periods there is no noise at all from the Abbey Concrete site. The site has a long history of industrial use, and the proposed operational activities and receptors are very comparable to the previous uses.
- 5.27. The industrial receptors of the proposed development will experience industrial noise from their own operations and from neighbouring sites. The assessment considered the sensitivity of the potential receptors and as the receptors are based upon an industrial site the potential for noise complaints is considered low and in line with the initial comments from the Environmental Protection Officer, Abbey Concrete will have a Best Practical Means defence against any potential complaints. Further, as the proposed development is not considered a noise sensitive receptor, it is not considered reasonable to apply 'agent of change' conditions in this instance.
- 5.28. Overall, it is considered that the proposal has been well considered in relation to matters of noise and vibration. LBB Environmental Protection Officers have confirmed that they are satisfied with the proposals and raised no further comment in this regard. The development is therefore considered acceptable in relation to noise and vibration.

External Lighting

- 5.29. The proposals include a holistic lighting strategy which utilises only LED lighting and ensures a minimum of 10lux will be present across the site. As detailed in the submitted lighting strategy, it is proposed to install four light fittings, two of which are to be wall mounted and two which are standalone lanterns.
- 5.30. The lighting strategy has had due consideration for the operation of the buildings, and accordingly higher levels of lux are to be provided to the loading bays and service areas in order to ensure these areas are safe in the hours of darkness. The landscaped areas, including the proposed pocket park, and all routes through the site would also be lit (discussed further in the landscape section), enhancing safety and security for pedestrians and cyclists using or passing through the site.
- 5.31. The applicant has discussed the lighting proposals with the Met Police Secure by Design Officer who has confirmed proposals to be acceptable from a site safety and security perspective. Nonetheless, final details of lighting must accord with a condition to limit obtrusive light and ensure compliance with the relevant standards in preventing crime. This will ensure that residential neighbours are not unduly disturbed by light spill, that ecology is not adversely impacted but also that the site is protected from crime that might otherwise occur if lighting was inadequate.
- 5.32. Subject to this condition, the proposed lighting strategy is considered acceptable.

Other Matters

- 5.33. In order to ensure that the site is not used for incompatible activities and to ensure that impacts are fully considered before certain uses are proposed, a series of restrictive conditions are proposed, which would limit the uses of the site which could take place under permitted development, without the necessary full assessments. These restrictions would cover the use of the site for waste processing and storage, dark kitchens (for commercial take-away or delivery from site) and open air storage, without the prior consideration and approval of the Local Planning Authority. Officers consider it necessary and proportionate to limit these uses as the assessments provided by the applicant do not provide information relating to these uses. The condition wording specifies that these uses may be permitted with an accompanying planning application. This would provide an opportunity for the applicant to submit the relevant assessments to demonstrate no harmful impact on neighbouring amenity, such as that associated with odour, excess vehicle movement, noise and loss of visual amenity.

Conclusion on impact on residential amenity

- 5.34. Subject to the relevant conditions, it is considered that the proposed development is acceptable with regards to matters of neighbouring amenity.

6. Transport, Servicing and Waste

- 6.1. The NPPF seeks to promote sustainable transport and recognises the important role transport plays in facilitating sustainable development, highlighting that priority should be given to pedestrian and cycle movements. Paragraph 111 directs that development should only be prevented or refused on highways grounds if there would be an unacceptable impact on highway safety, or the residual cumulative impacts on the road network would be severe.
- 6.2. Policy BR11 (Walking and cycling) of the Borough Wide Policies DPD seeks to ensure that conditions for cyclists and pedestrians are protected and where appropriate improved. Policy BR10 (Sustainable Transport) of the Borough Wide Policies DPD seeks to encourage sustainable transport.
- 6.3. Area Policy SPP4 sets out that redevelopment in the Chadwell Heath masterplan area should result in improvements to Freshwater Road and Selinas Lane for vehicular access and public transport. It should provide improvements to the pedestrian environment and connections throughout the Area, including markers for intuitive wayfinding links in the existing surrounding neighbourhoods. It shall also provide improvements to the green infrastructure network, including a green spine through the area connected to a variety of public realm spaces including parks and squares which are pedestrian and cycle friendly and integrated with existing street and movement patterns.

Access and Public Transport Capacity

- 6.4. The site is primarily accessed from Selinas Lane, which provides links with the wider borough road network and TfL's strategic road network. There will be two main access points into the site from Selinas Lane, which will cater for vehicles, pedestrians and cycles. New pedestrian and cycle routes are also proposed along the western and southern edges of the site. These are described in more detail in the sections below.
- 6.5. The applicant has provided a number of documents in relation to transport and highways. The findings of these is outlined below and they have all been the subject of extensive consultation with Be First Highways Officers and TfL.
- 6.6. The site is located approximately a 250m walk east and then south from the nearest bus stop which is located on Whalebone Lane South. There are also numerous bus stops located on Valence Avenue to the west, the nearest being on Kemp Road, approximately 1km west of the site. The nearby bus stops are served by 5no. nearby bus services, typically operating between every 10 and every 20 mins.
- 6.7. The Transport Assessment (TA) includes reference to LBBD's Transport Strategy which demonstrates that Whalebone Road South and Whalebone Road North are modelled to experience a volume capacity ratio (VCR) limited to 50-60%. With the addition of Local Plan development, inclusive of the Chadwell Heath Masterplan, and therefore development on the application site, the VCR increases to 60-70%. There will nevertheless remain 30-40% spare capacity according to this measure.
- 6.8. TfL were consulted on the application and accepted that sufficient capacity would remain on the local bus network and that the proposed development would not generate capacity issues. On this basis, they have requested no financial contributions to increase operational bus capacity, and it is considered that the development is acceptable in this regard.
- 6.9. With regards to rail transport, the site is located approximately half a mile from Chadwell Heath station (10-minute walk), which is served by the Elizabeth Line, providing fast and frequent services to Central London, Stratford and Essex. The emerging Chadwell Heath Masterplan SPD highlights that this area is one of the largest remaining development opportunities around a Crossrail station. Given the ease of access to this station, it is considered that the site is well served by public transport, and that many future employees will be able to access the site by bus and rail. The site is therefore located in a highly connected sustainable area.
- 6.10. A Travel Plan will be required as part of the s.106 legal agreement. This will set out a range of measures to maximise use of public transport, walking and cycling to access the site to promote and facilitate a modal shift to active and sustainable travel.

Traffic Modelling

- 6.11. A Transport Assessment and extensive highways modelling data was submitted as part of the application. This provides a comprehensive assessment of the development impact on the local and strategic road networks. A 'most intensive' scenario has been used to assess the proposals in the unlikely event that all units were to come forward as 'Last Mile' logistics, whilst taking into consideration the proposed 'car-lite' approach to staff car parking.
- 6.12. The review of junction capacity assessments sets out that just two junctions would operate over practical capacity once the development is fully operational. However, the assessment also sets out that these junctions are already operating at or over capacity in the 2022 baseline scenarios, and that the performance of both junctions will deteriorate in future years with or without the addition of the proposed development. Eight of the ten key junctions assessed would continue to operate within practical capacity into 2027.
- 6.13. It is noted that until 2018, the site was in use as the Muller Dairy Factory. A significant number of vehicle trips were associated with the site during that time. The traffic modelling has been undertaken on the basis of the site in its current use, with very few vehicular trips. It is therefore considered reassuring that the proposed development appears to result in minimal worsening of local traffic conditions, even when assessed against a most intensive scenario. Further, given a shift towards 'hybrid' and 'flexible' working practises for many, it is likely that there will be an increased spreading of peak hours, thereby reducing pressure on junctions at the very busiest times.
- 6.14. National Highways were consulted on the application. Following the submission of additional information, they confirmed that they raise no objection to the proposed development. Be First Highways Officers and Transport for London Officers were consulted on the application. It was noted that the applicant had not submitted their modelling through TfL's formal Model Audit Process (MAP). Nonetheless, the submitted modelling was accepted, and it was agreed that the proposed development was unlikely to generate significant transport delays.
- 6.15. However, it was noted that the development would contribute to increased demand as part of the cumulative re-development of the area, and that there were a number of areas allocated for improvement within the local road network. At the request of TfL, the applicant has therefore agreed to make a £400,000 financial contribution towards a number of highways improvements. This includes a signal timing reviews at the Tollgate and Moby Dick Junctions, the provision of pedestrian countdown and cancel equipment at the Tollgate Junction, bus priority enhancements along Whalebone Lane North and Whalebone Lane South, as well as any further TfL MAP modelling required to support these measures. These measures will improve transport locally and result in enhancement for pedestrians and bus users in particular.
- 6.16. These improvements will also help to deliver on the objectives of the draft Chadwell Heath Masterplan Area SPD. Further, they will meet the requirement of London Plan Policy T3, which sets out that development proposals should support capacity,

connectivity and other improvements to the bus network and ensure it can operate efficiently to, from and within developments, giving priority to buses and supporting infrastructure as needed. Likewise, Policy T4 of the London Plan requires that mitigation through financial contributions will be required to address adverse transport impacts that are identified, where appropriate.

- 6.17. The proposed mitigations are in line with the aspirations of the emerging Chadwell Heath Masterplan SPD to provide improvements to the local highways network. Further discussions will be required with LBBD on the delivery of the proposed mitigations, as part of the negotiation of the s.106. However, the financial contribution is welcomed, and the highways modelling is accepted, particularly given that it modelled against a 'worst-case' scenario. The Transport Assessment and modelling demonstrates that there are no apparent adverse impacts on the transport network or highway safety. No objection is raised by either Be First Highways or Transport for London. On this basis, the proposed development is considered acceptable with regards to highways impact, safety and traffic modelling.

Walking and Cycling

- 6.18. The submitted Transport Assessment considers the various walking/cycling routes to and from the site. The site benefits from comprehensive pedestrian footways supporting journeys into and out of the site on foot. Several local roads within the vicinity of the site, other than Selinas Lane, such as Whalebone Lane, the A118 High Road, Green Lane and Wood Lane benefit from the provision of on-road cycle lanes as well as advanced stop lines at the vast majority of signalised junctions.
- 6.19. This is positive. However, much of the local road network provides relatively poor facilities for pedestrians and cyclists. Some of the issues are detailed in the Healthy Streets Assessment. Pavement parking reduces pavement widths, making it hard for pedestrians to use them, particularly for those using prams or wheelchairs. Further, not all pavements benefit from dropped kerbs. Likewise, cycling along Selinas Lane is unpleasant and feels unsafe, given the lack of cycle lane infrastructure and the significant number of HGV movements.
- 6.20. Following discussions with Be First officers, the applicant has therefore agreed to enter into a s.278 agreement for works to the public highway, which will be secured under the s.106. These will involve the widening of the pavement on Selinas Lane to 3m, as well as the provision of dropped kerbs to pavements in the vicinity of the site. The applicant will also work with the Council to provide double yellow lines in the area outside the site, thereby preventing pavement parking, to ensure the safety of pedestrians and improving access for less-mobile pedestrians. These measures are strongly supported.
- 6.21. The emerging Chadwell Heath Masterplan SPD sets out that the whole of the Chadwell Heath industrial estate area has the potential for redevelopment. This should involve improvements to highways for pedestrians and cyclists. The applicant has further agreed a £30,000 contribution to a walking and cycling study for the

area. This will identify a list of necessary improvements, which can then be paid for through contributions and s.278 agreements, as future development sites within the Masterplan area come forward. In this regard, the applicant will help improve the walking and cycling environment across the whole area, and this is strongly supported. The contribution is considered necessary to address the submitted Healthy Streets Audit and help promote active and sustainable travel within the immediate area around the site. This is considered necessary given the car-lite approach proposed to staff car-parking and the high onus placed on encouraging sustainable and active travel.

- 6.22. The draft Masterplan envisages significantly increased permeability for pedestrians and cyclists through the area, as development plots come forward. The applicant has agreed to provide a new footpath along the western and southern edges of their site. This will open at such time as neighbouring sites come forward for re-development and is also strongly supported. Further detail is set out in this report within the section on landscaping. This approach aligns with the emerging Chadwell Heath Master Plan SPD and represents a significant measure that will help safeguard future non car-based travel in the Masterplan area.

Car Parking

- 6.23. Policy BR9 (Parking) of the Borough Wide Policies DPD states that car parking standards set out in the London Plan will be used as a maximum parking standard for new development. Policy DMT 2 (Car parking) also adopts the maximum London Plan car parking standards and other aspirations. Policy T6.2 of the London Plan sets out that office sites in an Outer London location should have a maximum of 1 space per 100sqm (GIA). B2 and B8 uses should have regard to the standards for office parking. However, they should also take into account the significantly lower employment density in such developments.
- 6.24. The proposals aim to achieve a BREEAM 'Excellent' rating, in accordance with requirements of the draft Local Plan. Provision of an appropriate level of car parking is therefore fundamental to obtaining this accreditation and promoting the usage of sustainable modes of transport. The TA states that if the option to drive to the site is not attractive for staff or visitors, the use of sustainable modes of travel to the site will experience an uptake in replace of driving. Furthermore, the recent opening of the Elizabeth Line at Chadwell Heath Station, as well as the provision of a wide range of bus routes, offers a realistic alternative for travel to this site other than personal car use.
- 6.25. On this basis, 69 car parking spaces are proposed. This equates to a car parking ratio of 1 space per 459sqm. This is lower than the maximum standard and takes into account the lower employment density than would be expected as part of an office development of the same floorspace. In their consultation response, TfL set out that they believed the provision of 69 car parking spaces was too high for the site and that insufficient evidence had been provided to justify this. However, given that the proposals fall well within the permitted maximum and given the relatively low PTAL of the site, the proposed car parking provision is considered acceptable and in accordance with planning policy.

- 6.26. 16 of the parking bays will be for Blue Badge holders and 60% of bays will support active electric vehicle parking. As such, the provision in this regard exceeds the minimum standards of the London Plan standards and this is supported.
- 6.27. Overall officers are highly supportive of the car parking proposals. The car-lite approach complies with the London Plan and will also promote sustainable and active travel, substantially limiting the impacts high levels of car parking and staff vehicle trips could have on the local road network.

Cycle Parking

- 6.28. Policy BR9 (Parking) of the Borough Wide Policies DPD states that in relation to cycle parking, TfL cycle parking standards will be used as a minimum parking standard of new development.
- 6.29. Policy DMT 3 (Cycle parking) of the draft Local Plan states that all development must adopt the maximum London Plan cycle parking standards with the design and layout of cycle parking being in accordance with the London Cycling Design Standards.
- 6.30. Policy T5 (Cycling) and Table 10.2 of the London Plan states that Development Plans and development proposals should help remove barriers to cycling and create a healthy environment in which people choose to cycle. This will be achieved through securing the provision of appropriate levels of cycle parking which should be fit for purpose, secure and well-located. The minimum cycle parking standards are provided in Table 10.2 of the London Plan.
- 6.31. The proposal will provide 162 cycle parking spaces, in line with London Plan standards. The provision would comprise 130 long-stay spaces and 32 short-stay spaces, distributed across the site. This provision accords with the minimum quantity set out in London Plan Policy T5, and this is supported. Secure and covered cycle parking spaces would be provided close to the entrance of each unit, and in locations easily accessible from cycle access points; in particular, to ensure that cyclists will not be required to interact with HGV's.
- 6.32. Each unit would benefit from a shower and space for changing rooms and staff lockers, thereby ensuring that employees are able to cycle and then get ready for work, removing a key barrier to commuter cycling. A condition is recommended requiring that all cycle parking and cycle facilities are provided prior to first occupation of each unit. This will ensure these facilities are provided in perpetuity for the use of cyclists.

Travel Plan

- 6.33. An outline Travel Plan was submitted as part of the application, which aims to promote sustainable travel to and from the site. Mode shift targets are still to be set

once baseline surveys are undertaken, six months from occupation. A number of additional initiatives are proposed in the Travel Plan to encourage and secure a high public transport, walking and cycling modal share.

- 6.34. A more detailed Travel Plan has been secured within the s.106 agreement, which will ensure that it is enforced, monitored and reviewed. TfL have requested that this should include additional measures, such as the provision of tools, pumps and maintenance stands to support those cycling. Such measures will be considered when the Travel Plan is submitted.

Servicing and Delivery

- 6.35. Policy T7 (Deliveries, servicing, and construction) of the London Plan states that development proposals should facilitate safe, clean, and efficient deliveries and servicing.
- 6.36. The application is supported by a Delivery and Servicing Management Plan, prepared by Mode Transport.
- 6.37. Vehicles servicing and providing deliveries to the site are envisaged to access the site via the eastern extent of Selinas Lane. When routing from the A12, vehicles would access/egress the proposed site using Whalebone Lane N, connecting at its southern extent to Whalebone Lane S, and eventually turning west onto Selinas Lane. Due to the proximity of the A12 to the site, it is envisaged that a vast majority if not all of the HGVs associated with the proposed site will access/egress it via the A12 and travel eastbound/westbound accordingly to traverse the surrounding SRN. There are no access restrictions on this route for HGV traffic.
- 6.38. Access to all units is provided from Selinas Lane. Delivery and servicing vehicles to Unit 100 will enter the site via the western vehicular access and use the loading bays located directly outside of the unit. Delivery and servicing vehicles travelling to any of the rest of the units will use loading bays via the eastern vehicular access.
- 6.39. The development proposals will provide dedicated servicing and loading bays for each of the 10 units. Based on the classes of the units, the largest vehicle which is envisaged to be accessing the site could be up to a 16.5 tonne articulated HGV. Swept path assessments are provided within the submitted Delivery and Servicing Management Plan which illustrates that such vehicles can safely access and egress to/from the site.
- 6.40. Loading bays are to be located entirely within the site, thereby ensuring that no disruption is caused to the local road network by loading and unloading activity. This will help to enable safe 24 hour operations on the site. The servicing yards of units 100 and 200 are proposed to be gated, for extra safety and security.
- 6.41. Smaller delivery and servicing vehicles such as vans and LGVs associated with 'Last Mile Logistics' movements will be monitored by the operator of each unit and be responsible for ensuring they follow safe routes while accessing and egressing the site. On-site management for each unit will ensure that the fleet of vehicles associated with their business complies with FORS best practice guidance.
- 6.42. A clear plan for management for deliveries and servicing has been provided. Be First's Highways Officer has raised no concerns in this regard. It is therefore

considered that the proposals have followed best practice guidance and are in accordance with the relevant planning policies. The development is therefore considered acceptable in this regard.

Waste Management

- 6.43. Policy CR3 (Sustainable Waste Management) of the Core Strategy and Policy BR15 (Sustainable Waste Management) of the Borough Wide Development Plan DPD outline the need for development in the borough to minimise and work towards a more sustainable approach for waste management. These objectives are further emphasised in Policy DMSI 9 (Smart Utilities) of the draft Local Plan.
- 6.44. During construction, the proposed development would be subject to the application of best practice principles for site waste management, as detailed within the submitted CEMP, prepared by AAC. The waste hierarchy – eliminate, reduction, re-use, recycling and disposal – would be applied through the demolition and construction phases to reduce site waste.
- 6.45. For the operational phase, as detailed in the submitted Design and Access Statement, the proposals include provisions for the storage and segregation of waste into refuse and recycling in accordance with LBBB’s waste guidance. Each proposed unit has its own dedicated waste storage area within the loading bay area or adjacent to car parking bays, with exception of the Unit 410-440 building which would have a shared facility. All refuse areas have sufficient turning areas for refuse vehicles.
- 6.46. As a commercial operator, it will be the responsibility of the future occupiers and the site owner to arrange refuse collection, rather than LBBB. A condition is recommended that bin stores are provided prior to first occupation of the site and maintained in perpetuity, to ensure suitable waste storage throughout the lifetime of the development.
- 6.47. On this basis, it is considered that the proposed development is acceptable with regards to waste management in accordance with the relevant planning policies.

Demolition and Construction Traffic

- 6.48. Policy T7 of the London Plan requires that Construction Logistics Plans and Delivery Servicing Plans be provided. These should be developed in accordance with Transport for London guidance.
- 6.49. The Construction Environment Management Plan and Site Waste Management Plan will be secured via a planning condition. The document will consider the impact on pedestrians, cyclists, and vehicles as well as fully consider the impact on other development in close proximity.
- 6.50. An outline Construction Logistics Plan was submitted. However, a detailed Construction Logistics Plan has been secured by condition to ensure full compliance with London Plan and TfL guidance.

Transport Conclusion

- 6.51. In summary, subject to securing relevant conditions, mitigation measures, financial contributions and legal agreement clauses, the proposal is supported in terms of transport matters, and it promotes sustainable modes of transport. The proposal is

not considered to have a harmful material impact on pedestrian or vehicular safety or result in undue pressure on the local or national highway network.

7. Local Skills, Employment and Affordable Workspace

Local Employment and Skills

- 7.1. London Plan policy E11 sets out that development proposals should support employment, skills development, apprenticeships, and other education and training opportunities in both the construction and end-use phases, including through s.106 obligations where appropriate. Draft Local Plan Policy SP5 sets out that new developments will generate employment, skills, training and supply chain opportunities during the construction and end occupation phases.
- 7.2. The Council's Draft Planning Obligations SPD further details the s.106 requirements for new developments, with regards to local employment and skills obligations.
- 7.3. As outlined in the 'principle of development' section of this report, the proposed development will result in significant economic benefits through the provision of new industrial floorspace and associated jobs. This is very strongly supported.
- 7.4. In addition to this and the creation of employment generally, the applicant has engaged with LBBD's Employment and Skills Team to ensure that the obligations set out in the draft SPD and Local Plan are met, with regards to local skills and employment.
- 7.5. The demolition stage of the development is considered to be a relatively small operation but one which is also highly specialised. This would make it challenging for the applicant to meet an obligation for local employment in this regard. On this basis, a payment in lieu of £10,000 has been agreed to go towards LBBD skills training. This is in lieu of two local jobs based on the eight full time employment jobs, which will be required at this stage of development.
- 7.6. With regards to all other elements of the construction, it has been agreed that the applicant will use all reasonable endeavours to obtain at least 25% local labour, from within the borough. This has been secured in the Heads of Terms, which will form the basis of the s.106 agreement. The proposal has the support of LBBD's Employment and Skills Team. On this basis, the proposed development is considered acceptable in this regard, in accordance with the relevant planning policies.

Affordable Workspace

- 7.7. London Plan Policy E3 sets out that planning obligations may be used to secure affordable workspace (in the B Use Class) for a specific social, cultural or economic development purpose, such as for specific sectors that have social value; for disadvantaged groups starting up in any sector; supporting educational outcomes through connections to schools, colleges and higher education; or supporting start-up and early-stage businesses and regeneration. Boroughs in their development plans should consider detailed affordable workspace policies in light of local evidence of need and viability.
- 7.8. Policy DME 2 of the Draft Local Plan sets out that development of 1,000sqm employment floorspace (Planning Use Class E) or greater will be required to incorporate an appropriate provision of affordable workspace. Such spaces should

be provided in turnkey form so as to avoid substantial fit out costs and ensure affordability for relevant businesses. In circumstances where it is not feasible to meet Part 1 of the policy, a payment in lieu may be accepted in support of the delivery of affordable workspace in other parts of the borough.

- 7.9. LBBD's Industrial Land Strategy (2021), which was submitted as part of the evidence base to support the Draft Local Plan examination, sets out the importance of affordable employment space in the borough, particularly for growth industries such as the creative sector. This document takes direction from the London Economic Development Strategy (2018), which sets out how provision of affordable and flexible workspace is a priority for the Mayor of London, and something which should also be supported at borough level, particularly in terms of the creation of affordable creative workspace.
- 7.10. A Draft Planning Obligations SPD has been prepared to support the Draft Local Plan. This confirms that all major mixed-use development within the borough will be required to make provision for affordable workspace to meet the needs of local start-ups, small-to-medium enterprises (SMEs) and creative industries, along with sectors which have a social value such as charities, voluntary and community organisations or social enterprises. S.106 is the most appropriate mechanism to capture this under as it is not eligible to be captured under the CIL regulations. Affordable workspaces should account for at least 10% of floorspace in new employment developments and rents should be maintained at least 20% below current market rates with priority given to companies based in the borough. Leases of affordable workspace should be for a minimum of 15 years, with the first 12 months' rent-free.
- 7.11. The SPD sets out that LBBD will consider alternative options that will achieve equivalent value and impact via an off-street contribution to be agreed with Planning Officers, for examples to existing facilities in the borough or provision of new facilities on another site:
- Where viability appraisals demonstrate that on site provision is not feasible.
 - Where an area is already considered to be well served with affordable workspace, or where it is unlikely to work on the development site.
- 7.12. Any off-site contribution should be of an equivalent or greater value than the rental discount that would have otherwise been offered and will be spent on options including, but not limited to: provision of, or funding towards affordable workspace on another site within the borough; include targeted subsidies for either businesses or workspace providers; a fit-out capital programme or refurb capital programme.
- 7.13. The applicant provided an Affordable Workspace Viability Statement, prepared by Savills. This set out that LBBD's draft affordable workspace policy should not be applied to the proposed development. It also set out that the proposed development was not suitable for the provision of on-site affordable workspace. It was further set out that only the E(g)(iii) use of the site would require the provision of affordable workspace, when the applicant had applied for flexible E(g)(iii), B2 and B8 uses.
- 7.14. In this instance, it was accepted that on-site affordable workspace was not required, given the nature of the development. However, officers did not accept that the affordable workspace policy should not be applied. Be First's Deputy Development Director was consulted on the application. It was agreed that a payment in lieu for affordable workspace was required, on the basis that it would provide over 1,000sqm of employment floorspace. A request was made for an off-site contribution of £120,000, which the applicant has agreed to be included within the s.106 agreement.

- 7.15. This off-site contribution will go to an LBBB fund to cover either the fit out of vacant/underutilised buildings into use as affordable workspace, or to subsidise rent in existing workspaces for a specific period of time, for occupiers that are able to demonstrate a strong social value case. The Council has ownership of a number of operator run premises across the Borough, including Barking Enterprise Centre's three facilities, Make It Barking, Industria and Abbey Road creative industrial units. The fund could make a very meaningful contribution to the funding of new workspace or the subsidy of rent within these buildings.
- 7.16. This clause will subject to a claw-back mechanism. In the unlikely event it is not spent by LBBB or their partners on the identified affordable workspace projects within 5-years then the claw-back mechanism will ensure that the monies collected for off-site affordable workspace can be spent by LBBB on skills and training contributions instead.
- 7.17. In this instance, it is considered that the applicant has complied with the relevant planning policy and their agreement to make an off-site contribution is welcomed. The application is therefore considered acceptable in this regard.

8. Archaeology

- 8.1. Paragraph 194 of the NPPF states in determining application, the Local Planning Authorities (LPAs) should require an applicant to describe the significance of any heritage asset affected, including any contribution made by their setting. Where a site on which development is proposed includes, or has the potential to include, heritage assets with archaeological interest, local planning authorities should require developers to submit an appropriate desk-based assessment and, where necessary, a field evaluation.
- 8.2. Policy HC1 (Heritage and Conservation Growth) of the London Plan; Policy CP2 (Protecting and Promoting our Historic Environment) of the Core Strategy; Policy BP3 (Archaeology) of the Borough Wide Development Policies DPD; and Policy DMD 4 (Heritage Assets and Archaeological remains) of the LBBB the Draft Local Plan support the NPPF and seek to protect all heritage assets in a suitable way.
- 8.3. The site does not sit within an Archaeological Priority Area. Nonetheless, the scheme is supported by a desk-based archaeological assessment, prepared by RPS. The assessment has identified that there is 'low' potential for palaeolithic, Mesolithic, Roman, Anglo-Saxon and Medieval archaeological deposits across the site. The site has previously been quarried which would likely of had a major impact on any archaeological deposits that the site might have held.
- 8.4. The Greater London Archaeological Advisory Service (GLAAS) were consulted. They agreed that the majority of the site was quarried and that this would have had a high impact on the majority of the site and its potential for remains. However, the geotechnical investigations indicate that sand and gravel are located at depths of c. 60m below ground level in the north of the site, suggesting that quarrying did not extend this far. Therefore, some potential for archaeological remains in the northern area of the site.
- 8.5. On this basis, and following discussions with GLAAS, a condition is recommended which sets out that no demolition or development shall take place within the area with potential for remains until a written scheme of investigation has been approved by the LPA. This will ensure that any potential remains are afforded protection. Subject to this condition, the proposed development is considered acceptable with regards to its impact regarding archaeology.

9. Delivering Sustainable Development (Energy / CO2 reduction / Water Efficiency)

<i>BREEAM Rating</i>	Excellent
<i>Proposed CO₂ Reduction</i>	100%

- 9.1. Paragraph 152 of the NPPF states 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.
- 9.2. Policy GG5 (Growing a good economy) of the London Plan recognises and promotes the benefits of a transition to a low carbon circular economy to strengthen London's economic success. Policy SI2 (Minimising greenhouse gas emissions) directs that major development should be net zero-carbon, through reducing greenhouse gas emissions in accordance with the following hierarchy:
- Be lean: Use Less Energy
 - Be clean: Supply Energy Efficiently
 - Be green: Use Renewable Energy
 - Be seen: Monitor and Report
- 9.3. The policy requires a minimum on-site reduction of at least 35% beyond Part L Building Regulations for major development, of which 15% should be achieved through energy efficiency measures for non-residential development.
- 9.4. Policy BR1 (Environmental Building Standards) of the Borough Wide Development Policies DPD states that all developments are expected to meet high standards of sustainable design and construction. The policy also expects non-residential major developments to achieve BREEAM Very Good-Excellent. Policy BR2 (Energy and on-site renewables) outlines the expectations for significant carbon reduction targets to be achieved.
- 9.5. Policy DMSI 2 (Energy, heat, and carbon emissions) of the draft Local Plan 2037 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.
- 9.6. The scheme is supported by Energy Statement prepared by Scott White and Hookins. The statement has been prepared in accordance with the London Plan energy hierarchy:

Be Lean	21% carbon reduction in energy demand by adopting a fabric first approach; through enhanced (beyond Part L 2013) thermal performance, building air permeability and high efficiency fixed building services solutions and lighting. This exceeds the minimum 15% Be Lean savings expected by London Plan policy SI2.
Be Clean	0% (there are no district energy networks available within the local area).

Be Green	80% carbon reduction achieved through the optimisation of photo voltaic panels.
Be Seen	Energy monitoring infrastructure will be provided within the design to ensure operational energy consumption can be monitored and reported.

- 9.7. Collectively, these measures achieve a total 100% reduction in site-wide carbon emissions, which significantly exceeds the minimum 35% on site requirement set out in London Plan policy. This is strongly supported. As a carbon neutral development when in operation, the proposal fully meets the expectations of London Plan policy SI2 and there is no need to financially off-set any carbon.
- 9.8. A range of other sustainability measures have been included on site, which will help ensure the development is able to obtain the BREEAM 'Excellent' certificate. This includes a number of passive design measures to optimise natural ventilation, thermal mass and structure, and solar gain to reduce energy consumption and carbon emissions of the building, improved fabric u-values and g-values will also be provided with the design. Water use will be minimised through efficient water components and control devices, meters and leak detection systems.
- 9.9. A BREEAM Pre-Assessment has been prepared by Scott White and Hookins to establish the likely achievable BREEAM rating. The Pre-Assessment shows that through the application of (inter alia) considered material use and sourcing, monitoring of construction impacts, reduction in on-site water and energy demands and consideration of acoustic and thermal comfort, the proposal is likely to be able to achieve an 'Excellent' BREEAM rating, with a score of 82.3%. This is in accordance with the expectations of Draft Local Plan Policy DMSI 1. BREEAM Excellent is recommended to be secured by condition.
- 9.10. It is noted that the comments made by the GLA at Stage 1 have been addressed by the application during resubmission.

Overheating

- 9.11. A Thermal Comfort Analysis Report has been prepared by Harniss to accompany this application and explain how the proposed development has sought to minimise overheating risk by following the Mayor's colling hierarchy as set out in London Plan policy SI4.
- 9.12. The assessment demonstrates that TM52 can be achieved in all occupied areas. The proposal, therefore, complies with London Plan policy SI4.

Whole Life Carbon

- 9.13. Part F in Policy SI 2 (Minimising greenhouse gas emissions) of the London Plan requires developments to be supported by Whole Life Cycle Carbon Assessment (WLCCA) and demonstrate that actions were taken to reduce life-cycle carbon emissions.

- 9.14. The scheme is supported by Whole Life Carbon Assessment, and all information within the project details section of the template under the detailed planning stage tab was provided, in line with the GLA Whole Life-Cycle Carbon Assessment guidance document. The submitted information was reviewed by the GLA at Stage 1 and it recommended that submission of a post-construction assessment on the development actual WCL emissions by planning condition, following a series of requested updates to the submitted documentation. The recommended condition has been added to the draft decision notice.

Circular Economy

- 9.15. Policy SI 7 (Reducing waste and supporting the circular economy) of the London Plan requires development application to submit Circular Economy Statements. Policy D3 (Optimising site capacity through the design-led approach) require development proposals to integrate circular economy principles as part of the design process.
- 9.16. The scheme is supported by a Circular Economy Statement. This outlined a series of measures to reduce resource use, waste and embodied carbon throughout the development and building lifecycle.
- 9.17. The submitted information was reviewed by the GLA at Stage 1 and it was considered that the information broadly accorded with London Plan requirements. Nonetheless, some amends were requested, which have now been incorporated. The GLA recommended that post-completion report setting out the predicted and actual performance against all numerical targets in the relevant part of the Circular Economy Statements are submitted. The recommended condition is included with the draft conditions.

Utilities

- 9.18. A Utilities Report is submitted in support of this application which outlines the existing and proposed utilities infrastructure strategy. It confirms that all required utilities can be provided to the site to support the development. It should be noted that the proposed scheme, as detailed in the Energy section of this report, would also make use of significant on-site renewable energy provision in the form of solar photovoltaic (PV) panels to lessen energy demands from the grid, as well as including provision for future connection to a district heating network.
- 9.19. It is therefore considered that the proposed development is in accordance with Policy BC11 (utilities) of the Borough-Wide Development Policies, as well as supporting carbon reduction in line with LBBDD and London Plan energy policies.

Conclusion

- 9.20. Subject to the relevant conditions and legal obligations, it is considered that the proposals are in accordance with the relevant development plan policies, and that the development is acceptable in this regard. The applicant's approach towards sustainability and energy reduction is considered to be a particular strength of the scheme.

10. Air Quality

- 10.1. Policy SI 1 (Improving air quality) of the London Plan requires amongst other things that development proposals must be at least Air Quality Neutral. The policy is supported by supplementary London Plan Guidance (LPG) documents.
- 10.2. Policy CR1 (Climate change and environmental management) of the Core Strategy and Policy BR14 (Air quality) of the Borough Wide Development Policies DPD states that to contribute towards global, national, regional, and local sustainability the Council will protect water and air quality.
- 10.3. Policies SP7 (Securing a clean, green and sustainable borough) and DMSI 4 (Air quality) of the draft Local Plan support the aims of the London Plan and require proposals to be air quality neutral.
- 10.4. The scheme is supported by an Air Quality Assessment (AQA) prepared AAC. This sets out that in the construction stage, whilst the site is deemed to be classified as 'high risk' for dust, following the successful implementation of the suggested mitigation measures, the residual effects of construction dust and emissions from construction activities upon the local area and sensitive receptors, although adverse, will be temporary and 'not significant'.
- 10.5. For the operational phase, it has found that the estimated changes in traffic flow as a result of the proposed development are considered at worst 'negligible adverse' for both 2022 and 2027, on modelled human receptors, with NO₂, PM₁₀ and PM_{2.5} concentrations remaining within the relevant annual mean concentrations. The impacts are therefore 'not significant'.
- 10.6. The proposed development would also be 'air quality neutral' in terms of building emissions, but will not be 'air quality neutral' for transport emissions. However, it should be noted that the proposed development will introduce a number of mitigation measures which promote sustainable transport and encourage a modal shift, including:
 - promoting cycling to the site;
 - proposing a car-lite approach;
 - the provision of 42 EV charging points (over 60% of the total car parking spaces proposed);
 - the safeguarding of the proposed north-south and east-west routes as pedestrian and cycle corridors; and
 - the implementation of a Travel Plan
- 10.7. LBBD Environmental Protection were consulted on the proposals. The GLA also provided extensive comments during the Phase 1 referral process. They accepted that the development would be air quality neutral with regards to operational impacts but considered that a financial contribution would be required to mitigate air quality impacts associated with transport, as it is anticipated that the development will not be air-quality neutral in this regard.
- 10.8. The applicant has therefore agreed a marginal abatement cost of £29,000 per tonne of NO_x over the established benchmark figure and £45,510 per tonne over

the established benchmark figure for particulate matter, to be paid to LBBB. Officers consider this is necessary and proportionate to ensure that mitigation can be secured.

- 10.9. A series of other conditions were also recommended, with regards to dust, plant, machinery and air quality. These have been duly incorporated into the draft decision notice. Subject to these mitigations and conditions, the development is considered acceptable with regards to air quality, in compliance with the relevant development plan policies.

11. Contamination

- 11.1. Policy CR1 (Climate change and environmental management) of the Core Strategy promotes the remediation of contaminated land. Policy BR5 (Contaminated land) of the Borough Wide Development Policies DPD states that development on or near land that is known to be contaminated or which may be affected by contamination will only be permitted where an appropriate site investigation and risk assessment has been carried out as part of the application to identify any risk to human health. This is supported by Policy DMSI 5 (Land contamination) of the draft Local Plan.
- 11.2. The scheme is supported by Phase 1 and Phase 2 contamination reports. The Phase 1 (risk assessment) report identified a number of potential contamination sources within the site. Further ground investigation work has then been undertaken and a full Phase 2 report is submitted in support of the application which identifies the potential for 'hot spots' of asbestos within the site.
- 11.3. The Phase 2 sets out a series of recommendations for remediation, however it should be noted that the areas of concern with respect to contamination are well-defined and distinct from soils across the remainder of the site.
- 11.4. It is therefore considered that it has been demonstrated by the applicant that whilst the land may have a limited amount of contamination appropriate site investigation and risk assessment work has been carried out to identify any risks to human health, the natural environment or water quality. These risks can be mitigated appropriately through the completion and submission and approval of a Phase 3 Remediation Strategy prior to the commencement of works.
- 11.5. Environmental Protection were consulted and requested further detail on the applicant's technical information. Following this, they have confirmed that they are satisfied with the proposals and suggested condition wording to ensure that the relevant measures are put in place with regards to contamination.
- 11.6. Subject to this condition, it is therefore considered that the proposals accord with the principles of Policy BR5 of the Borough-Wide Development Policies (2011) and the draft Policy DMSI 5 of the emerging LBBB Local Plan.

12. Flooding and Sustainable Drainage

- 12.1. Policy SI 12 (Flood risk management) of the London Plan required development to minimise and mitigate the risk of flooding. Policies CR1 (Climate change and environmental management) and CR4 (Flood management) of the Core Strategy and Policy BR4 (Water Resource Management) of the Borough Wide Development Policies DPD (March 2011) echo the requirements above. Policy BR4, Draft policy DMSI 7 and London Plan policy SI13 expects development proposals to utilise sustainable drainage methods (detailed within the Mayors Drainage Hierarchy) to achieve greenfield run-off rates.
- 12.2. The site is located within Flood Zone 1, i.e. land defined as having a 'low' flood risk, where there is less than a 1 in 1000 annual probability of flooding from a river in any one year, and low risk from all other sources of flooding; pluvial, sewer, groundwater and artificial sources.
- 12.3. The site is defined as 'less vulnerable' such that the development can be considered 'appropriate' in accordance with NPPF guidelines. As a result, the sequential and exception tests are not required by the local authority.
- 12.4. The site is currently drained via a number of existing shallow connections to the nearest surface water sewer within Selinas Lane.
- 12.5. The proposed drainage strategy would ensure that greenfield discharge rates would be achieved, and the proposed flow rate would provide a minimum 98% reduction in the historic pre-demolition discharge rates ensure that the flood risk to the site and surrounding catchment is therefore not increased by the development.
- 12.6. The proposed surface water drainage strategy will utilise a number of underground attenuation tanks (with a pump chamber to discharge the flows to the adjacent surface water sewer via the existing connection at restricted rates) as well as a small attenuation pond which is proposed within the pocket park. This will also provide for biodiversity benefits.
- 12.7. In addition, the SuDS hierarchical approach has been considered and accordingly the car parking areas within the development will also be partially constructed in permeable paving with the subbase used to attenuate the flows, and a rain garden / tree pit zone is proposed on the Selinas Lane frontage.
- 12.8. Foul sewage flows are proposed to be collected by a new gravity network and to discharge to the existing Thames Water foul sewer which is also located within Selinas Lane.
- 12.9. The Environment Agency were consulted on the proposals and raised no objection. LBBB LLFA were also consulted and the GLA considered flooding as part of their response. The GLA requested additional information on a number of aspects of the report, which the LLFA mirrored. The FRA was updated to provide a more detailed assessment of the pluvial flood flow route adjacent to Selinas Lane. It was also set out that owing to the preclusion of any discharge to ground, the groundwater levels would not be impacted by the development. It is considered that the proposed development would only have a beneficial effect on the ground water levels across the site. The proposals are generally to raise site levels, cover the site in impermeable hardstanding and direct surface water to the designed drainage network for off-site discharge. With regards to drainage, it was explained that the

proposals require pumping in this location owing to the levels of existing sewers in Selinas Lane (the only assets adjacent to the site), which are also shallow. This means that there is no scope to drain via gravity alone. The number of pumps and length of rising mains will be minimised as much as practical on site and final connections will be via gravity.

- 12.10. With regards to attenuation capacities, the proposals allow for some exceedance storage within the site at appropriate locations. It is considered that these would not affect the operation of the site. To size the attenuation features for the most extreme event is considered to be a significant increase and an inefficient solution given the scope to safely store this temporarily above ground.
- 12.11. The GLA further requested rainwater harvesting and green roofs. The applicant set out that rainwater harvesting is only a viable feature if there is warranted demand for the water that is collected and as this would not be the case in this instance it has been considered to be inappropriate. With regard to green roofs, it was noted that the roofs are designed to reflect the architectural typologies of the heritage, focussed around saw tooth roofs rather than flat roofs. Furthermore, green roofs would lead to additional internal columns and inefficient steelwork design, in turn leading to an increase in steelwork tonnage, and an increase in foundation size and number, further excavation and potential spoil from site. On this basis, the applicant set out that green roofs and /or bio solar roofs are not considered deliverable nor appropriate in this instance.
- 12.12. In relation to the GLA comments regarding a proposed pond, the applicant has confirmed that whilst not a true pond within the trim trail / park area, a depressed area is included within the design which would contain and provide above ground storage for roof run off in extreme rainfall events only. This would typically be dry and could be planted and accessed as amenity space.
- 12.13. The LLFA were reconsulted on the revised flood and drainage information. They have raised no further comments but have requested that all details in relation to drainage be secured by condition. On this basis and given that the proposals will ensure that flood risk on-site is minimised and that appropriate SuDS measures have been demonstrated, it is considered that the proposed development is acceptable with regards to flooding and drainage.

CONCLUSION

This application is for high-quality scheme providing 30,534 sqm of flexible industrial floorspace (Use Classes E(g)(iii), B2 and B8) within an area designated as a Locally Significant Industrial Site. Officers consider that the proposal would provide significant employment benefit to LBB, generating between 370 and 599 jobs. The proposed development has been designed in a high quality way that will activate Selinas Lane and bring back a largely underutilised brownfield site. In addition, the proposed development will make a £120,000 contribution towards affordable commercial / cultural workspace provision elsewhere in the borough.

The development is supported by a high-quality landscaping scheme, the provision of new public footpaths and improvements to the public highway, safeguarding designated future pedestrian and cyclist paths through the site. It will provide £30,000 towards a study of walking and cycling improvements in Chadwell Heath, as well as £400,000 towards local

junction and highway improvements, to the benefit of all road users but particularly pedestrians and buses users.

The proposals include significant provision of on-site renewable energy, through roof-mounted PV panels, to achieve 100% carbon emissions saving on-site, with the development being carbon net-zero in operation, and on-track to achieve a BREEAM 'excellent' rating, a high nationally recognised standard.

Through the recommended conditions and agreed heads of terms, the proposals would ensure that any potential impacts of the development are adequately mitigated, in accordance with adopted development plan and relevant guidance. The applicant has worked proactively with Be First Officers and consultees to prepare a unique and high quality development that will help deliver significant local benefits.

The application is therefore recommended for approval, subject to imposition of the recommended conditions and S106 legal agreement.

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) (DLUHC, July 2021)

London Plan (March 2021)	<p>Chapter 1 Planning London's Future – Good Growth:</p> <ul style="list-style-type: none">• Policy GG2 (Making the best use of land) <p>Chapter 2 Spatial development polices:</p> <ul style="list-style-type: none">• Policy SD1 (Opportunity Areas) <p>Chapter 3 Design:</p> <ul style="list-style-type: none">• Policy D1 (London's form, character and capacity for growth)• 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) <p>Chapter 6 Economy:</p> <ul style="list-style-type: none">• Policy E4 (Land of industry, logistics and services to support London's economic function)• Policy E5 (Strategic Industrial Locations (SIL))• Policy E7 (Industrial intensification, co-location and substitution) <p>Chapter 7 Heritage and culture:</p>
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	<ul style="list-style-type: none"> • Policy HC1 (Heritage conservation and growth) <p>Chapter 8 Green infrastructure and natural environment:</p> <ul style="list-style-type: none"> • Policy G1 (Green infrastructure) • Policy G5 (Urban greening) • Policy G6 (Biodiversity and access to nature) <p>Chapter 9 Sustainable infrastructure:</p> <ul style="list-style-type: none"> • Policy SI 1 (Improving air quality) • Policy SI 2 (Minimising greenhouse gas emissions) • Policy SI 6 (Digital connectivity infrastructure) • Policy SI 7 (Reducing waste and supporting the circular economy) • Policy SI 12 (Flood risk management) • Policy SI 13 (Sustainable drainage) <p>Chapter 10 Transport:</p> <ul style="list-style-type: none"> • Policy T1 (Strategic approach to transport) • Policy T3 (Transport capacity, connectivity and safeguarding) • Policy T5 (Cycling) • Policy T6 (Car parking) • Policy T7 (Deliveries, servicing and construction)
<p>Local Development Framework (LDF) Core Strategy (July 2010)</p>	<p>Chapter 4 Managing growth:</p> <ul style="list-style-type: none"> • Policy CM1 (General principles for development) <p>Chapter 5 Sustainable resource and the environment:</p> <ul style="list-style-type: none"> • Policy CR1 (Climate change and environment management) • Policy CR2 (Preserving and enhancing the natural environment) • Policy CR3 (Sustainable Waste Management) • Policy CR4 (Flood management) <p>Chapter 7 Ensuring a vibrant economy and attractive town centres:</p> <ul style="list-style-type: none"> • Policy CE3 (Safeguarding and release of employment land) <p>Chapter 8 Creating a sense of place:</p> <ul style="list-style-type: none"> • Policy CP2 (Protecting and Promoting our Historic Environment) • Policy CP3 (High quality-built environment)
<p>Local Development Framework (LDF) Borough Wide Development Plan Document (DPD) (March 2011)</p>	<p>Chapter 2 Sustainable resource and the environment:</p> <ul style="list-style-type: none"> • Policy BR2 (Energy and on-site renewables) • Policy BR3 (Greening the Urban Environment) • Policy BR4 (Water Resource Management) • Policy BR5 (Contaminated land) • Policy BR9 (Parking) • Policy BR10 (Sustainable Transport) • Policy BR11 (Walking and cycling) • Policy BR13 (Noise mitigation) • Policy BR14 (Air quality)

	<ul style="list-style-type: none"> • Policy BR15 (Sustainable Waste Management) <p>Chapter 3 Creating a sense of community:</p> <ul style="list-style-type: none"> • Policy BC1 (Delivering affordable housing) • Policy BC2 (Accessible and Adaptable housing) • Policy BC7 (Crime prevention) <p>Chapter 5 Creating a sense of place:</p> <ul style="list-style-type: none"> • Policy BP3 (Archaeology) • Policy BP4 (Tall buildings) • Policy BP5 (External amenity space) • Policy BP6 (Internal space standards) • Policy BP8 (Protecting Residential Amenity) • Policy BP10 (Housing density) • Policy BP11 (Urban design)
<p>The London Borough of Barking and Dagenham’s Draft Local Plan: (Regulation 19 Submission Version, December 2021) is now at an “advanced” stage of preparation. Having regard to NPPF paragraph 48 the emerging document is now a material consideration and significant weight will be given to the emerging document in decision-making.</p>	
<p>The London Borough of Barking and Dagenham’s Draft Local Plan (Regulation 19 Consultation Version, October 2020)</p>	<p>Chapter 3 Transforming LBBDD:</p> <ul style="list-style-type: none"> • Strategic Policy SPDG 1 (Delivering growth in Barking and Dagenham) • Area Policy SPP2 (Thames and the Riverside) <p>Chapter 4 Design:</p> <ul style="list-style-type: none"> • 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 4 (Heritage Assets and Archaeological remains) <p>Chapter 7 Economy:</p> <ul style="list-style-type: none"> • Policy DME 1 (Utilising the borough’s employment land more efficiently) <p>Chapter 8 Natural environment:</p> <ul style="list-style-type: none"> • Policy DMNE 1 (Parks, open spaces and play space) • Policy DMNE 2 (Urban greening) • Policy DMNE 3 (Nature conservation and biodiversity) <p>Chapter 9 Sustainable infrastructure:</p> <ul style="list-style-type: none"> • Strategic Policy SP7 (Securing a clean, green, and sustainable borough) • 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)

	<ul style="list-style-type: none"> • Policy DMSI 7 (Water management) <p>Chapter 10 Transport:</p> <ul style="list-style-type: none"> • Policy DMT 1 (Making better connected neighbourhoods) • Policy DMT 2 (Car parking) • Policy DMT 3 (Cycle parking) • Policy DMT 4 (Deliveries, servicing, and construction)
Supplementary Planning Documents	<ul style="list-style-type: none"> • DCLG Technical Housing Standards (Nationally described space standards) (DCLG, March 2015) (as amended) • London Borough of Barking and Dagenham, Archaeological Priority Area Appraisal dated July 2016 by Historic England • Adopted Site Allocations Document 2010 • The BRE Report, Site layout planning for daylight and sunlight: a guide to good practice

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, Be First, on behalf of the London Borough of Barking & Dagenham, has regard to its equality's obligations including those under Section 149 of the Equality Act 2010 (as amended).

For the purposes of this application there are not considered to be any adverse equalities issues.

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

APPENDIX 2 – Planning History

Relevant Planning History

Application Number:	21/02059/FULL	Status:	Approved 15/03/2022
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Description:	Retrospective application for the temporary change of use to B8 (open storage) and Sui Generis (Car Dealership).		
Application Number:	22/01147/SCREEN	Status:	EIA not required 21/07/2022
Description:	Request for an EIA Screening Opinion for the construction of 3no. industrial buildings (Use Class B2/B8/E(g)(ii-iii)), with ancillary offices; the creation of new vehicular access from Selinas Lane; pedestrian and cycle access from Selinas Lane to the south of the site; new hardstanding and circulation areas; landscaping; drainage; and associated works.		
Application Number:	12/00541/FUL	Status:	Approved 17/08/2012
Description:	Retention of single storey kiosk.		
Application Number:	12/00174/FUL	Status:	Approved 27/07/2012
Description:	Retention of 22m high chimney stack and construction of extension to stack up to a maximum height of 30m.		
Application Number:	08/00464/FUL	Status:	Approved 09/06/2022
Description:	Erection of 2 silos for storage of re-cycled plastic.		
Application Number:	02/00725/FUL	Status:	Withdrawn 20/10/2003
Description:	Erection of extensions to provide new milk reception bays, new canopy, two storey offices, new lorry/car parking, new refuelling bays/fuel tank and new vehicle wash.		
Application Number:	00/00692/FUL	Status:	Approved:10/09/2001
Description:	Demolition of existing buildings and erection of new cold store/trolley wash and packaging store together with car and vehicle parking facilities.		
Application Number:	95/00363/TP	Status:	Approved 02/01/1996
Description:	Erection of two 9 metre high material feed silos.		
Application Number:	87/00375/TP	Status:	Approved 25/06/1987
Description:	Erection of three milk storage silos.		
Application Number:	86/00143/TP	Status:	Approved 25/04/1986
Description:	Erection of plant room extension with chiller over.		
Application Number:	85/00216/TP	Status:	Approved 23/05/1985
Description:	Erection of 3 milk storage silos.		

APPENDIX 3

The following consultations have been undertaken:

- Cllr Glenda Paddle
- Cllr Andrew Archilleos
- Cllr Mukhtar Yusuf
- Highways England
- Transport for London

- Health and Safety Executive
- Metropolitan Police
- LBBB Community Facilities
- LBBB Heritage and Culture
- LBBB Public Health
- LBBB Employment and Skills
- LBBB Parks
- LBBB Trees
- LBBB Commissioning Lead for Sustainability
- LBBB District Heating/Energy
- LBBB CCTV, Community Safety and Public Protection
- LBBB Refuse Services
- LBBB Specialist Services
- LBBB Car Club/Travel Plan/CPZ/Parking
- LBBB Access Officer
- Historic England GLAAS Archaeology
- Be First Highways
- LBBB Highways
- LBBB Environmental Protection
- LBBB Affordable Workspace
- Be First Deputy Development Director
- UK Power Networks
- Thames Water
- Essex and Suffolk Water
- Greater London Authority
- Environment Agency
- Be First Transport Policy

Summary of Consultation Responses		
<i>Consultee and Date Received</i>	<i>Summary of Comments</i>	<i>Officer Comments</i>
National Highways 20/10/2022	Confirmed no objection, following the provision of updated highways information.	Noted.
Be First Deputy Development Director 07/11/2022	Requested £120,000 towards the provision of off-site affordable workspace.	The applicant has agreed a contribution of £120,000 towards affordable workspace, and this is secured within the Heads of Terms.
Thames Water 23/08/2022	No objection with regards to foul water or surface water. Recommended that petrol/oil interceptors be fitted in all car parking/washing/repair facilities. Noted that water supply comes from the Essex and Suffolk Water Company, who should also be consulted.	Noted. Applicant advised to provide petrol/oil interceptors.

<p>Greater London Authority</p> <p>15/09/2022 (additional comments provided subsequently with regards to air quality, whole life carbon cycle and circular economy).</p>	<p>Land use principles: The employment land uses result in the reprovision and uplift in the industrial capacity on this Locally Significant Industrial Site (LSIS), in line with the requirements of Policies E4 and E7 of the London Plan. Further consideration should be given to the provision of spaces for micro, small and medium-sized enterprises within the scheme, as per Policy E2 of the London Plan.</p> <p>Urban design: The proposals do not comprise tall buildings and the scale of the buildings responds to the context of the wider LSIS designation. Further information should be provided in relation to the proposed connection routes through the site. Suitable wayfinding, landscaping and security measures should be secured. Further information is required in relation to inclusive access.</p> <p>Transport: Contributions should be secured for improvements toward clear deficiencies in the walking and cycling environment on public roads near the site. Further justification should be provided for the proposed level of car parking to demonstrate it is the minimum necessary, and further details are required on the quantum of operational parking. Further details are required in relation to the quality of cycle parking, as well as further details to allow a robust assessment of trip generation to be undertaken. Management plans for parking, travel, construction logistics and deliveries and servicing should all be secured by condition (paragraphs 97 to 107).</p> <p>Other issues on sustainable development, green infrastructure, flood risk, sustainable drainage and air quality also require resolution prior to Stage II.</p> <p>Overall, it was advised that the application was not in full compliance with the London Plan but possible remedies were set out in the report to address the deficiencies.</p>	<p>The concerns raised by the GLA are noted. The applicant has updated a number of their plans and reports to achieve compliance with the London Plan, and thereby gain the full support of the GLA at stage 2. The applicant also provided further detail on many of the queries raised.</p> <p>A number of conditions have been secured at the request of the GLA, including in relation to Fire Safety, air-quality, BREEAM and whole life carbon cycle. Significant engagement has taken place with relevant consultees in relation to the GLA's comments, including Environmental Health, TfL and Be First's Highways Department.</p> <p>With regards to whole life carbon cycle and circular economy, a number of updates have been provided by the applicant to address GLA concerns and ensure full compliance with the London Plan.</p> <p>All material considerations raised by the GLA are assessed within the appraisal section of this report.</p>
<p>Historic England GLAAS</p>	<p>Provided suggested condition wording with regards to archaeology. No</p>	<p>The condition wording agreed with Historic England is replicated in the draft</p>

<p>26/10/2022</p>	<p>objections raised subject to the WSI being followed.</p> <p>This response followed earlier responses where additional information was requested to avoid the need for a blanket pre-commencement condition. The applicant subsequently provided a WSI and phasing plan for the purposes of archaeological excavations only.</p>	<p>conditions list and has been agreed by the applicant.</p>
<p>TfL Spatial Planning</p> <p>24/11/2022</p>	<p>Noted disappointment that the applicant has not followed the TfL Model Audit Process but accepted the modelling that was provided and to move forward on the basis of it. Requested £400,000 towards a review of signal timings, the provision of pedestrian countdown and cancel crossing features, the delivery of bus priority measures and any further TfL MAP modelling required to support these improvements.</p> <p>As part of their initial comments, TfL had previously expressed concern at the proposed parking provision, which they felt was excessive and that this had not been justified. They were supportive of the proposed provision of 60% active electric vehicle charging provision. They suggested that each unit be provided with a blue badge parking space given the separation between parking areas. With regards to operational parking, it was suggested that rapid electric vehicle charging should be provided for heavy goods vehicles.</p> <p>TfL were supportive of the proposed cycling provision in terms of number of spaces and cyclist welfare facilities, such as showers, but noted that updates to the cycle parking were required.</p> <p>TfL were pleased to note the provision of a Parking Design and Management Plan, but noted a variety of omissions such as lack of detail on parking allocation and triggers for the conversion of passive EVCP to active.</p> <p>TfL were supportive of the submission of an outline Travel Plan but requested that a Travel Plan be secured as part of the s.106 agreement. This would be</p>	<p>The applicant has agreed a financial contribution of £400,000 towards the identified highways improvement works, which will benefit the whole Chadwell Heath Masterplan Area. They have also agreed to the inclusion of a Travel Plan within the s.106 agreement.</p> <p>A number of conditions have been included in response to TfL comments, including on car parking management, CLPs, Delivery and Servicing Plans. All other matters are picked up within the appraisal section of this report.</p>

	<p>enforced, monitored and reviewed through this agreement.</p> <p>A request was made for a detailed CLP and Delivery and Servicing Plan to be secured by condition.</p>	
<p>Be First Highways 01/12/2022</p>	<p>The scope of the s.278 works is sufficient in terms of improving connections by sustainable modes by improving the environment for walking and cycling along the frontage of the site.</p> <p>Noted support for TfL's financial request towards local highways improvements but noted that engagement should be undertaken with the Council to ensure LBBD support before any works are agreed. Nonetheless, the contribution should be secured as part of the s.106. The contribution is considered to be particularly important given the that the applicant did not follow TfL's MAP process.</p> <p>It was accepted that the proposed development would not adversely affect the operation of the local highway network if the mitigation measures identified are secured.</p> <p>Cycle parking is in accordance with the London Plan and should be conditioned. EVCP and Blue Badge Parking are also in accordance with the London Plan and should be conditioned.</p> <p>Recommended that the public right of way should provide 24 hour access and be constructed to the Council's adoptable standards, well-lit and secured by CCTV. The Council, as the highway authority, will also require an independent highway stage 2 and 3 safety audits for the proposed access and alterations to the public highway. We recommend that in the interest of highway safety, a section 278 (Highways Act 1980) is entered into by the applicant prior to construction taking place on site. This should be secured in the s106.</p> <p>Detailed CLP and DSP should be secured by condition. A travel plan should be secured within the s.106.</p>	<p>A s.278 agreement is included within the Heads of Terms and the financial contributions requested by TfL and the Be First Planning Policy Teams are also included within the Heads of Terms.</p> <p>Cycle parking, car parking management and design, EVCP, Blue Badge Parking, CCTV, CLP, DSP have been secured by condition.</p> <p>All transport matters are assessed within the relevant section of this report.</p>

	<p>Overall, based on the information that has been provided, within the TA and having considered the merits of this application, it seems that there are no significant impacts on the transport network or apparent adverse highway safety implications to suggest that there are any substantial reasons that this should not be approved because of issues relating to the highway.</p>	
<p>Be First Transport Policy Team 27/09/2022</p>	<p>Requested £30,000 towards a feasibility and design study on Freshwater Road and Selinas Lane to improve walking and cycling to support the emerging Chadwell Heath Masterplan.</p>	<p>The applicant has agreed to pay a £30,000 contribution towards this study, and this has been secured within the Heads of Terms.</p>
<p>LBBB Environmental Protection 25/11/2022</p>	<p>Requested that an air-quality mitigation contribution of £29,000 per tonne NOx over the established benchmark and £45,510 over the established benchmark for particles.</p> <p>In previous responses, the EPO also requested conditions be applied to any consent in relation to contamination, air quality, emissions, dust management, CEMP, SWMP, and noise.</p> <p>There was some back and forth between Be First Officers and LBBB Environmental Protection in obtaining additional information from the applicant to support the requested conditions and financial contributions. Updated information was provided with regards to remediation at application stage, in order to allow a less onerous condition.</p>	<p>The applicant has agreed to the proposed air quality mitigation contributions, and these have been secured in the Heads of Terms. Likewise, the applicant has agreed to all conditions, and these are set out in the full conditions list.</p>
<p>LBBB Employment and Skills 11/11/2022</p>	<p>Requested a £10,000 financial contribution as a payment in lieu for the 25% FTE jobs equivalent for roles relating to demolition. Also requested that all other aspects of the construction shall include 25% local labour. This shall be detailed in an employment and skills plan, along with all measures to provide local employment and skills.</p>	<p>The applicant has agreed to the £10,000 financial contribution and the provision of an Employment and Skills Plan. These are to be secured within the s.106 agreement and are noted within the Heads of Terms.</p>
<p>Environment Agency 15/09/2022</p>	<p>No objections. Recommended that the application obtain BREEAM 'excellent' standards for water consumption and that water efficiency measures be deployed in the development.</p>	<p>Noted. A condition is included which will require the applicant to obtain BREEAM 'Excellent' in line with their proposals.</p>

<p>LBBB Parking and Environment Design Team</p> <p>13/09/2022</p>	<p>“To alleviate the parking within this section, we would suggest that as part of the development works, double yellow lines are installed, which would require an amendment to the traffic management order, which the developer would have to pay for.”</p>	<p>The applicant has agreed to pay for a TMO. This will be secured within the s.106 agreement and is set out within the Heads of Terms.</p>
<p>TfL Infrastructure</p>	<p>Confirmed that no comments to be made.</p>	<p>Noted.</p>
<p>Metropolitan Police DOCO</p> <p>19/08/2022</p>	<p>Confirmed no objection to the development, subject to specific concerns being addressed and Secured by Design Planning Condition.</p> <p>It was set out that the development should include a high-quality lighting scheme, compliant with BS5489-1 of 2021. It was further set out that some of the pathways had little passive surveillance. In order to mitigate this, places to dwell should be designed out to reduce loitering. Further, external furniture should be robust and vandal proof. There should be clear signage throughout the development to indicate all aspects of the development. It was set out that external car parking and cycle parking should be located in visible locations near to main entrances and supported by CCTV. Proposed planting should not impede natural surveillance and tree planting should not impeded CCTV. Any boundary treatments should be supported with robust fences and gates of 2.4m in height, with the exception of the frontage onto Selinas Lane, where it was understood that the proposed development will be accessible to staff and customers. Specifications were provided for windows, locks and doors. Mail provision should be held securely, and bin storage areas should not function as climbing aids. Fire break glass buttons should be protected from misuse. All doors should be openable in the event of fire. CCTV is strongly recommended with systems that are acceptable to the local police. Alarm systems supported with appropriate communications were also recommended.</p>	<p>It was positive to note no objection to the proposals. A number of conditions have been included to ensure that all concerns of the DOCO are addressed. These include a condition requiring secure by design certification, a lighting and CCTV scheme, details of street furniture, wayfinding signage and landscaping, including boundary treatments.</p>

Health and Safety Executive 18/08/2022	The HSE consider buildings which contain two or more dwellings or educational accommodation and are at least 18m tall or have 7 or more storeys. This application does not fall within that remit and so no comments were provided.	Noted. The GLA have considered the proposed development with regards to Fire Safety.
Historic England (Historic Buildings) 19/08/2022	Not considered that the application falls within their remit to provide comments on.	Noted. No statutorily listed buildings in the immediate vicinity of the site. No impacts on such buildings anticipated.

APPENDIX 4

Neighbour Notification	
Date Press Notice Published:	22/08/2022
Date Site Notice Erected:	08/09/2022
Date Neighbour Notification Sent:	18/08/2022
Number of Properties Notified:	550
Number of Responses Received:	1
Address:	<i>Summary of response:</i>
Abbey Concrete Products, Freshwater Road, Dagenham, RM8 1RX	Objected to the application on the basis that Abbey Concrete is a long established business, which generates significant noise at times. They are supportive of redevelopment of the site but are concerned that the inclusion of office accommodation could result in unacceptable noise nuisance in these premises. This could result in a noise complaint against Abbey Concrete, which could jeopardise their business activity. It was requested that the applicant provide an acoustic assessment to demonstrate that any proposed development can be implemented without creating an environmental nuisance by virtue of its proximity to Abbey Concrete.

Officer Comment

Officers note receipt of the objection listed above. The material planning considerations are addressed within the planning assessment. It is noted that the applicant has engaged in dialogue with Abbey Concrete to ensure that their concerns are addressed. At the time of writing, the outcome of these discussions is unconfirmed.

APPENDIX 5

Conditions

Time

1. 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).

Approved Plans

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

Plans

- 127833 Bridge Point Enterprise East [2.0] UGF Masterplan
- 21422-UMC-0100-00-DR-A-1001 [P.4] Unit 100 200 Proposed Building Plan
- 21422-UMC-0100-EL-DR-A-1301[P.3] Unit 100 200 Proposed Elevations
- 21422-UMC-0100-R1-DR-A-1003 [P.3] Unit 100 200 Proposed Roof Plan
- 21422-UMC-0100-SK-DR-A-1101 [P.3] Unit 200 200 Proposed Section
- 21422-UMC-0100-ZZ-DR-A-1002 [P.4] Unit 100 Proposed Office Layouts
- 21422-UMC-0200-ZZ-DR-A-1002 [P.4] Unit 200 Proposed Office Layouts
- 21422-UMC-0300-00-DR-A-1001 [P.3] Unit 310 320 330 340 Proposed Building Plan
- 21422-UMC-0300-EL-DR-A-1101 [P.4] Unit 310 320 330 340 Proposed Section
- 21422-UMC-0300-EL-DR-A-1301 [P.3] Unit 310 320 330 340 Proposed Elevations
- 21422-UMC-0300-R1-DR-A-1003 [P.2] Unit 310 320 330 340 Proposed Roof Plan
- 21422-UMC-0310-ZZ-DR-A-1002 [P.4] Unit 310 Proposed Office Layouts
- 21422-UMC-0310-ZZ-DR-A-1003 [P.6] Unit 310 Proposed Office Layouts
- 21422-UMC-0320-ZZ-DR-A-1002 [P.5] Unit 320 Proposed Office Layouts
- 21422-UMC-0330-ZZ-DR-A-1002 [P.6] Unit 330 Proposed Office Layouts
- 21422-UMC-0340-ZZ-DR-A-1002 [P.6] Unit 340 Proposed Office Layouts
- 21422-UMC-0400-00-DR-A-1001 [P.3] Unit 410 420 430 440 Proposed Building Plan
- 21422-UMC-0400-EL-DR-A-1303 [P.3] Unit 410 420 430 440 Proposed Elevations
- 21422-UMC-0400-R1-DR-A-1003 [P.3] Unit 410 420 430 440 Proposed Roof Plan
- 21422-UMC-0400-SK-DR-A-1101 [P.3] Unit 410 420 430 440 Proposed Section
- 21422-UMC-0400-ZZ-DR-A-1002 [P.5] Unit 410 420 430 440 Proposed Office Layouts
- 21422-UMC-NWRK-SI-DR-A 0501 [P.2] Existing Block Plan
- 21422-UMC-NWRK-SI-DR-A-0005 [P.5] Phase 3 Landscaping Strategy
- 21422-UMC-NWRK-SI-DR-A-0501 [P.2] Site Location Plan
- 21422-UMC-NWRK-SI-DR-A-0503 [P.3] Proposed Demolition Plan
- 21422-UMC-NWRK-SI-DR-A-0601 [P.7] Proposed Site Layout

- 21422-UMC-NWRK-SI-DR-A-0701 [P.3] Proposed External Surfacing Plan
- 21422-UMC-NWRK-SI-DR-A-0702 [P.5] Proposed Fencing Layout Details
- 21422-UMC-NWRK-SI-DR-A-0703 [P.3] Proposed External Compound Details
- 21422-UMC-NWRK-SI-DR-A-0704 [P.1] Proposed Cycle Shelter Details
- 8561 100 [P3] General Arrangement Plan Landscape
- 8561 101 [P3] General Arrangement Plan Hard Landscape Proposals
- 8561 102 [P4] General Arrangements Plan Softworks Proposals
- 8561 103 [P3] Illustrative Landscape Masterplan
- 8561 104 [P2] Sections Sheet 1 of 2
- 8561 105 [P3] Sections Sheet 2 of 2
- 8561 106 [P2] Illustrative Sections Sheet 1 of 2
- 8561 107 [P3] Illustrative Sections Sheet 2 of 2
- 8561 110 [P2] General Arrangements Plan Selinas Lane Footway Proposals
- J32-6734-PS-001 [E] Proposed Site Access Western Access
- 2069-ME-601 [P1] District Heating Network (for future connection)
- 21422-UMC-NWRK-SI-DR-A 0009 [SK.1] PRoW Plan
- 2069-E-900 [P2] External Lighting Strategy
- 127882 Bridge Point Enterprise East UGF Masterplan [2.0] UGF Masterplan

Reports

- Air Quality Assessment Rev 1 02.08.2022 prepared by AAC
- Addendum Air Quality Assessment 04.11.2022 prepared by AAC
- Arboricultural Impact Statement Rev 2 04.08.2022 prepared by Linga Consultancy
- Arboricultural Method Statement Rev 2 04.08.2022 prepared by Linga Consultancy
- Archaeological Desk Based Assessment Rev 3 09.08.2022 prepared by RPS
- Affordable Workspace Viability Statement September 2022 prepared by Savills
- Stage 1 Written Scheme of Investigation for Archaeological Evaluation Rev 2 17.10.2022 prepared by RPS
- Biodiversity Net Gain and Urban Green Factor Review Rev 3.0 25.10.2022 prepared by MKA Ecology
- GLA Carbon Emissions Reporting Spreadsheet August 2022
- Sustainability and Energy Statement rev 2.0 05.08.2022 prepared by Scott White and Hookins
- Economic Benefits and Social Value Assessment August 2022 prepared by Savills
- Preliminary Ecological Appraisal Rev 3.0 02.08.2022 prepared by MKA Ecology
- Outline Construction Logistics Plan Rev 1.1 03.08.2022 prepared by Mode
- Noise Assessment rev 1 27.07.2022 prepared by AAC
- Landscape Ecology Management Plan rev 1 04.08.2022 prepared by MKA Ecology
- Healthy Streets Transport Assessment rev 1.1 05.08.2022 prepared by Mode
- Framework Travel Plan Rev 1.1 03.08.2022 prepared by Mode
- Flood Risk Assessment and Drainage Strategy Report [5] 07.10.2022 prepared by Burrows Graham

- Fire Statement rev 0.1 B 26.09.2022 prepared by 3-FE
- Thermal Comfort Analysis Report Rev P2 02.08.2022 prepared by Harniss
- Utilities Statement Rev P2 02.08.2022 prepared by Harniss
- Whole Life Carbon Assessment Rev 5 16.11.2022 prepared by Harniss
- Circular Economy Statement Rev 6 01.12.2022 prepared by ADW Developments
- Planning Statement August 2022 prepared by Be First Planning Consultancy
- Whole Life Carbon Assessment Template December 2022 completed by ADW Developments
- Car Parking Management Plan Rev 1.1 03.08.2022 prepared by Mode
- Daylight, Sunlight and Overshadowing Assessment 01.08.2022 prepared by Hollis
- Delivery and Servicing Management Plan Rev V1.1 03.08.2022 prepared by Mode
- Design and Access Statement Rev D 12.08.2022 prepared by UMC Architects
- Framework Construction Environmental Management Plan Rev 1 05.08.2022 prepared by AAC
- Landscape Strategy August 2022 prepared by LDA Design
- Phase 1 Risk Assessment Rev 0 November 2019 prepared by SAS
- Phase 2 Geo environmental ground investigation Rev 1 January 2022 prepared by SAS
- Phase 3 Remediation Strategy Rev 1 04.11.2022 prepared by TRC
- Technical Note (Noise) 27.09.2022 prepared by AAC
- Technical Note (Transport, Response to National Highways Comments) 29.09.2022 prepared by Mode
- Urban Greening Factor Calculator 28.10.2022 prepared by MKA
- Statement of Community Involvement August 2022 prepared by Connect

No other documents or drawings apply.

Reason: For avoidance of doubt and to ensure a satisfactory form of development.

Permitted Use and Quantum of Development

3. Notwithstanding the Town and Country Planning (General Permitted Development) (England) Order 2015 (or any Order revoking, re-enacting or modifying that Order), the site shall have a maximum gross internal floorspace of 30,534sqm.

Reason: To ensure that no additional impacts which have not been assessed as part of the planning application proposal arise.

4. Notwithstanding the provisions of the Town and Country Planning (Use Classes) Order 1987 (as amended), the flexible industrial and commercial floorspace hereby approved shall be used for flexible Use Class E(g)(iii)/B2/B8 (light industrial, general industrial, storage and distribution) only. The approved floorspace shall not be used for any other purposes within Class E or any provision equivalent to these Classes, or for any other use, in any statutory instrument revoking and re-enacting that Order without modification).

Reason: To safeguard the industrial use hereby permitted.

5. Notwithstanding the Town and Country Planning (General Permitted Development) Order 2015 (or any Order revoking, re-enacting, or modifying that Order), any part of the hereby approved development shall not be permitted for commercial hot food take away/dark kitchen delivery services, unless otherwise approved by the Local Planning Authority.

Reason: In order to protect the proposed employment space and activity, prevent undue amenity and transport impacts associated with commercial food delivery and food preparation operations.

6. Notwithstanding the Town and Country Planning (General Permitted Development) Order 2015 (or any Order revoking, re-enacting or modifying that Order), any part of the hereby approved development shall not be permitted for waste or recycling services.

Reason: In order to protect the proposed employment space and activity, prevent undue amenity and transport impacts associated with commercial food delivery operations.

Pre-Commencement

Archaeology

7. Notwithstanding the details submitted with the application, no demolition or development shall take place within the areas of the site identified within approved plan 'S:\28177\Dwg 1\Unquarried Northern Area' as "unquarried northern area" until a stage 1 written scheme of investigation (WSI) has been submitted to and approved by the local planning authority in writing. For the land included within the WSI, no demolition or development shall take place other than in accordance with the agreed WSI, and the programme and methodology of site evaluation and the nomination of a competent person(s) or organisation to undertake the agreed works.

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

- a) A statement of significance and research objectives, a programme and methodology of site investigation, and a recording and the nomination of a competent person(s) or organisation to undertake the agreed works,
- b) Where appropriate, details of a programme for delivering related positive public benefits,
- c) A programme for post-investigation assessment and subsequent analysis, publication & dissemination and deposition of resulting material. This part of the condition shall not be discharged until these elements have been fulfilled in accordance with the programme set out in the stage 2 WSI.

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

Reason: In the interests of preserving archaeological heritage.

Details of Plant and Machinery

8. No demolition or development shall take place until details of all plant and machinery to be used during the demolition and construction phases has been submitted to, and approved in writing by, the Local Planning Authority. All Non-Road Mobile Machinery (NRMM) and plant to be used on site of net power between 37kW and 560kW must be registered at <http://nrmm.london/>. Proof of registration shall be provided as part of the written submission for approval in writing by the Local Planning Authority, prior to the commencement of any works on site. All plant and machinery must comply with Stage IIIB of EU Directive 97/68/ EC for both NOx and PM. It must also comply with the London Non-Road Mobile Machinery (NRMM) Low Emission Zone standards. All Non-Road Mobile Machinery (NRMM) and plant to be used on site of net power between 37kW and 560kW must be registered at <http://nrmm.london/>.

An inventory of all NRMM must be kept on site during the course of the demolitions, site preparation and construction phases. All machinery should be regularly serviced, and service logs kept on site for inspection. Records should be kept on site which details proof of emission limits for all equipment. This documentation should be made available to local authority officers as required until development completion.

Reason: To protect local air quality, safeguard human health and comply with Policy SI 1 of the London Plan and the GLA NRMM LEZ.

Air Quality and Dust Emissions

9. No demolition or development shall commence until full details of the proposed mitigation measures for impact on air quality and dust emissions, in the form of an Air Quality and Dust Management Plan (AQDMP), have been submitted to and approved in writing by the local planning authority. In preparing the AQMDP the applicant should follow the guidance on mitigation measures for sites set out in Appendix 7 of the Control of Dust and Emissions during Construction and Demolition SPG 2014. Both 'highly recommended' and 'desirable' measures should be included. The guidance on mitigation measures for medium risk should be adhered to as a minimum.

The AQDMP shall include the following for each relevant phase of work (demolition, earthworks, construction and track out):

- a) A summary of work to be carried out,
- b) Proposed haul routes, location of site equipment including supply of water for damping down, source of water, drainage and enclosed areas to prevent contaminated water leaving the site,
- c) Inventory and timetable of all dust and NOx air pollutant generating activities,
- d) List of all dust and emission control methods to be employed and how they relate to the Air Quality (Dust) Risk Assessment,
- e) Details of any fuel stored on-site,
- f) Details of a trained and responsible person on-site for air quality (with knowledge of pollution monitoring and control methods, and vehicle emissions),
- g) Summary of monitoring protocols and agreed procedure of notification to the local authority, and

- h) A logbook for action taken in response to incidents or dust-causing episodes and the mitigation measure taken to remedy any harm caused, and measures employed to prevent a similar incident reoccurring.

Developments assessed to be medium risk or greater for any of the steps required in an Air Quality and Dust Risk Assessment (AQDRA) regular or continuous PM10 monitoring should be carried out on site. Baseline monitoring should commence at least 3 months before the commencement of works and continue throughout all construction phases. Details of the equipment to be used, its positioning, additional mitigation to be employed during high pollution episodes and a proposed alert system should be provided as part of the submission.

No demolition or development shall commence until all necessary pre-commencement measures described in the AQDMP have been put in place and set out on site. The demolition and development shall thereafter be carried out and monitored in accordance with the details and measures approved in the AQDMP.

Reason: To protect local air quality and human health and in accordance with London Plan Policy SI 1.

Informative: The AQDMP can form part of the Construction Environmental Management Plan (CEMP), in which case both conditions should be discharged simultaneously. The IAQM "Guidance on Air Quality Monitoring in the Vicinity of Demolition and Construction Sites" details appropriate monitoring for the scale of the site or project.

Construction Environmental Management Plan

10. No demolition or development shall commence until a Construction Environmental Management Plan (CEMP) has been submitted to and approved in writing by the Local Planning Authority. This plan shall incorporate details of:
 - a) construction traffic management,
 - b) the parking of vehicles of site operatives and visitors,
 - c) loading and unloading of plant and materials,
 - d) storage of plant and materials used in constructing the development,
 - e) the erection and maintenance of security hoarding(s) including decorative displays and facilities for public viewing, where appropriate,
 - f) wheel washing facilities,
 - g) measures to control the emission of dust, dirt and emissions to air during construction; such measures to accord with the guidance provided in the document "The Control of Dust and Emissions during Construction and Demolition", Mayor of London, July 2014; including but not confined to, non-road mobile machinery (NRMM) requirements,
 - h) noise and vibration control,
 - i) the use of efficient construction materials,
 - j) measures to ensure the protection of trees during the construction process,
 - k) ecological enhancements as per recommendations 1,3, 4, 5 and 6 of the Approved Preliminary Ecological Assessment and Preliminary Roost Assessment; and,
 - l) a nominated Developer/Resident Liaison Representative with an address and contact telephone number to be circulated to those residents consulted on the

application by the developer's representatives. This person will act as first point of contact for residents who have any problems or questions related to the ongoing development.

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. All ecological enhancements shall be implemented and retained in perpetuity thereafter.

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

Site Waste Management Plan

11. No demolition or development shall commence until a Site Waste Management Plan (SWMP) has been submitted to and approved in writing by the Local Planning Authority. This plan shall incorporate:
 - a) a scheme for recycling/disposing of waste resulting from demolition and construction works,
 - b) methods to minimise waste, to encourage re-use, recovery and recycling, and sourcing of materials, and
 - c) the use of efficient construction materials.

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

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

12. Contaminated Land

- (a) The remediation scheme must be carried out in accordance with the terms of the remediation approach and methodology detailed in the Remediation Strategy Document by TRC Companies Limited (November 2022) unless otherwise agreed in writing by the Local Planning Authority.

- (b) The Local Planning Authority must be given two weeks written notification of commencement of the remediation scheme works.
- (c) Following completion of measures identified in the remediation strategy, a verification report that demonstrates the effectiveness of the remediation carried out must be produced and is subject to the approval in writing of the Local Planning Authority. The report shall include results of sampling and monitoring carried out to demonstrate that the site remediation criteria have been met.
- (d) If any contamination is found at any time when carrying out the approved development that was not previously identified, it must be reported in writing immediately to the Local Planning Authority. An investigation and risk assessment must be undertaken in accordance with the requirements of the following:
- a. an investigation and risk assessment, in addition to any assessment provided with the planning application, must be completed in accordance with a scheme to assess the nature and extent the contamination on the site, whether or not it originates on the site. The contents of the scheme are subject to the approval in writing of the Local Planning Authority. The investigation and risk assessment must be undertaken by competent persons and a written report of the findings must be produced. The report of the findings must include: a survey of the extent, scale and nature of contamination; an assessment of the potential risks to human health; property (existing or proposed) including buildings, crops, livestock, pets, woodland and service lines and pipes; adjoining land; groundwaters and surface waters; ecological systems; archaeological sites and ancient monuments; and an appraisal of remedial options, and proposal of the preferred option(s).
- This must be conducted in accordance with DEFRA and the Environment Agency's 'Model Procedures for the Management of Land Contamination, CLR 11'; and
- b. where remediation is necessary a remediation scheme must be prepared to bring the site to a condition suitable for the intended use by removing unacceptable risks to human health, buildings and other property and the natural and historical environment, shall be prepared and submitted to the Local Planning Authority for approval in writing. The scheme must include all works to be undertaken, proposed remediation objectives and remediation criteria, timetable of works and site management procedures. The scheme must ensure that the site will not qualify as contaminated land under Part 2A of the Environmental Protection Act 1990 in relation to the intended use of the land after remediation.
- (e) Following completion of the measures identified in the approved remediation scheme, and prior to first occupation, a verification report must be prepared, which is subject to the approval in writing of the Local Planning Authority.

Reason: Contamination must be identified prior to commencement of development to ensure that risks from land contamination to the future users of the land and neighbouring land are minimised, together with those to controlled

waters, property and ecological systems, and to ensure that the development can be carried out safely without unacceptable risks to workers, neighbours and other off-site receptors.

Prior to Piling

Piling

13. A) Piling, investigation boreholes, tunnel shafts, ground source heating and cooling systems or any other foundation designs using penetrative methods shall not be carried out other than with the written consent of the Local Planning Authority. A method statement shall be submitted to and approved in writing by the Local Planning Authority and Thames Water prior to such works taking place. The method statement shall detail the depth and type of piling to be undertaken and the methodology by which such piling will be carried out and should demonstrate that there is no resultant unacceptable risk to groundwater. The development shall be carried out in accordance with the approved details.

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

Reason: In order to ensure that piling activities do not harm groundwater resources in line with paragraph 170 of the National Planning Policy Framework and Position Statement and Protecting Groundwater resources of 'The Environment Agency's approach to groundwater protection' and in order to protect the amenities of neighbouring occupiers in accordance with policy BP8 of the Borough Wide Development Policies Development Plan Document.

Prior to Above Ground Works

Fire Safety

14. Notwithstanding the details submitted with the application, prior to above ground works, an updated Fire Statement, produced by an independent third party suitably qualified assessor shall be submitted to and approved in writing by the Local Planning Authority confirming that the statement has been formulated in line with the requirements of London Plan Policies D12(B) and D5(B5). The development shall be implemented in accordance with the approved Fire Statement and retained as such for the lifetime of the development.

Reason: In order to achieve the highest standards of fire safety and ensure the safety of all building users and to ensure that the development incorporates the necessary fire safety measures in accordance with the London Plan Policies D12(B) and D5(B5).

Digital Connectivity

15. Prior to commencement of above ground works detailed plans shall be submitted to and approved in writing by the local planning authority demonstrating the provision of sufficient ducting space for full fibre connectivity infrastructure within the development. The development shall be carried out in accordance with these plans and maintained as such in perpetuity.

Reason: To provide high quality digital connectivity infrastructure to contribute to London's global competitiveness.

Prior to Development Above Ground Floor Slab

Landscaping

16. Notwithstanding the details submitted with the application, no development above ground floor slab level shall take place until the following hard and soft landscape details have been submitted to and approved in writing by the local planning authority, in relation to phases 1, 2 and interim phase 3 landscaping to be agreed under the s.106 agreement:
- a) Planting plans and full planting specification for the whole scheme including details of the number of all trees, hedges and shrubs to be planted, together with a planting schedule providing sizes and total quantities of individual species. The number, type and location of trees should reflect that agreed under condition 2 (approved plans). These plans should also show appropriate plant species given likely levels of shade or direct sunlight.
 - b) Final layout and spacing of trees in relation to street lighting,
 - c) Details of tree planting within hard landscaped areas to include root cell crates,
 - d) Street furniture, including general waste and recycling bins, cycle stands, benches and any other relevant items,
 - e) Details of boundaries including materials, plans images of walls, fencing, gates and railings,
 - f) Details of lighting (in relation to appearance/design),
 - g) Details of wayfinding signage/public art,
 - h) Details of surfacing materials to be used in the external finishes of all roads, footpaths, and parking areas, together with specification of edging and kerbs, and
 - i) Landscape management plan.

The development shall be carried out in accordance with the approved details.

Details a) – i) shall be provided again at such time as the final phase 3 landscaping scheme is brought forward, in accordance with the terms set out in the s.106 agreement.

The approved landscaping schemes shall be implemented during the first planting season following the completion of the relevant area of the development and shall thereafter be maintained for a period of five years. Any trees, shrubs or grassed areas which dies, are diseased or vandalised within this period shall be replaced within the first available planting season.

Reason: To ensure a satisfactory appearance to the development and ensure there are no conflicts between services and street furniture that would result in conflict with landscaping design.

Prior to First Use/First Occupation

CCTV and Lighting

17. Prior to first occupation and notwithstanding the details submitted with the application, details of a full lighting and CCTV scheme demonstrating compliance with the relevant standards must be submitted to, and approved in writing by, the Local Planning Authority.

The lighting is to be designed, installed and maintained so as to fully comply with The Association of Chief Police Officers - Secured by Design publication "Lighting Against Crime - A Guide for Crime Reduction Professionals", ACPO SPD, January 2011. It shall also satisfy criteria to limit obtrusive light as per the requirements of Environmental Zone E2 as set out in the ILP Guidance Note for the Reduction of Obtrusive Light.

The development shall not be occupied until the approved scheme has been implemented. Thereafter the approved measures shall be permanently retained unless otherwise agreed in writing by the Local Planning Authority.

Reason: In order to provide a good standard of lighting and security to future occupants and visitors to the site and to reduce the risk of crime, whilst also protecting residential amenity.

Noise and Vibration

18. (a) Notwithstanding the details submitted with the application, prior to first occupation of each unit, or on occupation of each unit by a new business, a noise and vibration assessment shall be submitted to, and approved in writing, by the Local Planning Authority. The noise and vibration assessment shall outline the likely impact of any noisy operation or external plant including ventilation on the occupiers of noise sensitive property. The assessment shall be determined by measurement or prediction in accordance with the guidance and methodology set out in BS4142: 2014 and shall detail the measures necessary to ensure that the noise does not affect the local amenity.
(b) Once approved the use hereby permitted shall be operated in accordance with the approved details, and all measures identified in the relevant noise assessment adhered to thereafter.

Reason: In order to protect amenity of neighbouring occupiers.

Drainage

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

Reason: To safeguard the public from surface water flood risk, protect the environment and respond to climate change.

Cycle and Bin Storage

20. The cycle storage and bin store facilities as shown on the approved plans, shall be constructed, furnished and made available for use prior to first occupation of any part of the development hereby approved. These cycle and bin storage areas shall thereafter be maintained and kept available for use by the occupants at all times.

Reason: In order to encourage sustainable travel and to ensure a satisfactory form of development.

Visibility Splays

21. The development hereby approved shall not be occupied until the visibility splays as set out in the approved drawings have been provided. The splays shall be kept clear of obstructions over 600mm in height (measured from footway level) and maintained as such at all times.

Reason: In the interests of highway and pedestrian safety.

Whole Life Carbon Assessment

22. Prior to occupation the post-construction tab of the GLA's whole life carbon assessment template should be completed accurately and in its entirety in line with the GLA's Whole Life Carbon Assessment Guidance. The post-construction assessment should provide an update of the information submitted at planning submission stage, including the whole life carbon emission figures for all life-cycle modules based on the actual materials, products and systems used. This should be submitted to the GLA at: ZeroCarbonPlanning@london.gov.uk, along with any supporting evidence as per the guidance. Confirmation of submission to the GLA shall be submitted to, and approved in writing by, the local planning authority, prior to occupation.

Reason: In the interests of sustainable development and to maximise on-site carbon dioxide savings.

Delivery and Servicing

23. Prior to occupation of development, a Delivery and Servicing Plan for all the proposed uses shall be submitted to an approved in writing by the local planning authority in consultation with Transport for London (TfL). The approved details shall be fully implemented before the first use of the relevant non-residential unit 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.

Odour

24. Prior to occupation of any unit hereby permitted, with a commercial kitchen or similar use, details of any ventilation system for the removal and treatment of cooking odours from any commercial catering, including its appearance and measures to mitigate system noise, are to be submitted to and approved in writing by the Local Planning Authority. The measures shall have regard to and be commensurate with guidance and recommendations in:

- The current edition of publication "Specification for Kitchen Ventilation Systems", DW/172, Heating and Ventilating Contractors Association, or other relevant and authoritative guidance, and
- Publication, "Control of Odour and Noise from Commercial Kitchen Exhaust Systems – Update to the 2004 report prepared by NETCEN for the Department for Environment, Food and Rural Affairs", Ricardo.com, 2018.

The approved details shall be fully implemented before the first use of the relevant non-residential unit and shall thereafter be permanently retained in an efficient manner.

Reason: To safeguard the appearance of the premises and minimise the impact of cooking smells, odours and noise in accordance with policies BR13, BP8 and BP11 of the Borough Wide Development Policies Development Plan Document.

Ecological Enhancements

25. The development shall be cleared and constructed in accordance with all recommendations set out in the approved Preliminary Ecological Appraisal and Preliminary Root Assessment (August 2022) and the Landscape and Ecology Management Plan (August 2022). A minimum of 12no. bird boxes should be installed at the Site, to include those targeted towards swifts and house sparrows. The bird boxes should be located and built in accordance with the information shown in Appendix 4 of the approved Preliminary Ecological Appraisal and Preliminary Root Assessment (August 2022) and the Landscape and Ecology Management Plan (August 2022). A minimum of 8no. bat bricks or bat boxes should be installed at the Site. The bat bricks/boxes should be located and built in accordance with the information shown in Appendix 4 of the approved Preliminary Ecological Appraisal and Preliminary Root Assessment (August 2022). All bat and bird boxes/bricks shall be installed prior to first occupation of the site and maintained in perpetuity thereafter.

Reason: In the interests of biodiversity, nature conservation and enhancement.

BREEAM

26. Notwithstanding the details submitted with the application, the development shall not be occupied until a post-construction assessment demonstrating how the entire development will achieve BREEAM Excellent has been submitted to and approved in writing by the Local Planning Authority.

Reason: In the interests of environmental sustainability.

Secure by Design

27. Notwithstanding the details submitted with the application, prior to the first occupation of the development, the scheme shall achieve a Certificate of Compliance in respect of the Secured by Design scheme, or alternatively achieve security standards (based on Secured by Design principles) to the satisfaction of the local authority & Metropolitan Police, details of which shall be provided to the Local Planning Authority for its written approval. All security measures applied to the approved development shall be permanently retained thereafter.

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

Car Parking Design and Management Plan

28. Notwithstanding the details submitted with the application, prior to first occupation of the development, an updated Parking Design and Management Plan shall be submitted to and approved in writing by the Local Planning Authority. This shall include details of how initial and future provision of disabled persons parking spaces will be made, managed and enforced; details of the triggers to bring passive EVCP provision into active use; details of how parking will be allocated; details of any measures to discourage private motorised vehicle use such as charging regimes; and details of any restrictions that will be put on private roads to prevent informal parking. The agreed measures shall be implemented upon first occupation and maintained thereafter in perpetuity.

Reason: In the interests of promoting sustainable and accessible travel.

Post Occupation

Circular Economy

29. A post completion monitoring report should be completed in line with the GLA's Circular Economy Statement Guidance within 6 months of first occupation of any part of the development. The post-construction monitoring report should be completed in line with the GLA's Circular Economy Statement Guidance within 6 months of first occupation of any part of the development. The post-construction monitoring report shall be submitted to the GLA, currently via email at: circulareconomystatements@london.gov.uk, along with any supporting evidence as per the guidance. Confirmation of submission to the GLA shall be submitted to, and approved in writing by, the local planning authority, within 6 months of first occupation of any part of the development.

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

Energy Use

30. The development hereby permitted shall be carried out in accordance with the submitted Energy and Sustainability Statement prepared by Scott White and Hookins dated 5th August 2022 to achieve a 100% reduction in carbon dioxide emissions over Part L of the Building Regulations. A post completion report demonstrating compliance with the submitted Energy and Sustainability Statement shall be submitted to, and approved in writing by, the Local Planning Authority within six months of first occupation of any part of the development.

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

Other

Fire Evacuation Lift

31. A minimum of at least one lift per core within each unit will be a suitably sized fire evacuation lift (which will also be utilised for firefighting) suitable to be used to evacuate people who require level access from the building. The development shall be carried out in accordance with these details and maintained as such in perpetuity.

Reason: In the interests of fire safety.

Car Parking

32. The maximum number of vehicle parking spaces shall not exceed 69 parking spaces at any time. 16 spaces shall be provided as blue-badge spaces. Each unit hereby approved shall have a minimum of 1no. blue badge bay within its immediate parking area.

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

Electric Vehicle Charging

33. Prior to first use of the development hereby approved, 42 vehicle parking spaces shall be provided as active electric vehicle charging spaces, as detailed in the Healthy Streets Transport Assessment hereby approved.

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

Open Air Storage

34. The site shall not be used for the purposes of B8 open air storage unless otherwise agreed in writing with the Local Planning Authority.

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

Trees

35. Existing trees shall be managed in accordance with the Arboricultural Method Statement and Arboricultural Impact Assessment prepared by Ligna to support this application. No trees shall be removed other than those specified in these documents without the prior submission to and approval in writing by the Local Authority.

Reason: In the interests of tree preservation and good arboricultural practise.

Generator

36. In the event that any generators are proposed on site, a detailed assessment of noise and emissions shall be submitted to and approved in writing by the Local Planning Authority prior to the first use of such a generator. This assessment shall demonstrate compliance with the relevant standards and demonstrate no adverse impact on the amenity of nearby residential dwellings. The approved details shall be complied with thereafter.

Reason: In the interests of protecting neighbouring amenity and preventing noise and air pollution.

Informatives

1. REASON FOR IMPOSITION OF PRE-COMMENCEMENT CONDITONS

Pursuant to Articles 35 (1) and (2) of the Town and Country Planning (Development Management Procedure) (England) Order 2015, the Local Planning Authority is satisfied that the requirements of planning conditions 3 (including the timing of compliance) is so fundamental to the development permitted that such details must be submitted prior to works commencing on site.

2. HIGHWAYS

The developer and their representatives are reminded that a positive planning decision does not discharge the requirements under the Highways Act 1980 and Traffic Management Act 2004. Formal notifications and approval may be needed for both the permanent highway scheme and any temporary highway works required during the construction phase of the development.”

3. BUILDING REGULATIONS AND OTHER CONSENTS

This decision DOES NOT imply any consent, which may be required under the Building Regulations or under any other enactment or provision. Nor does it override any private rights which any person may have relating to the land affected by this decision, including the provisions of the Party Wall etc. Act 1996.

4. WORKING WITH THE APPLICANT

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

5. COMMUNITY INFRASTRUCTURE LEVY

This development is potentially liable for payment of both the Mayor of London and London Borough of Barking and Dagenham's Community Infrastructure Levies (CIL). Further information about CIL, including the process that must be followed and forms that will be required, can be found on the Council's website: <https://www.lbbd.gov.uk/developer-contributionscil-and-s106> . CIL forms can be submitted to: S106CIL@befirst.london

APPENDIX 6

S106 Proposed Heads of Terms

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

Administrative:

- Payment of the Council's professional and legal costs, whether or not the agreement completes and payable on completion of the deed;
- Payment of £7,000 for the Council's monitoring and implementing the Section 106 and payable on completion of the deed; and,
- Indexing – all payments are to be index linked from the date of the decision to grant planning permission to the date on which payment is made, using BCIS index.

Transport:

- Traffic Management Order - to pay for a traffic management order for additional double yellow lines, and the subsequent implementation of double yellow lines in the vicinity of the site, in accordance with the plan at Appendix 8. This shall be completed prior to first occupation of the site.
- Highway improvement works – to enter into a Section 278/Section 38 agreement for works to the public highway and cover all necessary costs, as per the plan at Appendix 7. These works shall include carrying out the widening of the public footpath and provision of amended site access and dropped kerbs, with necessary road markings and tactile paving and any other necessary works. These works shall be completed prior to first occupation of the site.
- Transport Feasibility Design contribution - £30,000 be paid to LBBB as a contribution towards the appointment of a transport consultant to carry out a feasibility study and design on Freshwater Road and Selinas Lane to improve the conditions for people walking and cycling, in line with the emerging Chadwell Heath Masterplan, and the Walking and Cycling Strategy. This shall be payable upon the commencement of above ground works.
- Travel plan – to agree and finalise a travel plan in accordance with the recommendations set out in the Framework Travel Plan prepared by Mode (August 2022) and implement the monitoring and review as recommended within it.
- Road junction and bus improvement works contribution - £400,000 to be paid as a contribution towards a review of local traffic signal timings and towards the potential capital cost of further mitigations, the provision of pedestrian cancel and pedestrian countdown timers at the Tollgate Junction, bus priority works for routes serving Whalebone Lane North and Whalebone Lane South, and any

further modelling that is required through the TfL MAP to support these items. This shall be payable upon the commencement of above ground works.

Air Quality:

- Air-quality off-setting contribution – The developer shall undertake an assessment at practical completion. In the event that air quality neutral is not achieved, the applicant shall make a payment towards air quality off-setting payable on practical completion. A payment at the off-setting rate of £29,000 per tonne of NOx over the benchmark (or the equivalent rate at the time of reassessment) and £45.510 per tonne over the established benchmark figure for particulate matter will be applied if the scheme does not meet air quality neutral standards.

Landscape Phasing

- Phasing Plan and New Pedestrian/Cycle Links:
 - e) The applicant shall provide landscaping for phases 1 and 2 by time of first occupation, in accordance with drawing number 8561_103_P1.
 - f) The Phase 3 'interim' planting shall be provided at first occupation and shall consist of the provision of rainwater gardens, 15no. new semi-mature trees along the site's southern boundary, the provision of species-rich grassland planting across the entirety of the remainder of the Phase 3 area.
 - g) The full phase 3 planting will be provided as shown on drawing number 8561_103_P1 (or as otherwise agreed with the LPA) within 10 years post occupation or at such time as neighbouring sites to the west are delivered and reach first occupation.
 - h) If at the time of implementation of phase 3, the trees shown in the landscaping plans for this phase are not required due to an agreed amendment to the configuration of the footpaths, these trees shall be planted elsewhere on the site or off-site by agreement with the Local Planning Authority.

Employment and Skills Obligation:

- Local employment, training and supply chain plans

Plans must be submitted 3 months prior to the commencement of above ground works, providing a forecast of the estimated FTE workforce, the number of vacancies, paid work placements and short courses that will be created over the lifetime of the development. This must be accompanied by a method statement setting out how this will be delivered, including who in the organisation will be responsible for managing recruitment and training, how they will ensure compliance by trade contractors and how this will be managed, how health and safety issues will be managed, and how they will engage with the local community and contribute to educational engagement with local schools.

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

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

- Employment during Construction

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

The Owner will use reasonable endeavours to::

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

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

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

- Supply chain development during Construction

The Owner will use reasonable endeavours to:

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

- Monitoring

- Once the development has commenced above ground works monitoring forms must be submitted to the Council by the designated coordinator responsible for managing recruitment and training monthly for the first three months and quarterly thereafter.

- This designated employment coordinator will attend with the Council regular site visits or meetings to ensure compliance with this schedule and discuss how the obligations contained in this schedule are progressing. These site visits and meetings will take place quarterly in cases where the Council has concerns that the Owner or its contractors/sub-contractors have not been adequately complying with their obligations contained in this schedule. Where the Owner can demonstrate to the Council that they are complying with their obligations in this schedule, such site visits and meetings will be held on a less regular basis at the Council's discretion.
- Confirmation that all obligations have been met – or appropriate employment and training compensation agreed – must be provided before the Council will approve a developer's application for discharge of the obligations in this Agreement.
- Employment and training compensation will be calculated based on:
 - the shortfall against the target number of jobs for LBBB residents X £5,000 (average cost of supporting an unemployed borough resident into work) and the shortfall against the target number of apprenticeship starts X £8,000 (approximate wage costs of a one-year apprenticeship at the minimum apprenticeship rate); and,
 - a contribution of £10,000 for the demolition and site clearance phase (based on a shortfall of 2FTE jobs for LBBB residents X £5,000 (average cost of supported an unemployed borough resident into work)). This is to be paid prior to commencement of piling works.
- Subject to the findings of evidence collected through the agreed employment and training processes, the Owner will pay employment and training compensation to the Council within 30 days of the Council's written request if it is found that the shortfall in the delivery of any employment or training specified in this schedule can be attributed to the Owner having not used all reasonable endeavours to follow the agreed processes.
- The Owner shall be responsible for all legal costs incurred by the Council in enforcing or ensuring compliance with this schedule.

Affordable Workspace

- Off-site Affordable Workspace Contribution - £120,000 towards affordable commercial / cultural workspace, as part of LBBB's Affordable Workspace Fund. This shall be paid prior to first occupation of the development hereby approved. In the event that the contribution remains unspent after five years then it shall be payable to LBBB's Employment and Skills Team ringfenced for the provision of employment and skills training with the Brough.

Energy and Sustainability

- The development shall achieve a minimum 100% reduction in carbon dioxide emissions over Part L of the Building Regulations 2013 (when applying updated SAP 10 emissions factors) through on-site provision. An assessment will be

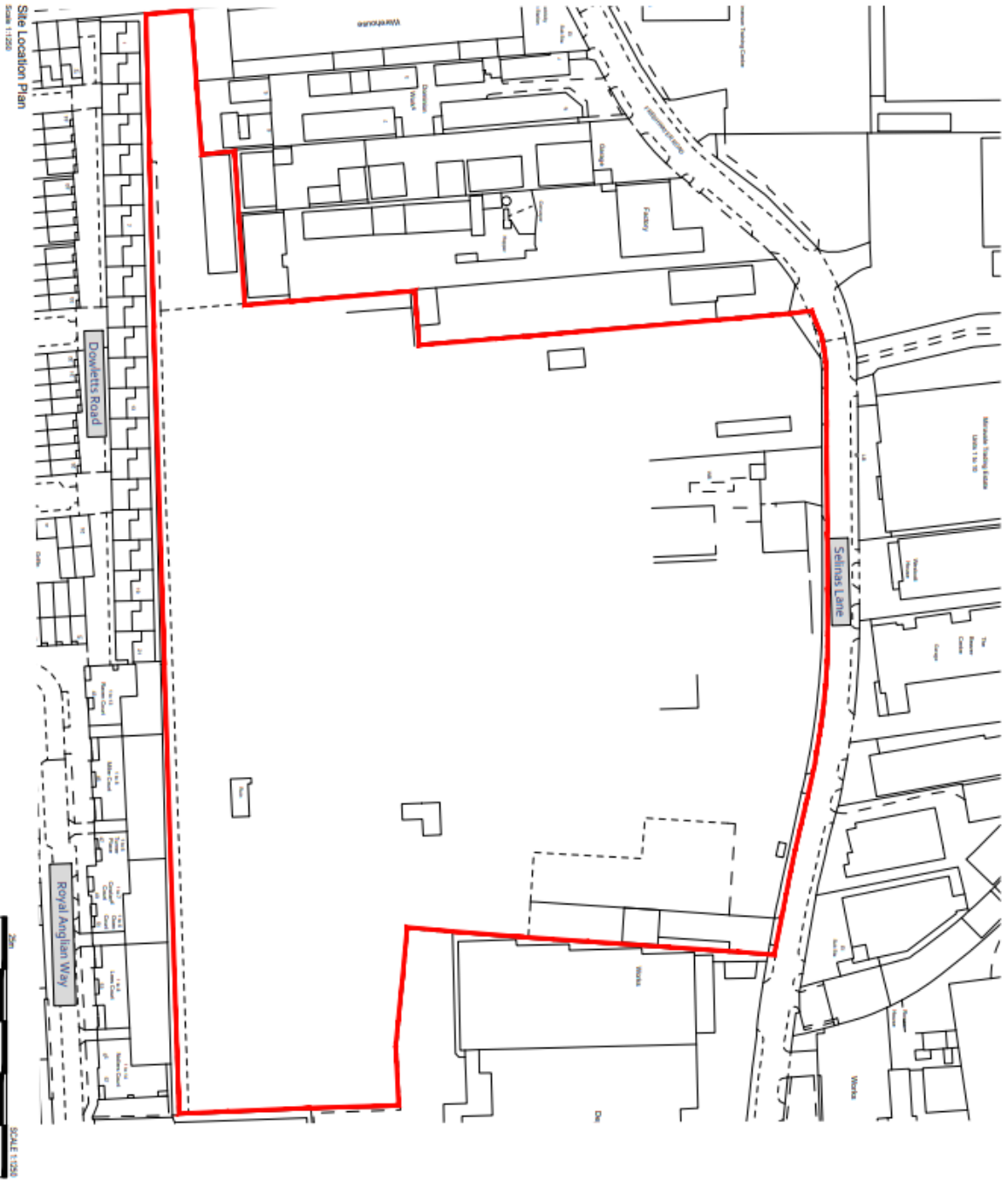
made at practical completion of each block, and a monetary contribution (at £95 per tonne in accordance with The GLA's Carbon Offset Fund Guidance), shall be made to the Local Authority's carbon offset fund to offset the remaining carbon emissions to net zero-carbon prior to 1st occupation of each unit.

- Passive provisions shall be made as part of the development to allow for the development to connect to a future decentralised energy network.
- Measures shall be agreed with regards to the 'Be-Seen' provisions of energy reduction and monitoring. These shall accord with the relevant GLA and London Plan guidance.

Appendix 7 – Proposed s.278 works

(Do Not Scale of this Plan)

(Do Not Scale of this Plan)



— Site Boundary
- 13.03 Acres / 5.27 Hectares

Drawings are a statement, unless stated otherwise.
This drawing is for information only and is not to be used for any other purpose.
The information contained herein is for general information only and does not constitute an offer of any financial product or service.
All drawings are subject to change and shall be subject to the conditions of sale.

P2	Drawing issued to seek client comments	NOV 07 10:08 AM		
P1	Final Issue	NOV 07 10:07 AM		
	Author	by	check	date

Selinas Lane, Dagenham



umc architects
2, Concord Range
51 AMO LRT
1150 22nd A1
21429
LINC. Reg'd. Number: 21429
Drawing No: 21422 - LINC - NMRK - SR - DR - A - 0501
Drawing Set: 1/2